

Step 2: Assess for exemption?

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- **National security**

The AI Act doesn't apply where it would affect the competences of EU Member States.

- **Military and defence purposes**

Where AI Systems are placed on the market or put into service with or without modifications exclusively for military, defence, or national security purposes.

Importantly any entity, whether public or private, may claim this exemption.

- **Public Authorities or international organisations in third countries**

Where the relevant AI System is being used for international cooperation or law enforcement and judicial cooperation purposes.

- **Scientific research and development**

Where that is the AI System's sole purpose.

- **Research, testing and development**

Prior to being placed on the market or put into service.

- **Natural persons use of AI in a purely personal non-professional capacity**

- **Free and open-source licences**

These are exempted if they are not put into service as high-risk systems, or as an AI system which is prohibited, or those AI Systems designed to interact with humans, engage with human emotions or other settings set out in Article 50.

< Previous

Step 1: Classify whether your software is regulated

Next >

Step 3: Assess for prohibition

Next steps

[EU AI Act: Guide for your business](#)



[Step 1: Classify whether your software is regulated](#)



[Step 2: Assess for exemption?](#)



[Step 3: Assess for prohibition](#)



[Step 4: Identify whether you are engaging with high-risk AI](#)



[Step 5: Classify what roles you are likely to fall into](#)



[Step 6: Ensure established AI classification doesn't change](#)



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