AI Act Compliance Management

Coordinating People, Data & Systems

Danica Vranjanin & Peter Hense // Munich KnowledgeNet, October 2026

Agenda

1. Not Another Assessment, please
2. Conformity Assessment: an overview
3. But who cares?
4. We’re a deployer, though
5. Now let’s play
6. Finale

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Not Another Assessment, please

The Conformity Assessment (CA) is <u>the core</u> of EU AI Act compliance

Another assessment?

But we are just a deployer

Can't we just avoid it?

What's that now?

Omnibus is here; we have plenty of time



Competitors don't care, why should we

My brain has too many tabs open.

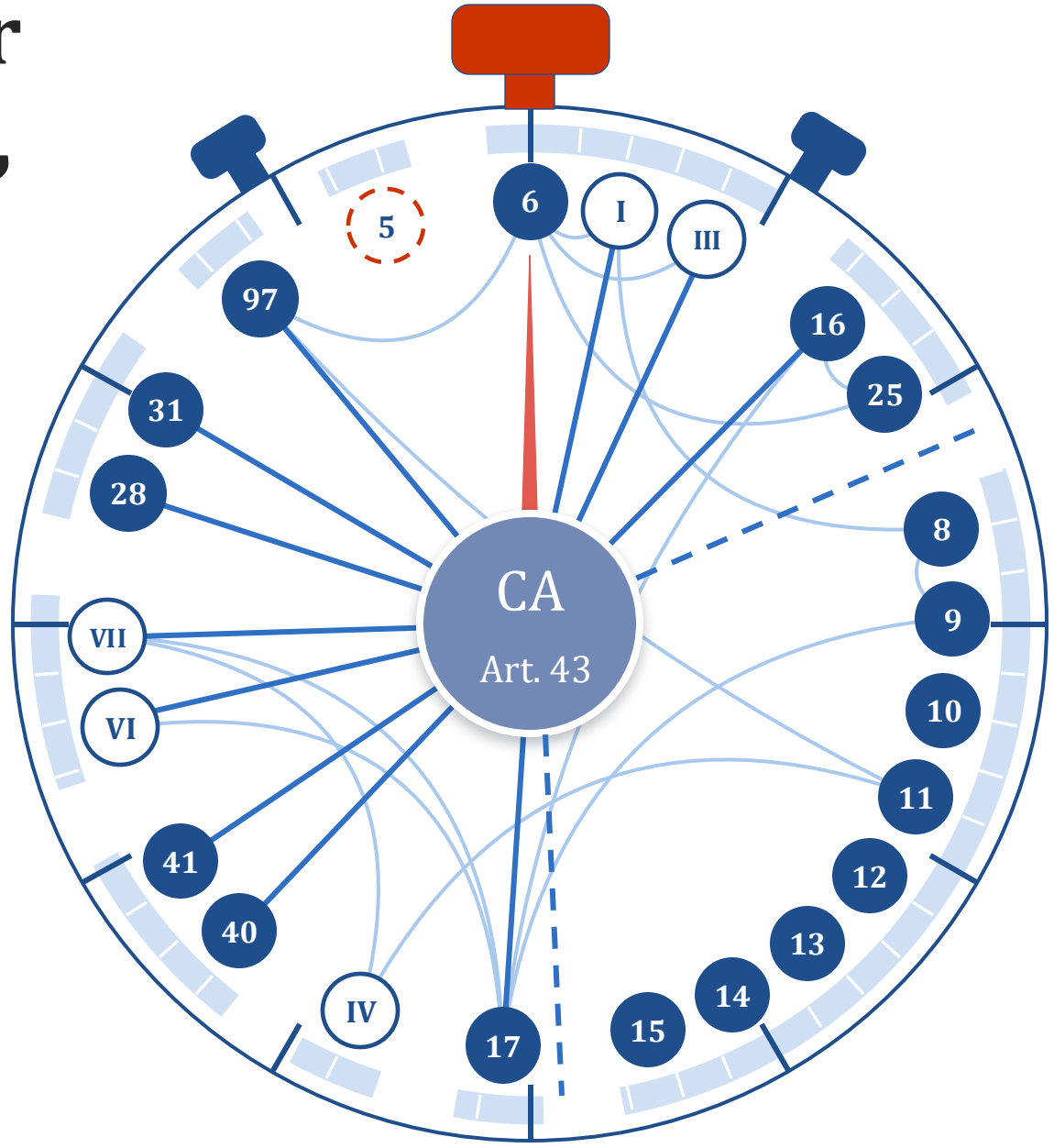


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Conformity Assessment: an overview

Just another assessment, isn’t it?

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Reference to or from Art. 43

Art. 43 reference to Section 2

cross-reference

Article

Annex

Is it prohibited?

Start

...and when the clock stops, this starts:

- **After CA:** Art. 44–49, Annex V
- **Post-market obligations:** Art. 20, 72–73
- Never forget: It’s a **life cycle**!

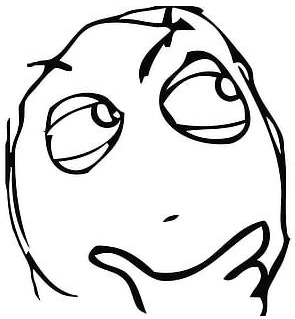
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Path to the EU Market for HRAIS

Conformity Assessment: The Gate to Heaven or Hell

One Brilliant (non-prohibited) Idea

1. Identify and classify the System(s)
2. Build Compliance Infrastructure (QMS, RMS, etc.)
3. **Conformity Assessment (Center Stage)**
4. Declaration & CE Marking
5. Register & place on the Market



Monitoring
Incident Reporting
Ongoing QMS/RMS
Corrective action & duty to inform
Logs & docs
Substantial modification

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After CA, just declare…

Annex V
EU declaration of conformity

The EU declaration of conformity referred to in Article 47, shall contain all of the following information:

1. AI system name and type and any additional unambiguous reference allowing the identification and traceability of the AI system;
2. The name and address of the provider or, where applicable, of their authorised representative;
3. A statement that the EU declaration of conformity referred to in Article 47 is issued under the sole responsibility of the provider;
4. A statement that the AI system is in conformity with this Regulation and, if applicable, with any other relevant Union law that provides for the issuing of the EU declaration of conformity referred to in Article 47;
5. Where an AI system involves the processing of personal data, a statement that that AI system complies with Regulations (EU) 2016/679 and (EU) 2018/1725 and Directive (EU) 2016/680;
6. References to any relevant harmonised standards used or any other common specification in relation to which conformity is declared;
7. Where applicable, the name and identification number of the notified body, a description of the conformity assessment procedure performed, and identification of the certificate issued;
8. The place and date of issue of the declaration, the name and function of the person who signed it, as well as an indication for, or on behalf of whom, that person signed, a signature.

Unique Identification of the System

Contact Information

Assumption of responsibility

Assurance of compliance with the AI Act et al. (e.g. RED)

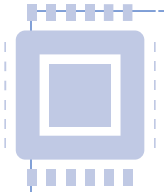
Assurance of compliance with the GDPR

References to (harmonized) standards or specs

Notified Bodies, Verification Process

Place, Date, Signature

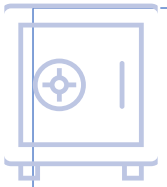
Art. 47 AI Act: Your Declaration of Conformity (DoC)



One declaration per system



Written, machine-readable, signed



Kept 10 years, handed over to market surveillance authorities on request



Translated for every Member State you operate in



One single declaration if other CE law also requires one



By signing, the provider assumes responsibility and must keep it current

Not only regulators see it. Courts and claimants reach it through national procedural law or disclosure under the Product Liability Directive (Art. 9 PLD, refusal resulting in the presumption of defectiveness, Art. 10.2.a PLD) and under the Representative Actions Directive (Art. 18 RAD).

All's well that registers well

Art. 49 AI Act
Registration

1. Before placing on the market or putting into service a high-risk AI system listed in Annex III, with the exception of high-risk AI systems referred to in point 2 of Annex III, the provider or, where applicable, the authorised representative shall register themselves and their system in the EU database referred to in Article 71.

2. Before placing on the market or putting into service an AI system for which the provider has concluded that it is not high-risk according to Article 6(3), that provider or, where applicable, the authorised representative shall register themselves and that system in the EU database referred to in Article 71.

3. Before putting into service or using a high-risk AI system listed in Annex III, with the exception of high-risk AI systems listed in point 2 of Annex III, deployers that are public authorities, Union institutions, bodies, offices or agencies or persons acting on their behalf shall register themselves, select the system and register its use in the EU database referred to in Article 71.

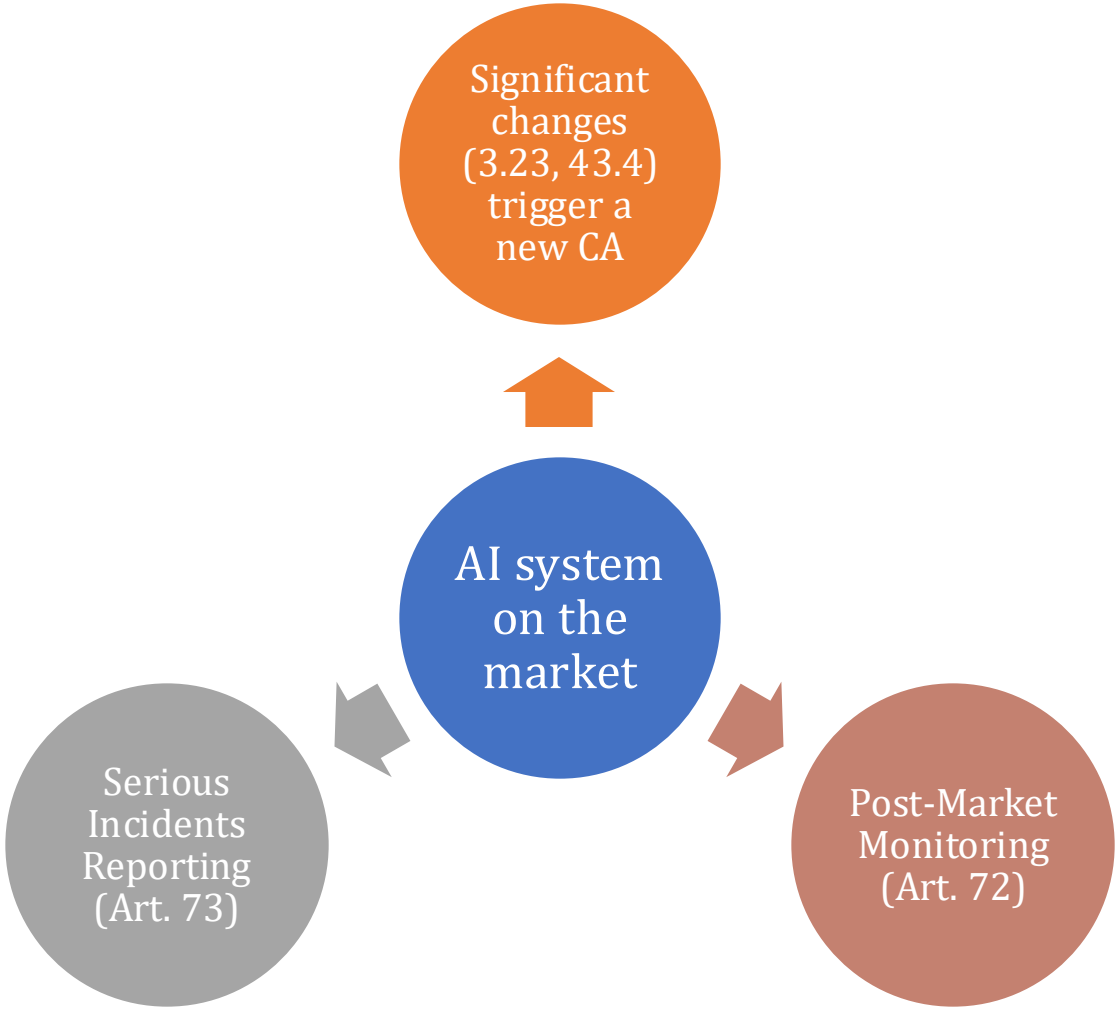
4. For high-risk AI systems referred to in points 1, 6 and 7 of Annex III, in the areas of law enforcement, migration, asylum and border control management, the registration referred to in paragraphs 1, 2 and 3 of this Article shall be in a secure non-public section of the EU database referred to in Article 71 and shall include only the following information, as applicable, referred to in:

   (a) section A, points 1 to 10, of Annex VIII, with the exception of points 6, 8 and 9;

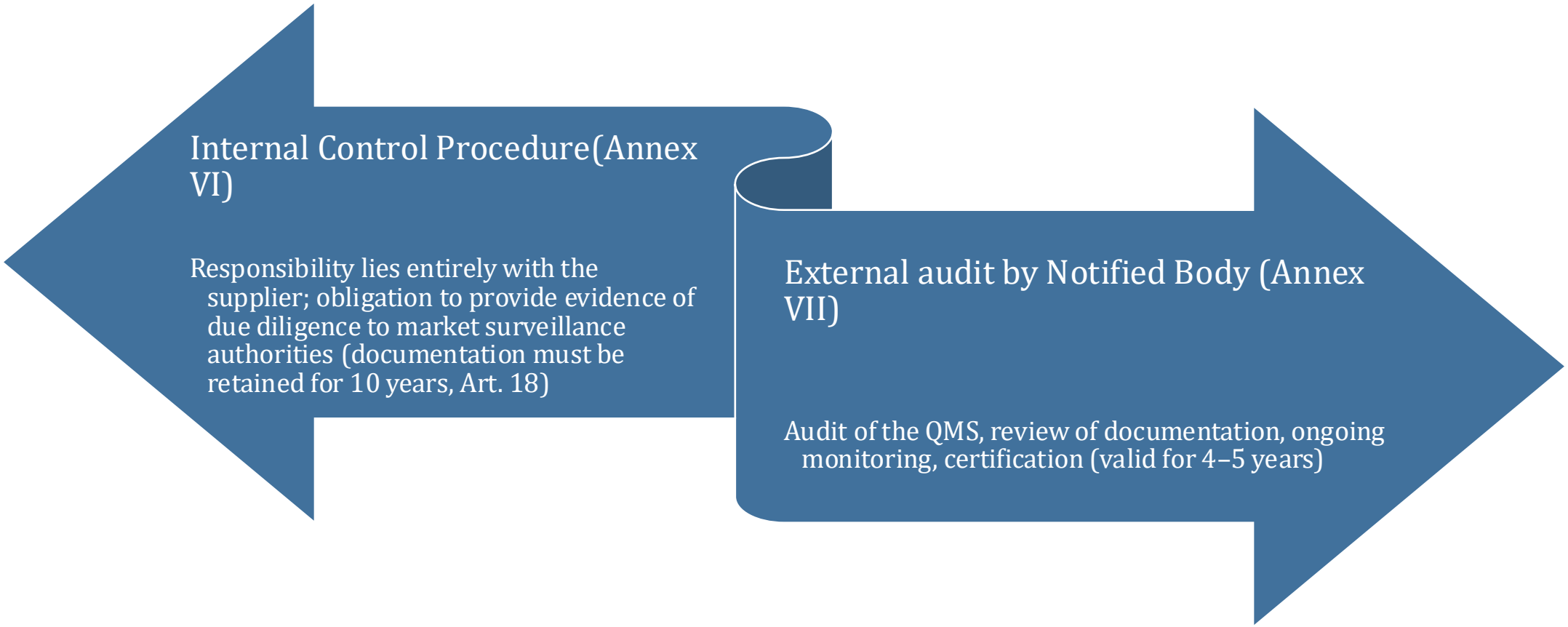
- **Provider** registers every Annex III high-risk system, except critical infrastructure, in the EU database. Public, 49(1).
- **Provider** also registers an Annex III system it has decided is not high-risk under Art. 6(3). Public, slimmed-down entry, 49(2).
- **Public-authority deployer** registers itself and its use of the system, the only deployer registration duty in the Act, 49(3).
- **Law enforcement, migration, asylum, border** (Annex III 1, 6, 7 in those areas): provider *and* public-authority deployer register as above, but in a non-public section, reduced data set, visible only to the Commission and the competent national authorities, 49(4).

Registration is followed by monitoring

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Internal vs. External



But who cares?

Competitors DO care and not just about their own compliance

It's a competitive advantage and competitive intelligence skill

See it.

Registration, declaration of conformity and instructions for use all sit in the public EU database. So does every provider who has classified its own Annex III system as not high-risk under 6(3). The CE mark is on the product.

Read it.

The provider's duty for instructions in Art. 13(2): concise, complete, correct, clear. But every customer holds a copy, so a rival can read them. Vague instructions are a documented breach, inviting strategic litigation.

Report it.

Any person may lodge a complaint with the market surveillance authority, affected or not. The authority must consider it but owes no remedy. That invites collective redress.

Sue over it.

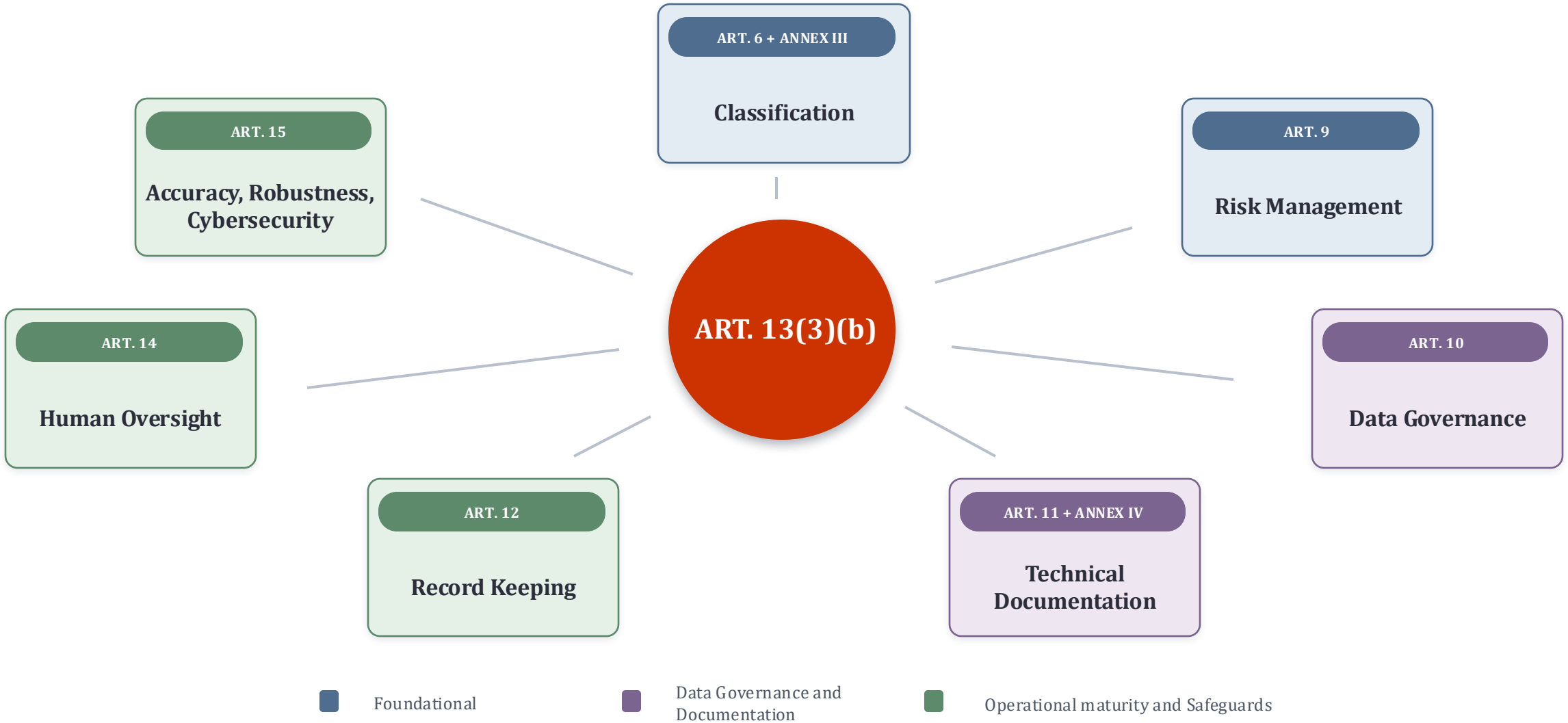
Misleading "AI Act compliant" claims covered by UCP, MCA, RAD directives. Same for skipped CA or false CE mark (already blacklisted).

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We’re a deployer, though

What is Art. 13(3) compliance built on

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Switch Perfect

The role is yours (Art. 25 recast)

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By choice

By ignorance

a **Name or trademark**
Rebranding a (white label) HRAIS

b **Substantial modification of the HRAIS**
Changing the substance creates a new HRAIS

c **Change of intended purpose**
Deployer's new purpose makes it a HRAIS, incl. a GPAIS

⇒ **The deployer becomes the provider**

Art. 43.4 doesn't let you off the hook for meddling with the system, even in-house!

Foreseeable misuse

?

Change of intended purpose

Cooperation duty

Now let’s play

Why so serious? Let's play!

Meet **EasyTA** *"Screening, scoring, interviewing, proctoring. We make talent acquisition easy. "*

I. **Who they are and what they want to sell**
EasyTA from 🇨🇦 wants to sell the full talent-acquisition package in one AI-powered SaaS tool: it reviews CVs, scores candidates on pre-employment tests, conducts and scores video and voice interviews, and proctors them remotely. Webcam on, browser locked, flagging anything that looks like cheating.

II. **Problems they want to solve**

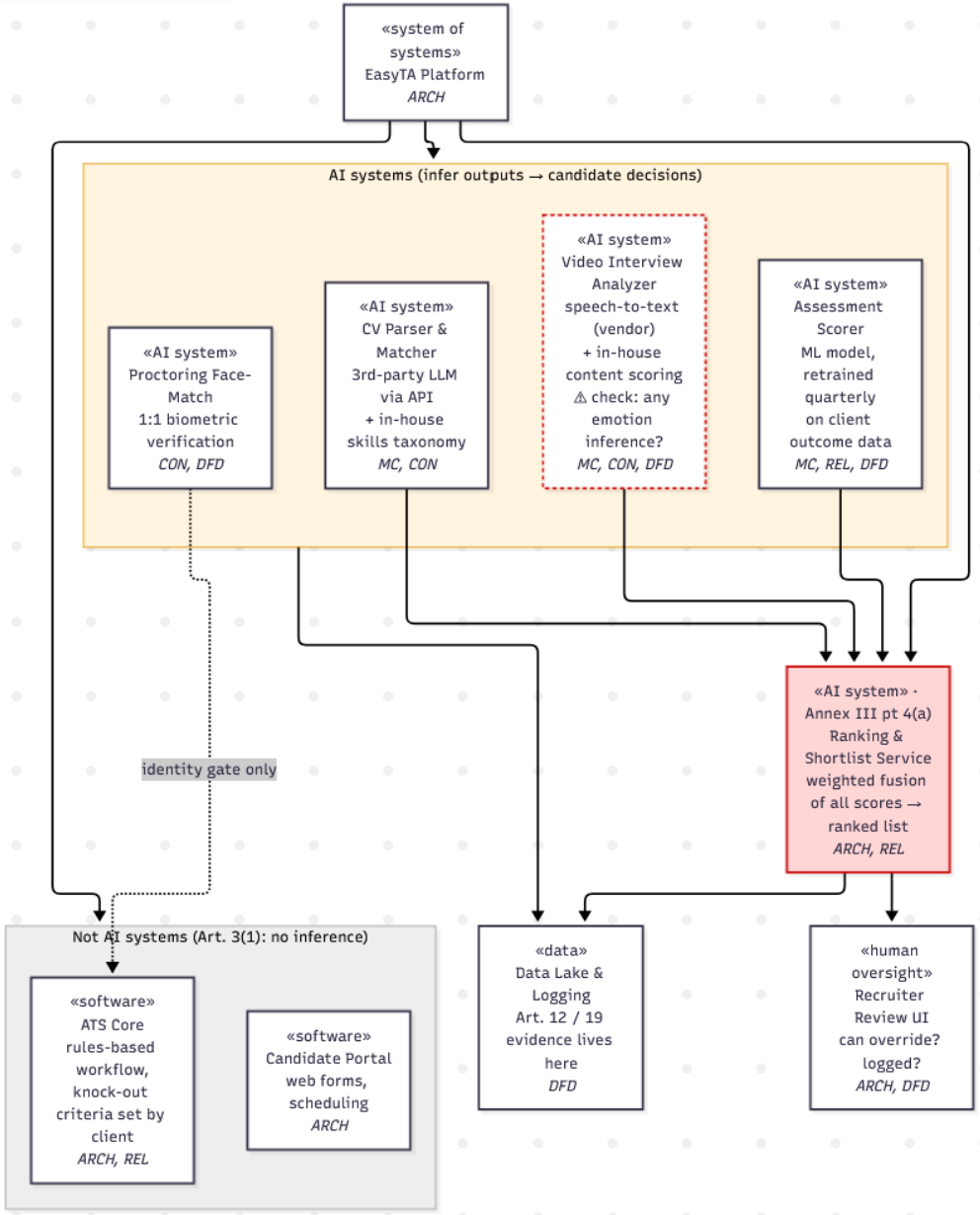
- **Volume:** too many applicants, too few recruiters
- **Consistency:** unstructured processes, human bias that's hard to manage
- **Fraud:** deepfake candidates, proxy test-takers, GenAI open in another tab

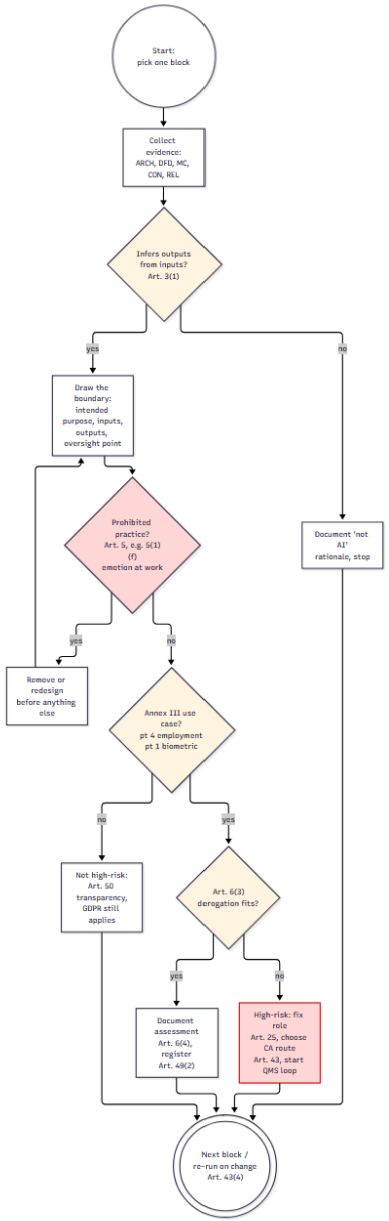
III. **You are EasyTA's internal team.**
Your job: assess the product and build a compliant CA workflow.

Now let's help them into the EU market in Q1 2028. Make them happy!

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What are we actually looking at?





1. **What are we looking at? Tool/System/Systems? Use case?**
2. **Not so fast. Is this even legal? All of it? Just in part?**
3. **Can we avoid CA?**
    - It’s a preparatory task!
    - We'll sell only outside the EU!
    - We're a GDPR processor/CCPA service provider, no sale!
    - We'll ship before 2 Dec 2027!
    - Which CA procedure?
4. **What does QMS and RMS actually mean?**
5. **Is the AI Act the only relevant law?**

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Arena time

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Road to Conformity

Scope & classify
- Product + Legal
- System inventory, intended purpose

Build up the QMS
- Top management, QMS owner
- Procedures, compliance matrix

Manage risk & data
- Data science, DPO, HR experts
- Risk register, bias tests, provenance

Engineer the requirements
- Engineering, security, UX
- Logging, oversight, instructions for use

Verify & validate
- QA, internal audit, suppliers
- Test reports, supplier evidence

Assemble tech documentation
- Legal + tech writer

Assess, declare, mark, register
- Signatory, authorised rep
- DoC, CE mark, database entry

Operate & monitor
QMS owner, deployers
- PMM plan, change-control gate

