WANT TO KNOW ABOUT AI?

THE AI ASSEMBLY



AI and your rights
Short Guide

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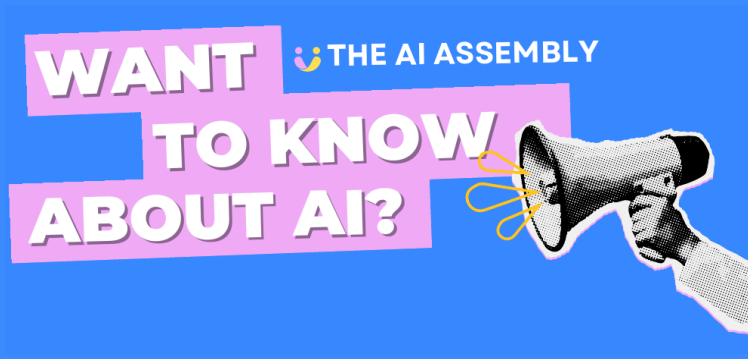

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Current as at 19 November 2026

The Commerce Commission explains that businesses using AI must still follow competition law. This short guide sets out how AI use could affect consumers and what to do if you have concerns.

Businesses stay responsible

The Commission says a business that uses AI must still follow competition law. It cannot avoid its legal responsibilities because an AI system, algorithm or automated tool made the decision.

The Commission enforces the Commerce Act and can investigate restrictive trade practices. It does not regulate AI tools or AI systems themselves.

How AI can affect competition

AI can help businesses set prices, recommend products, target customers and make decisions. Used responsibly, the Commission says it can benefit consumers through better products, services and efficiency.

If AI is used in ways that reduce competition, consumers could face higher prices, less choice and fewer opportunities for innovation.

Ways AI use could harm consumers

What happens if a business breaks the law

The Commission says businesses that break the Commerce Act can face significant penalties, and each separate breach may result in a separate penalty.

For serious anti-competitive conduct, individuals can be fined up to $500,000 for each breach, and face 7 years in prison for cartel conduct. Businesses can be fined the greater of $10 million, three times the commercial gain from the breach, or 10% of annual turnover.

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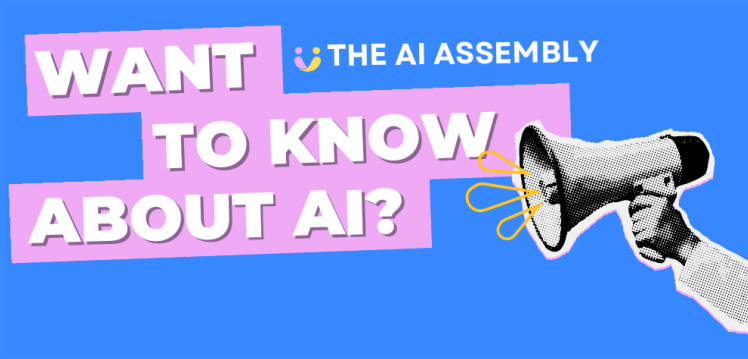

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Quick checklist

✅ Ask whether a business is using AI to fix or share prices with competitors.
✅ Watch for AI search or recommendations that favour a platform's own products.
✅ Notice when AI products are bundled to block your choice of other providers.
✅ Report concerns about anti-competitive conduct to the Commerce Commission.

💬 The takeaway

Using AI does not excuse a business from competition law. If you think an AI-driven practice is reducing competition, you can report it to the Commerce Commission.

SOURCE

Commerce Commission

AI and your rights under the Commerce Act

www.comcom.govt.nz/consumers/your-rights-as-a-consumer/ai-and-your-consumer-rights/ai-and-your-rights-under-the-commerce-act/

Read the original →

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