

FRANCHISING UPDATE

JUNE 09 PART 2

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In our June 09 Franchise Update we referred to the Federal Government's Parliamentary Joint Committee on Corporations and Financial Services' report into the operation of the Franchising Code of Conduct ("the Report").

We also indicated the Small Business Minister Craig Emerson reportedly commented that "targeted" consultations on the reforms proposed in the Report would be the next step. Following the Ministers comments a Consultation Paper has been released by the Government to seek input on the possible amendments to the Franchising Code as highlighted in the Report.

Interested parties are able to make written submissions on all or part of the Consultation Paper by no later than close of business **10 July 2009**. The Government has narrowed down certain aspects raised in the Report. For example, the Government is seeking clarification as to the business compliance activities, costs and risk in relation to changes to the Code following from the issues identified in the Report.

Other recommendations in the Report, such as, in respect of enforcement and penalties for breach under the Code do not form part of the Consultation Paper and will be dealt with once other ongoing Government inquiries are completed.

The Franchising industry is keenly awaiting further developments arising from the Report and Consultation Paper.

Raymond Duffy, Associate, Quinn & Scattini Lawyers

If you would like to ask any question about this or any other similar issue Raymond may be contacted on 5499 3622 between 8.00am to 5.30pm Monday to Friday or email rduffy@quinnscattini.com.au

