EU AI ACT · REPORTING AND FIRST REVIEW

Serious AI incidents: who reports what, and when?

A practical two-page guide for providers and deployers. The answer depends on the role in the specific system, whether it is high-risk, and what happened.

Key point

There is no blanket AI Act incident-reporting duty for every company or AI tool. Article 73 is directed at providers of high-risk AI systems; deployers have their own information duties.

1. Roles and the first information route

Provider Places an AI system on the market or puts it into service under its own name.	Reports a serious incident under Article 73 to the competent market surveillance authority in the Member State where it occurred.
Deployer Uses an AI system under its own authority.	If it identifies a serious incident, immediately informs the provider first, then the importer or distributor and the relevant market surveillance authorities. If the provider cannot be reached, Article 73 applies accordingly.
Other actors For example, an importer, distributor, or an organisation using a system that is not high-risk.	Check the role, system classification and other applicable rules. Contractual escalation routes and other statutory reporting duties may also apply.

2. Article 73: deadlines run from awareness

The provider reports immediately once a causal link is established or reasonably likely. These are maximum deadlines, not waiting periods.

15 days

General case

No later than 15 days after awareness of the serious incident.

2 days

Special case

For a widespread infringement or serious, irreversible disruption of critical infrastructure.

10 days

Fatality

Immediately after a causal link is established or suspected, and no later than 10 days after awareness.

What is a serious incident?

Article 3(49) includes, among other things, death or serious harm to health, serious and irreversible disruption of critical infrastructure, an infringement of EU fundamental-rights law, or serious harm to property or the environment. Check the legal definition against the facts.

To meet the deadline, an incomplete initial report may be submitted and completed later. Providers must investigate, assess risk and take necessary corrective action.

FROM AI INVENTORY TO A CLEAR WORKFLOW

A first AI Act review in six steps

Start with specific systems and purposes. These steps help assign duties and expose gaps. They are not a full conformity assessment.

01 · Inventory

List AI systems developed or used, including AI features inside purchased software.

02 · Role

For each system, record the provider, deployer, importer or distributor, its purpose and affected processes.

03 · Risk screen

Check prohibited practices first, then high-risk categories in Annex I and III and transparency duties.

04 · People and data

Review human oversight, effects on people, data access and escalation.

05 · Ownership

Name accountable owners, ensure sufficient AI literacy and clarify duties with suppliers.

06 · Incident route

Agree contacts, clock start, evidence preservation and the reporting chain before an incident.

3. Staggered dates of application

02 Feb 2025	AI literacy duty and most prohibitions apply.
02 Aug 2025	Governance rules and duties for providers of GPAI models apply.
02 Aug 2026	General application date and transparency rules; some exceptions remain.
02 Dec 2026	Two added Article 5 prohibitions apply. A transition for Article 50(2) applies to systems placed on the market before 02 Aug 2026.
02 Dec 2027	Core high-risk duties for systems under Article 6(2) and Annex III.
02 Aug 2028	Core high-risk duties for systems under Article 6(1) and Annex I.

The Digital Omnibus on AI (Regulation (EU) 2026/1744) has applied since 27 July 2026 and changed parts of the timetable. The delay to high-risk duties does not generally suspend other rules already in force.

Official sources · checked 8 October 2026

AI Act, consolidated text of 27 July 2026, especially Articles 3, 4, 5, 26, 50, 73 and 113 (EUR-Lex) · Regulation (EU) 2026/1744 (Digital Omnibus on AI) · European Commission, AI Act and application timeline.

Official links: EUR-Lex · AI Act Service Desk · European Commission

Scope

General information only; not legal advice, a technical investigation, conformity assessment or authority filing. Classification, reporting trigger, competent authority and other duties must be checked for the specific system and Member State.