



Council of the European Union
General Secretariat

Brussels, 10 October 2022

WK 13551/2022 INIT

LIMITE

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WORKING PAPER

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Telecommunications and Information Society
Subject:	Artificial Intelligence Act - BE comments on 2nd part of 3rd compromise proposal (document 12549/22; Title IA, Arts 30-85, Annexes V-IX)

Delegations will find in the Annex the BE comments on 2nd part of 3rd compromise proposal on Artificial Intelligence Act (document 12549/22; Title IA, Arts 30-85, Annexes V-IX).

BE comments on second part of third compromise proposal on AIA (document 12549/22; Title IA, Arts 30-85, Annexes V-IX)

Reference	Third compromise proposal	Drafting suggestion	Comment
Article 4a Compliance of general purpose AI systems with this Regulation	1. Without prejudice to Articles 5 and 52 of this Regulation, general purpose AI systems shall only comply with the requirements and obligations set out in Article 4b. 2. Such requirements and obligations shall apply irrespective of whether the general purpose AI system is placed on the market or put into service as a pre-trained model and whether further fine-tuning of the model is to be performed by the user of the general purpose AI system.	1. Without prejudice to Articles 5, 52, 53 and 69 of this Regulation, general purpose AI systems shall only comply with the requirements and obligations set out in Article 4b.	It should be clarified that general purpose AI providers can also participate in the 'AI regulatory sandboxes' and voluntarily apply 'Codes of conduct for specific requirements'. This is a proposal submitted in support of the DK proposal.
Article 4b Requirements for general purpose AI systems and obligations for providers of such systems	5. Providers of general purpose AI systems shall cooperate with and provide the necessary information to other providers intending to put into service or place such systems on the Union market as high-risk AI systems or as components of high-risk AI systems, with a view to enabling the latter to comply with their obligations under this Regulation. Such cooperation between providers shall preserve, as appropriate, intellectual property rights, and confidential business information or trade secrets <u>in accordance with Article 70. In order to ensure uniform conditions for the implementation of this Regulation as regards the information to be shared by the providers of general purpose AI systems, the Commission may adopt implementing acts in accordance with the</u>	5. Providers of general purpose AI systems shall cooperate with and provide the necessary information to other providers intending to put into service or place such systems on the Union market as high-risk AI systems or as components of high-risk AI systems, with a view to enabling the latter to comply with their obligations under this Regulation. Such cooperation between providers shall preserve, as appropriate, intellectual property rights, and confidential business information or trade secrets in accordance with Article 70. <u>Where preservation of confidential business information or trade secrets is not possible, the other providers should rely on and refer to the information given in the EU database established in Article 60. In order to ensure uniform conditions for the implementation of</u>	We have tried to address the issue of IPR and trade secrets by introducing the possibility to refer to conformity assessments of general purpose AI systems through the information given in the EU database. In this manner, only authorities will have access to the sensitive information, but other providers can still build on the general purpose AI systems without having to go through a full new conformity assessment from scratch. Furthermore, we have specified the delegation to the Commission in point 5 further, and made it compulsory. This is a proposal submitted in support of the DK proposal.

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	<u>examination procedure referred to in Article 74(2).</u>	<u>this Regulation as regards the information to be shared by the providers of general purpose AI systems, the Commission shall may adopt implementing acts in accordance with the examination procedure referred to in Article 74(2) no later than 18 months after the entry into force of this Regulation. Those implementing acts shall specify and adapt the application of the requirements referred to in paragraph 2 to the general purpose AI system provider in the light of their characteristics, technical feasibility, distribution of responsibilities in the value chain, and of market and technological developments, as well as their likelihood to contribute to the fulfillment of the criteria in Article 7.2.b-i.</u>	
Article 29.5a	<u>5a. Users of high-risk AI systems that are public authorities, agencies or bodies, with the exception of law enforcement, border control, migration or asylum authorities, shall comply with the registration obligations referred to in Article 51. When they find that the system that they envisage to use has not been registered in the EU database referred to in Article 60 they shall not use that system and shall inform the provider or the distributor.</u>		We support that in the current proposal law enforcement, border control and migration or asylum authorities don't have to comply with the registration obligations referred to in Article 51, for as long as they are "users". However, these public authorities are sometimes not only 'users' but also 'developers' and as such 'providers' of AI systems, since they will 'put the systems into service' and they will integrate or configure both third party and in-house developed AI solutions into their systems. They will, however, be a special case of a 'provider' when they will be the only user of their own developments.

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			We suggest an adaptation just to Article 51 (see below), but it might need further examination whether also Article 29(5a) that just mentions 'users' needs an adapted wording.
Article 40 Harmonised standards	<u>2. When issuing a standardisation request to European standardisation organisations in accordance with Article 10 of Regulation 1025/2012, the Commission shall specify that standards are coherent, clear easy to implement and drafted in such a way that they aim to fulfil in particular the following objectives: ...</u>		We would like to explicitly support the changes to Article 40(2) of the reference to "clear" rather than "easy to implement".
Article 41 Common Specifications	1. Where harmonised standards referred to in Article 40 do not exist or where the Commission considers that the relevant harmonised standards are insufficient or that there is a need to address specific safety or fundamental right concerns, the Commission may, after consulting the AI Board referred to in Article 56, by means of implementing acts, adopt common specifications in respect of the requirements set out in Chapter 2 of this Title or, as applicable, with requirements set out in Article 4a and Article 4b. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 74(2). <u>1. The Commission is empowered to adopt, after consulting the AI Board referred to in Article 56, implementing acts establishing</u>	<u>1. The Commission is empowered to adopt, after consulting the AI Board referred to in Article 56, implementing acts with the examination procedure, establishing common</u>	As stated before, Belgium believes common specifications should remain complementary to the voluntary harmonised standards as there is an obligation to apply them once they are developed. This position should be interpreted as being in line with the Belgian position in other legislative procedures on product legislation, like the Machinery Regulation. Therefore, Belgium believes it is important to achieve a better alignment with the horizontal approach to common specifications agreed in the context of the Machinery Regulation file. It is necessary to be sufficiently clear on the conditions for the Commission to issue common specifications and what happens with these common

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	<u>common technical specifications for the requirements set out in Chapter 2 of this Title, or, as applicable, with requirements set out in Article 4a and Article 4b, where the following conditions have been fulfilled:</u> <u>(a) no reference to harmonised standards covering the relevant essential safety or fundamental right concerns is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;</u> <u>(b) the Commission has requested one or more European standardisation organisations to draft a harmonised standard for the requirements set out in Chapter 2 of this Title;</u> <u>(c) the request has not been accepted by any of the European standardisation organisations or the standard is not delivered within the deadline</u> <u>1a. Before preparing a draft implementing act, the Commission shall inform the committee referred to in Article 22 of Regulation EU (No) 1025/2012 that it considers that the conditions in paragraph 1 are fulfilled.</u> <u>2. In the early preparation of the draft implementing act establishing the common specification, the Commission shall fulfil the objectives referred to in Article 40(2) and gather the views of relevant bodies or expert groups established under relevant sectorial Union law. Based on that consultation, the</u>	<u>technical specifications for the requirements set out in Chapter 2 of this Title, or, as applicable, with requirements set out in Article 4a and Article 4b, where the following conditions have been fulfilled:</u> <u>(a) no reference to harmonised standards covering the relevant essential safety or fundamental right concerns is published in the Official Journal of the European Union in accordance with Regulation (EU) No 1025/2012;</u> <u>(b) the Commission has requested pursuant to Article 10(1) of Regulation 1025/2012 one or more European standardisation organisations to draft a harmonised standard for the requirements set out in Chapter 2 of this Title;</u> <u>(c) the request referred to in point (b) has not been accepted by any of the European standardisation organisations or the European standards or the European standardisation deliverables addressing that request are not delivered within the deadline set in accordance with article 10(1) of Regulation 1025/2012 or the European standardisation deliverables do not comply with the request.</u>	specifications once the harmonized standards are published. Furthermore, other legislative texts such as the Machinery Regulation, do take into account new technology; therefore, we do not find the explanation of needed flexibility because of new digital developments in the context of the AIA convincing. This is a proposal submitted jointly with BG, DK, ES, SK, HU, EE.

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	<u>Commission shall prepare the draft implementing act.</u> The Commission, When preparing the common specifications referred to in paragraph 1, the Commission shall fulfil the objectives referred of Article 40(2) and gather the views of relevant bodies or expert groups established under relevant sectorial Union law. 3. High-risk AI systems or general purpose AI systems which are in conformity with the common specifications referred to in paragraph 1 shall be presumed to be in conformity with the requirements set out in Chapter 2 of this Title or, as applicable, with requirements set out in Article 4a and Article 4b, to the extent those common specifications cover those requirements. 4. Where providers do not comply with the common specifications referred to in paragraph 1, they shall duly justify in the technical documentation referred to in Article 11 that they have adopted technical solutions that are at least equivalent thereto.	3a. When references of a harmonised standard are published in the Official Journal of the European Union, the implementing acts referred to in paragraph 1, which cover the requirements set out in Chapter 2 of this Title or the requirements set out in Article 4a and Article 4b, shall be repealed. 3b. When a Member State considers that a common specification does not entirely satisfy the requirements set out in Chapter 2 of this Title or the requirements set out in Article 4a and Article 4b, it shall inform the Commission thereof with a detailed explanation and the Commission shall assess that information and, if appropriate, amend the implementing act	

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		establishing the common specification in question.	
Article 51 Registration of relevant operators and of high-risk AI systems	<u>2. Before using a high-risk AI system, users of high-risk oAI system that are public authorities, agencies or bodies, with the exception of law enforcement, border control, migration or asylum authorities, shall register themselves in the EU database referred to in Article 60 and select the system that they envisage to use.</u> 1. Before placing on the market or putting into service a high-risk AI system listed in Annex III referred to in Article 6(23), the provider and or, where applicable, the authorised representative shall register themselves that system in the EU database referred to in Article 60. The provider or, where applicable the authorised representative, shall also register their systems in that database.	<u>2. Before using a high-risk AI system, users of high-risk oAI system that are public authorities, agencies or bodies, with the exception of law enforcement, border control, migration or asylum authorities, shall register themselves in the EU database referred to in Article 60 and select the system that they envisage to use.</u> The obligations under (1) and (2) shall not apply to law enforcement, border control, migration or asylum authorities, that use or develop for their own use, high-risk AI systems listed in Annex III points 6 and 7. Article 51 Registration of relevant operators and of high-risk and general purpose AI systems 1. Before placing on the market or putting into service a high-risk AI system listed in Annex III referred to in Article 6(23) or a general purpose AI system covered by Article 4b, the provider and, where applicable, the authorised representative shall register themselves in the EU database referred to in Article 60. 1a. The provider or, where applicable the authorised representative, shall also register their AI systems referred to in paragraph 1, in that database.	In order to extend the notion of user also to situations where the user is also the developer (for own use), we suggest this adaptation regarding the exemption for law enforcement, border control, migration or asylum authorities. See also our comment to Article 29.5a. We suggest to extend this obligation to register in the database to general purpose AI systems. This would ensure that providers further down the value chain have access to the most important information. It is important at the same time to limit the obligation of users only to high-risk AI systems. This is a proposal submitted in support of the DK proposal.

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Article 53 AI regulatory sandboxes	New article	<u>-1e. Regulatory sandboxes that consider AI systems and that are established under national law before the entry into force of this Regulation shall be exempt from the obligations concerned of paragraphs 2a, 2b, 4a, 5 and 5a of this Article and from the general common rules that are adopted through implementing acts under paragraph 6 of this Article.</u> <u>This exemption lasts for a maximum period of two years after the entry into force of this Regulation.</u> <u>Member States shall endeavour to implement the obligations of this Article into those already existing sandboxes to the best extent possible.</u>	There have been signals that harmonized rules may interfere with already existing AI regulatory sandboxes that have been established under national law. With this paragraph, we aim to give Member States some leeway when implementing this Regulation. During the first two years of this Regulation, they are encouraged to implement the requirements of this Article as much as possible into already existing sandboxes but have no obligation to do so. The obligations that those already existing sandboxes are exempt from concern mostly the design and rules of the sandbox. Consequently, NCAs are also exempt from paragraph 5 (annual reports) since these already existing sandboxes cannot be compared with the harmonized sandboxes established under this Article. This is a proposal submitted in support of the NL proposal.
	-1a. National competent authorities may establish AI regulatory sandboxes for the development, training, testing and validation of innovative AI systems, before their placement on the market or putting into service. Such regulatory sandboxes may include testing in real world conditions supervised by the national competent authorities.	-1a. National competent authorities may establish AI regulatory sandboxes for the development, training, testing and validation of innovative AI systems <u>under the direct supervision, guidance and support by the national competent authority</u> , before their placement on the market or putting into service. Such regulatory sandboxes may include testing in real world conditions	As stated before, Belgium believes that national competent authorities, like national data protection authorities, need to strengthen their skills and experience in this area, and should be supported by the Commission in this regard. A first step forward would be re-adding the key element of supervision and guidance by

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		supervised by the national competent authorities.	the national competent authority that was previously deleted (Article 53 (1)). Add “support”: Especially for start-ups it is very important that competent authorities – within their legal possibilities – act as supporters in ensuring compliance, e.g. through mentoring, personal exchange or customized guidance. The impressive examples of data regulatory sandboxes by the French CNIL and the British ICO also explicitly “support” the projects. The term “support” is also used in EU Commission’s Better Regulation Toolbox Tool #69 on regulatory sandboxes (page 597). This is a proposal submitted in support of the NL proposal.
	1b. The establishment of AI regulatory sandboxes under this Regulation as defined in paragraph 1 shall aim to contribute to one or more of the following objectives: a) foster innovation and competitiveness and facilitate the development of an AI ecosystem; b) facilitate and accelerate access to the Union market for AI systems, including in particular when provided by small and medium enterprises (SMEs), including and start-ups; c) improve legal certainty and contribute to the sharing of best practices through	1b. The establishment of AI regulatory sandboxes under this Regulation as defined in paragraph 1 shall aim to contribute to one or more of the following objectives: a) foster innovation and competitiveness and facilitate the development of an AI ecosystem; b) facilitate and accelerate access to the Union market for AI systems, including in particular when provided by small and medium enterprises (SMEs), including and start-ups; c) improve legal certainty and contribute to the sharing of best practices through	Although the additional objectives of AI regulatory sandboxes have also to some extent been listed in Recital 72, we propose to return these into the Article itself. This underscores the importance of regulatory learning in sandboxes. To further underscore this, we propose to add objectives to this list. Regulatory sandboxes should contribute to resilient and relevant legislation through facilitating regulatory learning.

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	cooperation with the authorities involved in the AI regulatory sandbox with a view to ensuring future compliance with this Regulation and, where appropriate, with other Union and Member States legislation; d) enhance authorities' understanding of the opportunities and risks of AI systems as well as of the suitability and effectiveness of the measures for preventing and mitigating those risks; e) contribute to the uniform and effective implementation of this Regulation and, where appropriate, its swift adaptation, notably as regards the techniques in Annex I, the high-risk AI systems in Annex III, the technical documentation in Annex IV; f) contribute to the development or update of harmonised standards and common specifications referred to in Articles 40 and 41 and their uptake by providers.	cooperation with the authorities involved in the AI regulatory sandbox with a view to ensuring future compliance with this Regulation and, where appropriate, with other Union and Member States legislation; d) enhance authorities' understanding of the opportunities and risks of AI systems as well as of the suitability and effectiveness of the measures for preventing and mitigating those risks; e) contribute to the uniform and effective implementation of this Regulation and, where appropriate, its swift adaptation, notably as regards the techniques in Annex I, the high-risk AI systems in Annex III, the technical documentation in Annex IV; f) contribute to the development or update of harmonised standards and common specifications referred to in Articles 40 and 41 and their uptake by providers. d) enhance authorities' understanding of the opportunities and risks of AI systems as well as of the suitability and effectiveness of the measures for preventing and mitigating those risks; e) contribute to the uniform and effective implementation of this Regulation and, where appropriate, its evidence based swift adaptation, notably as regards the techniques in Annex I, the high-risk AI systems in Annex III, the technical documentation in Annex IV; f) contribute to the development or update of harmonised standards and common	This is a proposal submitted in support of the NL proposal.

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		specifications referred to in Articles 40 and 41 and their uptake by providers; g) contribute to the possible future evidence-based advancement of this Regulation and, where appropriate, of other Union and Member States legislation.	
Article 58 Tasks of the Board	The Board shall advice and assist the Commission and the Member States in order to facilitate the consistent and effective application of this Regulation. For this purpose the Board may shall in particular: ...	The Board shall advice and assist the Commission and the Member States in order to facilitate the consistent and effective application of this Regulation. For this purpose the Board may should in particular: ... (k) contribute to the prevention or mitigation of systemic risks to the Union that arise from developments within the digital single market and advice the Commission on possible remedial actions where relevant, with the aim of ensuring the smooth functioning of the digital single market.	AI high-risk systems can pose risks that affect society at large and these interests should also be protected. Preventive steps to manage systemic risks should therefore be taken into consideration. That is why power to undertake periodic systemic risks reviews (including security) needs to be introduced to the AI Board (or alternatively to the Commission). Finally, the AI Board should have an obligation to perform the listed tasks in Article 58. This is a proposal that also supports the objectives of DK and SK on this matter. We are also open with regard to the addition of a definition of 'systemic risk' in Article 3.
CHAPTER 1A GUIDELINES FROM THE COMMISSION		GUIDELINES FROM ROLE OF THE COMMISSION	We recommend grouping all the elements in the proposal where the Commission has a role in regard to governance/enforcement into one Chapter. This will make it more clear to all stakeholders, including the Commission itself. Such a Chapter would also make the proposal more futureproof, in the case it

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			would be decided to confer enforcement powers directly to the Commission. This is a proposal submitted in support of the DK proposal.
Article 58b	New article based on recital 76	<i>Article 58b Support for the standing subgroup of the AI Board for market surveillance</i> In line with the role and tasks of the Commission pursuant to Article 33 of Regulation (EU) 2019/1020, the Commission may shall support the activities of the standing subgroup for market surveillance, by for instance undertaking market evaluations or studies, notably with a view to identifying aspects of this Regulation requiring specific and urgent coordination among market surveillance authorities.	The wording in recital 76 has been moved to form the basis of a new article 58b. At the same time, we find it important to align the wording with Article 33 of Regulation 2019/1020, hence we strongly recommend changing may to shall and clarify that the tasks listed are examples. Changes marked with green. This is a proposal submitted in support of the DK proposal.
Article 58c	Moved from Article 68a to a new Article 58c	<i>Article 58c Union testing facilities in the area of artificial intelligence</i> 1. The Commission shall designate one or more Union testing facilities pursuant to Article 21 of Regulation (EU) 1020/2019 in the area of artificial intelligence. 2. Without prejudice to the activities of Union testing facilities referred to in Article 21(6) of Regulation (EU) 1020/2019, Union testing facilities referred to in paragraph 1 shall also provide independent technical or scientific advice at the request of the Board or market surveillance authorities.	The text in Article 68a has been directly copied to constitute a new Article 58c. This is a proposal submitted in support of the DK proposal.

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Article 58d	Moved from article 68b to a new Article 58d	Article 58d Central pool of independent experts 1. The Commission may, at the request of the AI Board, by means of an implementing act, make provisions on the creation, maintenance and financing of a central pool of independent experts to support the enforcement activities under this Regulation. 2. Experts shall be selected by the Commission and included in the central pool on the basis of up-to-date scientific or technical expertise in the field of artificial intelligence, having due regard to the technical areas covered by the requirements and obligations in this Regulation and the activities of market surveillance authorities pursuant to Article 11 of Regulation (EU) 1020/2019. The Commission shall determine the number of experts in the pool in accordance with the required needs. 3. Experts may have the following tasks: (a) provide advice to and support the work of market surveillance authorities, at their request; (b) support cross-border market surveillance investigations as referred to in Article 58(h), without prejudice of the powers of market surveillance authorities; (c) advise and support the Commission when carrying out its duties in the context of the safeguard clause pursuant to Article 66. 4. The experts shall perform their tasks with impartiality, objectivity and ensure the confidentiality of information and data obtained in carrying out their tasks and	The text from Article 68b has been copied to constitute a new Article 58d. We also propose to amend it to oblige the Commission to establish the pool of experts, at the request of the AI Board. Changes marked with green. This is a proposal submitted in support of the DK proposal.

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		activities. Each expert shall draw up a declaration of interests, which shall be made publicly available. The Commission shall establish systems and procedures to actively manage and prevent potential conflicts of interest. 5. The Member States may be required to pay fees for the advice and support by the experts. The structure and the level of fees as well as the scale and structure of recoverable costs shall be adopted by the Commission by means of the implementing act referred to in paragraph 1, taking into account the objectives of the adequate implementation of this Regulation, cost-effectiveness and the necessity to ensure an effective access to experts by all Member States. 6. The Commission shall facilitate timely access to the experts by the Member States, as needed, and ensure that the combination of support activities carried out by Union testing facilities pursuant to Article 68a and experts pursuant to this Article is efficiently organised and provides the best possible added value.	
Article 58e	New article	<i>Article 58e Enforcement regarding compliant general purpose AI systems presenting a risk</i> The Commission must advice and support the market surveillance authority in taking all appropriate measures in the course of fulfilling their tasks in article 67, and where requested to do so, take all appropriate measures as outlined in article 67.	Given the complexity of general purpose AI, we find it necessary that the Commission is obliged to assist the market surveillance authorities in their enforcement. For cases of a Union wide nature, we find it suitable for the market surveillance authorities to be able to refer the case to the Commission. This

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			would ensure a uniform enforcement across member states, and reduce risks to health, safety and fundamental rights as action will be taken in all member states immediately through the Commission. The details of this mechanism are described in Article 67. This is a proposal submitted in support of the DK proposal.
	EU DATABASE FOR HIGH-RISK AI SYSTEMS LISTED IN ANNEX III	EU DATABASE FOR HIGH-RISK AI SYSTEMS LISTED IN ANNEX III AND GENERAL PURPOSE AI	
Article 60	<i>Article 60</i> <i>EU database for high-risk AI systems listed in Annex III</i> 1. The Commission shall, in collaboration with the Member States, set up and maintain a EU database containing information referred to in paragraph 2 concerning relevant operators and high-risk AI systems listed in Annex III which are registered in accordance with Articles 51 and 54a. When setting the functional specifications of such database, the Commission shall consult the AI Board.	<i>Article 60</i> <i>EU database for high-risk AI systems listed in Annex III and general purpose AI</i> 1. The Commission shall, in collaboration with the Member States, set up and maintain a EU database containing information referred to in paragraph 2 concerning relevant operators, high-risk AI systems listed in Annex III and general purpose AI systems covered by Article 4b which are registered in accordance with Articles 51 and 54a. When setting the functional specifications of such database, the Commission shall consult the AI Board.	To ensure that providers further down the value chain have access to the most essential information and can rely upon the certificates and declarations of conformity of general purpose AI systems which can be used in high risk areas, these should be included in the database in a proportionate manner. This is a proposal submitted in support of the DK proposal.
Article 67	<i>Article 67 Compliant high-risk or general purpose AI systems which present a risk</i> 1. Where, having performed an evaluation under Article 65, the market surveillance authority of a Member State finds that although a high-risk or	<i>Article 67 Compliant high-risk or general purpose AI systems which present a risk</i> 1. Where, having performed an evaluation under Article 65, the market surveillance authority of a Member State finds that although a high-risk or	Given the complexity of general purpose AI, we find it necessary that the Commission is obliged to assist the market surveillance authorities in their enforcement. For cases of a Union wide nature, we find it suitable for

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	general purpose AI system is in compliance with this Regulation, it presents a risk to the health or safety of persons, or to fundamental rights, it shall require the relevant operator to take all appropriate measures to ensure that the AI system concerned, when placed on the market or put into service, no longer presents that risk, to withdraw the AI system from the market or to recall it without undue delay within a period it may prescribe.	general purpose AI system is in compliance with this Regulation, it presents a risk to the health or safety of persons, or to fundamental rights, it shall require the relevant operator to take all appropriate measures to ensure that the AI system concerned, when placed on the market or put into service, no longer presents that risk, to withdraw the AI system from the market or to recall it without undue delay, within a period it may prescribe. 1a. Where the market surveillance authority of a Member State finds that a general purpose AI system covered by Article 4b presents a risk to the health or safety of persons, or to fundamental rights, it shall without undue delay inform the Commission. The Commission must advice and support the market surveillance authority in taking all appropriate measures. In case of Union wide infringements, the market surveillance authority may ask the Commission to take all appropriate measures to ensure that the general-purpose AI system concerned when placed on the market or put into service, no longer presents that risk, to withdraw the AI system from the market or to recall it without undue delay, within a period it may prescribe. For the purposes of this article the Commission shall be vested with powers equal to those under Regulation (EU) 2019/1020.	the market surveillance authorities to be able to refer the case to the Commission. This would ensure a uniform enforcement across member states, and reduce risks to health, safety and fundamental rights as action will be taken in all member states immediately through the Commission. This is a proposal submitted in support of the DK proposal.
Annex VIII	ANNEX VIII INFORMATION TO BE SUBMITTED UPON THE REGISTRATION OF	ANNEX VIII INFORMATION TO BE SUBMITTED UPON THE REGISTRATION OF	To ensure that providers further down the value chain have access to the most essential information and can rely upon the

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	OPERATORS AND HIGH-RISK AI SYSTEMS IN ACCORDANCE WITH ARTICLE 51 Providers, authorised representatives and users that are public authorities, agencies or bodies shall submit the information referred to in Part I. Providers or, when applicable, authorised representatives shall ensure that the information on their high-risk AI systems referred to in Part II, 1 to 11 is complete, correct and kept up-to-date. Information laid down in II.12 shall be automatically generated by the database. 7. A scanned copy of the certificate referred to in point 7, when applicable;	OPERATORS, AND HIGH-RISK AI SYSTEMS AND GENERAL PURPOSE AI SYSTEMS IN ACCORDANCE WITH ARTICLE 51 Providers, authorised representatives and users that are public authorities, agencies or bodies shall submit the information referred to in Part I. Providers or, when applicable, authorised representatives shall ensure that the information on their high-risk AI systems referred to in Part II, 1 to 11 is complete, correct and kept up-to-date. For providers or, when applicable, authorised representatives, of general purpose AI systems covered by Article 4b the requirements only relate to Part II 1,2,3,6,7,9 and 11. Information laid down in II.12 shall be automatically generated by the database. 7. A scanned copy of the certificate referred to in point 76, when applicable;	certificates and declarations of conformity of general purpose AI systems which can be used in high risk areas, these should be included in the database in a proportionate manner. This is a proposal submitted in support of the DK proposal.

Kindly indicate the Member State you are representing in the Title and when renaming the document. For specifying the relevant provision, please indicate the relevant Article or Recital in 1st column and copy the relevant sentence or sentences as they are in the current version of the text in 2nd column. For drafting suggestions, please copy the relevant sentence or sentences from a given paragraph or point into the 3rd column and add or remove text. **Please do not use track changes**, but **highlight your additions in yellow** or use ~~strike through~~ to indicate deletions. You do not need to copy entire paragraphs or points to indicate your changes, copying and modifying the relevant sentences is sufficient. For providing an explanation and reasoning behind your proposal, please take use of 4th column.