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Answer given by Executive Vice-President Virkkunen
on behalf of the European Commission
(16.9.2026)

The Commission observes that Section 2.6 of the template for the public summary of training data, published in July 2025, requires a general, narrative description of the ‘other sources of data’, which include self-digitised media¹. General Purpose AI model providers are required to use the template in accordance with Article 53(1)(d) of the AI Act². The Commission is monitoring the publication of summaries and has engaged with providers on the adequacy of their published summaries. Where no summaries are published or they appear deficient, the Commission will consider appropriate enforcement action.

The Directive on the harmonisation of certain aspects of copyright and related rights in the information society (InfoSoc Directive)³ grants authors the exclusive right to authorise or prohibit the reproduction of their works, by any means and in any form, in whole or in part. The digitisation of books protected by copyright, including books lawfully acquired in analogue form, constitutes an act of reproduction requiring the rightsholder’s prior authorisation unless a relevant exception or limitation provided for under EU law and implemented in national law applies. As the text and data mining exceptions only apply to text and data in digital form, they do not cover the digitisation of works in physical format⁴.

Directive (EU) 2019/790 established, in Articles 8 to 11, a framework intended to facilitate the use of out-of-commerce works by cultural heritage institutions, while seeking to support the digitisation and dissemination of Europe’s cultural heritage while ensuring appropriate safeguards for rightsholders. The Commission is currently preparing the review of the Directive and will assess the impacts of these provisions on the availability of out-of-commerce works.

¹ Explanatory Notice and Template for the Public Summary of Training Content for general-purpose AI models required by Article 53 (1)(d) of Regulation (EU) 2024/1689 (AI Act), <https://digital-strategy.ec.europa.eu/en/library/explanatory-notice-and-template-public-summary-training-content-general-purpose-ai-models>.

² Regulation (EU) 2024/1689 of the European Parliament and of the Council of 13 June 2024 laying down harmonised rules on artificial intelligence and amending Regulations (EC) No 300/2008, (EU) No 167/2013, (EU) No 168/2013, (EU) 2018/858, (EU) 2018/1139 and (EU) 2019/2144 and Directives 2014/90/EU, (EU) 2016/797 and (EU) 2020/1828, <https://eur-lex.europa.eu/eli/reg/2024/1689/oj/eng>.

³ Directive 2001/29/EC of the European Parliament and of the Council of 22 May 2001 on the harmonisation of certain aspects of copyright and related rights in the information society, <https://eur-lex.europa.eu/eli/dir/2001/29/oj>.

⁴ Directive (EU) 2019/790 of the European Parliament and of the Council of 17 April 2019 on copyright and related rights in the Digital Single Market and amending Directives 96/9/EC and 2001/29/EC, <https://eur-lex.europa.eu/eli/dir/2019/790/oj/eng>.