

MEDIA RELEASE



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ACCC will not appeal Federal Court's decision to allow TPG-Vodafone merger

The ACCC will not appeal the Federal Court's recent decision that the proposed merger between TPG Telecom (ASX: TPM) and Vodafone Hutchison Australia (ASX: HTA) would not substantially lessen competition.

The ACCC has concluded that it does not have grounds for appeal, which would require the ACCC to establish an error of law by the judge.

"The ACCC remains disappointed by this outcome, which has closed the door on what we consider was a once in a generation chance for increased competition in the highly concentrated mobile telecommunications market," ACCC Chair Rod Sims said.

"The future state of competition without a merger is uncertain. But we know that competition is lost when incumbents acquire innovative competitors."

"Despite this outcome, we will continue to oppose mergers that we believe will substantially lessen competition, because it's our job to protect competition to the benefit of Australian consumers," Mr Sims said.

Background

The ACCC [announced its decision to oppose](#) the proposed merger between TPG and Vodafone in May 2019.

On 24 May 2019 Vodafone instituted proceedings in the Federal Court. The case was heard over three weeks from 10 September 2019.

On 13 February 2020 the [Federal Court declared](#) the proposed merger between TPG and Vodafone would not substantially lessen competition.

The public version of the Federal Court's judgment is available [here](#).

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