



# IAPP Global Summit 2026

Privacy | AI governance | Cybersecurity law

**Conference 30-31 March**

Workshops 1 April

Training 1-2 April

**WASHINGTON, DC**

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# UNPACKING THE EU DIGITAL SIMPLIFICATION OMNIBUS

Digital | Data | AI

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# WELCOME AND INTRODUCTIONS



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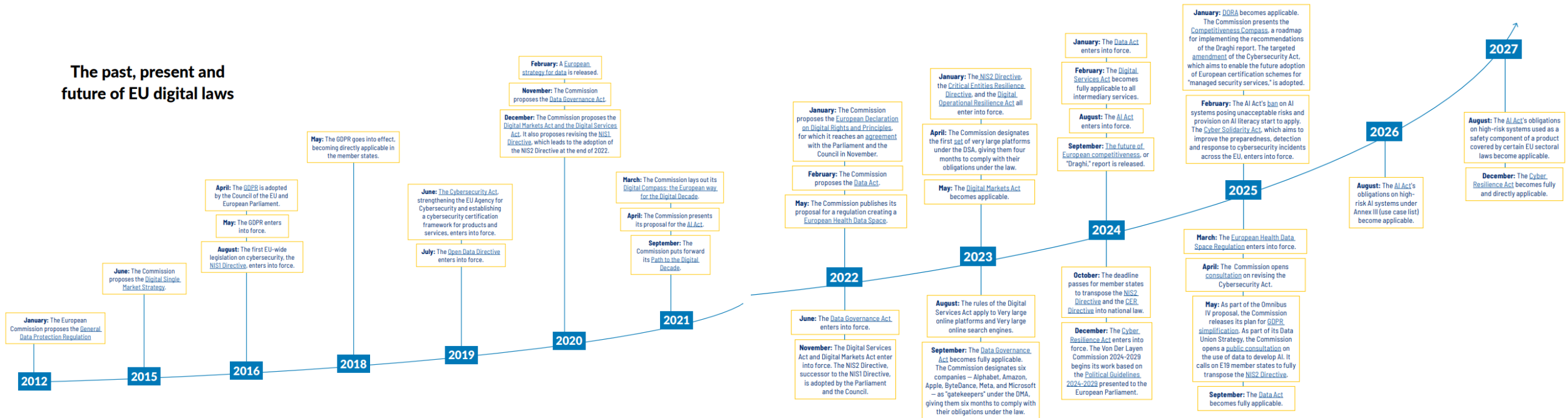


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Managing Director, Europe, IAPP

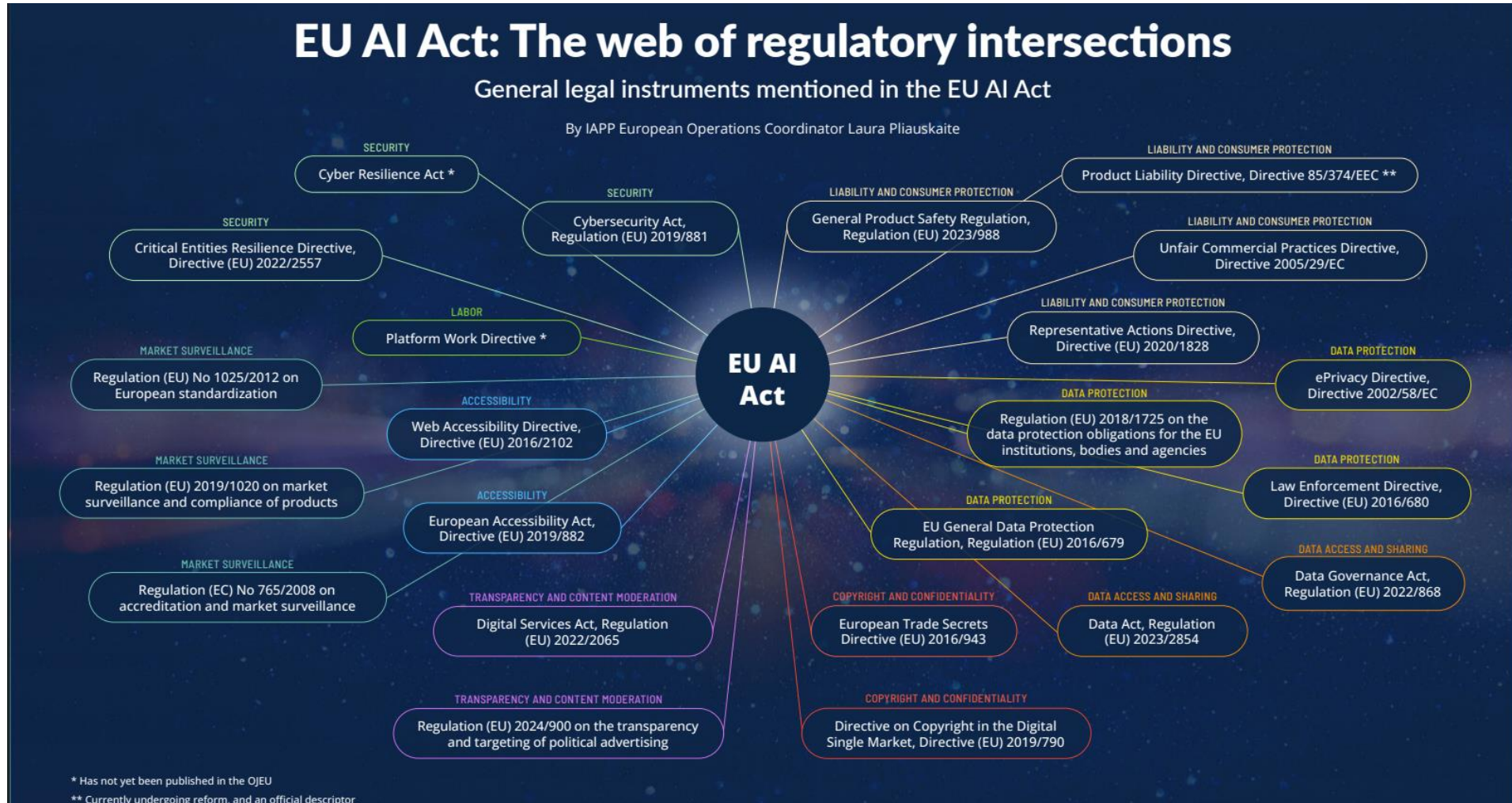
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# The Lay of the Land

## The past, present and future of EU digital laws



# Illustration: EU AI Act regulatory intersections



# “An agile Digital Rulebook for the EU”

## Objectives:

- Increase Europe’s competitiveness and innovation capacity (Draghi report)
- Streamline rules on AI, cybersecurity and data; reduce legal uncertainty; reduce “regulatory clutter”
- Save up to €5 billion in administrative costs by 2029 for businesses
  - Est. €66 million savings for EU companies from ROPA exceptions (Omnibus IV)

Digital Omnibus covering data, cybersecurity and privacy rules (Regulation)

> set of *‘technical’ amendments* to a large corpus of digital legislation

Accompanying Staff Working Document

Digital Omnibus on AI (Regulation)

> targeted simplification measures to ensure timely, smooth, and proportionate implementation of certain of the AI Act’s provisions

Accompanying Staff Working Document

Data Union Strategy (Communication)

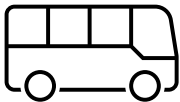
> to improve access to first-rate data

European Business Wallets (Regulation)

> to simplify paperwork and make it easier to do business across EU Member States



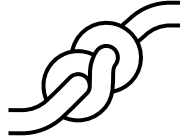
# Brussels' context



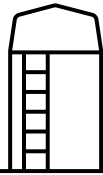
Not just digital



One year on –  
mounting  
pressure



Simplification, not  
deregulation



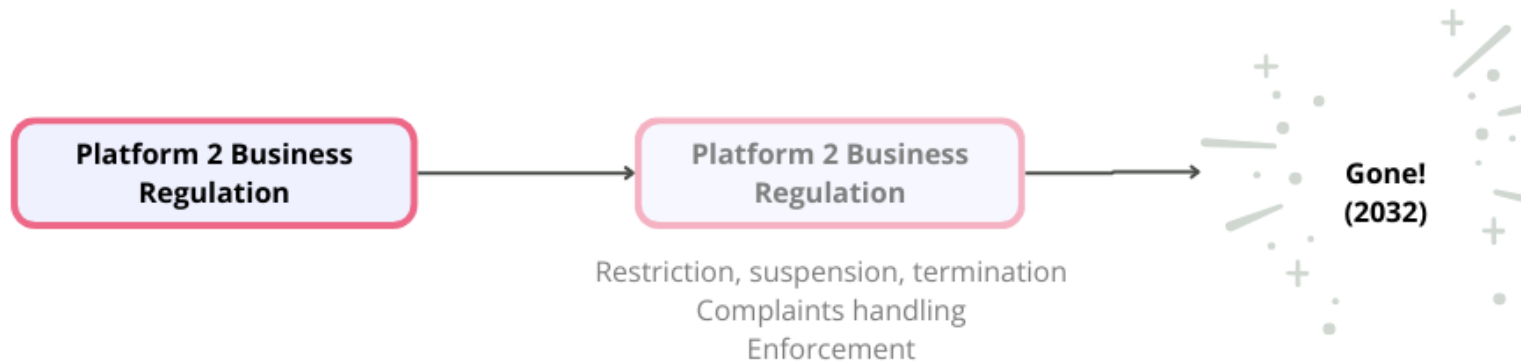
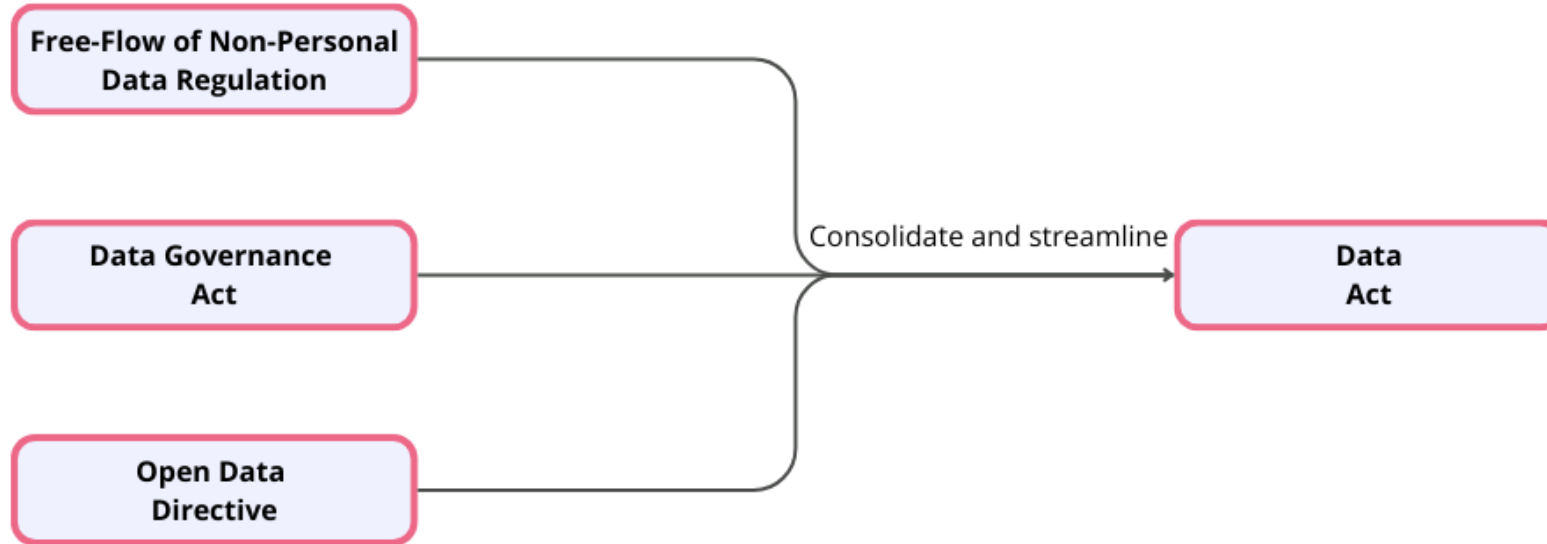
Political & technical  
alignment?  
Silos



“Targeted and  
technical  
changes”...only?



# The Digital Omnibus Impacts to... Data Regulation



# The Digital Omnibus Impacts to... GDPR



## Personal Data



- Subjective test
- SCD exemptions:
  - AI development/use
  - Biometric verification

## Transparency



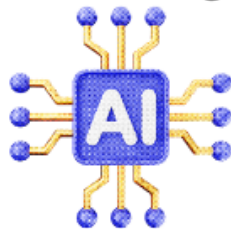
- Exemption if:
  - Clear and circumscribed relationship
  - Not data-intensive activity, and
  - Reasonable grounds to assume data subject has the info
- But not if transfers, ADM, or high risk

## Automated Decisions



- Contractual necessity even if non-automated means for decision

## Artificial Intelligence



- Legitimate interest to process PD in development/use of AI
- Minimisation, non-disclosure and opt-out requirements

## DSARs



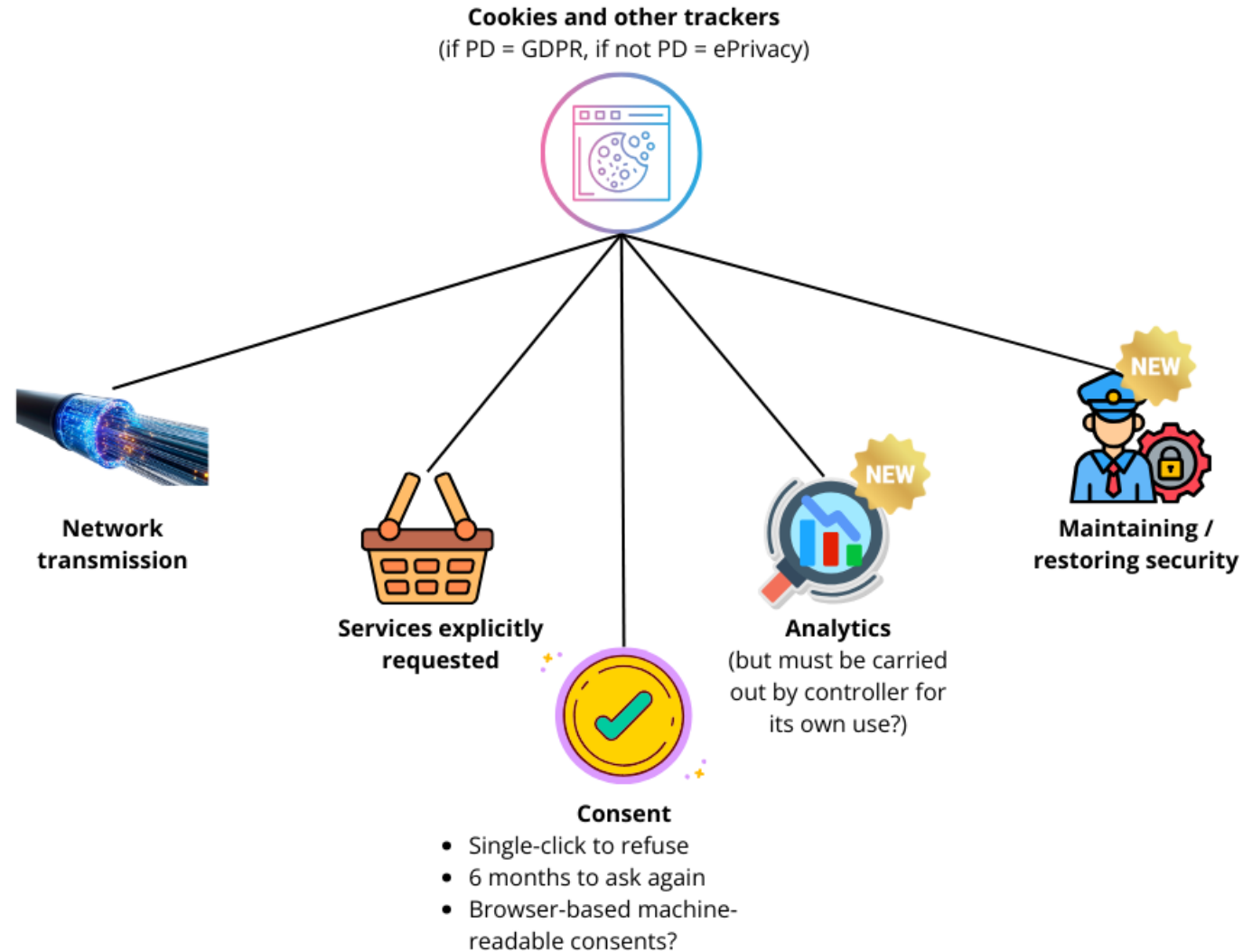
- Limitations for abusive DSARs
  - Reasonable fee, or
  - Refuse to act

## Breach reporting



- 96 hour reporting timeline
- Report only 'high risk' breaches
- Common reporting template
- Reports through Single Entry Point

# The Digital Omnibus Impacts to... ePrivacy



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# The Digital Omnibus Impacts to... Incident Reporting



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# The AI Omnibus Impacts to... AI Literacy



## Before:

*Providers and deployers of AI systems shall take measures to ensure, to their best extent, a sufficient level of AI literacy of their staff and other persons dealing with the operation and use of AI systems on their behalf, taking into account their technical knowledge, experience, education and training and the context the AI systems are to be used in, and considering the persons or groups of persons on whom the AI systems are to be used.*



# The AI Omnibus Impacts to... AI Literacy



## Before:

*Providers and deployers of AI systems shall take measures to ensure, **to their best extent**, a sufficient level of AI literacy of their staff and other persons dealing with the operation and use of AI systems on their behalf, taking into account their technical knowledge, experience, education and training and the context the AI systems are to be used in, and considering the persons or groups of persons on whom the AI systems are to be used.*



## After:

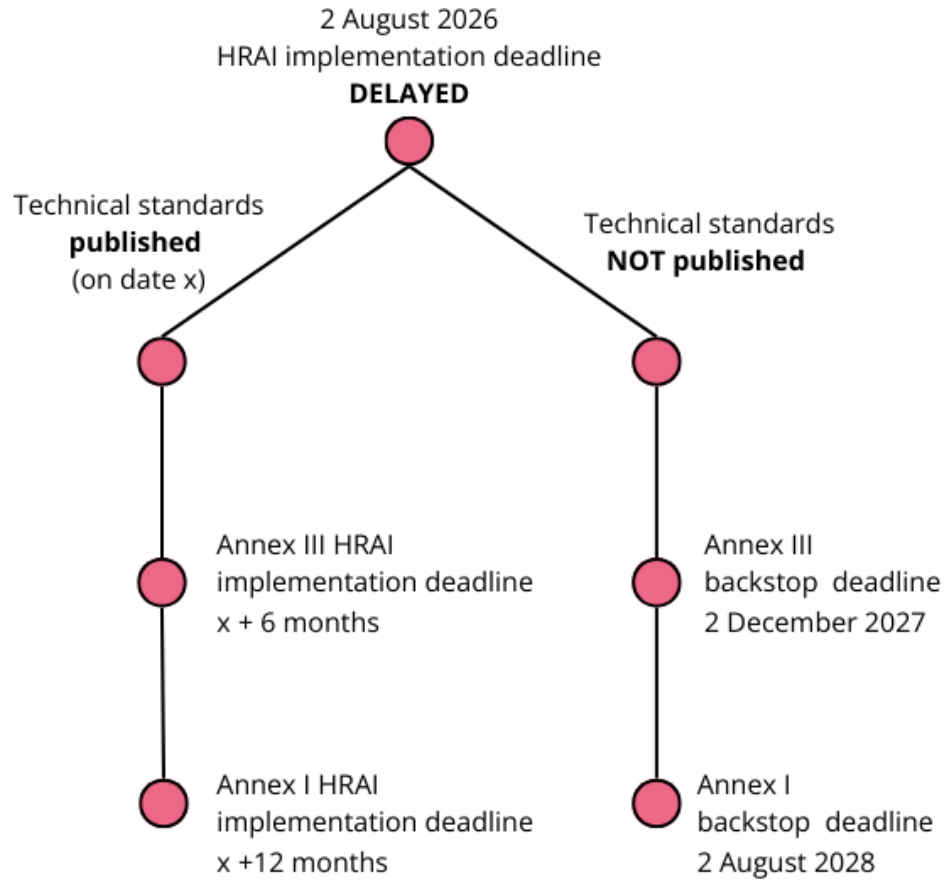
*The Commission and Member States shall encourage providers and deployers of AI systems to take measures to ensure a sufficient level of AI literacy of their staff and other persons dealing with the operation and use of AI systems on their behalf, taking into account their technical knowledge, experience, level of education and training and the context the AI systems are to be used in, and considering the persons or groups of persons on whom the AI systems are to be used.*



# The AI Omnibus Impacts to... implementation



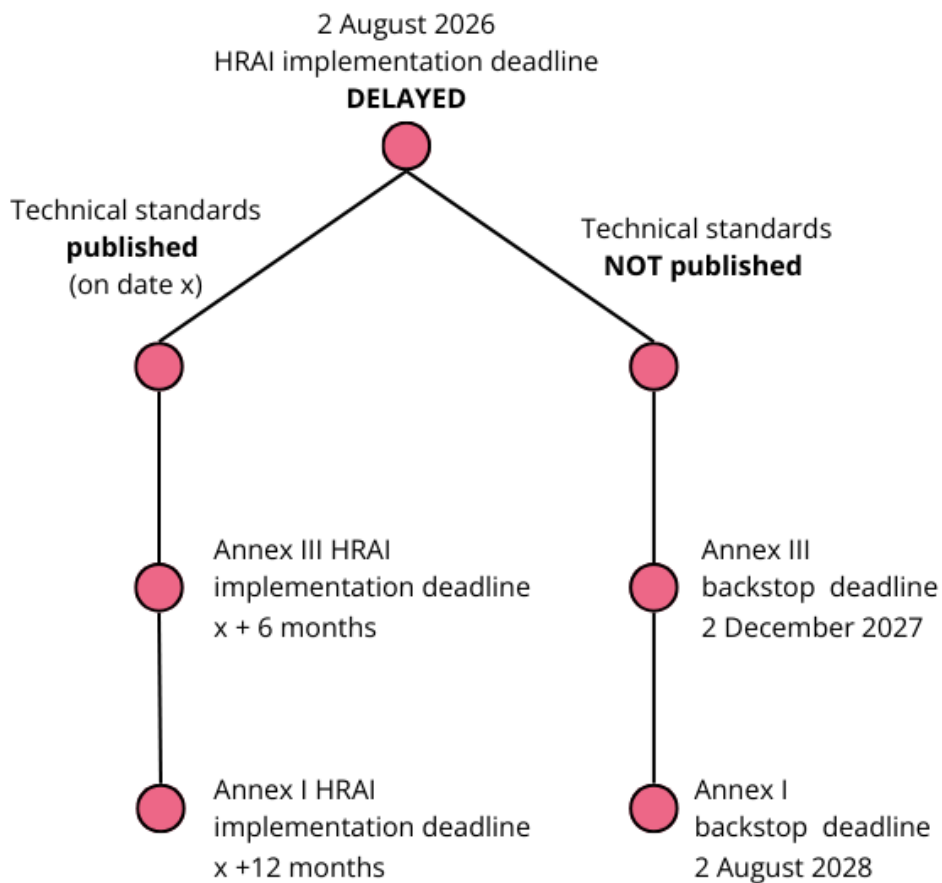
## High Risk AI Systems



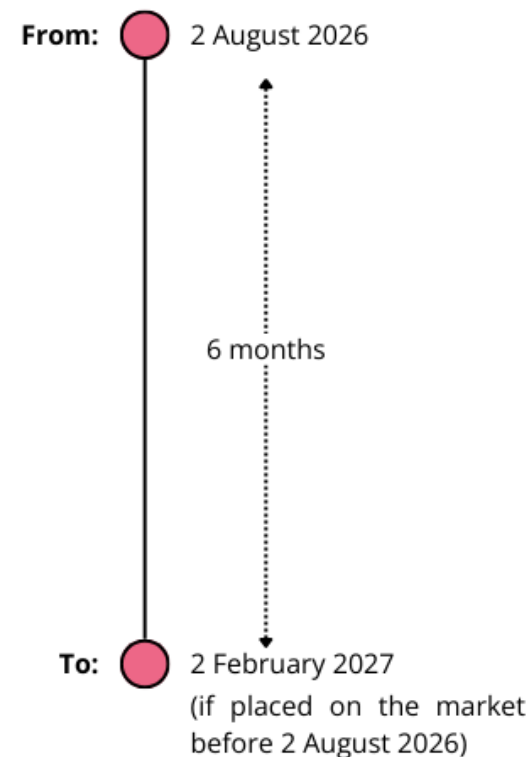
# The AI Omnibus Impacts to... implementation



## High Risk AI Systems



## AI with Transparency Requirements



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# The AI Omnibus Impacts to... SCD processing



## Before:

- SCD for bias detection and correction
- High-risk AI systems only
- Providers only
- Only where “strictly” necessary
- Conditions / safeguards apply

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# The AI Omnibus Impacts to... SCD processing



## Before:

- SCD for bias detection and correction
- High-risk AI systems only
- Providers only
- Only where “strictly” necessary
- Conditions / safeguards apply

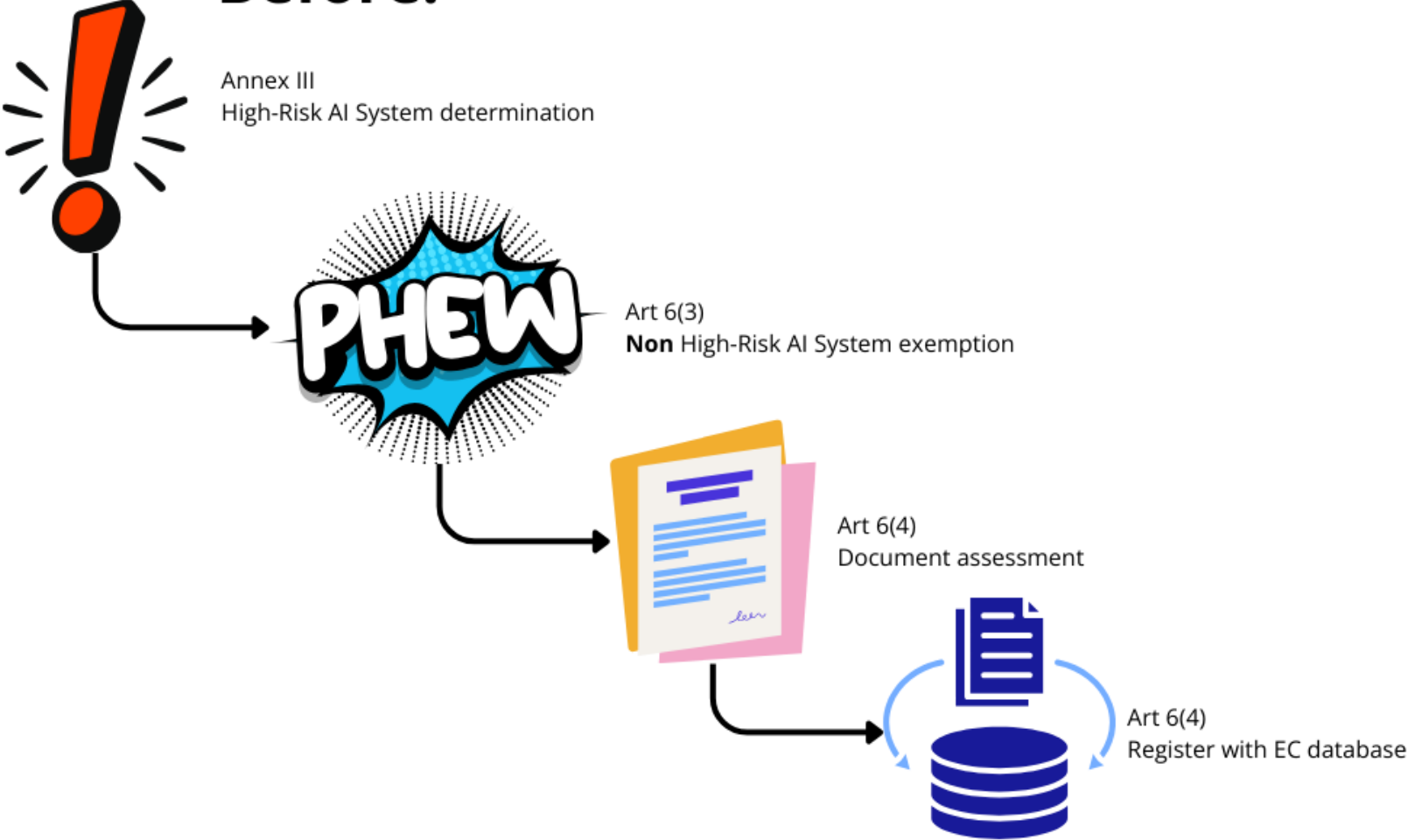
## After:

- SCD for bias detection and correction
- All types of AI systems and models
- Providers and deployers
- Only where necessary
- Conditions / safeguards apply

# The AI Omnibus Impacts to... high-risk AI exemption assessment



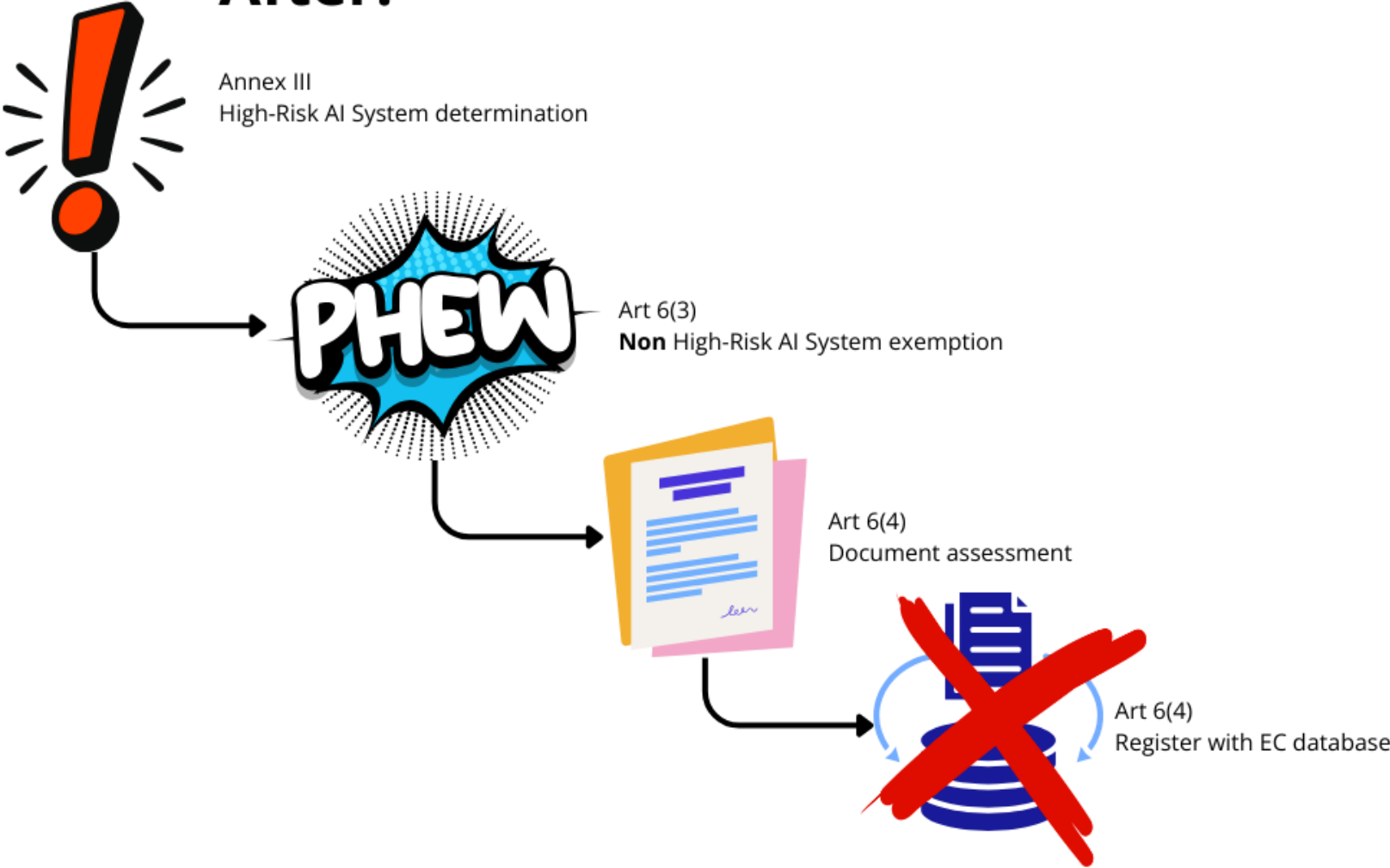
## Before:



# The AI Omnibus Impacts to... high-risk AI exemption assessment



**After:**



# Other noteworthy AI Omnibus Impacts



## SMC simplifications



- SME simplifications extended to SMCs, e.g. technical doc requirements, lower penalties

## Post-market monitoring



- Less prescriptive requirements
- EU Commission to issue guidance (not template)

## Sandboxes



- EU-wide sandbox for GPAI models under AI Office supervision

## Legislative relationships



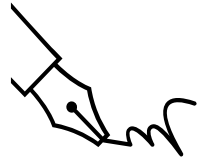
- Commission to prepare guidelines on interplay with other laws (e.g. GDPR, CRA, Machinery Regulation)

## Centralised oversight VLOPs / VLOSEs



- AI Office **exclusively** competent to regulate AI systems that are (or are integrated into) VLOPs and VLOSEs

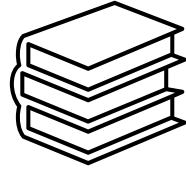
# What happens next



## Omnibus legislative process ongoing

Digital Omnibus completion – TBD.  
Digital Omnibus on AI completion is expected in July 2026.

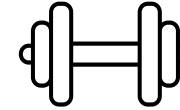
Negotiations open in a process involving the European Parliament, member states, regulators, with contributions from interest groups.



## “Business as usual” simplification ≠ deregulation

Legislative proposals: Omnibus IV; revised Cybersecurity Act; Cloud and AI Development Act; Digital Fairness Act

Scheduled reviews of existing laws: including Digital Markets Act in 2026; NIS2 Directive and Digital Services Act in 2027; Data Act in 2028; AI Act in 2029.



## Digital Fitness Check by Q1 2027

The Commission will map how the digital rulebook covers EU strategic industry sectors, and how its “cumulative effect” impacts competitiveness.

Further changes expected, possibly ranging from streamlining between definitions and legal concepts across laws, to improving the effectiveness and interplay of governance systems.

Public consultation closed on 11 March 2026 (187 submissions)



## Brussels effect?



# Negotiating positions: Digital Omnibus (non-exhaustive)

## **EDPB / EDPS Joint Opinion (adopted 10 Feb. 2026)**

(GDPR) Oppose changes to the definition of personal data.

No need to add legitimate interest as a basis to train AI models but if kept, requires clarity on the LIA, right to object, and enhanced transparency.

Supports proposals on data breach notification (threshold and deadline extension), DPIAs (common templates and lists), scientific research (harmonizing definition; legitimate interest), and biometric data use for identity verification.

Need clarity on scope of the derogation allowing incidental or residual processing of sensitive data in developing or operating AI systems.

Call for strict limits when allowing the use of special categories of personal data for bias detection and correction.

(e-privacy) Support limited new derogations to ban on accessing or storing data on terminal equipment.

Incentives for contextual over behavioral advertising.

## **Draft report LIBE/ITRE European Parliament (expected Q2 2026)**

## **Draft compromise text Council (expected Q2 2026)**

(draft discussion document circulated to member states on 9 January)



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# Negotiating positions: Omnibus on AI (non-exhaustive)

## **EDPB / EDPS Joint Opinion (adopted 21 Jan. 2026)**

Calls for strict limits when allowing the use of special categories of personal data for bias detection and correction.

Supports the creation of EU-level AI regulatory sandboxes and calls for the involvement of data protection authorities in these sandboxes.

Opposes deleting registration requirements.

Opposes changes to AI literacy requirements.

## **European Parliament Report LIBE/IMCO (adopted 26 March 2026)**

Setting fixed deadlines for the application of high-risk rules - 2 December 2027 for Annex III systems and 2 August 2028 for Annex I systems.

Reinstating the obligation to register certain non-high-risk AI systems in the EU database.

Introducing the 'strict necessity' standard for processing special categories of personal data.

Introducing measures to ban AI systems from generating nonconsensual explicit deepfakes NCII/CSAM (applicable from 1 Aug 2026).

Introducing a lighter regime for AI systems embedded in products already regulated under sectoral safety rules.

Requiring data protection authorities' involvement in sandboxes.

Keeping AI literacy obligations with providers and deployers.

Shortening grace period for generative AI transparency requirement to 3 months for systems already on the market.

## **Compromise text Council (as of 13 March 2026); Awaiting final 'general approach'**

Setting fixed deadlines for the application of high-risk rules - 2 December 2027 for Annex III systems and 2 August 2028 for Annex I systems.

Reinstating the obligation to register certain non-high-risk AI systems in the EU database.

Introducing the 'strict necessity' standard for safeguards when processing special categories of personal data.

Introducing measures to ban AI systems from generating nonconsensual explicit deepfakes NCII/CSAM with an exception for law enforcement (applicable from Feb 2027).

Introducing a lighter regime for AI systems embedded in products already regulated under sectoral safety rules.

Postponing national AI regulatory sandbox establishment deadline until 2 December 2027.

Introducing an exception allowing national authorities to supervise certain GPAI models where the model and the system are from the same provider.

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# Legislative next steps\* : Omnibus on AI

- **April 2026** – Trilogue negotiations with the Council begin
- **28 April 2026** – Target date for agreement
- **May 2026** - European Parliament Committees (IMCO/LIBE) vote on the trilogue agreement with the Council
- **June 2026** – European Parliament plenary vote on the trilogue agreement with the Council
- **July 2026** – Publication in the Official Journal of the EU
- **1 August 2026** – Entry into force of the amended parts of the EU AI Act



# RESOURCE LIST

## European Commission resources

- [An agile Digital Rulebook for the EU](#)
- [Digital Omnibus Regulation Proposal](#)
- [Digital Omnibus on AI Regulation Proposal](#)
- [The Draghi report on EU competitiveness](#)

## Other resources

- [EDPB-EDPS Joint opinion 1/2026 Digital Omnibus on AI](#)
- [EDPB-EDPS Joint Opinion on Digital Omnibus](#)
- [European Parliament LIBE/IMCO final report as adopted \(Digital Omnibus on AI\)](#)
- [Council compromise text \(Digital Omnibus on AI\)](#)

## IAPP resources

- IAPP article: [European Commission proposes significant reforms to GDPR, AI Act](#)
- IAPP article: [EU Digital Omnibus: Analysis of key changes](#)
- IAPP article: [European Parliament LIBE hearing tackles Digital Omnibus skepticism](#)
- IAPP article: [EDPB, EDPS detail concerns over personal data definition in joint opinion on Digital Omnibus](#)
- IAPP article: [EU member states' leaked Digital Omnibus compromise proposal eliminates revised GDPR definition of 'personal data'](#)
- IAPP article: [MEPs reach preliminary political agreement on AI omnibus](#)
- Opinion: [EU Digital Omnibus amendments to GDPR to facilitate AI training miss the mark](#)
- IAPP article series: [Understanding and Implementing AI Literacy](#)
- [IAPP Digital Laws Report 2025](#)
- IAPP infographic: [EU AI Act The web of regulatory intersections](#)
- IAPP chart: [Incident Notification and Information Sharing Requirements: EU Digital Laws](#)

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