



## Notification Waiver Determination

### Superloop – Lynham Networks

<b>Acquisition</b>	Superloop Limited ( <b>Superloop</b> ) applied for a notification waiver in respect of its proposed acquisition of 100% of the share capital in Lynham Networks Pty. Ltd. ( <b>Lynham Networks</b> ), as described in the transaction documents provided as part of the application (the <b>Acquisition</b> ).
<b>Determination</b>	The Australian Competition and Consumer Commission has determined under section 51ABV(1)(a) of the <i>Competition and Consumer Act 2010</i> (Cth) that the Acquisition is not required to be notified.
<b>Date of determination</b>	24 February 2026

<b>Parties to the Acquisition</b>	<p>The acquirer, Superloop, is primarily a retail broadband services business, operating as a retail service provider supplying broadband services to end users, primarily using the NBN network as well as a private fibre-to-the-premises (<b>FTTP</b>) network. Superloop also has a number of wholesale FTTP networks under its subsidiaries, VostroNet and Frontier, which are statutory infrastructure providers (<b>SIP</b>) that build and operate wholesale access FTTP broadband networks for declared service areas. Superloop provides retail fixed broadband services on its FTTP network as well as wholesaling FTTP services to other retail service providers on a non-discriminatory basis.</p> <p>The target, Lynham Networks, is primarily a FTTP operator that builds and operates fibre networks primarily for new residential and mixed-use developments. Lynham Networks is a SIP supplying wholesale, open access network services that enable retail service providers to sell fixed broadband services to end customers. Lynham Networks also has a retail arm, Lightning Broadband, which sells broadband services to residential and business customers but only over the Lynham Networks FTTP network. Lynham Networks does not offer broadband services over the NBN network.</p> <p>Both Superloop and Lynham Networks operate in the telecommunications and internet industry providing fixed retail and wholesale broadband services.</p>
<b>Explanation for determination</b>	<p>In making this notification waiver determination, the Australian Competition and Consumer Commission (the <b>ACCC</b>) has considered the information provided with the notification waiver application and had regard to the factors in section 51ABV(2)(b) of the <i>Competition and Consumer Act 2010</i> (Cth) (the <b>Act</b>).</p> <p>Based on the information provided in the application, the ACCC considers that the Acquisition is unlikely to give rise to any material lessening of competition. In particular:</p>

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	<ul style="list-style-type: none"><li>a. there is a small horizontal overlap between Superloop and Lynham Networks in the supply of retail and wholesale fixed broadband services in Australia</li><li>b. the presence of alternative providers of retail and wholesale fixed broadband services in Australia.</li></ul> <p>The ACCC has also had regard to the likelihood that, if the Acquisition were put into effect, the notification thresholds determined under section 51ABP(1) of the Act would apply.</p> <p>While the ACCC considers that the notification thresholds are likely to be met, given that material competition concerns are unlikely to arise, the ACCC has determined that the Acquisition is not required to be notified</p> <p>The ACCC considers that the determination is consistent with the object of the Act and the interests of consumers in promoting competition.</p> <p>For more information about the ACCC’s approach to considering notification waiver applications and to assessing competition effects more generally, see the ACCC’s <a href="#">interim guidance on notification waivers</a> and <a href="#">merger assessment guidelines</a>.</p>
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**Determination made by Commissioner Williams pursuant to a delegation under section 25(1) of the Act**