

Is your AI system "high-risk" under the EU AI Act?

START

Is the AI system intended to be used as a safety component of a product (or the AI system is itself a product) covered by existing EU safety laws listed in [Annex 1](#)?

Yes

No

Does that product require a third-party conformity assessment under the EU legislation listed in [Annex 1](#)?

No

Yes

High-risk

Is the AI system listed in [Annex III](#)? ie will it be used in any of the following areas:

- Biometrics
- Critical Infrastructure
- Education & vocational training
- Employment & self-employment
- Essential private & public services*
- Law enforcement
- Migration, Asylum, Border Control
- Administration of Justice & democratic process

Yes

No

Not high-risk

Does the system fall within a Derogation under [Article 6\(3\)](#)?

Some AI systems listed in Annex III are not considered "high-risk" if they don't pose a significant risk to people's health, safety, or fundamental rights. This applies when the AI system:

- Performs a purely narrow procedural task; or
- Improves the result of a previously completed human activity; or
- Detects patterns without influencing; or
- Performs a merely preparatory task that is not determinative.

Yes

No

Does the AI system perform profiling of natural persons?

(If the AI system is listed in Annex III & performs profiling of natural persons, it is automatically high-risk and cannot benefit from any Article 6(3) derogation).

Yes

No

Not deemed "high-risk". But a provider who considers that an AI system referred to in Annex III is not high-risk shall document its assessment before that system is placed on the market

* Includes AI systems used by public authorities eg healthcare/benefits; systems to evaluate creditworthiness (except those used for detecting fraud); systems used for risk assessment & pricing for life and health insurance; systems intended to classify emergency calls or triage patients.