Notification Waiver Determination

Australian Venue Co – assets of the King O'Malley's venue (Canberra, ACT)

Acquisition	AVC Operations Pty Limited (**AVC**) applied for a notification waiver in respect of its proposed acquisition of substantially all of the assets of the licensed hotel venue trading as King O'Malley's (**King O'Malley's**) (including the exclusive right to carry on the business in succession to the vendor) from King O'Malley's Pty Ltd 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 *Competition and Consumer Act 2010* (Cth) that the Acquisition is not required to be notified.
Date of determination	17 November 2026

Parties to the Acquisition	The acquirer, AVC, is a subsidiary of Australian Venue Co. Holdings Limited, which operates over 200 licensed venues throughout Australia and New Zealand, primarily pubs, as well as some bars, clubs and licensed restaurants, and hotel/motels with accommodation services. AVC's venues are individually branded and are mostly located in inner-city and metro areas, offering a range of products and services including food, alcoholic and non-alcoholic beverages, function rooms, live entertainment and gaming facilities. The target, King O'Malley's, is a licensed hotel venue located at 131 City Walk, Canberra ACT 2601. It is a typical Australian pub/hotel with a public bar, bistro, and function rooms.
Explanation for determination	In making this notification waiver determination, the Australian Competition and Consumer Commission (the **ACCC**) has considered the information provided with the notification waiver application and had regard to the factors in section 51ABV(2)(b) of the *Competition and Consumer Act 2010* (Cth) (the **Act**). 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 given there is no horizontal overlap between AVC and King O'Malley's in Canberra or the surrounding areas. In these circumstances, the ACCC does not consider it necessary to reach a concluded view on the likelihood of the notification thresholds being met. Given that material competition concerns are unlikely to arise, the ACCC has determined that the Acquisition is not required to be notified.

	The ACCC considers that the determination is consistent with the object of the Act and the interests of consumers in promoting competition. For more information about the ACCC's approach to considering notification waiver applications and to assessing competition effects more generally, see the ACCC's guidance on notification waivers and merger assessment guidelines.

Determination made by Commissioner Woodward pursuant to a delegation under section 25(1) of the Act