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*Committee on the Internal Market and Consumer Protection  
Committee on Civil Liberties, Justice and Home Affairs*

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**2021/0106(COD)**

13.6.2022

# **AMENDMENTS 3020 - 3312**

**Draft report**

**Brando Benifei, Dragoş Tudorache**  
(PE731.563v01-00)

Harmonised rules on Artificial Intelligence (Artificial Intelligence Act) and  
amending certain Union Legislative Acts

Proposal for a regulation  
(COM(2021)0206 – C9-0146/2021 – 2021/0106(COD))



**Amendment 3020**  
**Axel Voss, Deirdre Clune**

**Proposal for a regulation**  
**Annex I – point c**

*Text proposed by the Commission*

*Amendment*

**(c) Statistical approaches, Bayesian estimation, search and optimization methods.** **deleted**

Or. en

**Amendment 3021**  
**Jürgen Warborn, Arba Kokalari, Tomas Tobé**

**Proposal for a regulation**  
**Annex I – point c**

*Text proposed by the Commission*

*Amendment*

**(c) Statistical approaches, Bayesian estimation, search and optimization methods.** **deleted**

Or. en

*Justification*

*The inclusion of (c) under the classification of AI means that simple statistical methods which have been applied to products and services for several decades would also be covered by the AI Regulation. This would lead to immense bureaucracy for actors the Regulation was never meant to target.*

**Amendment 3022**  
**Karlo Ressler**

**Proposal for a regulation**  
**Annex I – point c**

*Text proposed by the Commission*

*Amendment*

**(c) Statistical approaches, Bayesian estimation, search and optimization** **deleted**

*methods.*

Or. en

**Amendment 3023**

**Geoffroy Didier**

**Proposal for a regulation**

**Annex I – point c**

*Text proposed by the Commission*

*Amendment*

**(c) Statistical approaches, Bayesian estimation, search and optimization methods.** **deleted**

Or. en

*Justification*

*Annex I lists different techniques and approaches that can refer to AI. If some are inherently linked and identified as AI (paragraph a), the others can be used within applications which do not fall under AI (paragraphs b and c).*

**Amendment 3024**

**Svenja Hahn, Nicola Beer, Morten Løkkegaard, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex I – point c**

*Text proposed by the Commission*

*Amendment*

**(c) Statistical approaches, Bayesian estimation, search and optimization methods.** **deleted**

Or. en

**Amendment 3025**

**Kosma Zlotowski, Eugen Jurzyca, Patryk Jaki, Adam Bielan**

**Proposal for a regulation**

**Annex I – point c**

*Text proposed by the Commission*

*Amendment*

(c) Statistical approaches, Bayesian estimation, search ***and optimization methods.***

(c) Statistical approaches, Bayesian estimation, ***if they are used to extract decisions from data in an automated way and*** search.

Or. en

**Amendment 3026**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation  
Annex I – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) Approaches based on neural network imitation and neuro-robotic networks;***

Or. fr

**Amendment 3027**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation  
Annex I – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(c b) Machine learning tasks on graphs for repetition tasks or pattern recognition;***

Or. fr

**Amendment 3028**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex I – point c c (new)**

*Text proposed by the Commission*

*Amendment*

***(c c) Natural language programming techniques, including emotion detection and recognition systems, using interactions between human language and computer language;***

Or. fr

**Amendment 3029**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex I – point c d (new)**

*Text proposed by the Commission*

*Amendment*

***(c d) Artificial vision for pattern recognition, including graphical analysis or digital signature identification;***

Or. fr

**Amendment 3030**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex I – point c e (new)**

*Text proposed by the Commission*

*Amendment*

***(c e) Interactive systems related to mechatronics, robotics and automation systems.***

Or. fr

**Amendment 3031**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex II – Part A – point 6**

*Text proposed by the Commission*

*Amendment*

**6. Directive 2014/53/EU of the** *deleted*  
**European Parliament and of the Council**  
**of 16 April 2014 on the harmonisation of**  
**the laws of the Member States relating to**  
**the making available on the market of**  
**radio equipment and repealing Directive**  
**1999/5/EC (OJ L 153, 22.5.2014, p. 62);**

Or. en

**Amendment 3032**  
**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex II – Part A – point 11**

*Text proposed by the Commission*

*Amendment*

**11. Regulation (EU) 2017/745 of the** *deleted*  
**European Parliament and of the Council**  
**of 5 April 2017 on medical devices,**  
**amending Directive 2001/83/EC,**  
**Regulation (EC) No 178/2002 and**  
**Regulation (EC) No 1223/2009 and**  
**repealing Council Directives 90/385/EEC**  
**and 93/42/EEC (OJ L 117, 5.5.2017, p. 1;**

Or. en

**Amendment 3033**  
**Deirdre Clune, Axel Voss, Andreas Schwab**

**Proposal for a regulation**  
**Annex II – Part A – point 11**

*Text proposed by the Commission*

*Amendment*

**11. Regulation (EU) 2017/745 of the** *deleted*  
**European Parliament and of the Council**  
**of 5 April 2017 on medical devices,**

*amending Directive 2001/83/EC,  
Regulation (EC) No 178/2002 and  
Regulation (EC) No 1223/2009 and  
repealing Council Directives 90/385/EEC  
and 93/42/EEC (OJ L 117, 5.5.2017, p. 1;*

Or. en

**Amendment 3034**  
**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex II – Part A – point 12**

*Text proposed by the Commission*

*Amendment*

**12. Regulation (EU) 2017/746 of the  
European Parliament and of the Council  
of 5 April 2017 on in vitro diagnostic  
medical devices and repealing Directive  
98/79/EC and Commission Decision  
2010/227/EU (OJ L 117, 5.5.2017, p. 176).**

**deleted**

Or. en

**Amendment 3035**  
**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex II – Part A – point 12 a (new)**

*Text proposed by the Commission*

*Amendment*

**12 a. Directive 2014/35/EU of the  
European Parliament and of the Council  
of 26 February 2014 on the  
harmonisation of the laws of the Member  
States relating to the making available on  
the market of electrical equipment  
designed for use within certain voltage  
limits (OJ L96/357, 29.3.2014).**

Or. en



**Amendment 3036**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex II – Part A – point 12 a (new)**

*Text proposed by the Commission*

*Amendment*

**12a. [REGULATION OF THE  
EUROPEAN PARLIAMENT AND OF  
THE COUNCIL on a Single Market For  
Digital Services (Digital Services Act) and  
amending Directive 2000/31/EC]**

Or. fr

**Amendment 3037**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex II – Part A – point 12 b (new)**

*Text proposed by the Commission*

*Amendment*

**12b. [REGULATION OF THE  
EUROPEAN PARLIAMENT AND OF  
THE COUNCIL on contestable and fair  
markets in the digital sector (Digital  
Markets Act)].**

Or. fr

**Amendment 3038**

**Deirdre Clune, Axel Voss, Andreas Schwab**

**Proposal for a regulation**

**Annex II – Part B – point 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7 a. Regulation (EU) 2017/745 of the  
European Parliament and of the Council  
of 5 April 2017 on medical devices,**

*amending Directive 2001/83/EC,  
Regulation (EC) No 178/2002 and  
Regulation (EC) No 1223/2009 and  
repealing Council Directives 90/385/EEC  
and 93/42/EEC (OJ L 117, 5.5.2017, p. 1;*

Or. en

**Amendment 3039**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex II – Part B – point 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7 a. Regulation (EU) 2017/745 of the  
European Parliament and of the Council  
of 5 April 2017 on medical devices,  
amending Directive 2001/83/EC,  
Regulation (EC) No 178/2002 and  
Regulation (EC) No 1223/2009 and  
repealing Council Directives 90/385/EEC  
and 93/42/EEC (OJ L 117, 5.5.2017, p. 1;**

Or. en

**Amendment 3040**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex II – Part B – point 7 a (new)**

*Text proposed by the Commission*

*Amendment*

**7 a. Directive 2009/125/EC of the  
European Parliament and of the Council  
of 21 October 2009 establishing a  
framework for the setting of ecodesign  
requirements for energy-related products.**

Or. en

**Amendment 3041**  
**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex II – Part B – point 7 b (new)**

*Text proposed by the Commission*

*Amendment*

**7 b. Regulation (EU) 2017/746 of the European Parliament and of the Council of 5 April 2017 on in vitro diagnostic medical devices and repealing Directive 98/79/EC and Commission Decision 2010/227/EU (OJ L 117, 5.5.2017, p. 176).**

Or. en

**Amendment 3042**  
**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Paul Tang, Maria Grapini**

**Proposal for a regulation**  
**Annex III – title**

*Text proposed by the Commission*

*Amendment*

HIGH-RISK AI SYSTEMS REFERRED  
TO IN ARTICLE 6(2)

**INDICATIVE LIST OF** HIGH-RISK AI  
SYSTEMS REFERRED TO IN ARTICLE  
6(2)

Or. en

**Amendment 3043**  
**Geoffroy Didier**

**Proposal for a regulation**  
**Annex III – title**

*Text proposed by the Commission*

*Amendment*

HIGH-RISK AI SYSTEMS REFERRED  
TO IN ARTICLE 6(2)

HIGH-RISK **USES OF** AI SYSTEMS  
REFERRED TO IN ARTICLE 6(2)

Or. en

### *Justification*

*Some applications of AI must be considered as high-risk systems from the moment some criteria, such as seriousness and probability of occurrence of serious damages for individuals (threats on health, life or fundamental rights), are gathered. It is important to ensure that not all applications of AI in a specific sector are irrelevantly considered as high-risk systems, while the use made of them is not necessarily high-risk. For instance, in human resources field, AI systems should be restricted to the only objective of recruitment or individual selection and decision making for promotions or contract termination. A too broad definition of a high-risk AI system could bring to heavy obligations for numerous economic players and thus hamper technological innovation from French and European players, especially smaller ones.*

#### **Amendment 3044**

**Axel Voss, Deirdre Clune, Eva Maydell**

#### **Proposal for a regulation**

##### **Annex III – title**

*Text proposed by the Commission*

*Amendment*

**HIGH-RISK AI SYSTEMS** REFERRED  
TO IN ARTICLE 6(2)

**CRITICAL USE CASES** REFERRED TO  
IN ARTICLE 6(2)

Or. en

#### **Amendment 3045**

**Svenja Hahn, Nicola Beer, Morten Løkkegaard, Vlad-Marius Botoș, Moritz Körner,  
Ondřej Kovařík, Jan-Christoph Oetjen**

#### **Proposal for a regulation**

##### **Annex III – title**

*Text proposed by the Commission*

*Amendment*

**HIGH-RISK AI SYSTEMS** REFERRED  
TO IN ARTICLE 6(2)

**CRITICAL AREAS** REFERRED TO IN  
ARTICLE 6(2)

Or. en

#### **Amendment 3046**

**Axel Voss, Deirdre Clune, Eva Maydell**

#### **Proposal for a regulation**

##### **Annex III – paragraph 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

High-risk AI systems pursuant to Article 6(2) ***are the AI systems listed in any of the following areas:***

***The AI systems specifically mentioned under points 1-8 stand for critical use cases and are each considered to be high-risk AI systems pursuant to Article 6(2), when - according to their instructions to use - their intended purpose and specific use pose a significant risk of harm to the health and safety or a risk of adverse impact on fundamental rights:***

Or. en

**Amendment 3047**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Alin Mituța**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Biometric identification ***and*** categorisation of natural persons:

1. ***1. Biometric and biometrics-based systems:***

***(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;***

***(b) AI systems intended to be used for the remote biometric categorisation of natural persons in publicly-accessible spaces;***

***(c) AI systems intended to be used for emotion recognition in natural persons;***

Or. en

**Amendment 3048**

**Axel Voss, Deirdre Clune**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Biometric identification **and** categorisation of natural persons:

1. Biometric identification **systems, excluding biometric authentication or verification, intended to be used for the ‘real-time’ and ‘post’ remote biometric identification or** categorisation of natural persons **(i.e., revealing their identity or tracking their behaviour) without their expressed or implied consent and causing legal effects or discrimination against the affected person;**

Or. en

**Amendment 3049**

**Rob Rooker**

on behalf of the ECR Group

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Biometric identification and categorisation of natural persons:

1. Biometric **or biometrics-based profiling, including** identification and categorisation of natural persons:

Or. en

**Amendment 3050**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Biometric identification and categorisation of natural persons:

1. Biometric identification, **biometrics-based data** and categorisation of natural persons:

Or. en

#### **Amendment 3051**

**Kosma Zlotowski, Patryk Jaki, Eugen Jurzyca, Adam Bielan**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. ***Biometric*** identification and categorisation of natural persons:

1. ***Biometrics systems*** identification and categorisation of natural persons

Or. en

#### **Amendment 3052**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Biometric ***identification and categorisation of natural persons***:

1. ***AI systems which use*** biometric ***or biometrics-based data***:

Or. en

#### **Amendment 3053**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Paul Tang, Maria Grapini**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Biometric ***identification and categorisation of natural persons***:

1. ***AI systems which use*** biometric ***or biometrics-based data***:

Or. en

#### **Amendment 3054**

**Krzysztof Hetman, Adam Jarubas, Andrzej Halicki, Jerzy Buzek, Janusz Lewandowski,**

**Radosław Sikorski**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – introductory part**

*Text proposed by the Commission*

*Amendment*

1. Biometric identification ***and categorisation*** of natural persons:

1. Biometric identification of natural persons:

Or. en

**Amendment 3055**

**Axel Voss, Deirdre Clune**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) ***AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;*** ***deleted***

Or. en

**Amendment 3056**

**Dragoş Tudorache**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) ***AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;*** ***deleted***

Or. en

**Amendment 3057**

**Kim Van Sparrentak, Sergey Lagodinsky**



on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;** **deleted**

Or. en

**Amendment 3058**

**Brando Benifei, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Marc Angel**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;** **deleted**

Or. en

**Amendment 3059**

**Svenja Hahn, Nicola Beer, Morten Løkkegaard, Vlad-Marius Botoș, Moritz Körner, Ondřej Kovařík, Jan-Christoph Oetjen**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;**

**(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons, *excluding verification/authentication systems whose sole purpose is to confirm that a specific natural person is the person he or***

*she claims to be, and systems that are used to confirm the identity of a natural person for the sole purpose of having access to a service, a device or premises;*

Or. en

**Amendment 3060**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Paul Tang, Maria Grapini, Brando Benifei**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

(a) AI systems *intended to* be used for the ‘*real-time*’ and ‘*post*’ remote biometric identification of natural persons;

*Amendment*

(a) AI systems *that are or may* be used for the biometric identification of natural persons, *including in workplaces, in educational settings and in border surveillance, or for the provision of public or essential services;*

Or. en

**Amendment 3061**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;

*Amendment*

(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons, *within the strict limits of the exemption from the general prohibition on their use laid down in Article 5;*

Or. fr

**Amendment 3062**

Krzysztof Hetman, Adam Jarubas, Andrzej Halicki, Jerzy Buzek, Janusz Lewandowski, Radosław Sikorski

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;

*Amendment*

(a) AI systems intended to be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons ***without their agreement, including remote biometric identification;***

Or. en

**Amendment 3063**

**Kosma Zlotowski, Patryk Jaki, Eugen Jurzyca**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used for the ‘***real-time***’ and ‘post’ remote biometric identification of natural persons;

*Amendment*

(a) AI ***biometric identification*** systems intended to be used for the ‘***real time***’ and ‘post’ remote biometric identification of natural persons ***without their agreement;***

Or. en

**Amendment 3064**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

(a) AI systems ***intended to*** be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;

*Amendment*

(a) AI systems ***that are or may*** be used for the ‘real-time’ and ‘post’ remote biometric identification of natural persons;

Or. en

**Amendment 3065**  
**Rob Rooken**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

(a) AI systems ***intended to be*** used for the ‘real-time’ and ‘post’ ***remote*** biometric identification of natural persons;

*Amendment*

(a) AI systems used for the ‘real-time’ and ‘post’ biometric identification of natural persons;

Or. en

**Amendment 3066**  
**Svenja Hahn, Nicola Beer, Karen Melchior, Vlad-Marius Botoș, Abir Al-Sahlani, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) AI systems intended to be used to make inferences on the basis of biometric data, including emotion recognition systems, or biometrics-based data, including speech patterns, tone of voice, lip-reading and body language analysis, that produces legal effects or affects the rights and freedoms of natural persons.***

Or. en

**Amendment 3067**  
**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand, Maria Grapini, Brando Benifei**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) AI systems that are or may be used for the detection of a person’s presence, in workplaces, in educational settings,***

*and in border surveillance, including in the virtual / online version of these spaces, on the basis of their biometric or biometrics-based data;*

Or. en

**Amendment 3068**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) AI systems that are or may be used for the biometric identification of natural persons in publicly accessible spaces, as well as in workplaces, in educational settings and in border surveillance, or in the provision of public or essential services;*

Or. en

**Amendment 3069**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) AI systems that may be or are intended to be used for the ‘real-time’ and ‘post’ non-remote biometric identification of natural persons in publicly accessible spaces, as well as in workplaces, in educational settings and in border surveillance;*

Or. en

**Amendment 3070**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) AI systems intended to be used by autonomous devices, drones or vehicles to transport or collect natural persons;***

Or. fr

**Amendment 3071**

**Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) AI systems that are or may be used for biometric verification in publicly accessible spaces, as well as in workplaces and in educational settings;***

Or. en

**Amendment 3072**

**Rob Rooken**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) AI categorisation systems using biometric or biometrics-based data;***

Or. en

**Amendment 3073**

**Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

***(a b) AI systems that are or may be used for the detection of a person's presence, in workplaces, in educational settings, and in border surveillance, including in the virtual / online version of these spaces, on the basis of their biometric or biometrics-based data;***

Or. en

**Amendment 3074**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

***(a b) AI systems that may be or are intended to be used for the 'real-time' and 'post' non-remote biometric identification of natural persons in publicly accessible spaces, as well as in workplaces, in educational settings and in border surveillance;***

Or. en

**Amendment 3075**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand, Maria Grapini, Brando Benifei**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

*(a b) AI systems that are or may be used for monitoring compliance with health and safety measures or inferring alertness /attentiveness for safety purposes, on the basis of biometric or biometrics-based data;*

Or. en

**Amendment 3076**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

*(a b) AI systems that are or may be used for biometric verification in publicly accessible spaces, as well as in workplaces and in educational settings;*

Or. en

**Amendment 3077**

**Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

*(a b) AI systems that are or may be used for categorisation on the basis of biometric or biometrics-based data;*

Or. en

**Amendment 3078**

**Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a c (new)**



*Text proposed by the Commission*

*Amendment*

***(a c) AI systems that are or may be used for monitoring compliance with health and safety measures or inferring alertness / attentiveness for safety purposes, on the basis of biometric or biometrics-based data;***

Or. en

**Amendment 3079**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a c (new)**

*Text proposed by the Commission*

*Amendment*

***(a c) AI systems that are or may be used for ‘real-time’ and ‘post’ biometric verification in publicly accessible spaces, as well as in workplaces and in educational settings;***

Or. en

**Amendment 3080**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand, Maria Grapini, Brando Benifei**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a c (new)**

*Text proposed by the Commission*

*Amendment*

***(a c) AI systems that are or may be used to diagnose or support diagnosis of medical conditions or medical emergencies on the basis of biometric or biometrics-based data;***

Or. en

**Amendment 3081**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a c (new)**

*Text proposed by the Commission*

*Amendment*

**(a c) AI systems that are or may be used to diagnose or support diagnosis of medical conditions or medical emergencies on the basis of biometric or biometrics-based data;**

Or. en

**Amendment 3082**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a c (new)**

*Text proposed by the Commission*

*Amendment*

**(a c) AI systems that are or may be used for categorisation on the basis of biometric or biometrics-based data;**

Or. en

**Amendment 3083**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä, Tineke Strik**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a d (new)**

*Text proposed by the Commission*

*Amendment*

**(a d) AI systems that are or may be used for the ‘real-time’ and ‘post’ detection of a person’s presence, in workplaces, in educational settings, and in border surveillance, including in the virtual or**

*online version of these spaces, on the basis of their physical, physiological or behavioural data, including biometric data;*

Or. en

**Amendment 3084**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a d (new)**

*Text proposed by the Commission*

*Amendment*

*(a d) AI systems that are or may be used for the detection of a person's presence, in workplaces, in educational settings, and in border surveillance, including in the virtual / online version of these spaces, on the basis of their biometric or biometrics-based data;*

Or. en

**Amendment 3085**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä, Tineke Strik**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a e (new)**

*Text proposed by the Commission*

*Amendment*

*(a e) AI systems intended to be used by or on behalf of competent authorities in 'real-time' and 'post' migration, asylum and border control management for the forecasting or prediction of trends related to migration, movement and border crossings.*

Or. en

**Amendment 3086**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 1 – point a e (new)**

*Text proposed by the Commission*

*Amendment*

**(a e) AI systems that are or may be used for monitoring compliance with health and safety measures or inferring alertness / attentiveness for safety purposes, on the basis of biometric or biometrics-based data;**

Or. en

**Amendment 3087**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. Management **and** operation of critical infrastructure:

2. Management, operation, **generation and supply** of critical infrastructure, **technology and energy**:

Or. en

**Amendment 3088**

**Andrea Caroppo, Salvatore De Meo**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. **Management and operation of** critical infrastructure:

2. Critical infrastructure **and protection of environment**:

Or. en

#### Amendment 3089

Pernando Barrena Arza, Cornelia Ernst

#### Proposal for a regulation

Annex III – paragraph 1 – point 2 – point a

*Text proposed by the Commission*

(a) AI systems intended to be used as safety **components** in the management **and** operation **of road** traffic and the supply of water, gas, heating and electricity.

*Amendment*

(a) AI systems intended to be used as **a component, the failure or malfunctioning of which endangers the health, safety or fundamental rights of persons or the safety of property**, in the management, operation, **generation and/or supply of the telecom, internet, and financial infrastructure, road, rail, air and water** traffic, and the **operation, management an/or** supply of water, gas, heating, and electricity **and energy (including nuclear power)**.

Or. en

#### Amendment 3090

Kosma Zlotowski, Eugen Jurzyca, Patryk Jaki, Adam Bielan, Vincenzo Sofo

#### Proposal for a regulation

Annex III – paragraph 1 – point 2 – point a

*Text proposed by the Commission*

(a) AI systems intended to be used as safety components in the management and operation of road traffic and the supply of water, gas, heating and electricity.

*Amendment*

(a) AI systems intended to be used as safety components in the management and operation of road traffic and the supply of water, gas, heating and electricity, **whose failure or malfunctioning would directly cause significant harm to the health, natural environment or safety of natural persons**.

Or. en

#### Amendment 3091

Kim Van Sparrentak, Sergey Lagodinsky  
on behalf of the Verts/ALE Group  
Alexandra Geese, Alviina Alametsä

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 2 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used as safety components in the management and operation of road traffic and the supply of water, gas, heating and electricity.

*Amendment*

(a) AI systems ***that may be or are*** intended to be used as safety components in the management and operation of road traffic and the supply of water, gas, heating and electricity ***and entities falling under [Directive XXXX/XXX/EU (‘NIS 2 Directive’)]***.

Or. en

**Amendment 3092**  
**Jörgen Warborn, Arba Kokalari, Tomas Tobé**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 2 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used as safety components in the management and operation of road traffic and the supply of water, gas, heating and electricity.

*Amendment*

(a) AI systems intended to be used as safety components in the management and operation of road traffic and the supply of water, gas, heating and electricity, ***unless these are regulated in harmonisation legislation or sectorial regulation***.

Or. en

**Amendment 3093**  
**Andrea Caroppo, Salvatore De Meo**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 2 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used as safety components in the management and operation of road traffic and the supply of water, gas, heating and electricity.

*Amendment*

(a) AI systems intended to be used as safety components in the management and operation of road traffic, ***digital infrastructure*** and the supply of water, gas, heating and electricity.

**Amendment 3094**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 2 – point a**

*Text proposed by the Commission*

(a) AI systems ***intended to be*** used as safety components in the management and operation of road traffic ***and the supply of water, gas, heating and electricity.***

*Amendment*

(a) AI systems used as safety ***or security*** components in the management and operation of road traffic ***to the extent that they are not embedded in a vehicle;***

Or. en

**Amendment 3095**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 2 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) AI systems intended to be used as safety or security components in the management and operation of the supply of water, gas, heating and electricity, provided the failure of the AI system is highly likely to lead to an imminent threat to such supply.***

Or. en

**Amendment 3096**

**René Repasi, Marc Angel, Andreas Schieder, Paul Tang, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2 a. Vulnerable groups:**

**a) AI systems intended to be used by children in a way that may seriously affect a child's personal development, such as by educating the child in a broad range of areas not limited to areas which parents or guardians can reasonably foresee at the time of the purchase;**

**b) AI systems, such as virtual assistants, intended to be used by natural persons for taking decisions with regard to their private lives that have legal effects or similarly significantly affect the natural persons;**

Or. en

**Amendment 3097**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 3 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used for the purpose of determining ***access or assigning*** natural persons to educational and vocational training institutions;

*Amendment*

(a) AI systems intended to be used for the purpose of determining ***or materially influence decision on the admission of*** natural persons to educational and vocational training institutions;

Or. en

**Amendment 3098**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 3 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used for the purpose of determining access or

*Amendment*

(a) AI systems ***that may be or are*** intended to be used for the purpose of



assigning natural persons to educational and vocational training institutions;

determining access or assigning natural persons to educational and vocational training institutions;

Or. en

#### **Amendment 3099**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, Petar Vitanov, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 3 – point b**

##### *Text proposed by the Commission*

(b) AI systems intended to be used for the purpose of assessing students in educational and vocational training institutions and for assessing participants in tests commonly required for admission to educational institutions.

##### *Amendment*

(b) AI systems intended to be used for the purpose of assessing students in educational and vocational training institutions and for assessing participants in tests commonly required for admission to educational institutions ***or monitoring of students during exams, for determining learning objectives, and for allocating personalised learning tasks to students;***

Or. en

#### **Amendment 3100**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 3 – point b**

##### *Text proposed by the Commission*

(b) AI systems intended to be used for the purpose of assessing students in educational and vocational training institutions ***and*** for assessing participants in tests commonly required for admission to educational institutions.

##### *Amendment*

(b) AI systems ***that may be or are*** intended to be used for the purpose of assessing students in educational and vocational training institutions ***or*** for assessing participants in tests commonly required for admission to educational institutions.

**Amendment 3101**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 3 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used for the purpose of assessing students in educational and vocational training institutions and for assessing participants in tests commonly required for admission to ***educational*** institutions.

*Amendment*

(b) AI systems intended to be used for the purpose of assessing ***the learning outcome of*** students in educational and vocational training institutions and for assessing participants in tests commonly required for admission to ***these*** institutions.

Or. en

**Amendment 3102**

**Svenja Hahn, Nicola Beer, Morten Løkkegaard, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 3 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used for the purpose of assessing students in educational and vocational training institutions and for assessing participants in tests commonly required for admission to ***educational*** institutions.

*Amendment*

(b) AI systems intended to be used for the purpose of assessing students in educational and vocational training institutions and for assessing participants in tests commonly required for admission to ***those*** institutions.

Or. en

**Amendment 3103**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 3 – point b a (new)**

***(b a) AI systems that may be or are intended to be used for the purpose of assessing the appropriate level of education for an individual with potential effects for the methods or level of education that individual will receive or will be able to access.***

Or. en

**Amendment 3104**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 3 – point b a (new)**

*Text proposed by the Commission*

*Amendment*

***(b a) AI systems intended to be used for the optimization of individual learning processes based on a student's learning data.***

Or. en

**Amendment 3105**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 4 – introductory part**

*Text proposed by the Commission*

*Amendment*

4. Employment, ***workers management and access to self-employment:***

4. Employment ***and work-related contractual relationships***

***AI systems intended to be used to make or materially influence decisions on:***

***(i) recruitment or selection of natural persons, specifically for screening or filtering applications, evaluating candidates in the course of interviews or tests;***

*(ii) promotion and termination of work-related contractual relationships;*

*(iii) task allocation based on individual behaviour or personal traits or characteristics; or*

*(iv) monitoring and evaluating the performance and behaviour of persons.*

*where those decisions are likely to pose a significant risk of adversely impacting fundamental rights or threatening harm to health and safety.*

Or. en

#### **Amendment 3106**

**Axel Voss, Deirdre Clune, Eva Maydell**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 4 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) AI systems intended to be used for recruitment or selection of natural persons, notably for advertising vacancies, screening or filtering applications, evaluating candidates in the course of interviews or tests;*

*deleted*

Or. en

#### **Amendment 3107**

**Jörgen Warborn, Arba Kokalari, Tomas Tobé**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 4 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) AI systems intended to be used for recruitment or selection of natural persons, notably for advertising vacancies, screening or filtering applications, evaluating candidates in the course of*

*(a) AI systems intended to be used **to make final decisions** for recruitment or selection of natural persons.*

*interviews or tests;*

Or. en

*Justification*

*Not all phases of a recruitment or selection process can reasonably be considered as high-risk. Advertising for vacancies and early assessment and filtering of grades and formal competences should not be included, only the phases of a recruitment process where human oversight is important, for example in assessing non-formal skills and overall suitability, leading up to a final decision.*

**Amendment 3108**

**Svenja Hahn, Nicola Beer, Karen Melchior, Morten Løkkegaard, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Ondřej Kovařík, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 4 – point a**

*Text proposed by the Commission*

(a) AI systems intended to ***be used for*** recruitment or selection of natural persons, notably for ***advertising vacancies***, screening or filtering applications, evaluating candidates in the course of interviews or tests;

*Amendment*

(a) AI systems intended to ***make autonomous decisions or materially influence decisions about*** recruitment or selection of natural persons, notably for screening or filtering applications, evaluating candidates in the course of interviews or tests;

Or. en

**Amendment 3109**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 4 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used for recruitment or selection of natural persons, notably for advertising vacancies, screening or filtering applications, evaluating candidates in the course of

*Amendment*

(a) AI systems ***that may be or are intended*** intended to be used for recruitment or selection of natural persons, notably for advertising vacancies, screening or filtering applications,

interviews or tests;

evaluating candidates in the course of  
interviews or tests;

Or. en

#### **Amendment 3110**

**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Alin Mituţa**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 4 – point a**

##### *Text proposed by the Commission*

(a) AI systems intended to be used ***for*** recruitment ***or selection of natural persons, notably*** for advertising vacancies, screening or filtering applications, evaluating candidates in the course of interviews or tests;

##### *Amendment*

(a) AI systems intended to be used ***in*** recruitment for advertising vacancies, screening or filtering applications, ***or*** evaluating candidates in the course of interviews or tests;

Or. en

#### **Amendment 3111**

**Krzysztof Hetman, Adam Jarubas, Andrzej Halicki, Jerzy Buzek, Janusz Lewandowski, Radosław Sikorski**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 4 – point a**

##### *Text proposed by the Commission*

(a) AI systems intended to be used for recruitment or selection of natural persons, ***notably for advertising vacancies,*** screening or filtering applications, evaluating candidates in the course of interviews or tests;

##### *Amendment*

(a) AI systems intended to be used for recruitment or selection of natural persons, screening or filtering applications, evaluating candidates in the course of interviews or tests;

Or. en

#### **Amendment 3112**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 4 – point b**

*Text proposed by the Commission*

*Amendment*

(b) *AI intended to be used for making decisions on promotion and termination of work-related contractual relationships, for task allocation and for monitoring and evaluating performance and behavior of persons in such relationships.*

*deleted*

Or. en

**Amendment 3113**  
**Kosma Zlotowski, Patryk Jaki, Adam Bielan, Vincenzo Sofo**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 4 – point b**

*Text proposed by the Commission*

*Amendment*

(b) AI intended to be used *for making* decisions on promotion and termination of work-related contractual relationships, *for task allocation* and for monitoring and evaluating performance and *behavior* of persons in such relationships.

(b) AI **systems** intended to be used **to make** decisions on promotion and termination of work-related contractual relationships, **based on individual behaviour or personal traits or characteristics**, and for monitoring and evaluating performance and **behaviour** of persons in such relationships **that have a likelihood of causing harm to the physical health and safety or adversely impact on the fundamental rights or have given rise to significant concerns in relation to the materialisation of such harm or adverse impact.**

Or. en

**Amendment 3114**  
**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

### Annex III – paragraph 1 – point 4 – point b

#### *Text proposed by the Commission*

(b) AI intended to be used ***for making decisions on promotion*** and termination of work-related ***contractual*** relationships, for task allocation and for monitoring and evaluating performance and behavior of persons in such relationships.

#### *Amendment*

(b) AI ***that may be or are*** intended to be used ***to assist decision-making affecting the initiation, establishment, implementation*** and termination of ***an employment relationship, including AI systems intended to support collective legal and regulatory matters, particularly*** work-related relationships, for task allocation and for monitoring, ***measuring*** and evaluating performance and behavior of persons in such relationships.

Or. en

#### **Amendment 3115**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, Petar Vitanov, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

#### **Proposal for a regulation**

### **Annex III – paragraph 1 – point 4 – point b**

#### *Text proposed by the Commission*

(b) AI intended to be used for making decisions ***on*** promotion and termination of ***work-related contractual relationships***, for task allocation and for monitoring and evaluating performance and behavior of persons in such relationships.

#### *Amendment*

(b) AI intended to be used for making decisions ***affecting the initiation, establishment, implementation***, promotion and termination of ***an employment relationship, including AI systems intended to support collective legal and regulatory matters, particularly*** for task allocation and for monitoring and evaluating performance and behavior of persons ***or in matters of training or further education*** in such relationships.

Or. en

#### **Amendment 3116**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

#### **Proposal for a regulation**



### Annex III – paragraph 1 – point 4 – point b

*Text proposed by the Commission*

(b) AI intended to be used for making decisions ***on promotion*** and termination of ***work-related contractual relationships***, for task allocation and for monitoring and evaluating performance and behavior of persons in such relationships.

*Amendment*

(b) AI intended to be used for making decisions ***affecting the initiation, establishment, implementation*** and termination of ***an employment relationship, including AI systems intended to support collective legal and regulatory matters, particularly*** for task allocation and for monitoring and evaluating performance and behavior of persons in such relationships

Or. en

#### Amendment 3117

**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Alin Mituţa**

#### Proposal for a regulation

### Annex III – paragraph 1 – point 4 – point b

*Text proposed by the Commission*

(b) AI intended to be used for making decisions on promotion and termination of work-related contractual relationships, ***for*** task allocation and for monitoring and evaluating performance and ***behavior of*** persons in such relationships.

*Amendment*

(b) AI ***systems*** intended to be used for ***making decisions or to assist in*** making decisions on promotion and termination of work-related contractual relationships; ***for personalized*** task allocation ***based on biometrics, biometrics-based, or personal data;*** and for monitoring and evaluating performance and ***behaviour of natural*** persons in such relationships.

Or. en

#### Amendment 3118

**Svenja Hahn, Nicola Beer, Karen Melchior, Morten Løkkegaard, Sandro Gozi, Vlad-Marius Botoş, Moritz Körner, Ondřej Kovařík, Jan-Christoph Oetjen**

#### Proposal for a regulation

### Annex III – paragraph 1 – point 4 – point b

*Text proposed by the Commission*

*Amendment*

(b) AI intended to ***be used for making*** decisions on promotion and termination of work-related contractual relationships, ***for task allocation and*** for monitoring and evaluating performance and behavior of persons in such relationships.

(b) AI intended to ***make autonomous decisions or materially influence*** decisions on promotion and termination of work-related contractual relationships, for monitoring and evaluating performance and behavior of persons in such relationships.

Or. en

**Amendment 3119**

**Nathalie Colin-Oesterlé**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 4 – point b**

*Text proposed by the Commission*

*Amendment*

(b) AI intended to be used for making decisions on promotion and termination of work-related contractual relationships, ***for task allocation*** and for monitoring and evaluating performance and behavior of persons in such relationships.

(b) AI intended to be used for making decisions on promotion and termination of work-related contractual relationships, and for monitoring and evaluating performance and behavior of persons in such relationships.

Or. fr

**Amendment 3120**

**René Repasi, Marc Angel, Andreas Schieder, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – introductory part**

*Text proposed by the Commission*

*Amendment*

5. Access to and enjoyment of essential private services and public services and benefits:

5. Access to and enjoyment of essential private services and public services and benefits, ***including access to products***:

Or. en

**Amendment 3121**  
**Sophia in 't Veld, Michal Šimečka**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *AI systems intended to be used by public authorities or on behalf of public authorities to evaluate the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, or reclaim such benefits and services;* **deleted**

Or. en

**Amendment 3122**  
**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point a**

*Text proposed by the Commission*

*Amendment*

(a) AI systems intended to be used by public authorities or *on behalf of public authorities* to evaluate the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, or reclaim such benefits and services;

(a) AI systems intended to be used by *or on behalf of (semi-)public authorities or private parties* to evaluate *or predict the lawful use by, or* the eligibility of, natural persons, *including the self employed and micro-enterprises*, for public assistance, benefits and services *and essential private services including but not limited to housing, electricity, heating/cooling, finance, insurance and internet*, as well as to grant reduce, revoke, or reclaim such benefits and services *or set payment obligations related to these services;*

Or. en

**Amendment 3123**  
**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used by public authorities or on behalf of public authorities to evaluate the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, or reclaim such benefits and services;

*Amendment*

(a) AI systems *that may be or are* intended to be used by public authorities or on behalf of public authorities to evaluate the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, or reclaim such benefits and services;

Or. en

**Amendment 3124**  
**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used by public authorities or on behalf of public authorities to evaluate the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, or reclaim such benefits and services;

*Amendment*

(a) AI systems intended to be used by public authorities or on behalf of public authorities to evaluate *and decide on* the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, or reclaim such benefits and services;

Or. en

**Amendment 3125**  
**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Svenja Hahn, Morten Løkkegaard, Alin Mituţa**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used by public authorities or on behalf of public

*Amendment*

(a) AI systems intended to be used by public authorities or on behalf of public

authorities to evaluate the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, or reclaim such benefits and services;

authorities to evaluate the eligibility of natural persons for public assistance benefits and services, as well as to grant, reduce, revoke, **increase**, or reclaim such benefits and services;

Or. en

#### **Amendment 3126**

**Axel Voss, Deirdre Clune, Eva Maydell**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;**

**deleted**

Or. en

#### **Amendment 3127**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;**

**deleted**

Or. en

#### **Amendment 3128**

**Andrea Caroppo, Salvatore De Meo**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, ***with the exception of AI systems put into service by small scale providers for their own use;***

*Amendment*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score ***in order to determine their access to credit or to other essential services. Ancillary applications such as AI applications used for the acceleration of the credit disbursement process, in the valuation of collateral, or for the internal process efficiency, as well as other subsequent applications based on the credit scoring which do not create high risks for individuals are not included in those*** systems;

Or. en

**Amendment 3129**

**René Repasi, Marc Angel, Andreas Schieder, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used ***to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;***

*Amendment*

(b) AI systems intended to be used

Or. en

*Justification*

*Moved to next paragraph.*

**Amendment 3130**

**Kosma Zlotowski, Patryk Jaki**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or ***establish their credit score***, with the exception of AI systems put into service by small scale providers for their own use;

*Amendment*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or ***assessment of insurance risk***, with the exception of AI systems put into service by small scale providers for their own use ***or AI systems related to low-value credits for the purchase of moveables***;

Or. en

**Amendment 3131**

**Krzysztof Hetman, Adam Jarubas, Andrzej Halicki, Jerzy Buzek, Janusz Lewandowski, Radosław Sikorski**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;

*Amendment*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use; ***or AI systems related to low-value credits for the purchase of movables***;

Or. en

**Amendment 3132**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural

*Amendment*

(b) AI systems intended to be used to evaluate the creditworthiness of natural

persons or establish their credit score, ***with the exception of AI systems put into service by small scale providers for their own use;***

persons or establish their credit score;

Or. en

#### **Amendment 3133**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 5 – point b**

##### *Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;

##### *Amendment*

(b) AI systems ***that may be or are*** intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;

Or. en

#### **Amendment 3134**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 5 – point b**

##### *Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;

##### *Amendment*

(b) AI systems ***that may be or are*** intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by small scale providers for their own use;

Or. en



#### Amendment 3135

Maria-Manuel Leitão-Marques, Eva Kaili

#### Proposal for a regulation

Annex III – paragraph 1 – point 5 – point b

*Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons *or* establish their credit score, *with the exception of AI systems put into service by small scale providers for their own use;*

*Amendment*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons, establish their credit score, *or predict human medical conditions and health-related outcomes*

Or. en

#### Amendment 3136

Svenja Hahn, Nicola Beer, Morten Løkkegaard, Sandro Gozi, Vlad-Marius Botoș, Catharina Rinzema, Moritz Körner, Ondřej Kovařík, Jan-Christoph Oetjen

#### Proposal for a regulation

Annex III – paragraph 1 – point 5 – point b

*Text proposed by the Commission*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by *small scale providers* for their own use;

*Amendment*

(b) AI systems intended to be used to evaluate the creditworthiness of natural persons or establish their credit score, with the exception of AI systems put into service by *SMEs and start-ups* for their own use;

Or. en

#### Amendment 3137

René Repasi, Marc Angel, Andreas Schieder, Maria-Manuel Leitão-Marques

#### Proposal for a regulation

Annex III – paragraph 1 – point 5 – point b – point i (new)

*Text proposed by the Commission*

*Amendment*

*i) to evaluate the creditworthiness of natural persons or establish their credit score,*

**Amendment 3138**

**René Repasi, Marc Angel, Andreas Schieder, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point b – point ii (new)**

*Text proposed by the Commission*

*Amendment*

*ii) to evaluate the behaviour of natural persons such as with regard to complaints or the exercise of statutory or contractual rights in order to draw conclusions for their future access to private or public services,*

Or. en

**Amendment 3139**

**René Repasi, Marc Angel, Andreas Schieder, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point b – point iii (new)**

*Text proposed by the Commission*

*Amendment*

*iii) for making individual risk assessments of natural persons in the context of access to essential private and public services, including insurance contracts, or*

Or. en

**Amendment 3140**

**René Repasi, Marc Angel, Andreas Schieder, Maria-Manuel Leitão-Marques**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point b – point iv (new)**

*Text proposed by the Commission*

*Amendment*

*iv) for personalized pricing within the meaning of Article 6 (1) (ea) of Directive*

*2011/83/EU, with the exception of AI systems put into service by small scale providers of AI systems for their own use;*

Or. en

**Amendment 3141**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point c**

*Text proposed by the Commission*

(c) AI systems intended to be used to dispatch, or to establish priority in the dispatching of emergency first response services, including by firefighters and medical aid.

*Amendment*

(c) AI systems intended to be used, ***without taking any decisions on the matter***, to dispatch, or to establish priority in the dispatching of emergency first response services, including by firefighters and medical aid.

Or. fr

**Amendment 3142**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point c**

*Text proposed by the Commission*

(c) AI systems intended to be used to dispatch, or to establish priority in the dispatching of emergency first response services, including by firefighters and medical aid.

*Amendment*

(c) AI systems ***that may be or are*** intended to be used to dispatch, or to establish priority in the dispatching of emergency first response services, including by firefighters and medical aid.

Or. en

**Amendment 3143**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) AI systems that may be used or are intended to be used for making individual risk assessments of natural persons in the context of access to private and public services, including determining the amounts of insurance premiums.***

Or. en

**Amendment 3144**  
**Kosma Złotowski, Patryk Jaki**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) AI systems intended to be used for insurance premium setting, underwritings and claims assessments, with the exception of AI systems related to low-value property insurance.***

Or. en

**Amendment 3145**  
**Krzysztof Hetman, Adam Jarubas, Andrzej Halicki, Jerzy Buzek, Janusz Lewandowski, Radosław Sikorski**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 5 – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***(c a) AI systems intended to be used for insurance premium setting, underwritings and claims assessments, with the exception of AI systems related to low-***

*value property insurance.*

Or. en

**Amendment 3146**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 – point c b (new)**

*Text proposed by the Commission*

*Amendment*

***(c b) AI systems that may be used or are intended to be used in the context of payment and debt collection services.***

Or. en

**Amendment 3147**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5 a. Use by vulnerable groups or in situations that imply vulnerability***

***(a) AI systems intended to be used by children in a way that may seriously affect a child's personal development, such as by educating the child in a broad range of areas not limited to areas which parents or guardians can reasonably foresee at the time of the purchase;***

***(b) AI systems, such as virtual assistants, intended to be used by natural persons for taking decisions with regard to their private lives that have legal effects or similarly significantly affect the natural persons;***

*(c) AI systems intended to be used for personalised pricing within the meaning of Article 6 (1) (ea) of Directive 2011/83/EU.*

Or. en

**Amendment 3148**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, H            , Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) AI systems intended to be used by law enforcement authorities for making individual risk assessments of natural persons in order to assess the risk of a natural person for offending or reoffending or the risk for potential victims of criminal offences;* *deleted*

Or. fr

*Justification*

*According to an earlier amendment, those systems are prohibited and, accordingly, do not come under the common rules for high risk AI systems laid down in Annex III.*

**Amendment 3149**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando L            , Marina Kaljurand, Maria Grapini**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) AI systems intended to be used by law enforcement authorities for making individual risk assessments of natural persons in order to assess the risk of a natural person for offending or reoffending or the risk for potential* *deleted*

*victims of criminal offences;*

Or. en

*Justification*

*Moved under prohibited practices in Article 5*

**Amendment 3150**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) AI systems intended to be used by law enforcement authorities for making individual risk assessments of natural persons in order to assess the risk of a natural person for offending or reoffending or the risk for potential victims of criminal offences;* *deleted*

Or. en

*Justification*

*Moved to Article 5*

**Amendment 3151**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a**

*Text proposed by the Commission*

*Amendment*

*(a) AI systems intended to be used by law enforcement authorities for making individual risk assessments of natural persons in order to assess the risk of a natural person for offending or reoffending or the risk for potential* *deleted*

*victims of criminal offences;*

Or. en

**Amendment 3152**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a**

*Text proposed by the Commission*

*Amendment*

(a) *AI systems intended to be used by law enforcement authorities for making individual risk assessments of natural persons in order to assess the risk of a natural person for offending or reoffending or the risk for potential victims of criminal offences;* **deleted**

Or. en

**Amendment 3153**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a**

*Text proposed by the Commission*

*Amendment*

(a) AI systems intended to be used by law enforcement authorities for making individual risk assessments of natural persons in order to assess the risk *of* a natural person for offending or reoffending or the risk for potential **victims** of criminal offences;

(a) AI systems intended to be used by law enforcement authorities **or on their behalf** for making individual risk assessments of natural persons in order to assess the risk **for** a natural person for offending or reoffending or the risk for **a natural person to become a** potential **victim** of criminal offences;

Or. en

**Amendment 3154**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Sandro Gozi, Vlad-Marius Botoș, Abir Al-Sahlani, Moritz Körner, Jan-Christoph Oetjen**



**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a**

*Text proposed by the Commission*

(a) AI systems intended to be used by law enforcement authorities for making individual risk assessments of natural persons in order to assess the risk of a natural person for offending or reoffending or the risk for potential victims of criminal offences;

*Amendment*

(a) AI systems intended to be used by law enforcement authorities ***or on their behalf*** for making individual risk assessments of natural persons in order to assess the risk of a natural person for offending or reoffending or the risk for potential victims of criminal offences;

Or. en

**Amendment 3155**

**Jörgen Warborn, Arba Kokalari, Tomas Tobé**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

***(a a) AI systems designed for real-time remote biometric identification in publicly accessible locations for law enforcement purposes.***

Or. en

*Justification*

*Instead of blanketly banning the law enforcement's use of facial recognition AI, these systems should be incorporated in the list of high-risk AI systems and subject to strict control.*

**Amendment 3156**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

***(b) AI systems intended to be used by law enforcement authorities as***

***deleted***

*polygraphs and similar tools or to detect the emotional state of a natural person;*

Or. fr

*Justification*

*According to an earlier amendment, those systems are prohibited and, accordingly, do not come under the common rules for high risk AI systems laid down in Annex III.*

**Amendment 3157**

**Brando Benifei, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) AI systems intended to be used by law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;* *deleted*

Or. en

*Justification*

*Moved to Article 5.*

**Amendment 3158**

**Sophia in 't Veld, Michal Šimečka**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) AI systems intended to be used by law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;* *deleted*

Or. en

**Amendment 3159**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used by law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

**Amendment 3160**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand, Paul Tang**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used by law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

*Justification*

*Moved under prohibited practices in Article 5*

**Amendment 3161**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used by law enforcement authorities as** **deleted**

*polygraphs and similar tools or to detect the emotional state of a natural person;*

Or. en

**Amendment 3162**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

*(b) AI systems intended to be used by law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;* *deleted*

Or. en

*Justification*

*Moved to Article 5*

**Amendment 3163**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Svenja Hahn, Róza Thun und Hohenstein, Alin Mituța**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point b**

*Text proposed by the Commission*

*Amendment*

(b) AI systems intended to be used by law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;

(b) AI systems intended to be used by *law enforcement authorities or on behalf of* law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;

Or. en

#### Amendment 3164

Svenja Hahn, Dragoș Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen

#### Proposal for a regulation

#### Annex III – paragraph 1 – point 6 – point b

*Text proposed by the Commission*

(b) AI systems intended to be used by law enforcement authorities as polygraphs and similar tools or to detect the emotional state of a natural person;

*Amendment*

(b) AI systems intended to be used by law enforcement authorities ***or on their behalf*** as polygraphs and similar tools or to detect the emotional state of a natural person;

Or. en

#### Amendment 3165

Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, Petar Vitanov, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel

#### Proposal for a regulation

#### Annex III – paragraph 1 – point 6 – point c

*Text proposed by the Commission*

(c) AI systems intended to be used by law enforcement authorities to detect deep fakes as referred to in article 52(3);

*Amendment*

(c) AI systems intended to be used by law enforcement authorities ***or on their behalf*** to detect deep fakes as referred to in article 52(3) ***and in point 8a(a) and (b) of this Annex***;

Or. en

#### Amendment 3166

Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Svenja Hahn, Alin Mituța

#### Proposal for a regulation

#### Annex III – paragraph 1 – point 6 – point c

*Text proposed by the Commission*

(c) AI systems intended to be used by

*Amendment*

(c) AI systems intended to be used by

law enforcement authorities to detect deep fakes as referred to in article 52(3);

*law enforcement authorities or on behalf of* law enforcement authorities to detect deep fakes as referred to in article 52(3);

Or. en

#### **Amendment 3167**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 6 – point c**

##### *Text proposed by the Commission*

(c) AI systems intended to be used by law enforcement authorities to detect deep fakes as referred to in article 52(3);

##### *Amendment*

(c) AI systems *that may be or are* intended to be used by law enforcement authorities to detect deep fakes as referred to in article 52(3);

Or. en

#### **Amendment 3168**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 6 – point c**

##### *Text proposed by the Commission*

(c) AI systems intended to be used by law enforcement authorities to detect deep fakes as referred to in article 52(3);

##### *Amendment*

(c) AI systems intended to be used by law enforcement authorities *or on their behalf* to detect deep fakes as referred to in article 52(3);

Or. en

#### **Amendment 3169**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Svenja Hahn, Alin Mituța**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point d**

*Text proposed by the Commission*

(d) AI systems intended to be used by law enforcement authorities for evaluation of the reliability of evidence in the course of investigation or prosecution of criminal offences;

*Amendment*

(d) AI systems intended to be used by ***law enforcement authorities or on behalf of*** law enforcement authorities for evaluation of the reliability of evidence in the course of investigation or prosecution of criminal offences;

Or. en

**Amendment 3170**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point d**

*Text proposed by the Commission*

(d) AI systems intended to be used by law enforcement authorities for evaluation of the reliability of evidence in the course of investigation or prosecution of criminal offences;

*Amendment*

(d) AI systems intended to be used by law enforcement authorities ***or on their behalf*** for evaluation of the reliability of evidence in the course of investigation or prosecution of criminal offences;

Or. en

**Amendment 3171**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point d**

*Text proposed by the Commission*

(d) AI systems intended to be used by law enforcement authorities for evaluation of the reliability of evidence in the course of investigation or prosecution of criminal

*Amendment*

(d) AI systems ***that may be or are*** intended to be used by law enforcement authorities for evaluation of the reliability of evidence in the course of investigation

offences;

or prosecution of criminal offences;

Or. en

**Amendment 3172**

**Svenja Hahn, Dragoş Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoş, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point d**

*Text proposed by the Commission*

*Amendment*

(d) AI systems intended to be used by law enforcement authorities for evaluation of the reliability of evidence in the course of investigation or prosecution of criminal offences;

(d) AI systems intended to be used by law enforcement authorities ***or on their behalf*** for evaluation of the reliability of evidence in the course of investigation or prosecution of criminal offences;

Or. en

**Amendment 3173**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point e**

*Text proposed by the Commission*

*Amendment*

(e) ***AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups;***

***deleted***

Or. fr

*Justification*

*According to an earlier amendment, those systems are prohibited and, accordingly, do not come under the common rules for high risk AI systems laid down in Annex III.*



**Amendment 3174**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point e**

*Text proposed by the Commission*

*Amendment*

*(e) AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups;* *deleted*

Or. en

**Amendment 3175**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point e**

*Text proposed by the Commission*

*Amendment*

*(e) AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups;* *deleted*

Or. en

**Amendment 3176**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point e**

*Text proposed by the Commission*

*Amendment*

**(e) AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups;** **deleted**

Or. en

*Justification*

*Moved to Article 5*

**Amendment 3177**

**Svenja Hahn, Dragoş Tudorache, Nicola Beer, Karen Melchior, Vlad-Marius Botoş, Abir Al-Sahlani, Sophia in 't Veld, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point e**

*Text proposed by the Commission*

*Amendment*

**(e) AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups;** **deleted**

Or. en

*Justification*

*Moved to Art. 5 - prohibited AI practices*

#### **Amendment 3178**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand, Maria Grapini**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 6 – point e**

*Text proposed by the Commission*

*Amendment*

**(e) AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups;** **deleted**

Or. en

*Justification*

*Moved under prohibited practices in Article 5*

#### **Amendment 3179**

**Axel Voss, Deirdre Clune, Eva Maydell**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 6 – point e**

*Text proposed by the Commission*

*Amendment*

(e) AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups;

(e) AI systems intended to be used by law enforcement authorities for predicting the occurrence or reoccurrence of an actual or potential criminal offence based on profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 or assessing personality traits and characteristics or past criminal behaviour of natural persons or groups, **with the exception of AI systems used for compliance with applicable counterterrorism and anti-money laundering legislation;**

Or. en

**Amendment 3180**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, Hélène Laporte, Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point f**

*Text proposed by the Commission*

*Amendment*

**(f) AI systems intended to be used by law enforcement authorities for profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;** **deleted**

Or. fr

*Justification*

*According to an earlier amendment, those systems are prohibited and, accordingly, do not come under the common rules for high risk AI systems laid down in Annex III.*

**Amendment 3181**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point f**

*Text proposed by the Commission*

*Amendment*

**(f) AI systems intended to be used by law enforcement authorities for profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;** **deleted**

Or. en

**Amendment 3182**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Svenja Hahn, Alin Mituța**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point f**

*Text proposed by the Commission*

(f) AI systems intended to be used by law enforcement authorities for profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;

*Amendment*

(f) AI systems intended to be used by ***law enforcement authorities or on behalf of*** law enforcement authorities for profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;

Or. en

**Amendment 3183**  
**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point f**

*Text proposed by the Commission*

(f) AI systems intended to be used by law enforcement authorities for profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;

*Amendment*

(f) AI systems ***that may be or are*** intended to be used by law enforcement authorities for profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;

Or. en

**Amendment 3184**  
**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 6 – point f**

*Text proposed by the Commission*

(f) AI systems intended to be used by law enforcement authorities for profiling of

*Amendment*

(f) AI systems intended to be used by law enforcement authorities ***or on their***

natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;

***behalf*** for profiling of natural persons as referred to in Article 3(4) of Directive (EU) 2016/680 in the course of detection, investigation or prosecution of criminal offences;

Or. en

#### **Amendment 3185**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 6 – point g**

*Text proposed by the Commission*

*Amendment*

<p><b>(g) <i>AI systems intended to be used for crime analytics regarding natural persons, allowing law enforcement authorities to search complex related and unrelated large data sets available in different data sources or in different data formats in order to identify unknown patterns or discover hidden relationships in the data.</i></b></p>	<p><b><i>deleted</i></b></p>
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Or. en

#### **Amendment 3186**

**Axel Voss, Deirdre Clune, Eva Maydell**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 6 – point g**

*Text proposed by the Commission*

*Amendment*

<p><b>(g) <i>AI systems intended to be used for crime analytics regarding natural persons, allowing law enforcement authorities to search complex related and unrelated large data sets available in different data sources or in different data formats in order to identify unknown patterns or discover hidden relationships in the data.</i></b></p>	<p><b><i>deleted</i></b></p>
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**Amendment 3187**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point g**

*Text proposed by the Commission*

*Amendment*

(g) *AI systems intended to be used for crime analytics regarding natural persons, allowing law enforcement authorities to search complex related and unrelated large data sets available in different data sources or in different data formats in order to identify unknown patterns or discover hidden relationships in the data.* **deleted**

Or. en

*Justification*

*Covered in Article 5*

**Amendment 3188**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 6 – point g**

*Text proposed by the Commission*

*Amendment*

(g) AI systems intended to be used for crime analytics regarding natural persons, allowing **law enforcement authorities** to search complex related and unrelated large data sets available in different data sources or in different data formats in order to identify unknown patterns or discover hidden relationships in the data.

(g) AI systems intended to be used **by law enforcement authorities or on their behalf** for crime analytics regarding natural persons, allowing to search complex related and unrelated large data sets available in different data sources or in different data formats in order to identify unknown patterns or discover hidden relationships in the data.

**Amendment 3189**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä, Tineke Strik**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

*Justification*

*Covered now by Article 5*

**Amendment 3190**

**Sophia in 't Veld, Michal Šimečka**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

**Amendment 3191**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**



*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

**Amendment 3192**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

**Amendment 3193**

**Brando Benifei, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

*Justification*

*Moved to Article 5.*

#### **Amendment 3194**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand, Paul Tang**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;** **deleted**

Or. en

*Justification*

*Moved under prohibited practices in Article 5*

#### **Amendment 3195**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

**(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;**

**(a) AI systems intended to be used by competent public authorities *or on their behalf* as polygraphs and similar tools or to detect the emotional state of a natural person;**

Or. en

#### **Amendment 3196**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Svenja Hahn, Alin Mituța**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point a**

*Text proposed by the Commission*

*Amendment*

(a) AI systems intended to be used by competent public authorities as polygraphs and similar tools or to detect the emotional state of a natural person;

(a) AI systems intended to be used by competent public authorities ***or on their behalf*** as polygraphs and similar tools or to detect the emotional state of a natural person;

Or. en

#### **Amendment 3197**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;** *deleted*

Or. en

*Justification*

*Moved under prohibited practices in Article 5*

#### **Amendment 3198**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

#### **Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;** *deleted*

**Amendment 3199**

**Sophia in 't Veld, Michal Šimečka**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;** **deleted**

Or. en

**Amendment 3200**

**Brando Benifei, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

**(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;** **deleted**

Or. en

*Justification*

*Moved to Article 5.*

**Amendment 3201**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä, Tineke Strik**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

*Amendment*

(b) AI systems ***that may be or are*** intended to be used by competent public authorities, ***or third parties on their behalf***, to assess a risk, including, ***but not limited to***, a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

Or. en

**Amendment 3202**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

*Amendment*

(b) AI systems intended to be used by competent public authorities, ***or by third parties acting on their behalf***, to assess a risk, including ***but not limited to*** a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

Or. en

**Amendment 3203**

**Salima Yenbou, Samira Rafaela, Monica Semedo, Karen Melchior, Peter Pollák**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

(b) AI systems intended to be used by competent public authorities **or by third parties acting on their behalf** to assess a risk, including **but not limited to** a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

Or. en

**Amendment 3204**

**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Svenja Hahn, Alin Mituţa**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

(b) AI systems intended to be used by competent public authorities **or on their behalf** to assess a risk, including a security risk, a risk of irregular immigration, or a health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

Or. en

**Amendment 3205**

**Svenja Hahn, Dragoş Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoş, Abir Al-Sahlani, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point b**

*Text proposed by the Commission*

*Amendment*

(b) AI systems intended to be used by competent public authorities to assess a risk, including a security risk, a risk of irregular immigration, or a health risk,

(b) AI systems intended to be used by competent public authorities **or on their behalf** to assess a risk, including a security risk, a risk of irregular immigration, or a

posed by a natural person who intends to enter or has entered into the territory of a Member State;

health risk, posed by a natural person who intends to enter or has entered into the territory of a Member State;

Or. en

#### **Amendment 3206**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä, Tineke Strik**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 7 – point c**

##### *Text proposed by the Commission*

(c) AI systems intended to be used by competent public authorities for the verification of the authenticity of travel documents and supporting documentation of natural persons and detect non-authentic documents by checking their security features;

##### *Amendment*

(c) AI systems ***that may be or are*** intended to be used by competent public authorities for the verification of the authenticity of travel documents and supporting documentation of natural persons and detect non-authentic documents by checking their security features;

Or. en

#### **Amendment 3207**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 7 – point c**

##### *Text proposed by the Commission*

(c) AI systems intended to be used by competent public authorities for the verification of the authenticity of travel documents and supporting documentation of natural persons and detect non-authentic documents by checking their security features;

##### *Amendment*

(c) AI systems intended to be used by competent public authorities ***or on their behalf*** for the verification of the authenticity of travel documents and supporting documentation of natural persons and detect non-authentic documents by checking their security features;

Or. en

**Amendment 3208**

**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Svenja Hahn, Alin Mituţa**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point c**

*Text proposed by the Commission*

(c) AI systems intended to be used by competent public authorities for the verification of the authenticity of travel documents and supporting documentation of natural persons and detect non-authentic documents by checking their security features;

*Amendment*

(c) AI systems intended to be used by competent public authorities ***or on their behalf*** for the verification of the authenticity of travel documents and supporting documentation of natural persons and detect non-authentic documents by checking their security features;

Or. en

**Amendment 3209**

**Brando Benifei, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d**

*Text proposed by the Commission*

***(d) AI systems intended to assist competent public authorities for the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.***

*Amendment*

***deleted***

Or. en

*Justification*

*Moved to Article 5.*

**Amendment 3210**



**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point d**

*Text proposed by the Commission*

*Amendment*

**(d) AI systems intended to assist competent public authorities for the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.** **deleted**

Or. en

*Justification*

*Moved under prohibited practices in Article 5*

**Amendment 3211**

**Salima Yenbou, Samira Rafaela, Monica Semedo, Karen Melchior, Peter Pollák**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point d**

*Text proposed by the Commission*

*Amendment*

**(d) AI systems intended to assist competent public authorities for the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.**

**(d) AI systems intended to assist competent public authorities for the examination *and assessment of the veracity of evidence and claims in relation to* applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.**

Or. en

**Amendment 3212**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point d**

*Text proposed by the Commission*

*Amendment*

(d) AI systems intended to assist competent public authorities for the examination *of* applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

(d) AI systems intended to assist competent public authorities for the examination ***and assessment of the veracity of evidence and claims in relation to*** applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

Or. en

**Amendment 3213**

**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ľuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Svenja Hahn, Alin Mituţa**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d**

*Text proposed by the Commission*

*Amendment*

(d) AI systems intended to assist competent public authorities *for* the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

(d) AI systems intended ***to be used by competent public authorities or on their behalf or*** to assist competent public authorities ***in*** the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

Or. en

**Amendment 3214**

**Svenja Hahn, Dragoş Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoş, Abir Al-Sahlanı, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d**

*Text proposed by the Commission*

*Amendment*

(d) AI systems intended to assist competent public authorities for the examination of applications for asylum,

(d) AI systems intended to assist competent public authorities ***or on their behalf*** for the examination of applications

visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

Or. en

#### **Amendment 3215**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä, Tineke Strik**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 7 – point d**

##### *Text proposed by the Commission*

(d) AI systems intended to assist competent public authorities for the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

##### *Amendment*

(d) AI systems ***that may be or are*** intended to assist competent public authorities for the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

Or. en

#### **Amendment 3216**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Sandro Gozi, Vlad-Marius Botoș, Abir Al-Sahlani, Moritz Körner, Jan-Christoph Oetjen**

#### **Proposal for a regulation**

#### **Annex III – paragraph 1 – point 7 – point d**

##### *Text proposed by the Commission*

(d) AI systems intended to ***assist*** competent public authorities for the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

##### *Amendment*

(d) AI systems intended to ***be used by*** competent public authorities for the examination of applications for asylum, visa and residence permits and associated complaints with regard to the eligibility of the natural persons applying for a status.

Or. en

**Amendment 3217**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä, Tineke Strik**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) AI systems that may be or are intended to be used by competent public authorities for border management and immigration authorities to monitor, surveil or process data for the purpose of detecting, verifying or identifying natural persons.***

Or. en

**Amendment 3218**

**Sophia in 't Veld, Michal Šimečka**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) AI systems intended to be used by or on behalf of competent authorities in migration, asylum and border control management for the forecasting or prediction of trends related to migration, movement and border crossings;***

Or. en

**Amendment 3219**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***(d a) AI systems intended to be used by***

*or on behalf of competent authorities in migration, asylum and border control management for the forecasting or prediction of trends related to migration, movement and border crossings;*

Or. en

**Amendment 3220**

**Salima Yenbou, Samira Rafaela, Monica Semedo, Karen Melchior, Peter Pollák**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(d a) AI systems intended to be used by or on behalf of competent authorities in migration, asylum and border control management for the forecasting or prediction of trends related to migration, movement and border crossings;*

Or. en

**Amendment 3221**

**Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

*(d a) AI systems that are or may be used by or on behalf of competent authorities in law enforcement, migration, asylum and border control management for the biometric identification of natural persons;*

Or. en

**Amendment 3222**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä, Tineke Strik**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) AI systems that may be or are intended to be used for migration analytics regarding natural persons or groups, allowing immigration authorities or related entities to search complex related and unrelated large data sets available in different data sources or in different data formats in order to identify unknown patterns or discover hidden relationships in the data.***

Or. en

**Amendment 3223**  
**Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) AI systems intended to be used by, or on behalf of, competent authorities in migration, asylum and border control management to monitor, surveil, or process data in the context of border management activities for the purpose of recognizing or detecting objects and natural persons;***

Or. en

**Amendment 3224**  
**Salima Yenbou, Samira Rafaela, Monica Semedo, Karen Melchior, Peter Pollák**

**Proposal for a regulation**  
**Annex III – paragraph 1 – point 7 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) AI systems that are or may be used by or on behalf of competent authorities in law enforcement, migration, asylum and border control management for the biometric identification of natural persons;***

Or. en

**Amendment 3225**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d b (new)**

*Text proposed by the Commission*

*Amendment*

***(d b) AI systems that are or may be used by or on behalf of competent authorities in law enforcement, migration, asylum and border control management for the biometric identification of natural persons;***

Or. en

**Amendment 3226**

**Salima Yenbou, Samira Rafaela, Monica Semedo, Karen Melchior, Peter Pollák**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d c (new)**

*Text proposed by the Commission*

*Amendment*

***(d c) AI systems intended to be used by or on behalf of competent authorities in migration, asylum and border control management to monitor, surveil or process data in the context of border management activities for the purpose of recognising or detecting objects and natural persons;***

Or. en

**Amendment 3227**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 7 – point d c (new)**

*Text proposed by the Commission*

*Amendment*

*(d c) AI systems intended to be used by, or on behalf of, competent authorities in migration, asylum and border control management to monitor, surveil or process data in the context of border management activities for the purpose of recognizing or detecting objects and natural persons;*

Or. en

**Amendment 3228**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, H          , Jean-Paul Garraud**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8**

*Text proposed by the Commission*

*Amendment*

**8. Administration of justice and democratic processes:** *deleted*

*(a) AI systems intended to assist a judicial authority in researching and interpreting facts and the law and in applying the law to a concrete set of facts.*

Or. fr

*Justification*

*According to an earlier amendment, those systems are prohibited and, accordingly, do not come under the common rules for high risk AI systems laid down in Annex III.*

**Amendment 3229**

**Axel Voss, Deirdre Clune**



**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – introductory part**

*Text proposed by the Commission*

*Amendment*

8. Administration of justice **and democratic processes:**

8. Administration of justice:

Or. en

**Amendment 3230**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Alin Mituța**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – point a**

*Text proposed by the Commission*

*Amendment*

(a) AI systems intended to assist a judicial authority in researching and interpreting facts **and** the law and in applying the law to a concrete set of facts.

(a) AI systems intended **to be used by a judicial authority or administrative body or on their behalf or** to assist a judicial authority **or administrative body** in researching and interpreting facts **or** the law and in applying the law to a concrete set of facts.

Or. en

**Amendment 3231**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – point a**

*Text proposed by the Commission*

*Amendment*

(a) AI systems intended to assist a judicial authority in researching and interpreting facts and the law and in applying the law **to a concrete set of facts.**

(a) AI systems **which may be or are** intended to assist a judicial authority in researching and interpreting facts and the law and in applying the law **or used in a similar way in alternative dispute**

*resolution.*

Or. en

**Amendment 3232**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – point a**

*Text proposed by the Commission*

(a) AI systems intended to *assist* a judicial authority in researching and interpreting facts and the law and *in* applying the law to a concrete set of facts.

*Amendment*

(a) AI systems intended to *be used by* a judicial authority, *administrative body or on their behalf for* in researching and interpreting facts and the law and *for* applying the law to a concrete set of facts.

Or. en

**Amendment 3233**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Karen Melchior, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – point a**

*Text proposed by the Commission*

(a) AI systems intended to *assist* a judicial *authority in researching and* interpreting facts *and* the law *and in* applying the law to a concrete set of facts.

*Amendment*

(a) AI systems intended to *be used by* judicial *authorities or on their behalf in* interpreting facts *or* the law *for* applying the law to a concrete set of facts.

Or. en

**Amendment 3234**

**Sophia in 't Veld**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) AI systems intended to be used by electoral constituencies for the purpose of protecting democracy and predicting the risk of a candidate for political office, in particular the position of head of government, being homophobic, sexist, dictatorial, kleptocratic and/or having other toxic personality traits;*

Or. en

**Amendment 3235**

**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Karen Melchior, Alin Mituţa**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) AI systems used by political parties, political candidates, public authorities, or on their behalf for influencing natural persons in the exercise of their vote in local, national, or European Parliament elections;*

Or. en

**Amendment 3236**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

*(a a) AI systems that may or are intended to assist in democratic processes, the casting or counting of votes, such as in elections.*

Or. en

**Amendment 3237**

**Dragoş Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ştefănuţă, Ramona Strugariu, Dragoş Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Alin Mituţa**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8 a. Other applications:**

*(a) AI systems intended to be used to generate, on the basis of limited human input, complex text content that would falsely appear to a person to be human generated and authentic, such as news articles, opinion articles, novels, scripts, and scientific articles, with the exception of AI systems used exclusively for content that undergoes human review and for the publication of which a natural or legal person established in the Union is liable or holds editorial responsibility;*

*(b) AI systems intended to be used to generate or manipulate audio or video content that features existing natural persons appearing to say or do something they have never said or done, with the exception of AI systems used exclusively for content that forms part of an evidently artistic, creative or fictional cinematographic and analogous work;*

*(c) AI systems that deploy subliminal techniques for scientific research and for therapeutical purposes;*

Or. en

**Amendment 3238**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, Petar Vitanov, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 a (new)**

**8 a. Other applications:**

***(a) AI systems intended to be used to generate, on the basis of limited human input, complex text content that would falsely appear to a person to be human-generated and authentic, such as news articles, opinion articles, novels, scripts, and scientific articles, except where the content forms part of an evidently artistic, creative or fictional and analogous work;***

***(b) AI systems intended to be used to generate or manipulate audio or video content that appreciably resembles existing natural persons, in a manner that significantly distorts or fabricates the original situation, meaning, content, or context and would falsely appear to a person to be authentic, except where the content forms part of an evidently artistic, creative or fictional cinematographic and analogous work.***

Or. en

**Amendment 3239**

**Pernando Barrena Arza, Cornelia Ernst**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 a (new)**

**8 a. Use in online platforms such as social media and search engines:**

***a) AI systems intended to recommend content to users of online intermediaries such as social media platforms and search engines***

***b) AI systems intended to assist the moderation of content produced by users of online intermediaries such as social media platforms.***

**Amendment 3240**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8 a. Media**

***(a). Recommender systems, meaning AI systems used by an online platform to suggest in its online interface specific information to recipients of the service, including as a result of a search initiated by the recipient or otherwise determining the relative order or prominence of information displayed.***

Or. en

**Amendment 3241**

**Maria-Manuel Leitão-Marques, Paul Tang, Tiemo Wölken, Biljana Borzan, Lina Gálvez Muñoz, Birgit Sippel, Martin Schirdewan, Christel Schaldemose, Alex Agius Saliba, Karen Melchior, René Repasi, Eva Kaili, Sylvie Guillaume**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 a (new)**

*Text proposed by the Commission*

*Amendment*

**8 a. Others**

***a) AI systems intended to be used for the delivery of online advertising to internet users***

Or. en

*Justification*

*As ad delivery algorithms determine who within the potential audiences as defined by the sponsors will actually have the ad presented to them, they pose two types of risks to fundamental rights. First, the use of ad delivery algorithms in general poses serious threats to*

*the rights enshrined in Article 7 and Article 8 (respect of private and family life, protection of personal data) of the Charter of Fundamental Rights of the European Union. Second, the deployment of ad delivery algorithms to optimise (economically) the delivery of ads containing specific content, including working and housing opportunities, constitutes a serious risk to the fundamental right to non-discrimination as established in Article 21 of the Charter. In addition, it could be argued that there are harms to mental health in the presentation of certain advertisements to vulnerable users designed to exploit their vulnerabilities, such as with the case of gambling ads. Lastly, it is clear that, for ad delivery algorithms, there are at present no effective measures of redress in relation to the risks posed by the systems, nor any effective measures to prevent or substantially minimise those risks, provided for in existing Union legislation. Thus, they meet several of the criteria present in Article 7 and should be included in Annex III as high-risk AI systems*

**Amendment 3242**

**Kim Van Sparrentak, Sergey Lagodinsky**

on behalf of the Verts/ALE Group

**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex III – paragraph 1 – point 8 b (new)**

*Text proposed by the Commission*

*Amendment*

**8 b. Health and Healthcare**

*(a) AI systems intended to be used inside or outside of the national healthcare system the outputs of which can influence individuals' health, for example through impacting health diagnostics, treatments or medical prescriptions.*

*(b) AI systems intended to be used to facilitate administrative, planning, and health insurance processes within the healthcare system which could influence the distribution of healthcare resources, health insurance or access to healthcare.*

*(c) AI systems intended to be used by pharmaceutical companies and medical technology companies to facilitate research and development, as well as for pharmacovigilance, market optimisation and pharmaceutical marketing.*

Or. en

#### Amendment 3243

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### Proposal for a regulation

#### Annex IV – paragraph 1 – point 1 – point a

*Text proposed by the Commission*

(a) its intended purpose, the person/s developing the system the date and the version of the system;

*Amendment*

(a) its intended purpose, the person/s developing the system the date and the version of the system, ***reflecting its relation to previous and, where applicable, more recent, versions in the succession of revisions;***

Or. en

#### Amendment 3244

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand**

#### Proposal for a regulation

#### Annex IV – paragraph 1 – point 1 – point a

*Text proposed by the Commission*

(a) its intended purpose, the person/s developing the system the date and the version of the system;

*Amendment*

(a) its intended purpose ***or reasonably foreseeable use***, the person/s developing the system, the date and the version of the system;

Or. en

#### Amendment 3245

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

#### Proposal for a regulation

#### Annex IV – paragraph 1 – point 1 – point a

*Text proposed by the Commission*

(a) its intended purpose, the person/s developing the system the date and the version of the system;

*Amendment*

(a) its intended purpose ***or reasonably foreseeable use***, the person/s developing the system the date and the version of the



system;

Or. en

**Amendment 3246**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) its intended purpose, the person/s developing the system the date and the version of the system;

(a) its intended purpose ***or reasonably foreseeable use***, the person/s developing the system the date and the version of the system;

Or. en

**Amendment 3247**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) its intended purpose, the ***person/s developing the system the date*** and the version of the system;

(a) its intended purpose, the ***name of the provider*** and the version of the system;

Or. en

**Amendment 3248**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point a a (new)**

*Text proposed by the Commission*

*Amendment*

**(a a) the categories of natural persons and groups likely or foreseen to be affected;**

Or. en

**Amendment 3249**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point a b (new)**

*Text proposed by the Commission*

*Amendment*

**(a b) the categories and nature of data likely or foreseen to be processed;**

Or. en

**Amendment 3250**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point b**

*Text proposed by the Commission*

*Amendment*

(b) how the AI system interacts or can be used to interact with hardware or software **that is** not part of the AI system itself, where applicable;

(b) how the AI system interacts or can be used to interact with hardware or software, **including other AI systems that are** not part of the AI system itself, where applicable;

Or. en

**Amendment 3251**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Marina Kaljurand, Maria Grapini, Brando Benifei**

**Proposal for a regulation**  
**Annex IV – paragraph 1 – point 1 – point b**

*Text proposed by the Commission*

(b) how the AI system interacts or can be used to interact with hardware or software ***that is*** not part of the AI system itself, where applicable;

*Amendment*

(b) how the AI system interacts or can be used to interact with hardware or software, ***including other AI systems, that are*** not part of the AI system itself, where applicable;

Or. en

**Amendment 3252**  
**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex IV – paragraph 1 – point 1 – point b**

*Text proposed by the Commission*

(b) how the AI system ***interacts or can*** be used ***to interact*** with hardware or software that is not part of the AI system itself, where applicable;

*Amendment*

(b) how the AI system ***is intended to*** be used with hardware or software that is not part of the AI system itself, where applicable;

Or. en

**Amendment 3253**  
**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex IV – paragraph 1 – point 1 – point c**

*Text proposed by the Commission*

(c) the versions of relevant software or firmware and any requirement related to version update;

*Amendment*

(c) the versions of relevant software or firmware and any requirement related to ***development, maintenance and*** version update;

Or. en

**Amendment 3254**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point c**

*Text proposed by the Commission*

(c) the versions of relevant software or firmware and ***any requirement related to*** version update;

*Amendment*

(c) the versions of relevant software or firmware and version update ***information for the user, where applicable;***

Or. en

**Amendment 3255**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point d**

*Text proposed by the Commission*

(d) the description ***of all forms in which*** the AI system ***is placed*** on the market or put into service;

*Amendment*

(d) the description ***or list of the various configurations and variants of*** the AI system ***which are intended to be made available*** on the market or put into service;

Or. en

**Amendment 3256**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point f**

*Text proposed by the Commission*

(f) ***where the AI system is a component of products***, photographs or illustrations ***showing external features, marking and internal layout of those products;***

*Amendment*

(f) ***descriptions and, if applicable,*** photographs or illustrations ***of the user interface;***

Or. en

**Amendment 3257**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point g**

*Text proposed by the Commission*

(g) instructions of use for the *user* and,  
where applicable installation instructions;

*Amendment*

(g) instructions of use for the *deployer*  
and, where applicable installation  
instructions;

Or. en

**Amendment 3258**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 1 – point g a (new)**

*Text proposed by the Commission*

*Amendment*

**(g a) instructions on the intervention in  
case of emergency, interrupting the  
system through a “stop” button or a  
similar procedure that allows the system  
to come to a halt in a safe state;**

Or. en

*Justification*

*To align with proposed Article 14(4)(e)*

**Amendment 3259**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 2 – introductory part**

*Text proposed by the Commission*

*Amendment*

2. A detailed description **of the elements** of the AI system and of the process for its development, including:

2. ***Provided that no confidential information or trade secrets are disclosed,*** a detailed description of the AI system and of the process for its development, including:

Or. en

#### **Amendment 3260**

**Kosma Złotowski, Eugen Jurzyca, Patryk Jaki, Adam Bielan**

#### **Proposal for a regulation**

#### **Annex IV – paragraph 1 – point 2 – point a**

*Text proposed by the Commission*

*Amendment*

(a) the methods and steps performed for the development of the AI system, including, where relevant, recourse to pre-trained systems or tools provided by third parties and how these have been used, integrated or modified by the provider;

(a) ***provided that no confidential information or trade secrets are disclosed,*** the methods and steps performed for the development of the AI system, including, where relevant, recourse to pre-trained systems or tools provided by third parties and how these have been used, integrated or modified by the provider;

Or. en

#### **Amendment 3261**

**Axel Voss, Deirdre Clune, Eva Maydell**

#### **Proposal for a regulation**

#### **Annex IV – paragraph 1 – point 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the design specifications of the system, ***namely the general*** logic of the AI system ***and of the algorithms***; the key design choices including the rationale and assumptions made, also with regard to persons or groups of persons on which the system is intended to be used; the main classification choices; what the system is designed to optimise for and the relevance

(b) the ***architecture and*** design specifications: ***a description*** of the AI system ***architecture, with a decomposition of its components and interfaces, how they relate to one another and how they provide for the overall processing or*** logic of the AI system; the key design choices including the rationale and assumptions made, also with regard to persons or

of the different parameters; the decisions about any possible trade-off made regarding the technical solutions adopted to comply with the requirements set out in Title III, Chapter 2;

groups of persons on which the system is intended to be used; the main classification choices; what the system is designed to optimise for and the relevance of the different parameters; the decisions about any possible trade-off made regarding the technical solutions adopted to comply with the requirements set out in Title III, Chapter 2;

Or. en

#### **Amendment 3262**

**Kosma Złotowski, Eugen Jurzyca, Patryk Jaki, Adam Bielan**

#### **Proposal for a regulation**

#### **Annex IV – paragraph 1 – point 2 – point b**

*Text proposed by the Commission*

(b) the design specifications of the system, namely the general logic of the AI system and of the algorithms; the key design choices including the rationale and assumptions made, also with regard to persons or groups of persons on which the system is intended to be used; the main classification choices; what the system is designed to optimise for and the relevance of the different parameters; the decisions about any possible trade-off made regarding the technical solutions adopted to comply with the requirements set out in Title III, Chapter 2;

*Amendment*

(b) ***provided that no confidential information or trade secrets are disclosed,*** the design specifications of the system, namely the general logic of the AI system and of the algorithms; the key design choices including the rationale and assumptions made, also with regard to persons or groups of persons on which the system is intended to be used; the main classification choices; what the system is designed to optimise for and the relevance of the different parameters; the decisions about any possible trade-off made regarding the technical solutions adopted to comply with the requirements set out in Title III, Chapter 2;

Or. en

#### **Amendment 3263**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### **Proposal for a regulation**

#### **Annex IV – paragraph 1 – point 2 – point b**

*Text proposed by the Commission*

*Amendment*

(b) the design specifications of the system, namely the general logic of the AI system **and** of the algorithms; the key design choices including the rationale and assumptions made, also with regard to persons or groups of persons on which the system is intended to be used; the main classification choices; what the system is designed to optimise for and the relevance of the different parameters; the decisions about any possible trade-off made regarding the technical solutions adopted to comply with the requirements set out in Title III, Chapter 2;

(b) the design specifications of the system, namely the general logic of the AI system, of the algorithms **and of data structures**; the key design choices including the rationale and assumptions made, also with regard to persons or groups of persons on which the system is intended to be used; the main classification choices; what the system is designed to optimise for and the relevance of the different parameters; the decisions about any possible trade-off made regarding the technical solutions adopted to comply with the requirements set out in Title III, Chapter 2;

Or. en

**Amendment 3264**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 2 – point c**

*Text proposed by the Commission*

*Amendment*

(c) *the description of the system architecture explaining how software components build on or feed into each other and integrate into the overall processing; the computational resources used to develop, train, test and validate the AI system;*

*deleted*

Or. en

**Amendment 3265**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 2 – point d**



**(d) where relevant, the data requirements in terms of datasheets describing the training methodologies and techniques and the training data sets used, including information about the provenance of those data sets, their scope and main characteristics; how the data was obtained and selected; labelling procedures (e.g. for supervised learning), data cleaning methodologies (e.g. outliers detection);**

**deleted**

Or. en

**Amendment 3266**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 2 – point d**

*Text proposed by the Commission*

*Amendment*

(d) where relevant, the data requirements in terms of datasheets describing the training methodologies and techniques and the training data sets used, including information about the provenance of those data sets, their scope and main characteristics; how the data was obtained **and** selected; labelling procedures (e.g. for supervised learning), data cleaning methodologies (e.g. outliers detection);

(d) where relevant, the data requirements in terms of datasheets describing the training methodologies and techniques and the training data sets used, including information about the provenance of those data sets, their scope and main characteristics; how the data was obtained, selected **and prepared**; labelling procedures (e.g. for supervised learning), data cleaning methodologies (e.g. outliers detection), **and methods applied to prevent bias**;

Or. en

**Amendment 3267**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex IV – paragraph 1 – point 2 – point e**

*Text proposed by the Commission*

(e) assessment of the human oversight measures needed in accordance with Article 14, including an assessment of the technical measures needed to facilitate the interpretation of the outputs of AI systems by the **users**, in accordance with Articles 13(3)(d);

*Amendment*

(e) assessment of the human oversight measures needed in accordance with Article 14, including an assessment of the technical measures needed to facilitate the interpretation of the outputs of AI systems by the **deployers**, in accordance with Articles 13(3)(d);

Or. en

**Amendment 3268**  
**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**  
**Annex IV – paragraph 1 – point 2 – point g**

*Text proposed by the Commission*

(g) the validation and testing procedures used, including information about the validation and testing data used and their main characteristics; **metrics** used to measure accuracy, robustness, **cybersecurity** and compliance with other relevant requirements set out in Title III, Chapter 2 as well as potentially discriminatory impacts; test logs and all test reports dated and signed by the responsible persons, including with regard to pre-determined changes as referred to under point (f).

*Amendment*

(g) the validation and testing procedures used, including information about the **machine-learning** validation and testing data used and their main characteristics; **information** used to measure accuracy, robustness, and compliance with other relevant requirements set out in Title III, Chapter 2 as well as potentially discriminatory impacts; test logs and all test reports dated and signed by the responsible persons, including with regard to pre-determined changes as referred to under point (f);

Or. en

**Amendment 3269**  
**Petar Vitanov, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Maria Grapini, Brando Benifei**

**Proposal for a regulation**  
**Annex IV – paragraph 1 – point 2 – point g**

*Text proposed by the Commission*

(g) the validation and testing procedures used, including information about the validation and testing data used and their main characteristics; metrics used to measure **accuracy**, robustness, cybersecurity and compliance with other relevant requirements set out in Title III, Chapter 2 as well as potentially discriminatory impacts; test logs and all test reports dated and signed by the responsible persons, including with regard to pre-determined changes as referred to under point (f).

*Amendment*

(g) the validation and testing procedures used, including information about the validation and testing data used and their main characteristics; metrics used to measure **performance**, robustness, cybersecurity and compliance with other relevant requirements set out in Title III, Chapter 2 as well as potentially discriminatory impacts; test logs and all test reports dated and signed by the responsible persons, including with regard to pre-determined changes as referred to under point (f).

Or. en

**Amendment 3270**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 2 – point g**

*Text proposed by the Commission*

(g) the validation and testing procedures used, including information about the validation and testing data used and their main characteristics; metrics used to measure **accuracy**, robustness, cybersecurity and compliance with other relevant requirements set out in Title III, Chapter 2 as well as potentially discriminatory impacts; test logs and all test reports dated and signed by the responsible persons, including with regard to pre-determined changes as referred to under point (f).

*Amendment*

(g) the validation and testing procedures used, including information about the validation and testing data used and their main characteristics; metrics used to measure **performance**, robustness, cybersecurity and compliance with other relevant requirements set out in Title III, Chapter 2 as well as potentially discriminatory impacts; test logs and all test reports dated and signed by the responsible persons, including with regard to pre-determined changes as referred to under point (f).

Or. en

**Amendment 3271**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

## Annex IV – paragraph 1 – point 2 – point g a (new)

*Text proposed by the Commission*

*Amendment*

**(g a) cybersecurity measures put in place.**

Or. en

### Amendment 3272

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

#### Proposal for a regulation

#### Annex IV – paragraph 1 – point 3

*Text proposed by the Commission*

*Amendment*

3. Detailed information about the monitoring, functioning and control of the AI system, in particular with regard to: its capabilities and limitations in performance, including the degrees of accuracy for specific persons or groups of persons on which the system is intended to be used and the overall expected level of accuracy in relation to its intended purpose; the foreseeable unintended outcomes and sources of risks to health and safety, fundamental rights and discrimination in view of the intended purpose of the AI system; the human oversight measures needed in accordance with Article 14, including the technical measures put in place to facilitate the interpretation of the outputs of AI systems by the users; specifications on input data, as appropriate;

3. Detailed information about the monitoring, functioning and control of the AI system, in particular with regard to: its capabilities and limitations in performance, including the degrees of accuracy for specific persons or groups of persons on which the system is intended to be used and the overall expected level of accuracy in relation to its intended purpose **or reasonably foreseeable use** ; the foreseeable unintended outcomes and sources of risks to health and safety, fundamental rights and discrimination in view of the intended purpose **or reasonably foreseeable use** of the AI system; the human oversight measures needed in accordance with Article 14, including the technical measures put in place to facilitate the interpretation of the outputs of AI systems by the users; specifications on input data, as appropriate;

Or. en

### Amendment 3273

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar**

#### Proposal for a regulation

**Annex IV – paragraph 1 – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3 a. A description of the appropriateness of the performance metrics for the specific AI system;**

Or. en

**Amendment 3274**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3 a. A description of the appropriateness of the performance metrics for the specific AI system.**

Or. en

**Amendment 3275**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, Petar Vitanov, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 3 b (new)**

*Text proposed by the Commission*

*Amendment*

**3 b. Detailed information about the carbon footprint and the energy efficiency of the AI system, in particular with regard to the development of hardware, computational resources, as well as algorithm design and training processes;**

Or. en

**Amendment 3276**

**Brando Benifei, Christel Schaldemose, Andreas Schieder, Alex Agius Saliba, Bettina Vollath, Tsvetelina Penkova, Petar Vitanov, René Repasi, Birgit Sippel, Maria Grapini, Adriana Maldonado López, Maria-Manuel Leitão-Marques, Marc Angel**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 3 c (new)**

*Text proposed by the Commission*

*Amendment*

**3 c. Information about the computational resources required for the functioning of the AI system and its expected energy consumption during its use;**

Or. en

**Amendment 3277**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

**4 a. A detailed description of the system's environmental impact in accordance with Article 10a.**

Or. en

*Justification*

*To align with proposed Article 10a*

**Amendment 3278**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 5**

*Text proposed by the Commission*

*Amendment*

5. *A description of any change made to the system through its lifecycle;* *deleted*

Or. en

**Amendment 3279**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Morten Løkkegaard, Vlad-Marius Botoș, Moritz Körner, Ondřej Kovařík, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 5**

*Text proposed by the Commission*

*Amendment*

5. A description of *any change made* to the system through its lifecycle;

5. A description of *relevant changes made by providers* to the system through its lifecycle;

Or. en

**Amendment 3280**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Svenja Hahn, Morten Løkkegaard, Alin Mituța**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 5**

*Text proposed by the Commission*

*Amendment*

5. A description of any change made to the system through its lifecycle;

5. A description of any *relevant* change made to the system through its lifecycle;

Or. en

**Amendment 3281**

**Svenja Hahn, Dragoș Tudorache, Nicola Beer, Morten Løkkegaard, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 6**

*Text proposed by the Commission*

6. A list of the harmonised standards applied in full or in part the references of which have been published in the Official Journal of the European Union; where no such harmonised standards have been applied, a detailed description of the solutions adopted to meet the requirements set out in Title III, Chapter 2, including a list of other relevant standards and technical specifications applied;

*Amendment*

6. A list of the harmonised standards applied in full or in part the references of which have been published in the Official Journal of the European Union; where no such harmonised standards have been applied, a detailed description of the solutions adopted to meet the requirements set out in Title III, Chapter 2, including a list of ***common specifications or*** other relevant standards and technical specifications applied;

Or. en

**Amendment 3282**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex IV – paragraph 1 – point 8 a (new)**

*Text proposed by the Commission*

*Amendment*

***8 a. Without prejudice to Article 9(2), a detailed description of the economic and social implications and potential risks for health, and in particular mental health, safety and fundamental rights arising from the hypothetical widespread usage of the AI system or of similar systems in society, with reference to past incidents that occurred using similar systems and associated mitigating measures.***

Or. en

**Amendment 3283**

**Jean-Lin Lacapelle, Virginie Joron, Markus Buchheit, H            , Jean-Paul Garraud**

**Proposal for a regulation**

**Annex VI**

*Text proposed by the Commission*

*Amendment*



**CONFORMITY ASSESSMENT  
PROCEDURE BASED ON INTERNAL  
CONTROL**

*deleted*

- 1. The conformity assessment procedure based on internal control is the conformity assessment procedure based on points 2 to 4.***
- 2. The provider verifies that the established quality management system is in compliance with the requirements of Article 17.***
- 3. The provider examines the information contained in the technical documentation in order to assess the compliance of the AI system with the relevant essential requirements set out in Title III, Chapter 2.***
- 4. The provider also verifies that the design and development process of the AI system and its post-market monitoring as referred to in Article 61 is consistent with the technical documentation.***

Or. fr

*Justification*

*We are deleting this procedure, which, in our view, is not sufficiently reliable.*

**Amendment 3284**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex VII – point 4 – point 4.3**

*Text proposed by the Commission*

4.3. The technical documentation shall be examined by the notified body. To this purpose, the notified body shall be granted full access to the **training and** testing datasets used by the provider, including through application programming interfaces (API) or other appropriate means and tools enabling remote access.

*Amendment*

4.3. The technical documentation shall be examined by the notified body. To this purpose, the notified body shall be granted full access to the testing datasets used by the provider, including through application programming interfaces (API) or other appropriate means and tools enabling remote access.

**Amendment 3285****Axel Voss, Deirdre Clune, Eva Maydell****Proposal for a regulation****Annex VII – point 4 – point 4.4***Text proposed by the Commission*

4.4. In examining the technical documentation, the notified body may require that the provider supplies further evidence or carries out further tests so as to enable a proper assessment of conformity of the AI system with the requirements set out in Title III, Chapter 2. ***Whenever the notified body is not satisfied with the tests carried out by the provider, the notified body shall directly carry out adequate tests, as appropriate.***

*Amendment*

4.4. In examining the technical documentation, the notified body may require that the provider supplies further evidence or carries out further tests so as to enable a proper assessment of conformity of the AI system with the requirements set out in Title III, Chapter 2.

**Amendment 3286****Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Alin Mituța****Proposal for a regulation****Annex VII – point 4 – point 4.5***Text proposed by the Commission*

4.5. Where necessary to assess the conformity of the high-risk AI system with the requirements set out in Title III, Chapter 2 and upon a reasoned request, the notified body shall also be granted access to the source code of the AI system.

*Amendment*

4.5. Where necessary to assess the conformity of the high-risk AI system with the requirements set out in Title III, Chapter 2, ***after all other reasonable ways to verify conformity have been exhausted and have proven to be insufficient***, and upon a reasoned request, the notified body shall also be granted access to the source code of the AI system. ***Such access shall be subject to existing Union law on the protection of intellectual property and trade secrets.***

**Amendment 3287****Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura****Proposal for a regulation****Annex VII – point 4 – point 4.7***Text proposed by the Commission*

4.7. Any change to the AI system that could affect the compliance of the AI system with the requirements or its intended purpose shall be approved by the notified body which issued the EU technical documentation assessment certificate. The provider shall inform such notified body of its intention to introduce any of the above-mentioned changes or if it becomes otherwise aware of the occurrence of such changes. The intended changes shall be assessed by the notified body which shall decide whether those changes require a new conformity assessment in accordance with Article 43(4) or whether they could be addressed by means of a supplement to the EU technical documentation assessment certificate. In the latter case, the notified body shall assess the changes, notify the provider of its decision and, where the changes are approved, issue to the provider a supplement to the EU technical documentation assessment certificate.

*Amendment*

4.7. Any change to the AI system that could affect the compliance of the AI system with the requirements or its intended purpose ***or reasonably foreseeable use*** shall be approved by the notified body which issued the EU technical documentation assessment certificate. The provider shall inform such notified body of its intention to introduce any of the above-mentioned changes or if it becomes otherwise aware of the occurrence of such changes. The intended changes shall be assessed by the notified body which shall decide whether those changes require a new conformity assessment in accordance with Article 43(4) or whether they could be addressed by means of a supplement to the EU technical documentation assessment certificate. In the latter case, the notified body shall assess the changes, notify the provider of its decision and, where the changes are approved, issue to the provider a supplement to the EU technical documentation assessment certificate.

Or. en

**Amendment 3288****Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura****Proposal for a regulation****Annex VIII – title***Text proposed by the Commission**Amendment*

INFORMATION TO BE SUBMITTED  
UPON THE REGISTRATION OF HIGH-  
RISK AI SYSTEMS IN ACCORDANCE  
WITH ARTICLE 51

INFORMATION TO BE SUBMITTED  
UPON THE REGISTRATION OF HIGH-  
RISK AI SYSTEMS **AND OF CERTAIN  
AI SYSTEMS, USES THEREOF, AND  
USES OF AI SYSTEMS BY PUBLIC  
AUTHORITIES** IN ACCORDANCE  
WITH ARTICLE 51

Or. en

**Amendment 3289**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Maria Grapini**

**Proposal for a regulation  
Annex VIII – title**

*Text proposed by the Commission*

INFORMATION TO BE SUBMITTED  
UPON THE REGISTRATION OF **HIGH-  
RISK** AI SYSTEMS IN ACCORDANCE  
WITH ARTICLE **51**

*Amendment*

INFORMATION TO BE SUBMITTED  
UPON THE REGISTRATION OF AI  
SYSTEMS IN ACCORDANCE WITH  
ARTICLE **60**

Or. en

**Amendment 3290**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation  
Annex VIII – paragraph 1**

*Text proposed by the Commission*

The following information shall be  
provided and thereafter kept up to date  
with regard to high-risk AI systems to be  
registered in accordance with Article **51**.

*Amendment*

The following information shall be  
provided and thereafter kept up to date **by  
the provider** with regard to high-risk AI  
systems **referred to in Article 6(2) and to  
any AI system referred to in Article 52  
1(b) and (2)** to be registered in accordance  
with Article **51(1)**.

Or. en

**Amendment 3291**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex VIII – paragraph 1**

*Text proposed by the Commission*

The following information shall be provided and thereafter kept up to date with regard to **high-risk** AI systems to be registered in accordance with Article 51.

*Amendment*

The following information shall be provided and thereafter kept up to date with regard to AI systems to be registered in accordance with Article 51.

Or. en

**Amendment 3292**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Maria Grapini**

**Proposal for a regulation**  
**Annex VIII – paragraph 1**

*Text proposed by the Commission*

The following information shall be provided and thereafter kept up to date with regard to **high-risk** AI systems to be registered in accordance with Article **51**.

*Amendment*

The following information shall be provided and thereafter kept up to date with regard to AI systems to be registered in accordance with Article **60**.

Or. en

**Amendment 3293**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex VIII – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The following information shall be provided and thereafter kept up to date by the user with regard to uses of high-risk AI systems referred to in Article 6(2) and any AI system referred to in Article 52***

***1(b) and (2) to be registered in accordance with Article 51(2).***

***(a) Name, address and contact details of the user;***

***(b) Where submission of information is carried out by another person on behalf of the user, the name, address and contact details of that person;***

***(c) Name, address and contact details of the authorised representative, where applicable;***

***(d) URL of the entry of the AI system in the EU database by its provider, or, where unavailable, AI system trade name and any additional unambiguous reference allowing identification and traceability of the AI system;***

***(e) Description of the intended purpose of the intended use of the AI system;***

***(f) Description of the context and the geographical and temporal scope of application, geographic and temporal, of the intended use of the AI system;***

***(g) Basic explanation of design specifications of the system, namely the general logic of the AI system and of the algorithms; the key design choices including the rationale and assumptions made, also with regard to categories persons or groups of persons on which the system is intended to be used; the main classification choices; and what the system is designed to optimise for and the relevance of the different parameters.***

***(h) For high-risk AI systems and for systems referred to in Article 52 1(b) and (2), designation of persons foreseeably impacted by the intended use of the AI system as required by Article X;***

***(i) For high-risk AI systems, results of the impact assessment on the use of the AI system that is conducted under obligations imposed by Article XX of this Regulation. Where full public disclosure of these results cannot be granted for reasons of privacy and data protection,***

*disclosure must be granted to the national supervisory authority, which in turn must be indicated in the EU database.*

*(j) A description of how the relevant accessibility requirements set out in Annex I to Directive 2019/882 are met by the use of the AI system.*

Or. en

**Amendment 3294**

**Dragoș Tudorache, Olivier Chastel, Vlad Gheorghe, Nicolae Ștefănuță, Ramona Strugariu, Dragoș Pîslaru, Lucia Ďuriš Nicholsonová, Irena Joveva, Malik Azmani, Róza Thun und Hohenstein, Alin Mituța**

**Proposal for a regulation**

**Annex VIII – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. The following information shall be provided and updated with regard to high risk AI systems to be registered in accordance with Article 51(2) by users who are or act on behalf of public authorities or Union institutions, bodies, offices or agencies:*

- 1. the name, address and contact details of the user;*
- 2. the name, address and contact details of any person submitting information on behalf of the user;*
- 3. the high-risk AI system trade name and any additional unambiguous reference allowing identification and traceability of the AI system used;*
- 4. description of the intended use of the AI system, including the specific outcomes sought through the use of the system;*
- 5. a summary of the findings of the fundamental rights impact assessment conducted in accordance with the obligation of public authorities or Union institutions, agencies, offices or bodies set*

*out in this Regulation;*

*6. a summary of the data protection impact assessment carried out in accordance with Article 35 of Regulation (EU) 2016/679 or Article 27 of Directive (EU) 2016/680 as specified in paragraph 6 of Article 29 of this Regulation, where applicable; 6. a declaration of conformity with the applicable data protection rules.*

Or. en

**Amendment 3295**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**

**Annex VIII – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*The following information shall be provided and thereafter kept up to date by the user with regard to uses of AI systems by public authorities to be registered in accordance with Article 51(3).*

*(a) Name, address and contact details of the user; (b) Where submission of information is carried out by another person on behalf of the user, the name, address and contact details of that person;*

*(c) Name, address and contact details of the authorised representative, where applicable;*

*(d) For high-risk AI systems, URL of the entry of the AI system in the EU database by its provider, or, for non-high risk systems, AI system trade name and any additional unambiguous reference allowing identification and traceability of the AI system;*

*(e) Description of the intended purpose of the intended use of the AI system;*

*(f) Description of the context and the geographical and temporal scope of application, geographic and temporal, of*



*the intended use of the AI system;*

*(g) Basic explanation of design specifications of the system, namely the general logic of the AI system and of the algorithms; the key design choices including the rationale and assumptions made, also with regard to categories persons or groups of persons on which the system is intended to be used; the main classification choices; and what the system is designed to optimise for and the relevance of the different parameters.*

*(h) Designation of persons foreseeably impacted by the intended use of the AI system;*

*(i) If available, results of any impact assessment or due diligence process regarding the use of the AI system that the user has conducted;*

*(j) Assessment of the foreseeable impact on the environment, including but not limited to energy consumption, resulting from the use of the AI system over its entire lifecycle, and of the methods to reduce such impact;*

*(k) A description of how the relevant accessibility requirements set out in Annex I to Directive 2019/882 are met by the use of the AI system.*

Or. en

#### **Amendment 3296**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### **Proposal for a regulation** **Annex VIII – point 1**

*Text proposed by the Commission*

1. Name, address and contact details of the provider;

*Amendment*

1. Name, address and contact details of the provider *or deployer*;

**Amendment 3297**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex VIII – point 2**

*Text proposed by the Commission*

2. Where submission of information is carried out by another person on behalf of the provider, the name, address and contact details of that person;

*Amendment*

2. Where submission of information is carried out by another person on behalf of the provider ***or deployer***, the name, address and contact details of that person;

Or. en

**Amendment 3298**

**Petar Vitanov, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Maria Grapini**

**Proposal for a regulation**  
**Annex VIII – point 3**

*Text proposed by the Commission*

3. Name, address and contact details of the ***authorised*** representative, where applicable;

*Amendment*

3. Name, address and contact details of the ***legal*** representative, where applicable;

Or. en

**Amendment 3299**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex VIII – point 5**

*Text proposed by the Commission*

*Amendment*

5. **Description of** the intended purpose of the AI system;

5. **Descriptions of:**

(a) the intended purpose of the AI system;

(b) *the components and functions supported through AI;*

(c) *the main parameters the AI system takes into account;*

(d) *arrangements for human oversight and responsible natural persons for decisions made or influenced by the AI system;*

Or. en

#### **Amendment 3300**

**Pernando Barrena Arza, Kateřina Konečná, Cornelia Ernst, Elena Kountoura**

#### **Proposal for a regulation**

#### **Annex VIII – point 5**

*Text proposed by the Commission*

*Amendment*

5. Description of the intended purpose of the AI system;

5. Description of the intended purpose **or reasonably foreseeable use** of the AI system;

Or. en

#### **Amendment 3301**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

#### **Proposal for a regulation**

#### **Annex VIII – point 5 a (new)**

*Text proposed by the Commission*

*Amendment*

**5 a. Where applicable, the categories of natural persons and groups likely or foreseen to be affected;**

Or. en

**Amendment 3302**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex VIII – point 5 b (new)**

*Text proposed by the Commission*

*Amendment*

**5 b. Where applicable, the categories and nature of data likely or foreseen to be processed by the AI system;**

Or. en

**Amendment 3303**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**  
**Annex VIII – point 5 c (new)**

*Text proposed by the Commission*

*Amendment*

**5 c. For each deployment, the deployer's assessments of the assessment of the systems' impact in the context of use throughout the entire lifecycle as conducted by the deployer under Article 9a;**

Or. en

**Amendment 3304**

**Sophia in 't Veld, Michal Šimečka**

**Proposal for a regulation**  
**Annex VIII – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

**6 a. where the user is obliged to register an AI system under Article 29, the**

*human rights impact assessment must  
also be registered and publicly available;*

Or. en

**Amendment 3305**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex VIII – point 11**

*Text proposed by the Commission*

*Amendment*

**11. Electronic instructions for use; *this information shall not be provided for high-risk AI systems in the areas of law enforcement and migration, asylum and border control management referred to in Annex III, points 1, 6 and 7.*** *deleted*

Or. en

**Amendment 3306**

**Kim Van Sparrentak, Sergey Lagodinsky**  
on behalf of the Verts/ALE Group  
**Alexandra Geese, Alviina Alametsä**

**Proposal for a regulation**

**Annex VIII – point 11**

*Text proposed by the Commission*

*Amendment*

**11. Electronic instructions for use; *this information shall not be provided for high-risk AI systems in the areas of law enforcement and migration, asylum and border control management referred to in Annex III, points 1, 6 and 7.*** **11. Electronic instructions for use.**

Or. en

**Amendment 3307**

**Kateřina Konečn, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex VIII – point 11**

*Text proposed by the Commission*

11. Electronic instructions for use; ***this information shall not be provided for high-risk AI systems in the areas of law enforcement and migration, asylum and border control management referred to in Annex III, points 1, 6 and 7.***

*Amendment*

11. Electronic instructions for use ***as listed in Article 13(3) and basic explanation of the general logic and key design as listed in Annex IV point 2(b) and of optimization choices as listed in Annex IV point (3).***

Or. en

**Amendment 3308**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex VIII – point 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***11 a. Assessment of the environmental impact, including but not limited to resource consumption, resulting from the design, data management and training, and underlying infrastructures of the AI system, and of the methods to reduce such impact;***

Or. en

**Amendment 3309**

**Kateřina Konečná, Pernando Barrena Arza, Cornelia Ernst, Elena Kountoura**

**Proposal for a regulation**  
**Annex VIII – point 11 b (new)**

*Text proposed by the Commission*

*Amendment*

***11 b. A description of how the system meets the relevant accessibility requirements of Annex I to Directive 2019/882.***

Or. en

**Amendment 3310**

**Petar Vitanov, Birgit Sippel, Bettina Vollath, Tsvetelina Penkova, Juan Fernando López Aguilar, Maria Grapini**

**Proposal for a regulation**

**Annex VIII – point 12 a (new)**

*Text proposed by the Commission*

*Amendment*

**12 a. The list of users of the AI systems**

Or. en

**Amendment 3311**

**Axel Voss, Deirdre Clune, Eva Maydell**

**Proposal for a regulation**

**Annex IX – title**

*Text proposed by the Commission*

*Amendment*

**Union legislation ON large-scale IT  
systems *in the area of Freedom, Security  
and Justice***

***4. The sandboxing programme shall, in a later development phase, look at helping Member States develop and manage two types of regulatory sandboxes: Physical Regulatory Sandboxes for AI systems embedded in physical products or services and Cyber Regulatory Sandboxes for AI systems operated and used on a stand-alone basis, not embedded in physical products or services.***

Or. en

*Justification*

*@ LIBE Secretariat: please shift this block behind Annex IX as new ANNEX X! AT4AM is unfortunately not allowing the user to do it.*

**Amendment 3312**

**Svenja Hahn, Nicola Beer, Sandro Gozi, Vlad-Marius Botoș, Moritz Körner, Ondřej Kovařík, Jan-Christoph Oetjen**

**Proposal for a regulation**

**Annex IX a (new)**

*Text proposed by the Commission*

*Amendment*

**ANNEX IXa:**

**MODALITIES FOR AN EU AI  
REGULATORY SANDBOXING  
PROGRAMME**

***1. The European Commission shall establish the EU AI Regulatory Sandboxing Programme ('sandboxing programme') in collaboration with Member States and other competent entities such as regions or universities.***

***2. The Commission shall play a complementary role, allowing those entities with demonstrated experience with sandboxing to build on their expertise and, on the other hand, assisting and providing technical understanding and resources to those Member States and regions that seek guidance on the set-up of these regulatory sandboxes.***

***3. Participants in the sandboxing programme, in particular start-ups and SMEs, are granted access to pre-deployment services, such as preliminary registration of their AI system, compliance R&D support services, and to all the other relevant elements of the Union's AI ecosystem and other Digital Single Market initiatives such as Testing & Experimentation Facilities, Digital Hubs, Centres of Excellence, and EU benchmarking capabilities; and to other value-adding services such as standardisation documents and certification, an online social platform for the community, contact databases, existing portal for tenders and grant making and lists of EU investors.***



***4. Foreign providers, in particular start-ups and SMEs, are eligible to take part in the sandboxes to incubate and refine their products in compliance with this Regulation.***

***5. Individuals such as researchers, entrepreneurs, innovators and other pre-market ideas owners are eligible to pre-register into the sandboxing programme to incubate and refine their products in compliance with this Regulation.***

***6. The sandboxing programme and its benefits shall be available from a single portal established by the European Commission.***

***7. The sandboxing programme shall develop and manage two types of regulatory sandboxes: Physical Regulatory Sandboxes for AI systems embedded in physical products or services and Cyber Regulatory Sandboxes for AI systems operated and used on a stand-alone basis, not embedded in physical products or services.***

***8. The sandboxing programme shall work with the already established Digital Innovation Hubs in Member States to provide a dedicated point of contact for entrepreneurs to raise enquiries with competent authorities and to seek non-binding guidance on the conformity of innovative products, services or business models embedding AI technologies.***

***9. One of the objectives of the sandboxing programme is to enable firms' compliance with this Regulation at the design stage of the AI system ('compliance-by-design'). To do so, the programme shall facilitate the development of software tools and infrastructure for testing, benchmarking, assessing and explaining dimensions of AI systems relevant to sandboxes, such as accuracy, robustness and cybersecurity.***

***10. The sandboxing programme shall include a Reg Tech lab, to help authorities experiment and develop***

*enforcement tools and protocols for enforcing this Regulation.*

*11. The sandboxing programme shall be rolled out in a phased fashion, with the various phases launched by the Commission upon success of the previous phase. The sandboxing programme will have a built-in impact assessment procedure to facilitate the review of cost-effectiveness against the agreed-upon objectives. This assessment shall be drafted with input from Member States based on their experiences and shall be included as part of the Annual Report submitted by the Commission to the European Artificial Intelligence Board.*

Or. en