

DIGITAL OMNIBUS & DIGITAL OMNIBUS ON AI

LAST UPDATE 02 | 2026

1. OVERVIEW AND SCOPE

- Official name of the legislation: **Digital Omnibus Regulation** and **Digital Omnibus AI Regulation**
- Type: **Regulation** (a "regulation" is a binding legislative act. It must be applied in its entirety across the EU).

The European Commission seeks to consolidate overlapping aspects of the GDPR, the EU AI Act, and other EU digital acts.

Proposed changes would potentially narrow GDPR scope, facilitate use of personal data for AI training, simplify data breach and cyber incident reporting, and extend compliance deadlines for high-risk AI systems.

2. WHAT DOES IT APPLY TO?

All companies operating in the EU, with different obligations according to size.

3. HOW IS THE EVENTS INDUSTRY DIRECTLY AFFECTED?

All digital operations of a company shall be verified against the Regulation.

4. MAIN PROVISIONS OF THE LEGISLATION

Impact on GDPR and e-Privacy

- A clarified definition of "personal data" easier to apply in practice: the assessment of data as personal data or anonymous/non-personal data would be based on the perspective of the relevant data controller
- More flexibility around special category data: 1) use of special category data in AI development/operation, subject to certain conditions; 2) use of biometric data for identity verification when the data or means needed for verification are under the sole control of the data subject
- Cybersecurity incident reporting: creation of a single breach and incident reporting channel
- Simpler cookie and privacy consent compliance: consent would not be required for the use of cookies involving personal data and any subsequent data processing 1) for communication transmission; 2) to provide a service requested by the user; 3) aggregated measurement for the controllers' own use; 4) security of the service or the user's device.

- Transparency: expanding the existing exemption from the requirement to provide privacy notices
- Relief on Data subject access requests: controllers may reject abusive requests for access to data if data subjects pursue objectives that are not covered by the GDPR, in particular cases in which data subjects attempt to misuse requests for access to harass the controller
- Standardised Data Protection Impact Assessments (DPIAs): the European Data Protection Board (EDPPB) will provide: 1) list of cases when DPIAs are and are not required; 2) common methodology and template.

Impact on the AI Act

- Delay to the August 2026 deadline for high-risk systems: according to when the Commission guidance and harmonised standards become available.
- Relaxation of the AI literacy requirement: current obligation is abolished.
- Relaxations for SMEs extended to small mid-caps (SMCs): simplification
- Bias check: EU AI Act will explicitly provide that providers and deployers may process special category personal data for the purposes of detecting and correcting bias in AI (on the basis of the Art. 9(2)(g)).

5. STATE OF THE LEGISLATIVE PROCESS

The Draft must now be agreed with the European Parliament (Parliament) and the Council of the EU (Council) before being finalised, and is expected to receive intense scrutiny.

6. RECOMMENDATIONS/REMARK

On 28 January 2026 the European Parliament's Legal Affairs (JURI) Committee adopted its report "Copyright and generative artificial intelligence – opportunities and challenges". The Legal Affairs Committee report calls for essential measures to address this blatant disregard for music authors' moral and economic rights, and to rectify this power imbalance.

7. LINKS

Link to the Digital Omnibus Regulation Proposal: <https://digital-strategy.ec.europa.eu/en/library/digital-omnibus-regulation-proposal>

Link to the Digital Omnibus AI Regulation Proposal: <https://digital-strategy.ec.europa.eu/en/library/digital-omnibus-ai-regulation-proposal>

"Copyright and generative intelligence – opportunities and challenges" report: <https://www.europarl.europa.eu/news/en/press-room/20260126IPR32636/protect-copyrighted-work-used-by-generative-ai-say-legal-affairs-meps>