



Notification Waiver Determination

Crossmuller – GEM

Acquisition	Crossmuller Pty Ltd (Crossmuller) applied for a notification waiver in respect of its proposed acquisition of 100% of the issued share capital in GEMCORP Holdings Pty Ltd (GEM), as described in the transaction documents provided as part of the application (the Acquisition).
Determination	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.
Date of determination	5 March 2026

Parties to the Acquisition	<p>The acquirer, Crossmuller, designs, engineers and delivers manufacturing, electrical and industrial automation solutions for industrial customers. Crossmuller provides project delivery services, from concept and engineering through to electrical installation, software and systems integration, fitting and machining commissioning, and ongoing support across a range of manufacturing sectors.</p> <p>Crossmuller owns the registered businesses Main Control Systems and Main Control Switchboards (together, MCS), which manufactures electrical switchboards for use in residential and commercial projects.</p> <p>Crossmuller is part of the Borg Group, an Australian-owned private group of companies and brands involved in the manufacture of building materials, waste recycling operations, forestry, packaging, engineering and automation services.</p> <p>The target, GEM, designs, engineers and manufactures custom low voltage and high amperage electrical switchboards, as well as motor control centres and control panels, which are built for industrial, commercial and infrastructure applications. GEM offers services including design, assembly, factory testing, site installation, commissioning and maintenance.</p> <p>Crossmuller and GEM overlap in the supply of electrical switchboards. The application states that MCS' switchboards are certified up to 1,200 amps (low-medium amperage), GEM's switchboards are certified up to 4,000 amps (high amperage) and GEM does not currently offer any switchboards in the low-medium amperage range.</p>
Explanation for determination	In making this notification waiver determination, the Australian Competition and Consumer Commission (ACCC) has considered the information provided with the notification waiver application and certain publicly available information, and had regard to the factors

	<p>in section 51ABV(2)(b) of the <i>Competition and Consumer Act 2010</i> (Cth) (Act).</p> <p>Based on the information currently before it, the ACCC considers that the Acquisition is unlikely to give rise to any material lessening of competition. In particular:</p> <ul style="list-style-type: none">a. there is a small horizontal overlap between Crossmuller and GEM in the supply of electrical switchboards resulting in a low combined share of supplyb. there are several alternative suppliers of electrical switchboards in Australia. <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 interim guidance on notification waivers and merger assessment guidelines.</p>
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Determination made by Commissioner Williams pursuant to a delegation under section 25(1) of the Act