

How will the EU AI Act affect my AI system?

To find out your obligations under the EU AI Act, complete the questionnaire below for each individual AI system used in your organisation—or use our [interactive web form](#).

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KEY

Go to #XYZ → **Obligation** **Status change** **END** **Out of scope**

Where to go next | Receive an obligation | Status has changed | No further questions

For a full explanation of each obligation and status change, see the section "Understanding your obligations" at the bottom of the document.

Ⓞ Is my system an 'AI System' according to the EU AI Act?
An artificial intelligence system (AI system) is defined as: A machine-based system designed to operate with varying levels of autonomy and that may exhibit adaptiveness after deployment and that, for explicit or implicit objectives, infers, from the input it receives, how to generate outputs such as predictions, content, recommendations, or decisions that can influence physical or virtual environments.

#E Entity

Question #E1
Which kind of entity is your organisation?

Answers: Provider → AI Literacy + Go to #E2 →
 Deployer → AI Literacy + Go to #E2 →
 Distributor → Go to #E2 →
 Importer → Go to #E3 →
 Product Manufacturer → Go to #E3 →
 Authorised Representative → Authorised Representative + END

Ⓞ Hint
Note: It is possible to be multiple types of entity at once, according to Recital 8.3. If you match the definition of multiple types, you must complete the questionnaire once for each type.
Provider: a natural or legal person, public authority, agency or other body that develops an AI system or a general purpose AI model (or that has an AI system or a general purpose AI model developed) and places them on the market or puts the system into service under its own name or trademark, whether for payment or free of charge.
Deployer: any natural or legal person, public authority, agency or other body using an AI system under its authority except where the AI system is used in the course of a professional activity.
Distributor: any natural or legal person in the supply chain, other than the provider or the importer, that makes an AI system available on the Union market;
Importer: any natural or legal person located or established in the Union that places on the market an AI system that bears the name or trademark of a natural or legal person established outside the Union;
Product manufacturer: places on the market or puts into service an AI system together with their product under their own name or trademark.
Authorised representative: any natural or legal person located or established in the Union who has received and accepted a written mandate from a provider of an AI system or a general purpose AI model to, respectively, perform and carry out on its behalf the obligations and procedures established by this Regulation.

Source: [Article 3 points 2-8, Recital 87](#)

Question #E2
Do you (OR a downstream deployer, distributor, or importer) make any of the following modifications to your system?

Answers: Putting a different name/trademark on the system → Conditions → IF you are a Provider: Handover + Go to #HR1 →
 Modifying the intended purpose of a system already in operation → Conditions → IF you are a Provider: Handover + Go to #HR1 →
 Performing a substantial modification (see Article 3 point 23) to the system → Conditions → IF you are a Provider: Handover + Go to #HR1 →
 None of the above → Go to #HR1 →

Source: [Article 25 points 1-2](#)

Question #E3
Does your product integrate an AI system AND meet either of the following criteria?

Answers: The AI system was / will be 'placed on the market' together with my product under my manufacturer name or trademark → Go to #HR6 →
 The AI system was / will be 'put into service' under my manufacturer name or trademark after my product has been placed on the market → Go to #HR6 →
 None of the above → Out of scope

Ⓞ Hint
Note: This applies ONLY if your product is placed on the market / put into service within the EU, regardless of whether or not you are established within the EU.
Source: [Article 25 point 3, Annex I](#)

#HR High-risk status

Question #HR1
Does your AI system fall within any of the following high-risk categories? (Annex 1, Section B)

Answers: Civil aviation security → Conditions → IF you are a Provider: High-risk + Go to #S1 →
 Two- or three-wheel vehicles and quadricycles → Conditions → IF you are a Provider: High-risk + Go to #S1 →
 Agricultural and forestry vehicles → High-risk + Become a Provider For all future questions + Go to #S1 →
 Marine equipment → High-risk + Become a Provider For all future questions + Go to #S1 →
 Interoperability of the rail systems → High-risk + Become a Provider For all future questions + Go to #S1 →
 Motor vehicles and their trailers → High-risk + Become a Provider For all future questions + Go to #S1 →
 Civil aviation → Go to #HR2 →
 None of the above → Go to #HR2 →

Source: [Article 6 point 1](#)

Question #HR2
Does your AI system fall within any of the following high-risk categories? (Annex 1, Section A)

Answers: Machinery → Go to #HR3 →
 Toys → Go to #HR3 →
 Recreational craft & personal watercraft → Go to #HR3 →
 Lifts and safety components of lifts → Go to #HR3 →
 Equipment and protective systems intended for use in potentially explosive atmospheres → Go to #HR3 →
 Radio equipment → Go to #HR3 →
 Pressure equipment → Go to #HR3 →
 Cableway installations → Go to #HR3 →
 Personal protective equipment → Go to #HR3 →
 Appliances burning gaseous fuels → Go to #HR3 →
 Medical devices → Go to #HR3 →
 In vitro diagnostic medical devices → Go to #HR3 →
 None of the above → Go to #HR4 →

Source: [Article 6 point 1](#)

Question #HR3
Is your product (or the product for which your AI system is a 'safety component') required to undergo a third-party conformity assessment under existing EU laws?

Answers: Yes → Conditions → IF you are a Provider: High-risk + Go to #S1 →
 No → High-risk + Become a Provider For all future questions + Go to #S1 →
 No → Go to #HR4 →

Ⓞ Hint
How to answer this question: Each of the high-risk categories in question #HR2 are associated with an existing EU law; see Annex I, Section A for a full list. These laws require some products to undergo third-party conformity assessments. Please check the laws relevant to your product category(s) to see whether your product is required to undergo a third-party conformity assessment under those laws.
If your product is required to undergo a third-party conformity assessment under any of these laws, please select "Yes" above. Otherwise, select "No" above.
Some of these laws allow you to opt out of a third-party conformity assessment. If you are given this option, you are able to do so if you meet the conditions outlined in Article 43(3). In this case you can select "No" above.
If you're unsure, you may wish to consult a lawyer on this topic.
Source: [Article 6 point 1](#)

Question #HR4
Does your AI system fall within any of the following high-risk categories? (Annex 3)

Answers: Biometrics → Go to #HR5 →
 Critical infrastructure → Go to #HR5 →
 Educational and vocational training → Go to #HR5 →
 Employment, workers management, and access to self-employment → Go to #HR5 →
 Access to and enjoyment of essential private services and public services and benefits → Go to #HR5 →
 Law enforcement → Go to #HR5 →
 Migration, asylum, and border control management → Go to #HR5 →
 Administration of justice and democratic processes → Go to #HR5 →
 None of the above → Go to #S1 →

Ⓞ Hint
 unsure? See definitions for each of these options in Annex III.
Source: [Article 6 point 2](#)

Question #HR5
Does your AI system pose a significant risk of harm to the health, safety or fundamental rights of any person?

Answers: Yes → Conditions → IF you are a Provider: High-risk + Go to #S1 →
 No → High-risk + Become a Provider For all future questions + Go to #S1 →
 No → Conditions → IF you are a Provider: Notify NCA + Go to #S1 →
 No → All others: Go to #S1 →

Ⓞ Hint
The system does NOT pose a significant risk if one or more of the following conditions are met:
• the AI system is intended to perform a narrow or routine task;
• the AI system is intended to improve the result of a previously completed human activity;
• the AI system is intended to detect decision-making patterns or deviations from prior decision-making patterns and is not meant to replace or influence the previously completed human assessment, without proper human review;
• the AI system is intended to perform a preparatory task to an assessment relevant for the purpose of the use cases listed in Annex III.
If your system meets any of these conditions, please select "Yes" above.
Note: Your system is always considered to be high-risk if it performs profiling of natural persons. If this applies to your system, please select "Yes".
Source: [Article 6 point 3](#)

Question #HR6
Does your product include an AI system as a 'safety component' AND fall within any of the following categories?

Answers: Machinery → Become a Provider For all future questions + Go to #S1 →
 Toys → Become a Provider For all future questions + Go to #S1 →
 Recreational craft & personal watercraft → Become a Provider For all future questions + Go to #S1 →
 Lifts and safety components of lifts → Become a Provider For all future questions + Go to #S1 →
 Equipment and protective systems intended for use in potentially explosive atmospheres → Become a Provider For all future questions + Go to #S1 →
 Radio equipment → Become a Provider For all future questions + Go to #S1 →
 Pressure equipment → Become a Provider For all future questions + Go to #S1 →
 Cableway installations → Become a Provider For all future questions + Go to #S1 →
 Personal protective equipment → Become a Provider For all future questions + Go to #S1 →
 Appliances burning gaseous fuels → Become a Provider For all future questions + Go to #S1 →
 Medical devices → Become a Provider For all future questions + Go to #S1 →
 In vitro diagnostic medical devices → Become a Provider For all future questions + Go to #S1 →
 None of the above → Product Manufacturer

Ⓞ Hint
Safety component: A component of a product or of a system which fulfils a safety function for that product or system, or the failure or malfunctioning of which endangers the health and safety of persons or property (Source: [Article 3 point 14](#)).
Source: [Article 25 point 3, Annex I](#)

#S Scope

Question #S1
Do you meet any of the following criteria?

Answers: I am placing on the market or putting into service AI systems (definition: [Article 3 point 1](#)) in the EU → GPAL + Go to #R1 →
 I am placing on the market General Purpose AI models (definition: [Article 3 point 63](#)) in the EU → Conditions → IF you did not answer 'None of the above' for #HR2 or #HR6: High-risk Exception + END
 I am established or located within the EU → High-risk Exception + END
 I am established or located within the EU, and I am placing on the market an AI system that bears the name or trademark of somebody established outside of the EU → High-risk Exception + END
 My AI system's output is used in the EU → High-risk Exception + END
 None of the above → Out of scope

Ⓞ Hint
See here for a [current list of EU Member States](#).
Source: [Article 2](#)

#R Rules for Particular Types of System

Question #R1
Does your AI model meet any of the following criteria?

Answers: It has high impact capabilities (evaluated on the basis of appropriate technical tools and methodologies) → GPAL with Systemic Risk + Go to #R2 →
 The Commission has decided that it has high capabilities or impact based on the criteria set out in Annex XIII → GPAL with Systemic Risk + Go to #R2 →
 None of the above → Go to #R2 →

Ⓞ Hint
High impact capabilities: An AI model is determined to have "high impact capabilities" if the cumulative amount of computation used for its training meets or exceeds the floating point operations is greater than 10¹⁸ (Source: [Article 51 point 2](#)).
Source: [Article 51](#)

Question #R2
Does your system or use-case fall within any of the following categories?

Answers: AI systems developed and used exclusively for military purposes → Excluded + END
 Public authorities or international organisations in third countries using AI systems for law enforcement and judicial cooperation → Excluded + END
 AI research and development activity → Exclusion: Research + Go to #R3 →
 AI components provided under free and open-source licences → Exclusion: Open Source + Go to #R3 →
 People using AI systems for purely personal, non-professional activity → Exclusion: Personal Use + Go to #R3 →
 None of the above → Go to #R3 →

Source: [Article 2](#)

Question #R3
Does your system perform any of these functions?

Answers: Subliminal techniques, manipulation, and deception → Prohibited
 Exploiting vulnerabilities → Prohibited
 Biometric categorisation → Prohibited
 Social scoring → Prohibited
 Predictive policing → Prohibited
 Expanding facial recognition databases → Prohibited
 Emotion recognition in the workplace or educational institutions (except for medical or safety reasons) → Prohibited
 Real-time remote biometrics → Prohibited
 None of the above → Go to #R4 →

Ⓞ Hint
 unsure? See definitions for each of these options in [Article 5](#).
Source: [Article 5](#)

Question #R4
Does your system perform any of these functions?

Answers: Generating or manipulating image, audio or video content constituting a deep fake → Conditions → IF your system is High-risk: Transparency: Content Resemblance + Go to #R5 →
 Generating or manipulating text which is published to inform the public on matters of public interest → Conditions → IF your system is High-risk: Transparency: Emotion & Biometric + Go to #R5 →
 Emotion recognition or biometric categorisation → Conditions → IF your system is High-risk: Transparency: Emotion & Biometric + END
 Interacting directly with people → Transparency: Natural Persons + END
 Generating synthetic audio, image, video or text content → Transparency: Synthetic Content + END
 None of the above → Conditions → IF you are a Deployer of a High-risk system: Go to #R5 →
 None of the above → END

Source: [Article 50](#)

Question #R5
Are you a body governed by 'public law', or a private entity providing public services?

Answers: Yes → Fundamental Rights Impact Assessment
 No → END

Source: [Recital 96](#)

Understanding your obligations

Status changes

- Become a Provider** You're considered a "provider" for the purposes of this legislation under [Article 25](#), and will receive provider obligations accordingly.
- High-risk** Under [Article 6](#) your AI system is considered "high-risk". You will receive obligations for high-risk systems depending on your entity type.
- Out of scope** Your system is likely outside of the scope of the EU AI Act. For more information about the scope of the Act, please see [Article 2](#).
- Prohibited** Your system may be prohibited under the EU AI Act. For more information see [Article 5](#).

Obligations based on entity type

- AI Literacy** As a provider or deployer, you must take steps to ensure a sufficient level of AI literacy for your staff (and other people dealing with the operation and use of AI systems on their behalf) and taking into account their technical knowledge, experience, education and training and the context the AI systems are to be used in, according to [Article 4](#).
- Handover** If a deployer, distributor, or importer makes a modification to an AI system, they will be considered a "provider" of that system under [Article 25](#). The original provider will no longer be considered a provider of that particular modified system, but they will have obligations to supply the new provider with some information, materials, and access.
- Provider** As provider of a high-risk AI system, you must comply with [Article 16](#) obligations.
- Deployer** As a provider of a high-risk AI system, you must comply with [Article 26](#) obligations.
- Distributor** As distributor of a high-risk AI system, you must comply with [Article 24](#) obligations.
- Importer** As importer of a high-risk AI system, you must comply with [Article 23](#) obligations.
- Product Manufacturer** As a product manufacturer placing on the market / putting into service an AI system under your name or trademark, you must comply with [Recital 42](#) and [Recital 186](#) obligations.
If your system is high-risk, you are also considered a provider of that AI system according to [Article 25](#), and will receive provider obligations accordingly.
- Authorised Representative** As an authorised representative, appointed via a written mandate by a provider of a high-risk AI system or a General Purpose AI model, you must comply with [Article 25](#) and [Article 54](#) obligations respectively.

Obligations based on system type

- GPAL (General Purpose AI Model)** You need to follow obligations for Providers of General Purpose AI (GPAL) models under [Article 53](#). Also, obligations on high-risk AI systems may apply directly or indirectly under [Recital 85](#).
- GPAL with Systemic Risk** You need to follow obligations for Providers of GPAL models with Systemic Risk under [Article 55](#).
- Notify NCA** If a provider considers their AI system to NOT pose a significant risk of harm (see [Article 6 point 2a](#)) they must register their system in the EU database before that system is placed on the market or put into service (see [Article 43 point 2](#)). They must also document their assessment and provide this documentation to the National Competent Authorities (NCA) upon request (see [Article 6 point 4](#)). If a market surveillance authority finds that the AI system has been misclassified (see [Article 89](#)), your system would be subject to the "high-risk" obligations described in [Chapter III Section 2](#) and you may be subject to fines under [Article 89](#).
- Transparency: Natural Persons** You must follow transparency obligations under [Article 50, point 1](#).
- Transparency: Synthetic Content** You must follow transparency obligations under [Article 50, point 2](#).
- Transparency: Emotion & Biometric** You must follow transparency obligations under [Article 50, point 3](#).
- Transparency: Content Resemblance** You must follow transparency obligations under [Article 50, point 4](#).
- Fundamental Rights Impact Assessment** Prior to deploying a high-risk system, you must perform a fundamental rights impacts assessment (unless the system is intended to be used in critical infrastructure) according to [Article 27](#).

Exceptions and exclusions

- High-risk Exception** Your system likely falls under an [Article 2](#) exception. This means that only [Article 112](#) mostly describes obligations for the Commission to regularly review and update the EU AI Act, so the primary obligation for you is to keep an eye on these obligations and maintain compliance.
- Excluded** Your system is likely excluded from the EU AI Act, which means you do not face any obligations. For more information see [Article 2](#).
- Exclusion: Open Source** Until your AI system is placed on the market or put into service by a provider as part of an AI system that is high-risk, prohibited, general purpose, or has transparency obligations, your open source system is likely excluded from the EU AI Act, which means it is not subject to any obligations. For more information see [Article 2 point 12](#).
- Exclusion: Personal Usage** Obligations of deployers do not apply for a "natural person" that deploys an AI system for purely personal, non-professional activities. For more information see [Article 2 point 10](#).
- Exclusion: Research & Development** AI systems and models with the sole purpose of scientific research and development are excluded. For all other systems, research & development activities are likely excluded until your AI system is placed on the market or put into service. Systems and activities that are excluded are not subject to any obligations. For more information see [Article 2 points 6 and 8](#).

Ⓞ Who developed this tool, and why?
This tool is developed by the team at the Future of Life Institute. We are in no way affiliated with the European Union. We have developed this tool primarily in order to aid the effective implementation of the AI Act, because we believe the AI Act supports our mission to ensure that AI technology remains beneficial for life, and avoids extreme large-scale risks.

Ⓞ Can I re-publish / share this questionnaire?
Yes, this questionnaire is shared freely for non-commercial purposes. You may not charge for access to this questionnaire.

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