# Table of contents

### List of abbreviations

List of sources cited in abbreviated form

#### List of recitals of the AI Act

#### An introduction to the AI Act

#### 1. The scope of the AI Act

- 1.1 Material scope What types of AI are covered?
- 1.2 Personal scope Who does the AI Act apply to?
- 1.3 Territorial scope Where does the AI Act apply?
- 1.4 Temporal scope From when does the AI Act apply?

# 2. The AI Act as an instrument of product regulation

- 2.1 An overview of European product regulation
- 2.2 The role of harmonized standards and common specifications
- 2.3 External conformity assessment bodies and their accreditation and notification
- 2.4 Relation to other harmonization legislation

# 3. Risk-based regulation of AI systems and AI models

- 3.1 Prohibited AI systems
- 3.2 High-risk AI systems
- 3.3 GenAI and certain biometric AI systems that are subject to special transparency rules

- 3.4 Other AI systems
- 3.5 General-purpose AI models

# 4. An overview of the obligations under the AI Act

- 4.1 Obligations of providers
- 4.2 Obligations of importers
- 4.3 Obligations of distributors
- 4.4 Obligations of deployers systems
- 4.5 Obligations of authorised representatives

#### 5. Innovation-promoting measures

- 5.1 AI regulatory sandboxes
- 5.2 Testing in real-world conditions

#### 6. Enforcement by public authorities

- 6.1 Market surveillance regarding AI systems
- 6.2 The AI Office as supervisory authority for providers of general-purpose AI models
- 6.3 Administrative fines

#### 7. Liability and private enforcement

# AI Act text and commentary

### **Chapter I – General Provisions**

- Article 1 Subject matter
- Article 2 Scope
- Article 3 Definitions
- Article 4 AI literacy

### **Chapter II – Prohibited AI practices**

Article 5 Prohibited AI practices

#### Chapter III – High-risk AI systems

# Section 1 – Classification of AI systems as high-risk

Article 6	Classification rules for
	high-risk AI systems
Article 7	Amendments to Annex III

#### Section 2 - Requirements for

#### high-risk AI systems

Article 8	Compliance with the
	requirements
Article 9	Risk management system
Article 10	Data and data governance
Article 11	Technical documentation
Article 12	Record-keeping
Article 13	Transparency and provision
	of information to deployers
Article 14	Human oversight
Article 15	Accuracy, robustness and

## Section 3 – Obligations of providers and deployers of high-risk AI systems and other parties

cybersecurity

and other p	artics
Article 16	Obligations of providers
	of high-risk AI systems
Article 17	Quality management
	system
Article 18	Documentation keeping
Article 19	Automatically generated
	logs
Article 20	Corrective actions and
	duty of information
Article 21	Cooperation with
	competent authorities
Article 22	Authorised representatives
	of providers of high-risk
	AI systems
Article 23	Obligations of importers
Article 24	Obligations of distributors
Article 25	Responsibilities along the
	AI value chain
Article 26	Obligations of deployers of
	high-risk AI systems
Article 27	Fundamental rights impact
	assessment for high-risk
	AI systems

# Section 4 – Notifying authorities and notified bodies

notified bot	lles	
Article 28	Notifying authorities	
Article 29	Application of a conformity	
	assessment body for	
	notification	
Article 30	Notification procedure	
Article 31	Requirements relating to	
	notified bodies	
Article 32	Presumption of conformity	
	with requirements relating	
	to notified bodies	
Article 33	Subsidiaries of notified	
	bodies and subcontracting	
Article 34	Operational obligations of	
	notified bodies	
Article 35	Identification numbers and	
	lists of notified bodies	
Article 36	Changes to notifications	
Article 37	Challenge to the	
	competence of notified	
	bodies	
Article 38	Coordination of notified	
	bodies	
Article 39	Conformity assessment	
	bodies of third countries	
Section 5 – Standards, conformity		
assessment, certificates, registration		

#### assessment, certificates, registration Article 40 Harmonised standards and standardisation deliverables Article 41 Common specifications Article 42 Presumption of conformity with certain requirements Article 43 Conformity assessment Article 44 Certificates Article 45 Information obligations of notified bodies Article 46 Derogation from conformity assessment procedure Article 47 EU declaration of conformity Article 48 CE marking Article 49 Registration

# Chapter IV – Transparency obligations for providers and deployers of certain AI systems

Article 50 Transparency obligations for providers and deployers of certain AI systems

# Chapter V – General-purpose AI models

#### Section 1 - Classification rules

- Article 51 Classification of generalpurpose AI models as general-purpose AI models with systemic risk
- Article 52 Procedure

# Section 2 – Obligations for providers of general-purpose AI models

- Article 53 Obligations for providers of general-purpose AI models
- Article 54 Authorised representatives of providers of generalpurpose AI models

### Section 3 – Obligations of providers of general-purpose AI models with systemic risk

Article 55 Obligations of providers of general-purpose AI models with systemic risk Article 56 Codes of practice

# Chapter VI – Measures in support of innovation

- Article 57 AI regulatory sandboxes
- Article 58 Detailed arrangements for, and functioning of, AI regulatory sandboxes
- Article 59 Further processing of personal data for developing certain AI systems in the public interest in the AI regulatory sandbox
- Article 60 Testing of high-risk AI systems in real world conditions outside AI regulatory sandboxes

- Article 61 Informed consent to participate in testing inreal world conditions outside AI regulatory sandboxes
- Article 62 Measures for providers and deployers, in particular SMEs, including start-ups
- Article 63 Derogations for specific operators

### Chapter VII – Governance

#### Section 1 – Governance at Union level

- Article 64AI OfficeArticle 65Establishment and structureof the European ArtificialIntelligence Board
- Article 66 Tasks of the Board
- Article 67 Advisory forum
- Article 68 Scientific panel of
  - independent experts
- Article 69 Access to the pool of experts by the Member States

# Section 2 – National competent authorities

Article 70 Designation of national competent authorities and single points of contact

## Chapter VIII – EU Database for high-risk AI systems

Article 71 EU database for high-risk AI systems listed in Annex III

# Chapter IX – Post-market monitoring, information sharing and market surveillance

### Section 1 – Post-market monitoring

Article 72 Post-market monitoring by providers and post-market monitoring plan for highrisk AI systems,

# Section 2 – Sharing of information on serious incidents

Article 73 Reporting of serious incidents

#### Section 3 – Enforcement

section 5 – I	Emorcement
Article 74	Market surveillance and
	control of AI systems in
	the Union market
Article 75	Mutual assistance, market
	surveillance and control of
	general-purpose AI systems
Article 76	Supervision of testing in
	real world conditions by
	market surveillance
	authorities
Article 77	Powers of authorities
	protecting fundamental
	rights
Article 78	Confidentiality
Article 79	Procedure at national level
	for dealing with AI systems
	presenting a risk
Article 80	Procedure for dealing with
	AI systems classified by the
	provider as non-high-risk in
	application of Annex III
Article 81	Union safeguard procedure
Article 82	Compliant AI systems
	which present a risk
Article 83	Formal non-compliance
Article 84	Union AI testing support
	structures

#### Section 4 – Remedies

- Article 85 Right to lodge a complaint with a market surveillance authority
- Article 86 Right to explanation of individual decision-making
- Article 87 Reporting of infringements and protection of reporting persons

### Section 5 – Supervision, investigation, enforcement and monitoring in respect of providers of general-purpose AI models

Article 88 Enforcement of the obligations of providers of general-purpose AI models Article 89 Monitoring actions

- Article 90 Alerts of systemic risks by the scientific panel
- Article 91 Power to request documentation and information
- Article 92 Power to conduct evaluations
- Article 93 Power to request measures
- Article 94 Procedural rights of economic operators of the general-purpose AI model

# Chapter X – Codes of conduct and guidelines

- Article 95 Codes of conduct for
  - voluntary application of specific requirements
- Article 96 Guidelines from the Commission on the implementation of this Regulation

### Chapter XI – Delegation of power and committee procedure

Article 97	Exercise of the delegation
Article 98	Committee procedure

### **Chapter XII – Penalties**

- Article 99 Penalties
- Article 100 Administrative fines on Union institutions, bodies, offices and agencies
- Article 101 Fines for providers of general-purpose AI models

#### **Chapter XIII – Final provisions**

- Article 102 Amendment to Regulation (EG) No 300/2008
- Article 103 Amendment to Regulation (EU) No 167/2013
- Article 104 Amendment to Regulation (EU) No 168/2013
- Article 105 Amendment to Directive 2014/90/EU
- Article 106 Amendment to Directive (EU) 2016/797
- Article 107 Amendment to Regulation (EU) 2018/858

Article 108 Amendments to Regulation (EU) 2018/1139

- Article 109 Amendment to Regulation (EU) 2019/2144
- Article 110 Amendment to Directive (EU) 2020/1828
- Article 111 AI systems already placed on the market or put into service and general-purpose AI models already placed on the market
- Article 112 Evaluation and review
- Article 113 Entry into force and application

ANNEX I – List of Union harmonisation legislation

ANNEX II – List of criminal offences referred to in Article 5(1), first subparagraph, point (h)(iii)

ANNEX III – High-risk AI systems referred to in Article 6(2)

ANNEX IV – Technical documentation referred to in Article 11(1)

ANNEX V – EU declaration of conformity

ANNEX VI – Conformity assessment procedure based on internal control

ANNEX VII – Conformity based on an assessment of the quality management system and an assessment of the technical documentation

ANNEX VIII – Information to be submitted upon the registration of high-risk AI systems in accordance with Article 49

Section A Information to be submitted by providers of high-risk AI systems in accordance with Article 49(1)

- Section B Information to be submitted by providers of high-risk AI systems in accordance with Article 49(2)
- Section C Information to be submitted by deployers of high-risk AI systems in accordance with Article 49(3)

ANNEX IX – Information to be submitted upon the registration of high-risk AI systems listed in Annex III in relation to testing in real world condictions in accordance with Article 60

ANNEX X – Union legislative acts on large-scale IT systems in the area of Freedom, Security and Justice

ANNEX XI – Technical documentation referred to in Article 53(1), point (a) – technical documentation for providers of general-purpose AI models

- Section 1 Information to be provided by all providers of generalpurpose AI models
- Section 2 Additional information to be provided by providers of general-purpose AI models with systemic risk

ANNEX XII – Transparency information referred to in Article 53(1), point (b) – technical documentation for providers of general-purpose AI models to downstream providers that integrate the model into their AI system

ANNEX XIII – Criteria for the designation of general-purpose AI models with systemic risk referred to in Article 51

#### Index