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EU AI ACT · DRAFT GUIDELINES · 19 MAY 2026

# High-risk AI in critical infrastructure

For operators, suppliers and managers of digital infrastructure, traffic systems and utilities.

- Annex III point 2
- Practical high-risk classification
- Commercial readiness briefing for governance teams

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CLASSIFICATION LOGIC

# 3 questions decide the route

Use this as a starting point for AI inventory, gap intake and roadmap.

## 01 Intended purpose

What output does the system produce, in which context and with what effect on people or operations?

## 02 High-risk route

Does the use case fall under Annex III point 2, or should Article 5 or Annex I be checked first?

## 03 Readiness roadmap

Translate the classification into obligations, evidence, training and supplier actions.

**Intake question: Does the AI influence safety, availability or priority for a critical service?**

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ANNEX III POINT 2

# What falls in scope?

This domain version helps turn a first AI Act gap check into concrete review questions.

**AI becomes a high-risk question when its output can affect safety, availability, operational priority or resilience in critical infrastructure.**

- Critical digital infrastructure.
- Road traffic and traffic management.
- Supply of water, gas, heating and electricity.
- AI used as a safety component or operational decision support.

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PRACTICAL BOUNDARY

# When does this become a readiness question?

You do not need a final legal conclusion before starting governance work.

## Review first

- AI that detects incidents and prioritises recovery actions.
- AI in traffic lights, route priority or incident response.
- Load forecasting or grid balancing with operational impact.
- Security or availability decisions in critical digital chains.

## Define first

- Retrospective reporting without operational steering.
- Office automation for infrastructure teams.
- Simulation or planning without live operational effect.
- Dashboards that do not recommend priorities or actions.

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USE CASES

# 3 situations for the intake

These examples help identify the right stakeholders, documents and evidence path.

01

## Digital infrastructure

AI prioritises incidents in a cloud or network operation.

02

## Traffic

AI supports traffic lights or incident detection on busy routes.

03

## Utilities

AI recommends recovery order after electricity or water disruptions.

**Use this as a scoping aid, not as a final legal conclusion.**

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EVIDENCE

# What a readiness track should produce

Classification should end in actions, ownership and reviewable documents.

## Core deliverables

- AI inventory and risk classification
- Provider/deployer role split
- Gap analysis on obligations and evidence
- 30/60/90-day roadmap
- Management summary and next routes

## Domain focus

- Intended purpose and operational decision function.
- Safety impact, availability and fallback scenarios.
- Human override and incident response procedures.
- Robustness, cybersecurity and logging of operational output.

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SOURCE STATUS

# Based on the Commission draft guidelines

Use this as an intake and classification framework. Check final guidance before legal decisions are completed.

## Status on 8 June 2026

- The Commission published the draft guidelines on 19 May 2026.
- Annex III contains 8 areas. This briefing works out 1 area practically.
- The formal AI Act text remains leading.

**Commission draft guidelines**

**Annex III official text**

**Article 6**

**Gap intake**

**For decisions with legal consequences, a full system and context review remains necessary.**

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NEXT STEP

# Classify your critical infrastructure AI before the roadmap gets stuck.

Embed AI helps turn a loose AI list into a defensible classification, gap analysis and concrete 30/60/90-day roadmap.

Start gap intake | View Readiness Sprint | Book a call


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