



Who regulates AI in Australia

No single AI Act — a mesh of existing law, new institutions and national strategy, explained

The key idea: regulated, but not by one law

Australia has chosen **not** to create a standalone AI Act for now. After consulting on mandatory guardrails for high-risk AI, the government decided in 2025 to rely on existing, technology-neutral laws, sector regulators and new advisory institutions instead. Whether that's the right call is debated, but it is the system and communities deserve to know how it works. (*Status current at July 2026; this area moves quickly.*)

The current architecture

The **National AI Plan** (December 2025) sets the national strategy: capture the opportunity, spread the benefits, keep Australians safe. An **Australian AI Safety Institute** (operational 2026) provides independent technical analysis of AI capabilities and risks. Day-to-day rules come from existing law applied to AI: privacy, consumer protection, anti-discrimination, work health and safety and sector rules in finance, health and beyond.

What existing law already covers

If an AI system misleads you, consumer law applies. If it discriminates, discrimination law applies. If it mishandles personal information, privacy law applies and from **December 2026** organisations must disclose in their privacy policies when substantially automated decisions significantly affect people's rights. Regulators (the ACCC, OAIC, ASIC and peers) have all signalled AI is within their existing remit. The gap critics point to: no single rulebook for high-risk uses and no dedicated AI regulator.

What it means locally

For communities, two practical notes. First, AI facilities (the data centres) are governed by ordinary planning, environment and energy law; nothing about AI exempts them. Second, AI use by councils, agencies and businesses in your region is already subject to the laws above. "The algorithm decided" is not a legal defence and knowing that is half the protection.

What good practice looks like

- Organisations disclose when significant decisions about people are automated.
- Councils and agencies adopting AI publish what they use it for and who is accountable.
- Proponents never imply AI projects sit outside normal planning and privacy law.
- Claims about "compliance" name the actual laws and guidance complied with.

Questions to ask

Which laws and guidance does this AI system or facility operate under? Who is accountable when an automated decision affects me and how do I challenge it? What has been disclosed under privacy rules about automated decision-making?

Want to know more? The Department of Industry publishes the National AI Plan and AI guidance; the OAIC covers privacy and automated decisions. *Last checked: July 2026.* This sheet is general information, not legal advice; check the named sources for current detail.