



Notification Waiver Determination

Regent Motors Group – Esperance Motor Group (Esperance Toyota & Ford)

Acquisition	Albany Motors Pty Ltd (Albany Motors) applied for a notification waiver in respect of its proposed acquisition of 100% of the share capital of Esperance Motor Group Pty Ltd (Esperance Motor Group), 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 February 2026

Parties to the Acquisition	<p>The acquirer, Albany Motors, is a member of Regent Motors Pty Ltd (Regent Motors Group). Regent Motors Group owns and operates franchised motor vehicle dealerships across Western Australia and Northern Territory, and supplies new and used motor vehicles (including Toyota, Ford, Hyundai, Volkswagen, BMW, MG, Mini, Isuzu, Renault, GMSV, Suzuki and Subaru vehicles), plus after sale services including servicing and repairs, parts and accessories, fleet sales/service, and finance and insurance facilitation.</p> <p>The target, Esperance Motor Group, operates a Toyota and Ford dealership in Esperance, Western Australia, supplying new and demonstrator Toyota and Ford vehicles, used vehicles, and after sale services including servicing and repairs, parts and accessories, fleet activities, and finance and insurance facilitation.</p>
Explanation for determination	<p>In making this notification waiver determination, the Australian Competition and Consumer Commission (ACCC) has considered the information provided by the applicant, including in the notification waiver application, and had regard to the factors in section 51ABV(2) of the <i>Competition and Consumer Act 2010</i> (Cth) (Act).</p> <p>Based on the information provided by the applicant, the ACCC considers that the Acquisition is unlikely to give rise to any material lessening of competition. In particular:</p> <ol style="list-style-type: none"> There is no horizontal overlap between Regent Motors Group and Esperance Motor Group in the supply of new and used motor vehicles and after sale services in Esperance and the surrounding areas. There is a potential horizontal overlap between Regent Motors Group and Esperance Motor Group in the broader area of southern WA. If Perth is excluded from this area, there are independent alternatives in Albany, Kalgoorlie, Katanning and Narrogin. If Perth is included in this area, the

	<p>merged parties would likely face competition from numerous additional alternative dealerships in Perth.</p> <p>c. Any increment to Regent Motors Group share of the supply of Toyota and Ford vehicles in Western Australia is small.</p> <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 Luke Woodward pursuant to a delegation under section 25(1) of the Act