

Art. 26 AI Act: Operational Checklist for Deployers of High-Risk AI Systems

Reg. (EU) 2024/1689 — Art. 26 and connected obligations (Art. 27, Art. 49(3)) | NicFab | nicfab.eu | April 2026

This checklist covers all deployer obligations under Art. 26(1)–(12) and the connected obligations under Art. 27 (FRIA) and Art. 49(3) (EU database registration). **Scope:** deployers of high-risk AI systems (Annex III). **Application:** 2 August 2026 (current law); AI literacy (Art. 4) since 2 February 2025. The Digital Omnibus on AI proposes a postponement but is not yet adopted.

Compliance Checklist

Provision	Obligation	Key Actions	Responsible	Status	Notes
ARTICLE 26 — DEPLOYER OBLIGATIONS					
Art. 26(1)	Use per instructions (TOMs)	Archive instructions; align use with intended purpose; define technical and organisational measures; review upon updates	Compliance / Ops	[]	
Art. 26(2)	Human oversight	Designate oversight person(s); verify system-specific training; ensure authority to override/suspend; document reporting lines	Senior mgmt / HR	[]	
Art. 26(4)	Input data quality	Identify control over input data; define quality criteria; implement periodic checks on relevance and representativeness	Data mgmt / IT	[]	
Art. 26(5)	Monitoring, reporting, suspension	Monitoring protocol per instructions; define risk (Art. 79(1)) and incident thresholds; authority contacts; immediate suspension mechanism if risk identified	Ops / Compliance	[]	
Art. 26(6)	Log retention	Verify log accessibility; retention policy (min. 6 months); secure storage; coordinate with GDPR storage limitation (Art. 5(1)(e))	IT / Data mgmt	[]	
Art. 26(7)	Worker information	Identify affected workers; prepare notice; deliver before deployment; document delivery and consultation with representatives	HR / Legal	[]	
Art. 26(8)	Registration gate (public deployers)	Verify system is registered in EU database before use; if not registered: do not use and notify provider/distributor	Compliance / Proc.	[]	
Art. 26(9)	Provider info for DPIA	Obtain provider documentation (Art. 13); use as input for DPIA (Art. 35 GDPR / Art. 27 Dir. 2016/680); document info gaps	DPO / Ops	[]	
Art. 26(10)	Post-remote biometric ID (law enforcement)	Obtain authorisation (prior or within 48h); stop and delete if refused; document each use; annual reports to MSA and DPA	Law enf. / Legal / DPO	[]	
Art. 26(11)	Information to affected persons	Identify decisions involving the system; prepare clear notice; deliver proactively; coordinate with Art. 50 and Art. 13-14 / Art. 22 GDPR	Ops / Legal	[]	
Art. 26(12)	Cooperation with authorities	Identify competent national authorities; designate internal contact point; ensure documentation accessible on request	Compliance / Legal	[]	
CONNECTED OBLIGATIONS					
Art. 27	FRIA	Scope: public bodies, private entities providing public services, credit/insurance (Annex III 5(b)(c)), excl. Annex III pt. 2. Assess fundamental rights risks; notify MSA (Art. 27(3)). FRIA complements DPIA — does not replace it	Legal / Compliance / DPO	[]	
Art. 49(3)	EU database registration	Scope: public authorities, Union institutions/bodies/agencies and persons acting on their behalf — narrower than Art. 27. Excl. Annex III pt. 2. Register before deployment	Compliance	[]	

Status: [] Not started | [IP] In progress | [OK] Completed | N/A Not applicable. **Connected obligations** (highlighted in orange) are not part of Art. 26 but are operationally inseparable from the deployer's compliance framework.

Documentation Requirements

Provision	Required Documentation	Done
Art. 26(1)	Archived instructions for use; internal use policy; description of TOMs; record of updates	[]
Art. 26(2)	Appointment act; system-specific training records; authority and escalation procedures	[]
Art. 26(4)	Data quality policy; periodic check records; data correction documentation	[]
Art. 26(5)	Monitoring protocol; incident/suspension procedure; incident log; suspension records; contact register	[]
Art. 26(6)	Log retention policy; storage description; retention compliance records	[]
Art. 26(7)	Worker information notice; delivery proof; consultation records	[]
Art. 26(8)	Registration verification record; communication to provider (if not registered)	[]
Art. 26(9)	DPIA report; provider info record; info gap documentation	[]
Art. 26(10)	Use records; authorisation decisions; deletion records; annual reports	[]
Art. 27	FRIA report; notification to MSA (Art. 27(3)); mitigation measures record	[]
Art. 26(11)	Information notice to affected persons; delivery method and timing record	[]
Art. 49(3)	EU database registration confirmation; submitted information record	[]
Art. 26(12)	Authority contact register; regulatory response procedure	[]

Recommended Implementation Sequence

Phase	When	Actions	Done
1	Now	Classify AI systems; ensure AI literacy (Art. 4); begin training oversight personnel	[]
2	Q2 2026	Conduct DPIA and FRIA where required; prepare information notices; establish monitoring and suspension protocols	[]
3	Before 2.8.2026	Complete EU database registration (where applicable); finalise log retention policies; formalise all documentation	[]

Key Coordination Points: AI Act and GDPR

AI Act obligation	GDPR intersection	Note
Art. 26(4) — Input data	Art. 5(1)(d) — Accuracy	Parallel obligations on data quality
Art. 26(6) — Log retention	Art. 5(1)(e) — Storage limitation	AI Act: min. 6 months; GDPR limits excess
Art. 26(9) — DPIA input	Art. 35 — DPIA	Provider info (Art. 13) feeds into DPIA
Art. 27 — FRIA	Art. 35 — DPIA	FRIA complements DPIA; different scope
Art. 26(11) — Info to persons	Art. 13-14, Art. 22	Parallel transparency and ADM rights

This checklist does not constitute legal advice. Compliance depends on the specific system, context of deployment and applicable sector-specific legislation. Full analysis: nicfab.eu.

Regulatory precision is not an academic luxury. It is a professional responsibility.