



EU AI Act 2024 1689

Artikel 83

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Article 83

Formal non-compliance

1. Where the market surveillance authority of a Member State makes one of the following findings, it shall require the relevant provider to put an end to the non-compliance concerned, within a period it may prescribe:

(a)

the CE marking has been affixed in violation of Article 48;

(b)

the CE marking has not been affixed;

(c)

the EU declaration of conformity referred to in Article 47 has not been drawn up;

(d)

the EU declaration of conformity referred to in Article 47 has not been drawn up correctly;

(e)

the registration in the EU database referred to in Article 71 has not been carried out;

(f)

where applicable, no authorised representative has been appointed;

(g)

technical documentation is not available.

2. Where the non-compliance referred to in paragraph 1 persists, the market surveillance authority of the Member State concerned shall take appropriate and proportionate measures to restrict or prohibit the high-risk AI system being made available on the market or to ensure that it is recalled or withdrawn from the market without delay.



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