WANT TO KNOW ABOUT AI?

THE AI ASSEMBLY



Obligations when using AI
Short Guide

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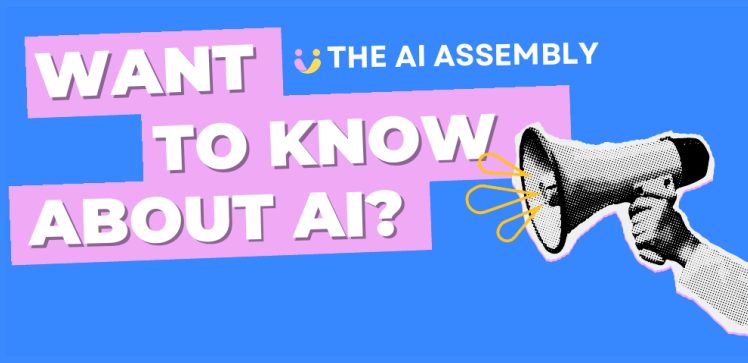

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Current as at 19 November 2026

The Commerce Commission has published guidance on what businesses need to do to comply with the law when they use AI. Its core message is that using AI does not remove a business's legal responsibilities.

The main message

The Commerce Commission says that if your business uses AI to interact with customers, market products or support decisions, you must make sure it is used in a way that is accurate, fair and not misleading.

The guidance covers some key compliance risks. It also explains why a business stays responsible for how its AI tools are used.

AI and the Fair Trading Act

The Commission says you are still responsible for complying with the Fair Trading Act when you use AI. The same rules apply whether information, decisions or communications come from a person, an algorithm, an AI tool or an AI agent.

AI and the Commerce Act

The Commission says businesses are responsible for making sure their use of AI complies with competition law. The Commerce Act applies whether decisions are made by people, software, algorithms or AI systems.

Algorithmic collusion

Many businesses use algorithms, AI, machine learning and automated pricing tools to help make decisions. The Commission says these can improve efficiency, reduce costs and help businesses respond faster to market changes, but they can also create competition law risks.

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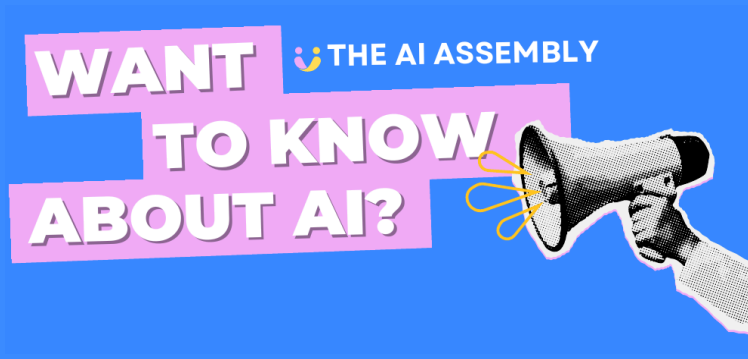

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Quick checklist

✅ You stay responsible for what your AI tools say and do.
✅ The same rules apply whether a person or an AI tool is behind it.
✅ Keep customer information and marketing accurate, fair and not misleading.
✅ Take care with automated pricing tools and competition law.

💬 The takeaway

Handing a task to AI does not hand over the responsibility. The Commerce Commission is clear that the business stays accountable for what its AI tools do.

SOURCE

Commerce Commission

AI guidance for businesses

www.comcom.govt.nz/business/your-obligations-as-a-business/ai-guidance-for-businesses/

Read the original →

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