

Commonwealth regulatory landscape

A wide range of Commonwealth regulation is impacted by the rapid uptake of AI. DISR has worked with agencies across government to identify the most heavily impacted of the 124 Commonwealth entities with regulatory functions. We have identified regulators that are anticipated to have a role in AI regulation, as well as mapping state and territory regulators in broadly relevant sectors. While subject to expectations or guidance about how they fulfil their statutory roles, regulators are operationally independent of government, adding further complexity to cross-sector coordination. Commonwealth regulators have supported the government's efforts to provide regulatory clarity and certainty, including by releasing guidance and research, and working with industry. Recent statements by regulators highlight the gaps and complexities in the regulatory landscape, as illustrated in this attachment.

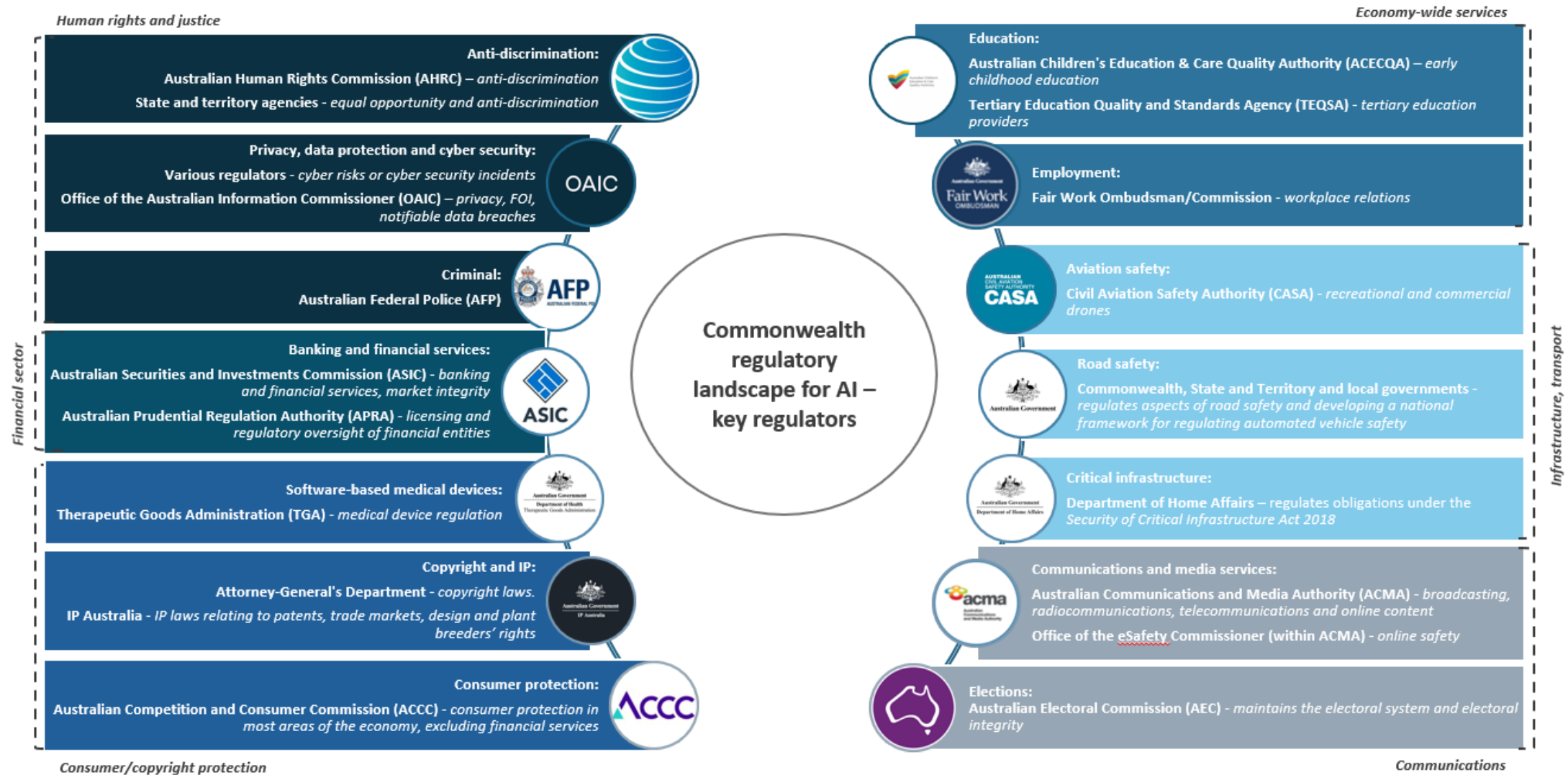
The **Australian Securities and Investments Commission (ASIC)** released a review on 29 October 2024 into AI usage among Australian financial services and credit licensees. The Report highlights a major 'governance gap', noting that the swift uptake of AI technologies is surpassing the pace at which risk management and governance frameworks are being established. ASIC expressed concerns that some licensees are not adequately prepared to address issues arising from their growing AI usage, noting that some licensees are updating their governance arrangements concurrently with the increasing adoption of AI.

ASIC Chair Joe Longo (12 March 2025): "Uncertainty about what the future holds across a range of issues continues to accelerate. For example, what is to be done, if anything, about regulating artificial intelligence technologies?... What can change – regulatory simplification. As I've said before, one thing that a lot of people are grappling with – in Australia and around the world – is regulatory complexity. The more complex the regulation, the harder it is to understand and comply with it. And the harder it is to enforce. It's a burden borne by everyone – legislators, policymakers, businesses big and small, regulators, consumers and investors. It's played out across the economy in lost time and productivity."

The June 2025 **Australian Competition & Consumer Commission (ACCC)** Digital Platform Services Inquiry reiterated supported an economy wide unfair trading practices prohibition, an external dispute resolution body for digital platform services, and a new digital competition regime. ACCC Chair Gina Cass-Gottlieb (20 February 2025) has noted that "Since 2017, the ACCC has ... found that, in markets where large digital platforms face weak competition, they can engage in conduct that reduces choice for consumers, stifles innovation and increases prices ... Given the critical importance of digital platforms in the Australian economy, the concerning conduct we have observed, and the significant risks posed to competition and consumer welfare, our compliance and enforcement work in this sector is a priority in 2025 to 2026."

This document was prepared with input from several agencies (key regulator table, p 2) and through desktop research (extended list, pp3-5; and state and territory regulators, pp6-9). Fact checking was based on open source information. Some relevant regulators may be inadvertently omitted where data was not directly validated with regulators or state or territory governments.

Commonwealth regulatory entities with key roles in addressing harms of AI



Extended list of Commonwealth regulators with roles in addressing harms of AI

The Department of Finance and the Auditor-General have identified a total of 124 Commonwealth entities with regulatory functions. Many of these regulators will see or are already seeing the impacts of AI in their areas of regulation. DISR has identified the following extended list of regulators that it anticipates will be impacted by AI.

Area of law	Regulator / regulatory entity	Relevant legislation
Attorney General's portfolio		
Administrative law	Commonwealth Ombudsman	<i>The Ombudsman Act 1976</i>
Anti-corruption	National Anti-Corruption Commission (NACC)	<i>National Anti-Corruption Commission Act 2022</i>
Anti-discrimination	Australian Human Rights Commission (AHRC)	<i>Australian Human Rights Commission Act 1986</i>
Copyright law	Administered by the Attorney-General's Department (AGD), enforced through courts	<i>Copyright Act 1968</i>
Criminal law	AGD International Law & Human Rights Division - Modern Slavery & Human Trafficking Australian Federal Police (AFP) and jurisdictional law enforcement agencies Australian Transaction Reports and Analysis Centre (AUSTRAC)	<i>Modern Slavery Act 2018</i> <i>Australian Federal Police Act 1979</i> <i>Criminal Code Act 1995</i> <i>Anti-Money Laundering and Counter-Terrorism Financing Act 2006</i>
Finance	Australian Financial Security Authority (AFSA)	<i>Bankruptcy Act 1966</i> <i>Bankruptcy (Estate Charges) Act 1997</i> <i>Personal Property Securities Act 2009.</i>
Intelligence	Australian Criminal Intelligence Commission (ACIC) Office of the Communications Access Coordinator Transparency and Administrative Law Branch - Foreign Influence Transparency Scheme	<i>Australian Crime Commission Act 2002</i> <i>Telecommunications (Interception and Access) Act 1979</i>
Privacy	Office of the Australian Information Commissioner (OAIC)	<i>Privacy Act 1988</i>
Climate Change, Energy, the Environment and Water portfolio		
Climate and energy	Australia Energy Regulator (AER) Clean Energy Regulator (CER) Greenhouse & Energy Minimum Standards Regulator	Multiple, including the <i>National Greenhouse and Energy Reporting Act 2007.</i>
Defence portfolio		
Defence	Defence Export Controls	<i>Defence Trade Controls Act 2012</i> <i>Weapons of Mass Destruction Act 1995</i> <i>Customs Act 1901 – section 112BA</i>
Education portfolio		
Education – early childhood	Australian Children's Education & Care Quality Authority (ACECQA)	<i>Education and Care Services National Law Act 2010</i>
Education - tertiary	Tertiary Education Quality and Standards Agency (TEQSA)	<i>Higher Education Standards Framework 2021</i>

Employment and Workplace Relations portfolio		
Skills	Australian Skills Quality Authority (ASQA)	<i>National Vocational Education and Training Regulator Act 2011</i>
Workplace relations	Fair Work Ombudsman	<i>Fair Work Act 2009</i>
Work health and safety	Comcare Federal Safety Commissioner	<i>Work Health and Safety Act 2011</i>
Finance portfolio		
Data	Office of the National Data Commissioner	<i>Data Availability and Transparency Act 2022</i>
Electoral	Australian Electoral Commission (AEC)	<i>Commonwealth Electoral Act 1918</i>
Foreign Affairs and Trade portfolio		
Nuclear and chemical non-proliferation	Australian Safeguards and Non-Proliferation Office (ASNO)	<i>Nuclear Non-Proliferation (Safeguards) Act 1987</i> <i>Chemical Weapons (Prohibition) Act 1994</i> <i>Comprehensive Nuclear-Test-Ban Treaty Act 1998</i>
Health, Disability and Ageing portfolio		
Health and aged care	Aged Care Quality and Safety Commission Australian Digital Health Agency (ADHA) Australian Health Practitioner Regulation Agency (AHPRA) Department of Health and Aged Care Hearing Services Program National Disability Insurance Scheme Quality and Safeguards Commission Office of the Gene Technology Regulator Private Health Insurance Ombudsman Professional Services Review Scheme	<i>National Health Act 1953</i> <i>Health Insurance Act 1973</i> <i>Private Health Insurance Act 2007</i> <i>My Health Records Act 2012</i> <i>Healthcare Identifiers Act 2010</i> <i>Aged Care Act 2024</i>
Therapeutic goods	Therapeutic Goods Administration (TGA)	<i>Therapeutic Goods Act 1989</i>
Home Affairs portfolio		
Border enforcement and customs	Australian Border Force	<i>Australian Border Force Act 2015</i> <i>Customs Act 1901</i> <i>Migration Act 1958</i> <i>Maritime Powers Act 2013</i>
Critical infrastructure	Department of Home Affairs	<i>Security of Critical Infrastructure Act 2018</i>
National security	Department of Home Affairs	Protecting Australia's Critical Technology (PACT) regulations
Industry, Science and Resources portfolio		
Intellectual property	IP Australia	Multiple, including the <i>Trade Marks Act 1995</i> and the <i>Patents Act 1990</i>
Space	Office of the Space Regulator, Australian Space Agency	<i>Space (Launches and Returns) Act 2018</i>
Infrastructure, Transport, Regional Development, Communications, Sport & Arts portfolio		
Aviation	Air Services Australia Civil Aviation Safety Authority (CASA)	<i>Air Services Act 1995</i> <i>Civil Aviation Act 1988</i> <i>Airspace Act 2007</i>

Information integrity	The Australian Communication and Media Authority (ACMA)	<i>Broadcasting Services Act 1992</i>
Maritime	Australian Maritime Safety Authority (AMSA)	<i>Australian Maritime Safety Authority Act 1990</i>
Online safety	eSafety Commissioner	<i>Online Safety Act 2021</i>
Transport	Department of Infrastructure, Transport, Regional Development, Communications, Sport & Arts (DITRDCA)	Automated Vehicle Safety Law (AVSL) in development <i>Road Vehicle Standards Act 2018</i>
Prime Minister and Cabinet portfolio		
Workplace gender equality	Workplace Gender Equality Agency	<i>Workplace Gender Equality Act 2012</i>
Social Services portfolio		
Disability insurance	National Disability Insurance Scheme Quality and Safeguards Commission	<i>National Disability Insurance Scheme (NDIS) Act 2013</i>
Social Services	Services Australia	<i>Human Services (Centrelink) Act 1997</i>
Treasury portfolio		
Charities and non-profits	Australian Charities and Not-for-profits Commission	<i>Australian Charities and Not-for-profits Commission Act 2012</i>
Consumer protections	Australian Competition and Consumer Commission (ACCC)	<i>Competition and Consumer Act 2010</i>
Corporate and financial services	Australian Prudential Regulation Authority (APRA) Australian Securities and Investments Commission (ASIC)	<i>Australian Securities and Investments Commission Act 2001</i> <i>Banking Act 1959</i> <i>Financial Accountability Regime Act 2023</i> <i>Financial Sector (Collection of Data) Act 2001</i> <i>Financial Sector (Shareholdings) Act 1998</i> <i>National Consumer Credit Protection Act 2009</i> <i>Payment Systems (Regulation) Act 1998</i> <i>Tax Agent Services Act 2009</i> <i>Corporations Act 2001</i> <i>Australian Prudential Regulation Authority Act 1998</i>
Financial and payments systems	Payments System Board (Reserve Bank of Australia)	<i>Corporations Act 2001</i> <i>Payment Systems (Regulation) Act 1998</i> <i>Payment Systems and Netting Act 1998</i> <i>Reserve Bank Act 1959</i>
Taxation	Australian Taxation Office (ATO)	<i>Fringe Benefits Tax Assessment Act 1986</i> <i>Income Tax Assessment Act 1936</i> <i>Income Tax Assessment Act 1997</i>

State and Territory regulatory entities

Policy area	Regulator or regulatory entity
New South Wales (NSW)	
Administrative Law	NSW Ombudsman
Anti-Discrimination	Anti-Discrimination NSW
Anti-Corruption	Independent Commission Against Corruption
Consumer Protection	NSW Fair Trading
Criminal Law	NSW Police
Education	NSW Education Standards Authority
Education	NSW Department of Education
Employment	Professional Standards Authority
Gambling	NSW Independent Casino Commission
Insurance	State Insurance Regulatory Authority
Liquor and Gambling	Independent Liquor and Gaming Authority
Insurance	State Insurance Regulatory Authority
Motor Vehicle Accidents	Independent Review Office
Pricing and Utilities	Independent Pricing and Regulatory Tribunal
Privacy and Information Access	Information and Privacy Commission NSW
Real Property	Office of the Registrar General
Work Health and Safety	SafeWork NSW
Work Health and Safety: Personal Injury	Personal Injury Commission
Work Health and Safety: Mines and Petroleum	NSW Resources Regulator
Victoria (VIC)	
Administrative Law	Victorian Ombudsman
Anti-Discrimination	Victorian Equal Opportunity and Human Rights Commission
Anti-Corruption	Independent Broad-based Anti-Corruption Commission
Consumer Protection	Consumer Affairs Victoria
Criminal Law	Victoria Police
Education	Department of Education
Electoral	Victorian Electoral Commission
Energy	Energy Safe Victoria
Environment	Environmental Protection Authority
Environment	Commissioner for Environmental Sustainability for Victoria
Privacy	Office of the Victorian Information Commissioner
Health Care	Department of Health Victoria
Industrial Relations	Industrial Relations Victoria and its independent statutory bodies: Wage Inspectorate Victoria, Labour Hire Authority, and Portable Long Service Authority
Transport	Safe Transport Victoria
Work Health and Safety	WorkSafe Victoria
Queensland (QLD)	
Administrative Law	QLD Ombudsman
Anti-Discrimination	Anti-Discrimination Commission QLD
Anti-Corruption	Crime and Corruption Commission QLD
Biosecurity	QLD Department of Primary Industries
Consumer Protection	QLD Office of Fair Trading
Criminal Law	QLD Police Service
Education	QLD Department of Education
Education	QLD Early Childhood Regulatory Authority
Education	QLD Curriculum and Assessment Authority

Education	Non-State Schools Accreditation Board
Electrical	Electrical Safety Office
Employment	QLD Industrial Relations Commission
Environment	Department of the Environment, Tourism, Science and Innovation
Health Care	QLD Health
Health Care	Office of the Health Ombudsman
Maritime Safety	Maritime Safety QLD
Land-use Planning	QLD Department of State Development, Infrastructure, Local Government and Planning
Liquor and Gambling	Office of Liquor and Gaming Regulation
Racing Animal Welfare	QLD Racing Integrity Commission
Road Transport, Vehicle and Driver Licensing	QLD Department of Transport and Main Roads
Utility and Infrastructure Economics	QLD Competition Authority
Work Health and Safety	Work Health and Safety
Work Health and Safety	Workplace Health and Safety Queensland: Office of Industrial Relations
Work Health and Safety: Mines and Petroleum	Resources Safety and Health QLD
Water Resources and Supply	QLD Department of Regional Development, Manufacturing and Water
Western Australia (WA)	
Administrative Law	Ombudsman WA
Anti-Discrimination	Equal Opportunity Commission WA
Anti-Corruption	Corruption and Crime Commission WA
Consumer Protection	Consumer Protection WA
Criminal Law	WA Police Force
Education	WA Department of Communities, Education and Care Regulatory Unit
Elections	WA Electoral Commission
Environment	Environmental Protection Authority of WA
Gaming and Gambling	Gaming and Wagering Commission of WA
Health Care	WA Department of Health, Licensing and Accreditation Regulatory Unit
Health and Disability	Health and Disability Services Complaints Office
Industry Regulation	WA Department of Local Government, Industry Regulation, and Safety
Privacy	Office of the Information Commissioner
Road Safety	Road Safety Commission WA
Transport	Public Transport Authority of WA
Utility Economic Regulation	Economic Regulation Authority WA
Work Health and Safety	Work Safe WA
South Australia (SA)	
Administrative Law	Audit Office of SA
Anti-Discrimination	Equal Opportunity SA
Anti-Corruption	Independent Commission Against Corruption SA
Consumer Protection	Consumer and Business Services
Criminal Law	SA Police
Education	Education Standards Board SA
Education	SA Department for Education
Elections	Electoral Commission of SA

Energy	Office of the Technical Regulator
Environment	Environment Protection Authority
Essential Services	Essential Services Commission
Health	SA Health, Department for Health and Wellbeing
Skills	South Australian Skills Commission
Social Services	SA Department of Human Services
Workplace Health and Safety	Safework SA
Tasmania (TAS)	
Administrative Law and Privacy	Ombudsman Tasmania
Anti-Discrimination	Equal Opportunity Tasmania
Consumer Protections	Consumer, Building and Occupational Services
Criminal Law	Tasmania Police
Education	Department for Education, Children and Young People
Education	Skills Tasmania
Electoral	Tasmanian Electoral Commission
Energy	Office of the Tasmanian Economic Regulator
Environment	Biosecurity Tasmania
Health and Aged Care	Department of Health Tasmania
Liquor and Gambling	Tasmanian Liquor and Gaming Commission
Public sector	Tasmanian Integrity Commission
Transport	Department of State Growth – Transport
Work Health and Safety	WorkSafe Tasmania
Australian Capital Territory (ACT)	
Anti-Discrimination	ACT Human Rights Commission
Consumer Protection	Independent Competition and Regulatory Commission
Education	ACT Teacher Quality Institute
Elections	Elections ACT
Environment	Commissioner for Sustainability and the Environment
Gambling	ACT Gambling and Racing Commission
Government	ACT Integrity Commission
Government	ACT Ombudsman
Government	ACT Public Sector Standards Commissioner
Health Care and Community Housing	Health and Community Services Directorate
Land Development and Building	Territory Planning Authority
WHS	WorkSafe ACT
Northern Territory (NT)	
Administrative Law and Privacy	Ombudsman NT
Anti-Discrimination	NT Anti-Discrimination Commission
Consumer Protections	NT Consumer Affairs
Criminal Law	NT Police
Education and Care	Quality Education and Care NT
Environment	NT Environment Protection Authority
Electoral	NT Electoral Commission
Health and Aged Care	NT Department of Health
Police	NT Police Force
Transport	Department of Logistics and Infrastructure
Utilities	Utilities Commission of the NT
Workplace Relations: Public Sector	Office of the Commissioner for Public Employment
Work Health and Safety	NT WorkSafe