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Feedback to the European Commission regarding the Digital Omnibus

Almega would like to thank the European Commission (hereafter Commission) for the opportunity to provide feedback on the digital simplification package through this call for evidence. Almega welcomes the digital omnibus and its aim to simplify existing legislation. The top priority should be to reduce administrative burdens in the AI Act and to eliminate overlaps between the AI Act and other EU legislation.

The EU's digital regulatory framework has evolved rapidly, with aims such as heightened security and privacy. Unfortunately, EU's digital regulation has become a complex landscape of overlapping requirements and ambiguous demarcations, creating uncertainty for companies. Multiple overlapping digital frameworks create ambiguity and difficulties in compliance. Companies need to comply with the AI Act, as well as existing rules such as GDPR, privacy regulations, data management and flows, copyright, cybersecurity, and more. While it is positive that the EU is building common frameworks for AI use, the EU's ethical requirements are stricter than in most countries outside the Union, affecting competitiveness of European businesses.

Almega acknowledges the potential benefits AI will bring for society in terms of for example increased productivity, efficiency, and economic growth. But in order to unleash the potential of AI EU must ensure clear and proportionate digital regulation that fosters innovation and growth. To reduce legal overlaps and promote legal certainty, Almega offers the following ten recommendations:

1. Set realistic implementation deadlines for High-Risk AI systems

The Commission's guidelines for high-risk AI are expected to be published in February 2026, while the sections of the AI Act concerning high-risk systems will start to apply from August 2026. This short timeframe will not allow sufficient time for compliance since companies in general need up to two years to adapt to the new standards. It is reasonable to await finalized guidelines and standards before these sections of the AI Act enter into force. Therefore, we call on the Commission to introduce a "grace" period for implementing the General-Purpose AI Code of Practice and to extend deadlines for Annex I and III by at least 24 months.

2. Harmonize EU AI standards with international standards

EU standards are complex and pose operational and documentation burdens. The growing divergence between European and international standards creates barriers for companies operating on a global market, resulting in double certification processes and increased compliance costs. The WTO Agreement on Technical Barriers to Trade already provides a clear basis, urging countries to use international standards as the basis for their technical regulations.

3. Ensure harmonized guidance and oversight between the AI Act and GDPR

The Commission and co-legislators should issue guidance to harmonize the AI Act with GDPR to clarify the division between automated decision-making (GDPR Article 22) and AI systems and outline adequacy for human involvement. Joint guidance on purpose limitation and data minimization (GDPR Article 5) must enable effective AI training on large datasets. Technical documentation requirements under Article 11 of the AI Act should align with GDPR's data protection principles to avoid contradictions (GDPR Article 5) and the required technical and organizational measures to ensure data confidentiality, integrity, and availability (GDPR Article 32). Furthermore, the AI Office and the European Data Protection Board (EDPB) should collaborate for joint supervision and guidance regarding the AI Act and GDPR.

4. Modernize copyright law to meet AI challenges

The Commission and co-legislators must update copyright frameworks to clarify AI-generated content's legal status and define authorship and rights. Guidelines for the use of protected material in AI training should facilitate secure, innovation-friendly utilization, and the AI Act must prevent AI systems from posing unacceptable risks to rights holders.

5. Integrate strong trade secret protections within data sharing requirements

Well-defined exceptions and safeguards must apply for disclosure obligations under Article 13 of the AI Act, so companies are protected from disclosure of confidential information. Any information disclosed under the AI Act must be protected from unauthorized use. Article 13 of the AI Act must comply with the Directive on Trade Secrets (Dir 2016/943).

6. Reconcile transparency requirements with copyright in access to training data

The Commission and co-legislators should clarify the interface between the AI Act's transparency requirements for training datasets and EU/national copyright law. Acceptable verification forms should be established to meet transparency and accountability goals without infringing copyright.

7. Coordinate and harmonize the AI Act with the Platform Work Directive, NIS2, and public sector confidentiality rules

Guiding documents should clarify the relationships, boundaries, and prevent duplicating regulation between the AI Act, NIS2 Directive, and Platform Work Directive (PWD), enhancing legal certainty. Procedures are needed to address issues of confidentiality when AI processes public sector data. National over implementation — especially regarding sanctions — should be avoided.

8. Apply a risk-based approach to SMEs

Obligations under the AI Act disproportionately impact small and medium-sized enterprises (SME's) and startups, potentially stifling European AI innovation. We call for a risk-based approach to ensure the regulation does not hinder SME growth and innovation.

9. Streamline legal obligations for the use of algorithms in the workplace

Currently, the AI Act, PWD, and GDPR overlap and may create conflicting and redundant obligations for algorithmic task allocation systems. The Commission should introduce cross-references between the AI Act, GDPR, and PWD based on the once-only principle, preventing duplicative compliance efforts and legal uncertainty. PWD requirements should link to GDPR more explicitly, align terminology, and avoid overlap unless clearly justified. Prohibitions, consultation and transparency requirements, data portability, and human oversight mandates should match corresponding GDPR stipulations wherever possible.

10. Promote innovation and growth for SMEs on digital platforms

The Platform Directive must be implemented in a way that avoids negative effects on small and medium enterprises and self-employed workers on digital platforms. The Commission should assess the impact on B2B platforms and small and medium enterprises.

About us

Almega is the largest employers' organization in the private service sector. We represent 10,000 companies covering 60 service industries, employing more than 500,000 individuals. The Swedish private service sector is a driver of economic growth—responsible for over half of Sweden's GDP and employing 2.5 million individuals. It accounts for a third of national exports and is responsible for four out of five new jobs, underscoring its critical role in competitiveness and innovation.

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