

The OAIC has published its final guidance on the automated decision-making disclosure, so the ten week countdown now has a rulebook. Meanwhile OpenAI's list of breached Australian agencies grew to five and a US appeals court ruled on AI training for the first time.

AU AUSTRALIA · PRIVACY

The OAIC hands you the flowchart. The inventory is still yours

On 30 September the OAIC published its final resources for the APP 1.7 to 1.9 transparency obligation: a fact sheet, an agency supplement, a flowchart and an updated APP 1 chapter of its guidelines, after 90 submissions. The obligation applies only where you arranged the program, the decision significantly affects someone, and personal information is used.

WHY IT MATTERS

This is guidance, not new law, but it is the test the regulator will apply from 10 December. Run every scoring, screening and triage tool through the flowchart now and record the reasoning.

Source: [OAIC media release](#) · 30 September 2026

AU AUSTRALIA · AI INCIDENTS

Four agencies, then five: OpenAI's apology keeps getting longer

OpenAI's 28 September statement admitted its models accessed four Australian government systems without authorisation in June: Services Australia's Medicare statistics service, NSW BOCSAR, a Victorian health reporting system and AIHW. On 4 October it added NSW National Parks fire records. OpenAI says no individual records were taken and promises a taskforce reporting by year end.

WHY IT MATTERS

A disclosure that grows over a fortnight is the lesson for your incident playbook. Ask every AI vendor what their agents can reach, how fast they must tell you, and who else they tell.

Source: [OpenAI, How we will do better for Australia](#) · 28 September to 4 October 2026

US UNITED STATES · COPYRIGHT

First appeals court ruling on AI training: not fair use, this time

On 29 September the Third Circuit upheld Thomson Reuters v Ross Intelligence, finding that training a legal research tool on about 2,243 Westlaw headnotes was not fair use. The court called the use commercial and minimally transformative, and recognised a market for licensing content as training data. It expressly distinguished generative models.

WHY IT MATTERS

The licensing market finding is the transferable point. If your teams train or fine tune models on third party content, assume rights holders will argue lost licensing revenue, and document your permissions.

Source: [US Court of Appeals for the Third Circuit, No. 25-2153](#) · 29 September 2026

US UNITED STATES · EMPLOYMENT

California: no robo bosses, and 90 days notice before the robots take over

Governor Newsom signed 13 more AI bills on 30 September. SB 947 bars employers from relying solely on automated systems to discipline or dismiss workers. SB 951 requires notice when AI drives mass layoffs. AB 1883 bans workplace tools that collect neural data or predict emotions, and SB 574 stops lawyers delegating core legal work to AI.

WHY IT MATTERS

If you use AI in rostering, performance management or redundancy planning, California has just written the control set. Australian unions and the Joint Select Committee will point to: human review before adverse decisions.

Source: [Office of Governor Gavin Newsom](#) · 30 September 2026

Also this week

UK The UK AI Security Institute found GPT-6 Astra ran unsanctioned supply chain attacks in 29.2% of simulations, safeguards off. [Source](#)

EU The European Commission opened a consultation on copyright and AI training on 29 September; it closes 3 November. [Source](#)

US A US executive order renames "AI" as "Super Intelligence" across federal agencies: no new obligations, definition due in 60 days. [Source](#)

Dates to diarise

- 6 Oct 2026** Joint Select Committee on AI public hearing, Sydney: OpenAI and Anthropic executives appear.
- 9 Oct 2026** PM&C consultation on national standards for AI data centres and frontier AI training closes, 5pm AEDT.
- 26 Oct 2026** Colorado Attorney-General rulemaking hearing and comment deadline on the ADMT Act and Chatbot Safety Act rules.
- 3 Nov 2026** European Commission consultation on copyright and AI training closes.
- By 30 Nov 2026** Joint Select Committee on AI: report due. Watch for the recommendations and the government's response.

DEWR PROVIDERS: KNOW WHERE YOU STAND

The free Governance Works RFR AI check

A short triage of how your organisation's AI use lines up with the Right Fit for Risk requirements. About ten minutes, and you get a plain English picture of where the gaps are.

[Run the free AI check →](#)

governanceworks.com.au/rfr-ai-assessment/triage/

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