

Department for
Business, Innovation,
Science and Trade

Guidance on the EU AI Act in Northern Ireland

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1. The EU AI Act in Northern Ireland

The Windsor Framework supports the long-term stability of goods moving to Northern Ireland (NI). For businesses trading in physical products, particularly those that affix the CE marking, this guidance provides information regarding the specific and limited application of the EU AI Act in Northern Ireland.

These arrangements about the application of the AI Act in NI follow on from an exchange of views requested by the UK Government on 29 April 2025 in the UK-EU Withdrawal Agreement Joint Committee which concluded on 7 May in 2026, leading to the decision to add the EU AI Act to the Windsor Framework in the Joint Committee on 10 November. In line with that, and in particular the exchange of views, this guidance sets out how this would apply in NI considering the Joint Committee decision and the exchange between the UK and EU.

If you manufacture, import or distribute these goods, this guidance explains what you may need to prepare.

With regards to the application in Northern Ireland, standalone software, online AI tools and apps are generally out of scope of these requirements. The EU AI Act rules will only apply where AI systems are closely integrated with a physical product.

The following guidance includes:

- The scope of EU AI Act application in NI;
- How to determine whether your product is in scope of the EU AI Act in NI;
- What requirements apply if your product is in scope;
- Timetables for when the obligations come into force.

This guidance should be read alongside European Commission guidance on the EU AI Act. European Commission guidance remains the main technical and legal reference for interpreting EU AI Act obligations, with information on relevant technical standards and conformity assessment procedures, and implementation timelines. EU AI Act Single Information Platform

Who this guidance is for

This guidance is primarily for:

- Manufacturers of physical products that incorporate AI systems and are placed on the NI market, who hold the core compliance responsibilities[1];

[1] For putting into service, where the provider is not placing the product on the market, for example putting into service a system (product) for internal use in a company or school in Northern Ireland, the rules would not apply, unless the product would be sold (put on the market) at a later stage in NI and fall in scope.

- Providers and deployers in some instances, subject to the requirements of the EU AI Act considering the specific application of the EU AI Act in Northern Ireland;
- Importers who place those products on the NI market;
- Distributors who make those products available on the NI market.

How the EU AI Act will apply in Northern Ireland

The EU AI Act does not apply to NI in full. It applies only where an AI system is closely integrated with a tangible physical product that is placed on the NI market. This means the obligations fall mostly to providers, product manufacturers, authorised representatives, importers or distributors of physical products. The following applies in relation to physical products in NI:

- The placing on the market of an AI system incorporating prohibited AI practices where the system is closely integrated with a physical product (Article 5). Prohibitions on the use of AI do not apply in NI;
- Obligations on closely integrated high-risk AI systems that are safety components[2] of regulated physical products, which are subject to the EU legislation listed in Annex I of the EU AI Act and are regulated under the Windsor Framework, such as toys, lifts and medical devices, and where the relevant legislation requires the product to undergo third party conformity assessment (Article 6(1));
- Obligations on high-risk AI systems (as set out in Annex III of the EU AI Act), but only where they are closely integrated with a physical product (Article 6(2)), such as an AI system integrated in a camera to monitor road traffic;
- Transparency obligations where the AI system is closely integrated with a physical product (Article 50(1) and 50(2)), such as robot pets or Augmented Reality glasses;
- AI literacy obligations for providers of physical products (Article 4);
- Supply chain responsibilities where a third-party AI system or General Purpose AI (GPAI) model is closely integrated with a physical product (Article 25).

The EU AI Act <u>does not</u> apply in NI to:

- Standalone or downloadable AI software, including AI accessed via a web browser, app, or API (Application Programming Interface) unless that AI software is closely integrated with a physical product;
- Use or deployment of AI systems, except to the extent that deployers of high-risk AI systems that are in scope have to monitor and report any risks or

[2] Article 3(14) EU AI Act defines a 'safety component' as 'a component of a product or of an AI system which fulfils a safety function for that product or AI system, or the failure or malfunctioning of which endangers the health and safety of persons or property'.

incidents of use to the relevant provider, e.g. if an AI-enabled toy malfunctioned;
- Direct regulatory obligations or voluntary codes of conduct for GPAI model providers;

For example, the EU AI Act would not affect an NI business simply because it uses online or downloadable AI tools to manage work, analyse data, or carry out business functions. It would also not place obligations on the developers of those tools for their use in NI, unless the AI is closely integrated into a physical product placed on the NI market.

Check if your product is in scope

An AI system is in scope of the EU AI Act in NI only if it is closely integrated with a physical product placed on the NI market. If a product is in scope, providers may need to meet certain regulatory requirements before the product is placed on the market in NI.

Generally, an AI system will normally be considered closely integrated where either of the following conditions is met by the manufacturer:

- **Condition A**: The AI system is embedded or pre-installed in the physical product when it is placed on the market; OR
- **Condition B**: The AI system is downloaded separately, and the product is specifically designed to be used by that system only to carry out the product's intended functionality. Intended functionality means the functionality that the product is designed, marketed and documented to provide, based on its technical documentation and marketing materials.

If the answer to either of these is 'yes', your product is in scope. If the answer to both questions is 'no', the product is out of scope in NI.

Note: The fact that an AI system is supplied by the same manufacturer as the physical product, or can operate only with that product, does not by itself mean that the AI system is closely integrated with that product. If an AI system supplied by the same manufacturer does not form part of the product's intended functionality, it is not considered closely integrated. AI systems developed by third parties that are not connected to the manufacturer of a physical product are out of scope where the physical product does not depend solely on that AI system. For example, if a third party designs an app to work exclusively with a particular smart watch and launches it separately, the app is out of scope of the Windsor Framework. The watch was not designed to depend solely on that app.

Case study: Smart speaker with a built-in AI voice assistant

A manufacturer sells a smart speaker in Northern Ireland. The speaker includes a built-in AI voice assistant that allows users to ask questions, control devices and interact with the speaker using natural language.

The AI voice assistant is supplied as part of the product when it is placed on the market. The speaker is marketed and sold as an AI-enabled device, and the voice assistant forms part of the functionality customers expect when purchasing it.

This meets Condition A, because the AI system is embedded or pre-installed in the product when it is placed on the market. **It is therefore considered a closely integrated AI system, and in scope of the EU AI Act in NI**.

Case study: Smartwatch requiring a manufacturer's health monitoring app

A smartwatch is sold with advertised health monitoring features. The watch relies on a health monitoring AI application supplied by the manufacturer and downloaded during setup.

Although the AI system is not embedded in the watch when placed on the market in NI, it is specifically designed for that watch, supplied by the manufacturer of the physical product, and is necessary for the health monitoring functionality promoted as part of the physical product. There are no other AI systems which carry out this function. This meets Condition B, **it is therefore considered a closely integrated AI system, and in scope of the EU AI Act in NI.**

Case study: a user downloads a chatbot assistant onto a laptop

A customer buys a laptop and later downloads an AI-enabled chatbot assistant from the internet.

The chatbot does not form part of the laptop's intended functionality. The AI chatbot is marketed independently of the laptop, works on many different devices, was chosen by the user after purchase, and is not necessary for the laptop to perform its intended functions.

The laptop was placed on the market without depending on that AI system. **The AI chatbot is therefore treated as standalone software and is outside the scope of the EU AI Act in NI.**

Further illustrative examples of products that would be considered in and out of scope of the EU AI Act in NI can be found here.

Software updates and post-market changes to the physical product

Some physical products can change significantly after sale through software or firmware updates controlled by the manufacturer. These changes can affect whether an AI system is considered to be closely integrated into the physical product.

Businesses should keep records of major updates and how those updates affect the product's intended use and AI functionality.

Understanding your supply chain role and responsibilities

If a physical product you manufacture, distribute or import is in scope, you should consider the following steps:

- Determine whether you are a manufacturer (or 'provider'), a distributor, or an importer as laid out in the EU AI Act - see supply chain responsibilities under the EU AI Act and the compliance checker;
- Categorise your AI system according to the EU AI Act's risk categories - see application of EU AI Act risk categories in NI;
- Where the product requires CE marking, consider the general guidance here.

When do these rules take effect?

Some of the EU AI Act's rules already apply, while other rules will be phased in by 2028. See the full timeline of when EU AI Act rules take effect here.

Further links

- EU AI Act (Regulation (EU) 2024/1689) (consolidated version)
- European Commission: Draft Guidelines on the classification of high-risk AI systems (Article 6)
- European Commission: Guidelines on the classification of high-risk AI systems: summaries and examples
- European Commission: Draft guidelines on the implementation of transparency obligations (Article 50)
- European Commission: Guidelines on prohibited AI practices (Article 5)
- European Commission: AI literacy – questions and answers (Article 4)
- EU AI Act Service Desk
- EU AI Act Compliance Checker

Further guidance may be available or updated so please consider any further updates on the Commission website.

Other pages

- Background to the EU AI Act and Windsor Framework
- Illustrative list of the EU AI Act provisions that apply in NI

2. Supply chain responsibilities under the EU AI Act

If you deal with a product that is in scope of the EU AI Act, you will need to understand your role and the responsibilities that apply to you. You should also consider this page, which explains the roles of importers, distributors, manufacturers and authorised representatives for physical products placed on the Northern Ireland market more generally.

The EU AI Act also adds some further detail to those roles. This is explained below.

Providers

A provider is a natural or legal person, organisation, public authority, agency or other body that develops an AI system or a general-purpose AI (GPAI) model, or has one developed, and places it on the market or puts it into service under its own name or trademark, whether for payment or free of charge. Under the EU AI Act, the provider carries most of the obligations for AI systems placed on the market, similar to the role that manufacturers usually hold in EU product rules. The provider must meet certain conditions depending on the risk classification of the AI system - please see here.

Manufacturers of physical products and other actors may also be considered the provider in certain circumstances as set out below.

Circumstances in which distributors or importers will be considered the provider

As per Article 25(1) of the EU AI Act, any distributor, importer, deployer or other third party shall be considered to be a provider of a high-risk AI system if they:

- Put their name or trademark on a high-risk AI system already placed on the market;
- They make a substantial modification to a high-risk AI system that has already been placed on the market;
- They modify the intended purpose of an AI system, in such a way that the system becomes high-risk for the first time.

If any of these three conditions apply, the person or organisation that originally placed the AI system on the market will no longer be treated as the provider, although they may retain certain cooperation obligations with the new provider (Article 25(2) of the EU AI Act).

Manufacturers of physical products with high-risk AI systems

The manufacturer of a physical product under Annex I of the EU AI Act that integrates an AI system as a safety component so that it becomes high-risk (under Article 6(1) of the EU AI Act), will be considered the provider if the high-risk AI system is placed on the market together with the physical product under the name or trademark of the manufacturer; or the high-risk AI system is put into service under the name or trademark of the manufacturer after the physical product has been placed on the market with the objective to sell it later on the NI market.
If you manufacture physical products that have a closely integrated AI system, you should consider whether the AI system is high-risk and whether you therefore have to take on the responsibilities of a provider.

Responsibilities for manufacturers, distributors, and importers of other AI systems

If you are a manufacturer, authorised representative, importer or distributor placing a product on the market in Northern Ireland that is in scope of the EU AI Act under the Windsor Framework, but is **not** high-risk under Article 6(1) of the EU AI Act, you will **not** have the obligations of a provider. If a manufacturer closely integrates a third-party AI system into a physical product and the conditions above are **not** met, the manufacturer would be treated as the distributor of that AI system.

For example, if you are a manufacturer that closely integrates a non-high-risk AI system into a laptop, you are the distributor of that AI system, not the provider. Distributors of AI systems only have obligations where the AI systems are high-risk. In this example, because the system is not high-risk, you would have no direct obligation under the EU AI Act.

In general:

- The distributors and importers of high-risk AI systems have specific responsibilities in the EU AI Act. In addition, the manufacturer integrating an AI system in a physical product is considered the provider in some circumstances as set out above, which means they have additional responsibilities. Please refer to EU guidance.
- The EU AI Act does not set out specific responsibilities for distributors and importers in respect of limited-risk AI systems or GPAI models. A manufacturer of a physical product that integrates a third-party AI system which is not high-risk is generally not considered the provider in these cases. However, it is advisable that such manufacturers confirm with the software providers that they have met the relevant requirements, as the provider will be responsible for the software's compliance when this is integrated into physical products.

Responsibilities for General Purpose AI (GPAI) model providers

The EU AI Act sets out direct obligations for GPAI model providers. These obligations do not apply in Northern Ireland, regardless of whether the model can be accessed online, downloaded, or used by businesses or consumers in NI.

However, GPAI model providers can still be affected where they form part of the supply chain for a physical product placed on the NI market. For example, a product manufacturer may use a GPAI model to power a voice assistant, chatbot, diagnostic tool, navigation feature, content generation feature, or other AI functionality that is closely integrated into the product.

In that situation, the EU AI Act obligations in NI will generally fall on the provider of the AI system or on the manufacturer of the physical product, depending on how the AI system is integrated and placed on the market (the provider and manufacturer may also be the same economic operator or part of the same undertaking). The GPAI model provider is not regulated under the Windsor Framework, regardless of whether its model is used upstream. However, downstream providers may need information from the GPAI model provider to meet their own obligations.

For example, where a GPAI model is used within an AI system that is closely integrated into a physical product, the business placing that product on the NI market may need to obtain relevant information from upstream suppliers, including:

- Technical documentation about the model or AI system;
- Information on capabilities, limitations, accuracy, robustness and cybersecurity;
- Information relevant to risk management, testing and post-market monitoring;
- Information needed to support transparency requirements, including where the system interacts with users or generates synthetic content;
- Assurances that the model or system can be used in the intended product context.

GPAI model providers may therefore play an important practical role in supporting downstream compliance where their model is used in a physical product that is in scope of the Windsor Framework.

Businesses integrating GPAI models into physical products should therefore check whether they have enough information and support from model providers, AI system developers and other upstream suppliers to demonstrate compliance with EU AI Act obligations that apply to the finished product.

CASE STUDY. A generative AI chatbot which is made available for download or accessible via the web in Northern Ireland is out of scope under the Windsor Framework. The chatbot therefore does not need to be compliant with the EU AI Act in Northern Ireland and market surveillance authorities in Northern Ireland will not monitor this.

However, if a laptop manufacturer installs a generative AI chatbot on a laptop and places that laptop on the NI market, it meets the closely integrated test, and the chatbot will be in scope of the EU AI Act under the Windsor Framework. This is because it is now integrated with a physical product, which has full access to the EU single market, and the consumer must be confident that the laptop as a whole meets the requirements. The laptop manufacturer does not carry any high-risk obligations as the chatbot is not a high-risk system; it is a limited-risk AI system which must meet some transparency requirements, e.g. indicating that the chatbot generates AI outputs (Article 50(1)) and ensuring that synthetic content is marked and detectable (Article 50(2)).

If the manufacturer did not develop the generative AI chatbot and relies on a third-party GPAI model to generate synthetic content, practical compliance with Article 50(2) may require technical information from the GPAI provider regarding the marking and detectability mechanisms used.

Deployers

Deployers are people or organisations that use an AI system under their authority, except where the AI system is used only for a purely personal, non-professional activity.

The EU AI Act includes several requirements for deployers, but most are out of scope under the Windsor Framework. The only exception is that deployers of high-risk AI systems must monitor the operation of the high-risk systems on the basis of the instructions for use and inform providers if they become aware of serious incidents, malfunctions or risks linked to the use of the AI system in accordance with the instructions. This supports ongoing product safety and compliance. For further information about reporting requirements, please see here.

3. Application of EU AI Act risk categories in NI

Under the Windsor Framework, providers of physical products have the main responsibility for complying with EU AI Act rules in NI where those products include AI systems that are closely integrated into the product. Further detail is set out below.

This page covers detail regarding:

- Prohibited AI systems
- High-risk AI systems
- Limited-risk AI systems
- AI literacy requirements

Some AI systems may not face any specific requirements under the EU AI Act. Others may be subject to more than one requirement.

Prohibited AI systems

Article 5 of the EU AI Act prohibits certain AI practices that pose an unacceptable risk. Under the Windsor Framework, these prohibitions apply in NI only where the prohibited AI system is closely integrated with a physical product placed on the NI market.

Prohibited practices are:

- Deploying subliminal techniques, or purposefully manipulative or deceptive techniques;
- Exploiting vulnerable people to materially distort their behaviour in a way that causes harm;
- Evaluating people based on social scoring, leading to detrimental treatment unrelated to the context in which the data was generated, or in a way that is disproportionate to their social behaviour;
- Profiling people to predict criminal offences (with the exception of profiling to support human assessments of criminal activity);
- Creating or expanding facial recognition databases through the untargeted scraping of images;
- Inferring people's emotions in the workplace and education institutions (with an exception if it is used for medical or safety reasons);
- Biometric categorisation systems (with the exception of labelling and filtering of lawfully acquired biometric datasets for law enforcement);
- Generating or manipulating explicit non-consensual deep fakes;
- Generating or manipulating materials that constitute child abuse;

- The use of real-time remote biometric identification systems in publicly accessible spaces for law enforcement, unless strictly necessary for a targeted search for specific victims, the prevention of specific threats, or the identification of someone suspected of committing a criminal offence. **(Does not apply in NI)**

Examples that could be relevant in the NI context include:

- A connected toy embedding AI that encourages children to undertake increasingly risky activities in exchange for reward or praise;
- A robot aimed to assist older people in a way that could force them to do certain activities against their free choice;
- A consumer Augmented Reality (AR) headset that uses AI to create personalised, addictive reward loops aimed at younger people, encouraging compulsive use;
- An AI-connected camera with voice recognition that detects employee emotions;

The provisions regarding prohibited AI systems apply only partially in Northern Ireland. They do not apply in the following circumstances:

- AI systems that are not closely integrated in a physical product, such as a chatbot accessed online that promotes harm;
- The use of any systems prohibited under the EU AI Act. Under the Windsor Framework, the EU AI Act only extends to placing on the market, and not to deployment or use;
- Systems developed in-house and not placed on the market;
- Real-time remote biometric identification practices are specifically related to deployment in the EU AI Act, and are therefore fully out of scope.

For detailed guidance on prohibited AI practices, see the European Commission's guidance here.

What this means for businesses

If you have a physical product that includes a closely integrated AI system that is classed as prohibited under the EU AI Act and is already placed on the market in NI, you should expect to withdraw that product from the market immediately, recall it from users and, if possible, disable the prohibited feature. You will also need to inform all relevant parties in your supply chain and report to the relevant market surveillance authority.

Article 5 prohibited practices are already in effect in the EU and come into effect in NI on 10 November 2026. The prohibitions on generating non-consensual intimate imagery and child sexual abuse material apply from 2 December 2026.

High-risk AI systems

The EU AI Act classifies certain AI systems as “high-risk”. Providers of these physical products that contain those systems must meet specific requirements.

There are two categories of high-risk AI systems. Their application in NI differs.

Category 1: safety components in Annex I regulated products (Article 6(1))

This is the primary category of high-risk AI relevant in NI under the Windsor Framework. Annex I high-risk obligations apply from 2 August 2028.

An AI system is high-risk under Article 6(1) where **all four of the following conditions** are met:

1. The system is an AI system as it is defined in the EU AI Act
2. The AI system is a component of a product, or the AI system itself is a product, covered by the EU legislation listed in Annex I (see below)
3. The AI system is intended to be used as a safety component of that product
4. The product is required to undergo a third-party conformity assessment under its sectoral regulation

Regulated sectors

Products regulated by any of the following rules under the Windsor Framework are considered high-risk where the conditions above are met. These products can only be placed on the market once the relevant requirements have been met.[3]

- Toys (Directive 2009/48/EC)
- Recreational craft and personal watercraft (Directive 2013/53/EU)
- Lifts and safety components for lifts (Directive 2014/33/EU)
- Equipment and protective systems intended for use in potentially explosive atmospheres (Directive 2014/34/EU)
- Radio equipment (Directive 2014/53/EU)
- Pressure equipment (Directive 2014/68/EU)
- Cableway installations (Regulation (EU) 2016/424)
- Personal protective equipment (Regulation (EU) 2016/425)
- Appliances burning gaseous fuels (Regulation (EU) 2016/426)
- Medical devices (Regulation (EU) 2017/745)
- In vitro diagnostic medical devices (Regulation (EU) 2017/746)

[3] The EU AI Act also categorises products regulated by other regulations, such as cars, as high-risk but does not place any new requirements on the manufacturers of those products. Future sectoral regulations may introduce AI related requirements.

Several other regulations are listed in Annex I, Section B of the EU AI Act, for example Regulation (EU) 2023/1230 (the Machinery Regulation). The EU AI Act obligations do **not** apply directly to these sectors and sectoral legislation is required to apply specific requirements to products that would be considered high-risk in these sectors. This includes the following[4]:

- Two-or three-wheel vehicles (Regulation (EU) No 168/2013)
- Agricultural and forestry vehicles (Regulation (EU) No 167/2013)
- Marine equipment (Directive 2014/90/EU)
- Rail system interoperability (Directive (EU) 2016/797)
- Motor vehicles, trailers and components (Regulation (EU) 2018/858 and Regulation (EU) 2019/2144)
- Machinery (Regulation (EU) 2023/1230)

European Commission proposal COM(2025)1023, published on 16 December 2025, sets out a proposed amendment to move the Medical and In Vitro Diagnostic Devices Regulations to Section B. If this proposal is adopted, this would mean the AI Act's high-risk obligations do **not** apply directly to medical devices.

Safety components

A safety component is a part of a product that performs a safety function for that product, or whose failure or malfunction could endanger people's health and safety. AI systems that are solely used for non-safety related aspects of user assistance, performance optimisation, service efficiency, automation or convenience or quality control shall not qualify as safety components. However, if the failure or malfunctioning would endanger health and safety then it shall qualify as safety components. Examples include:

- An AI system in a lift for automatically opening or closing doors to protect humans from physical harms;
- An AI system installed in equipment and protective systems for use in a potentially explosive atmosphere which monitors environmental data and where failure could trigger unsafe production conditions;
- An AI system used for signal optimisation for wearable health monitors that provides emergency alerts;
- An AI system that regulates safety of gas appliances in homes and where failure to detect a combustion anomaly could lead to explosion or carbon monoxide leakage.

[4]Annex I of Section B also includes civil aviation (Regulation (EC) No 2320/2002 and Regulation (EU) 2018/1139) but these regulations are outside of the scope of the Windsor Framework and the AI Act will not apply in these sectors in Northern Ireland.

European Commission draft guidance on the definition of safety components can be found here. The Commission continues to review and update this guidance as needed.

Third party conformity assessment

Not all products in Annex I sectors require third party conformity assessment. Some products can be self-assessed by the manufacturer. Article 6(1) only applies where the sectoral regulation requires the product to be assessed by an independent body before it can be CE marked and placed on the market.

If a product category unconditionally does not require third-party assessment under its sector's regulation (meaning that it can always be self-assessed), then any integrated AI system cannot be classified as high-risk under Article 6(1). However, if the product falls into a category where third party assessment is unconditionally or conditionally required, safety-related AI can fall within the obligations of Article 6(1). This is the case even if self-assessment is permitted under certain conditions.

A product that is required to undergo third party conformity assessment solely due to risks other than risks to health and safety, in particular risks relating to the distribution of radio spectrum or electromagnetic interference that do not affect health and safety, shall not be considered to have met the criteria under Article 6(1).

You can continue to follow the conformity route allowed under the sectoral regulation, including self-assessment if relevant sectoral and EU AI Act harmonised standards are adhered to. Further EU guidance can be found here, and you should refer to relevant sector regulations.

What this means for businesses

The EU sectoral legislation listed above already apply in NI through the Windsor Framework for products such as toys, lifts and medical devices. Many businesses affected by the EU AI Act high-risk rules will therefore already be familiar with EU requirements in these sectors. Products in these sectors already need to go through conformity assessment and carry CE marking before they are placed on the NI market. The EU AI Act adds specific AI obligations where an AI system performs a safety function within those products.

If you are a manufacturer of NI products in an Annex I sector that uses AI, you should review whether the AI system performs a safety function and whether the product requires third-party conformity assessment. If both are true, you should begin preparing for obligations related to high-risk AI systems.

Requirements for importers

If you are an importer placing Annex I products with AI on the NI market, you should verify that the manufacturer has completed an EU AI Act conformity assessment,

that the product bears CE marking, and that technical documentation is available by the time the high-risk rules come into force.

Requirements for distributors

If you are a distributor making such products available in NI, you should verify that the product bears CE marking and is accompanied by required documentation and instructions by the time the high-risk rules come into force.

Requirements for integrators

If you integrate a third-party AI system into your product, you should understand your supply chain obligations. You may take on provider obligations and may need documentation from upstream AI system or model developers (see *supply chain responsibilities under the EU AI Act* and *responsibilities for General Purpose AI (GPAI) model providers*).

Annex I high-risk obligations apply from 2 August 2028.

Category 2: Annex III use cases (Article 6(2))

Some AI systems are classed as high-risk because their use could create serious risks of harm, for example in a workplace or education setting. Annex III high-risk obligations apply from 2 December 2027.

Article 6(2) lists eight broad areas in Annex III of the EU AI Act that could be particularly susceptible to risks:

- Biometrics
- Critical infrastructure (for example, digital infrastructure, road traffic, water, gas, heating, electricity)
- Education and vocational training
- Employment and worker management
- Access to essential private services and essential public services and benefits
- Law enforcement
- Migration, asylum and border control management
- Administration of justice and democratic processes

Annex III high-risk requirements apply in NI only where the AI system is closely integrated with a physical product placed on the NI market. Many Annex III systems are likely to be standalone software or relate to how AI is deployed and used, rather than to a physical product placed on the market for sale. These systems are therefore out of scope in NI. For example, a company using AI software to screen job applications, or a school using an online AI tool to assess students, would be using standalone software and would not be affected.

Examples in scope in NI remain limited to systems which are closely integrated in physical products and could include:

- **Biometrics**: CCTV cameras installed in the walls or ceilings of a stadium: If an incident happens during a match, the captured biometric data (i.e. facial images) is compared to a biometric database to identify offenders, without the active involvement of visitors to the stadium.
- **Critical national infrastructure:** A physical component specifically designed for the Single Electricity Market with embedded AI fault detection capabilities; a wind turbine with a closely integrated AI system for operational safety monitoring; an AI system used as a fire alarm controlling system in cloud computing centres; an AI system integrated in a camera to monitor road traffic;
- **Education and vocational training:** An AI-enabled physical examination proctoring camera, with embedded AI designed to detect cheating;
- **Employment and worker management:** A wearable device used in a warehouse that monitors worker movements and productivity, and generates performance scores that influence remuneration, promotion, disciplinary action or task allocation.

Article 6(3) says that an Annex III system shall not be considered high-risk in limited circumstances where it does not pose a significant risk of harm. If any of the following four conditions are met, the product is not considered high-risk:

> (a) The AI system is intended to perform a narrow procedural task;
>
> (b) The AI system is intended to improve the result of a previously completed human activity;
>
> (c) 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; or
>
> (d) The AI system is intended to perform a preparatory task to an assessment relevant for the purposes of the use cases listed in Annex III EU AI Act.

Businesses should follow European Commission guidance on classification.

What this means for businesses

If you are a manufacturer, importer, or distributor and you think your physical product may contain an AI system that falls within an Annex III use case, you should:

- Consider whether your product is in scope in NI
- If closely integrated, assess whether the AI system falls within one of the eight Annex III use cases based on its intended purpose

- If it does, consider whether the Article 6(3) exemption applies
- If high-risk obligations apply, follow EU guidance on the requirements for high-risk AI systems (the same obligations as for Annex I products)
- If you are uncertain, seek professional advice and monitor EU guidance as it develops.

Annex III high-risk obligations apply from 2 December 2027.

High-risk rules for providers

Where a physical product closely integrates a high-risk AI system in Category 1 or Category 2, and is placed on the NI market, the provider, usually the manufacturer, must comply with certain requirements where applicable. A summary of those requirements is below. Further detail is available in the EU AI Act. For more information on whether you are a provider of a high-risk system, please see this page.

Category	Article	Core requirements for providers
Key high-risk requirements	Article 8: Complying with the requirements	Ensure compliance with all requirements in Articles 9-15 before placing your product on the market
	Article 9: Risk management	Establish, implement, document, and maintain a continuous risk management system across the lifecycle
	Article 10: Data governance	Use high-quality datasets and implement data governance practices (e.g. relevance, representativeness, bias mitigation)
	Article 11: Technical documentation	Draw up and maintain technical documentation demonstrating compliance
	Article 12: Record-keeping and logging	Design the AI system to automatically generate logs enabling traceability and monitoring
	Article 13: Transparency for deployers	Provide instructions for use, including intended purpose, accuracy, limitations, and oversight requirements
	Article 14: Human oversight	Design the AI system to enable effective human oversight, including intervention and override mechanisms

	Article 15: Performance requirements	Ensure accuracy, robustness, and cybersecurity appropriate to its intended purpose
Organisational and compliance requirements	Article 16: General provider duties	Ensure compliance with Arts. 9-15 above, provide the ability to be contacted on your product, ensure compliance with Arts. 17-19, 20, 43, 47-48 and 49(1), and ensure your AI system complies with relevant accessibility requirements
	Article 17: Quality Management System (QMS)	Establish and maintain a QMS covering design, testing, and compliance processes
	Article 18: Document keeping	Retain technical documentation and records for 10 years after placement on the market
	Article 19: Automatically generated logs	Ensure you can keep and make available automatically generated logs once placed on the market
	Article 20: Corrective actions	Apply an internal control procedure to take corrective actions where necessary and to inform the relevant authorities if the AI system is non-compliant
	Article 21: Cooperation with competent authorities	Ensure you can provide all the required information to the relevant competent authority as needed
	Article 22: EU or NI representation	Appoint an authorised EU- or NI-based representative if you are placing a product on the EU market from a third country
Conformity assessment mechanisms	Articles 40-42: Technical standards	Use harmonised standards and common specifications to demonstrate compliance
	Article 43: Conformity assessment	Carry out the relevant conformity assessment before placing your product on the market
	Article 44: Certificates	Obtain the relevant certificates where notified bodies are involved

	Article 47: Declaration of Conformity	Draw up and retain an EU Declaration of Conformity
	Article 48: CE marking	Affix a CE marking to your product
	Article 49: Registration	Register your AI system into an EU database where relevant (if it is a high-risk system listed in Annex III. High-risk AI systems under Annex I do not need to be registered.)
Post-market obligations	Article 72: Post-market monitoring	Operate a post-market monitoring system as appropriate
	Article 73: Incident reporting	Report serious incidents to the relevant authority

High-risk rules for deployers

Obligations on deployers within the EU AI Act generally do not apply in Northern Ireland. However, there are some limited requirements for deployers in NI to ensure providers have the information needed to fulfil the duties of a provider. The limited requirements for deployers in NI are:

- **Reporting risks.** If you use a high-risk AI system and have reason to believe that it presents a risk when used in line with the provider's instructions, you must inform the provider or distributor and the relevant market surveillance authority without undue delay. For the purposes of the EU AI Act, a risk means the probability that a hazard could occur and cause harm to people's health, safety, or fundamental rights.
- **Reporting serious incidents.** If you become aware of a serious incident involving a high-risk AI system, you must immediately inform the provider and then the importer or distributor and the relevant market surveillance authority. If you cannot contact the provider, you must report the incident directly to the market surveillance authority and may be required to submit a report within 2 days for widespread infringements or critical infrastructure, 10 days for a death, or 15 days otherwise. A serious incident is any incident or malfunction of an AI system that directly or indirectly results in:
    - the death of a person or serious harm to a person's health;
    - a serious and irreversible disruption of critical infrastructure;
    - an infringement of obligations under Union law intended to protect fundamental rights; or

- serious harm to property or the environment.

For more information, please refer to Article 26(5) of the EU AI Act.

Limited-risk AI systems

Article 50(1) and 50(2) of the EU AI Act impose transparency obligations on certain AI systems, regardless of their risk classification. Under the Windsor Framework, these obligations apply in NI where the AI system is closely integrated into a physical product that is placed on the NI market.

Articles 50(3) and 50(4) relate to use and do not apply in Northern Ireland.

Disclosing AI interaction (Article 50(1))

Providers of AI systems designed to directly interact with people must ensure that users are informed they are interacting with an AI system, unless this is obvious from the circumstances and context of use.

While online chatbots are not regulated under the Windsor Framework arrangements, this transparency requirement can apply where a physical product closely integrates an AI system that interacts directly with a user and where this is not obvious. For example, interacting with an AI system is likely obvious in some smart speakers, but may be less clear in an AI-enabled interactive toy for young children or (in the future) AI-enabled robot pets that are indistinguishable from real pets.

What this means for businesses

If you place a physical product on the NI market with a closely integrated AI system that interacts directly with users, for example through conversation, voice commands, or real-time responses, users should be able to recognise they are dealing with AI and not a person. You do not need to disclose AI interaction where this would be obvious to a reasonable person. For example, a robot vacuum cleaner that responds to voice commands may be clearly AI-driven, while a humanlike voice assistant embedded in a speaker may not be obvious to some users. Please refer to further European Commission guidance on how to comply.

Article 50(1) transparency requirements apply from 10 November 2026.

Marking AI-generated content (Article 50(2))

Providers of AI systems that generate synthetic audio, image, video, or text content must ensure that outputs are marked in a machine-readable format and can be identified as artificially generated or manipulated. Where a physical product uses a closely integrated AI system to generate synthetic content, such as an AI system embedded in vehicle navigation systems, AR glasses, or digital twins that provide

virtual replicas, providers should follow European Commission guidance on acceptable technical approaches.

These requirements do not apply when the AI system performs an ‘assistive’ function for standard editing, such as formatting improvements or visual tweaks. A physical product is in scope only when generating new synthetic content.

What this means for businesses

If you manufacture a physical product for NI that generates synthetic content using a closely integrated AI system, you must ensure the AI-generated outputs carry machine-readable markers and are detectable as AI-generated. For example, a smart speaker that generates AI voice responses to user questions, or a connected toy that generates AI speech, is in scope. Please refer to further European Commission guidance on how to comply.

Article 50(2) transparency requirements apply from 2 December 2026.

Cross-cutting provider requirements

AI literacy

Article 4 requires providers to take measures to support AI literacy among staff and others who operate or use AI systems on their behalf. Under the Windsor Framework, this applies only to providers of physical products with closely integrated AI systems, including manufacturers, importers and distributors, where those operators are the provider of the AI system. It is an outcome-based requirement, designed to be flexible and should be proportionate to role and level of risk. The EU AI Act does not specify exactly how to achieve AI literacy; please refer to further European Commission guidance here and Recital 20 of the EU AI Act.

What this means for businesses

If your business places a relevant physical product on the NI market with a closely integrated AI system, you should aim to support a sufficient level of AI literacy within your business and among those who operate those AI systems on your behalf. This may look different for different roles. For example:

- Developers designing the AI system should have an understanding of AI capabilities, limitations, opportunities, risks and harms associated with the AI system, and the regulatory requirements that apply to the product;
- Quality assurance and compliance staff should have an understanding of EU AI Act obligations, how to assess AI-specific risks, and how to document compliance;
- Contractors, service providers or others acting on your behalf in relation to the AI system should have a level of AI literacy appropriate to their role, including

an understanding of AI capabilities, limitations, risks and any relevant regulatory requirements.

Article 4 AI literacy requirements are already in effect in the EU and come into effect in NI on 10 November 2026.

4. Timelines for application in Northern Ireland

EU AI Act provision	Date	Relevance for NI
Article 5: Prohibited AI practices	10 November 2026 The prohibitions on generating non-consensual intimate imagery and child sexual abuse material apply from 2 December 2026.	Applies to providers who closely integrate a prohibited AI system in a physical product and places it on the NI market
Article 4: AI literacy	10 November 2026	Applies to providers who place a closely integrated physical product on the NI market
Article 50(1): Disclosing AI interaction	10 November 2026	Applies to providers who place a closely integrated physical product on the NI market
Article 50(2): Marking AI-generated content	2 December 2026	Applies to providers who place a closely integrated physical product on the NI market
Article 6(2) Annex III high-risk use cases	2 December 2027	Applies to providers who closely integrate a high-risk AI system in a physical product and places it on the NI market
Article 6(1) Annex I high-risk regulated products	2 August 2028	Applies to providers who closely integrate a high-risk AI system that intends to be used as a safety component into an Annex I regulated product and places it on the NI market

5. Further resources

Background to the EU AI Act and Windsor Framework

Northern Ireland continues to follow EU rules in certain areas so that goods can move with dual market access to both the EU single market and the UK internal market. The EU AI Act (Regulation (EU) 2024/1689) entered into force in the EU on 1 August 2024. It is being implemented in phases, with full application from 2028. The EU AI Act is a cross-sector legal framework that categorises AI systems by risk:

- It categorises 'unacceptable' risks by use cases, which are banned (Article 5);
- It places obligations relating to 'high-risk' AI systems (Article 6(1) and (2));
- It places transparency obligations relating to certain AI systems, sometimes referred to as 'limited risk' systems (Article 50);
- It places obligations in relation to general-purpose AI models. There are additional obligations relating to general-purpose AI models which are categorised as having 'systemic risk'.

In the EU, these regulations apply to providers, product manufacturers, deployers, authorised representatives, importers, or distributors. Use of certain AI systems are also prohibited. The definitions of these operators can be found here.

The EU AI Act is added to the Windsor Framework from 10 November 2026, with important exemptions on its scope which makes its application more limited in Northern Ireland than in the EU.

Illustrative list of the EU AI Act provisions that apply in NI

The below table details the EU AI Act provisions and their applicability in NI.

EU AI Act provision	Subject	Applicability in NI	Comment
Article 4	AI literacy	**Partial**	Applies to providers only where they are placing on the market an AI system that is closely integrated into a physical product
Article 5	Prohibited practices	**Partial**	Applies only to providers of closely integrated AI systems in physical products; Article 5(1)(h) (use of real-time biometric

			systems in public spaces for law enforcement) is wholly out of scope in NI
Article 6(1) + Annex I	High-risk (Category 1: regulated products)	**Near-full**	Applies to providers where a closely integrated AI system is a safety component of a physical product.[5]
Article 6(2) + Annex III	High-risk (Category 2: use cases)	**Limited**	Applies to providers only where an AI system is closely integrated into physical products
Articles 9-15	High-risk requirements	**Near-full (conditional)**	Apply to providers where an AI system is closely integrated in a physical product
Article 16-25	Provider & supply chain obligations	**Near-full (conditional)**	Limited to providers placing an AI system closely integrated in a physical product on the market
Article 26	Deployer obligations	**Very limited**	Only incident/reporting obligations (Article 26(5) is applicable in NI; the rest of Article 26 is out of scope
Article 50(1-2)	Transparency requirements (provider)	**Partial**	Applies only to providers of AI systems that are closely integrated in a physical product. Article 50(3-4) is out of scope

[5] The following regulations are out of scope in NI: Regulation (EC) No 300/2008 on common rules in the field of civil aviation security, and Regulation (EU) 2018/1139 on common rules in civil aviation and establishing the EU Aviation Safety Agency.

Articles 51-55	GPAI models	**Indirect only**	Only as a de facto downstream requirement via close integration into a physical product
Articles 57-61	Regulatory sandboxes	**Not applicable**	Not linked to product placement
Articles 64-113	Remaining provisions on governance and enforcement	**Partial**	These provisions generally do not place obligations on businesses directly. The following articles are out of scope: Articles 76, 86, and 95; and Annexes 2, 9 and 10.

Examples of products that would be considered 'closely integrated' under the Windsor Framework

Under the Windsor Framework, the EU AI Act applies in Northern Ireland only where an AI system is closely integrated into a physical product placed on the market.

An AI system will normally be considered closely integrated where either of the following conditions is met by the manufacturer:

- **Condition A**: The AI system is embedded or pre-installed in the physical product when it is placed on the market; OR
- **Condition B**: The AI system is downloaded separately, and the product is specifically designed to be used by that system only to carry out the product's intended functionality. Intended functionality means the functionality that the product is designed, marketed and documented to provide, based on its technical documentation and marketing materials.

The tables below set out some illustrative examples.

Table 1: Products placed on the market in Northern Ireland that are in scope of the EU AI Act (closely integrated AI systems)

The following physical products closely integrate AI systems and therefore must meet both any relevant EU AI Act requirements, if these apply to the specific product, as well as any other relevant EU legislation (e.g. sectoral regulation on medical devices). The table below includes examples that may not be high-risk or even be subject to any AI Act requirements, depending on the detail, but illustrates when products are ‘closely integrated’.

Product	Condition A	Condition B	Closely integrated	Reason
Gas boiler with an embedded AI monitoring system to prevent carbon monoxide leakage	Yes	N/A	Yes	The AI system is built into the boiler when it is placed on the market and performs a safety function as part of its intended operation.
Smart speaker sold with a built-in AI voice assistant	Yes	N/A	Yes	The AI assistant is installed on the device when it is placed on the market and forms part of the product's intended functionality.
AI-enabled medical imaging device that analyses scans	Yes	N/A	Yes	The AI system is closely integrated in the medical device and performs part of the device's intended diagnostic function. The device relies on the AI system to deliver its advertised function.
Smartwatch that requires a specific AI health monitoring app from the manufacturer to deliver its advertised health features	No	Yes	Yes	The watch relies on the specific app to provide health-monitoring features that form part of its advertised purpose. Without the app, those functions would not operate as intended.
AR glasses requiring a specific manufacturer’s AI software package	No	Yes	Yes	The glasses are specifically designed for the AI software package and enables its core augmented reality

downloaded during setup to provide their primary augmented reality functions				functions for which the product is marketed. Without the software, the product would not perform its intended purpose.

Table 2: Products that are placed on the market in Northern Ireland that are out of scope of the EU AI Act (the AI system is standalone or not closely integrated to the product)

The following AI software and applications are standalone and not closely integrated into a physical device. The provisions of the EU AI Act do not apply. The underlying product or device will need to meet any other EU legislation that may apply to that specific product (e.g. vehicle type approval requirements). These AI systems can be sold, downloaded and used in Northern Ireland without needing to meet any EU AI Act requirements, should they apply.

Product	Condition A	Condition B	Closely integrated	Reason
Laptop on which the user downloads a general-purpose AI assistant after purchase	No	No	No	The AI assistant is independently marketed, can operate on many different devices, and is not specifically designed for the laptop. The laptop does not depend on the assistant to perform its intended functions.
Smartphone on which the user downloads a general-purpose translation app	No	No	No	The app is a standalone software product that operates independently of the smartphone. It is not supplied as part of the phone's intended function and is not necessary for the phone to perform its core functions.
Smart speaker manufacturer offers an optional AI recipe	No	No	No	The app is developed by the manufacturer but is not necessary for the product's core functionality. The smart speaker is able to function

app to be installed on the device				as intended without the app, so the optional app does not make the product more or less closely integrated with an AI system.
Smartwatch on which the user downloads an optional third-party fitness app	No	No	No	The app is supplied independently of the watch manufacturer and is optional. The watch is able to perform its intended functions without the app and therefore does not depend on it for its core functionality.
Vehicle using a third-party navigation AI application selected by the driver	No	No	No	The navigation software is independently marketed and chosen by the user after purchase. It is not specifically designed as part of the vehicle placed on the market and the vehicle does not depend on it for its intended purpose.
Standalone AI recruitment tool used by an employer	No	No	No	The AI system is a standalone software product and is not incorporated into, or specifically designed for, a physical product placed on the market.

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