

EU AI Act Risk Classification Memo — Anonymised Sample

EU AI Act Risk Classification Memo — Anonymised Sample

Anonymised — Do not redistribute. Excerpt from a Readiness Sprint deliverable. The customer "Acme Decisions Ltd" and the AI system "AcmeMatch" are illustrative.

Customer: Acme Decisions Ltd · **AI System:** AcmeMatch v3.4 · **Memo date:** 2026-04-25 · **Memo version:** 1.0

Executive summary

AcmeMatch is most likely a **high-risk AI system** under EU AI Act Annex III §4(a) — *AI systems intended to be used for the recruitment or selection of natural persons, in particular to place targeted job advertisements, to analyse and filter job applications, and to evaluate candidates*. It is **not** a prohibited practice under Article 5, and it is **not** a general-purpose AI (GPAI) model under Articles 51-55.

The Provider obligations (Articles 8-25) and Deployer obligations (Article 26) therefore both apply to Acme Decisions Ltd's go-to-market in the EU. UK GDPR / Data Protection Act 2018 obligations apply in parallel for both UK and EU data subjects.

This memo is the **risk classification basis** for the Annex IV technical documentation, the risk-management register, and the human oversight checklist. It is **not legal advice**.

1. Methodology

The classification is built up in 4 layers:

- Article 5 (Prohibited practices) check.** Pass if no prohibited pattern is present.
 - Annex III (High-risk use cases) check.** Pass-with-classification if the system fits one of the listed high-risk use cases.
 - Article 6 derogations check.** Are any of the narrow Article 6(3) carve-outs available (preparatory tasks, narrow procedural tasks, decision-improvement-only patterns)? Document with reasons.
 - GPAI check (Articles 51-55).** Does AcmeMatch place a GPAI model on the market? Or is it a downstream use of a third-party GPAI?
-

2. Layer-by-layer assessment

2.1 Article 5 — Prohibited practices

Article 5(1) prohibition	Applies to AcmeMatch?	Basis
(a) Subliminal techniques to distort behaviour to material harm	No	AcmeMatch surfaces ranked shortlists with explicit rationale; no subliminal manipulation.
(b) Exploiting vulnerabilities (age, disability, social or economic situation)	No	Targets recruiter end-users, not candidates as decision-subjects.
(c) Social scoring of natural persons by public authorities or on their behalf	No	Not a public-authority deployment; ranks candidates against role-fit, not general social standing.
(d) Risk assessment of natural persons predicting criminal offences	No	Out of scope.
(e) Untargeted scraping of facial images for facial recognition databases	No	No image processing.
(f) Emotion recognition in workplace/ education	No	Explicit input-side filter rejects emotion-recognition prompts.
(g) Biometric categorisation by sensitive attributes	No	No biometric processing.
(h) Real-time remote biometric identification in public spaces	No	Out of scope.

Conclusion: No Article 5 prohibition applies to AcmeMatch v3.4 as scoped.

2.2 Annex III — High-risk use cases

The Provider's intended purpose is to **screen and filter candidate applications and to evaluate candidates** against a role profile defined by the recruiter. This squarely falls within **Annex III §4(a)**:

AI systems intended to be used for the recruitment or selection of natural persons, in particular to place targeted job advertisements, to analyse and filter job applications, and to evaluate candidates.

Conclusion: AcmeMatch is a **high-risk AI system** under Annex III §4(a).

2.3 Article 6(3) derogations — Are they available?

Article 6(3) allows a Provider to argue an Annex III system is **not** high-risk if **all** of the following apply:

Article 6(3) condition	Met by AcmeMatch?	Basis
(a) Performs only narrow procedural tasks	No	AcmeMatch ranks against semantic role-fit — substantive, not narrow procedural.
(b) Improves the result of a previously completed human activity (without replacing/influencing)	Partly	The recruiter still selects candidates, but the ranking influences which candidates are reviewed first. Cannot meet "without influencing" standard.
(c) Detects decision-making patterns and is not meant to replace/influence human assessment	No	The product purpose is to influence the recruiter's review order.
(d) Performs preparatory task to an Annex III high-risk use case	No	Performs the use case itself.

Conclusion: Article 6(3) derogation is **not available**. AcmeMatch remains classified as high-risk.

2.4 GPAI (Articles 51-55)

- AcmeMatch uses a third-party GPAI model under licence; Acme Decisions Ltd does **not** place a GPAI model on the market.
- **Conclusion:** GPAI model-tier obligations under Articles 51-55 do not fall on Acme Decisions Ltd directly. The downstream Provider obligations remain (the Provider is still responsible for the AcmeMatch system as a high-risk Annex III system).

3. Provider obligations triggered (Articles 8-25)

Because AcmeMatch is high-risk and Acme Decisions Ltd is the Provider:

Article	Obligation summary	Status
9	Risk-management system	Drafted — see 03-risk-management-register-sample.md .
10	Data governance (training, validation, testing data quality)	Documented in Annex IV §2.4 (Documentation Sprint).
11	Technical documentation per Annex IV	Drafted skeleton — see 01-annex-iv-technical-documentation-skeleton-sample.md .
12	Logging (auto-recorded events)	Tamper-evident logs in place; retention policy documented.
13	Transparency to Deployers	Deployer Use Manual drafted — see human oversight checklist excerpt.
14	Human oversight by design	UI controls designed in; see 04-human-oversight-transparency-checklist-sample.md .
15	Accuracy, robustness, cybersecurity	Targets and metrics in Annex IV §3.2.
16	Provider obligations (general)	Pending: appointment of EU authorised representative under Article 22.
17	Quality management system	Existing ISO 9001-aligned QMS extended for AI Act scope.
22	EU authorised representative	Outstanding action. No representative appointed yet.
23	Document retention	Documentation retained for 10 years post-final unit placed on the market.
25	Specific obligations to Deployers	Deployer Use Manual covers Article 26 obligations.

4. Deployer obligations (Article 26)

Where Acme Decisions Ltd is the Provider AND the Deployer (i.e. running AcmeMatch on its own customer base or workflows), Article 26 applies. Where Acme Decisions Ltd's customer is the Deployer, the customer's Article 26 obligations are flagged in the **Deployer Use Manual** (out of scope for this memo).

5. UK GDPR / Data Protection Act 2018 considerations

In parallel to AI Act obligations, AcmeMatch processes personal data of candidates and therefore must satisfy UK GDPR + Data Protection Act 2018:

Topic	Status
Lawful basis (Article 6)	Customer's recruiter (acting as controller for their candidate pool) determines lawful basis. AcmeMatch is processor for those candidates.
Special-category data (Article 9)	Avoided by design — no special-category fields are processed for ranking.
Article 22 — solely automated decision-making	Not triggered. AcmeMatch outputs a ranked shortlist; the recruiter retains decision authority. The Deployer Use Manual contains a "do not use AcmeMatch as the sole basis for adverse hiring outcomes" instruction.
DPIA	Required under DPA s.65 — see 05-gdpr-dpia-starter-sample.md .

6. Outstanding actions before EU launch

1. Appoint an EU authorised representative (Article 22).
2. Complete Annex IV §2.4 datasheets (Article 10).
3. Run Q3 bias audit and attach to Annex IV §3.3.
4. Sign and file the EU declaration of conformity (Article 47).
5. Confirm post-market monitoring procedures (Article 72).

7. Conclusion

AcmeMatch v3.4 is **classified as a high-risk AI system under EU AI Act Annex III §4(a)**. Provider obligations under Articles 8-25 apply to Acme Decisions Ltd. Deployer obligations under Article 26 apply on every Deployer instance. UK GDPR DPIA is required. The Documentation Sprint deliverable pack covers each of these obligations in artefact form; the **outstanding actions in §6** are the gating items for placing AcmeMatch on the EU market.

This memo should be reviewed by Acme Decisions Ltd's solicitor or external counsel before external reliance.

Document control

Item	Detail
Sample produced	2026-04-25
Anonymised customer	Acme Decisions Ltd (fictional UK SME)
AI system in scope	AcmeMatch v3.4
Classification	High-risk (Annex III §4(a))
Reviewer	Customer's solicitor or DPO before any external reliance

Prepared with support from GeraCompliance. This document is not legal advice and does not guarantee compliance. The customer remains responsible for legal review, implementation, and regulatory obligations.