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BROCHURE

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[C O V E R]

Overline: A significant step towards more fair, open, and responsible franchisor-franchisee relationships

Headline: **Annotated Ontario *Franchise Disclosure Act***

Subhead: The *First* Comprehensive, Interpretive Guide to the New Legislation

Subhead: NEW from Canada's recognized authority in franchise law!

Peter Macrae Dillon
Partner
Siskinds

Highlight: Invaluable reference for franchisors, franchisees, and their legal advisors and representatives

Unique Collection of Easy-to-Understand Precedents

- No other text in Canada considers this piece of franchise disclosure legislation
- An indispensable collection of precedents providing meaningful examples to any practitioner who must draft material in accordance with the new Act
- Keeps you current in a shifting legal environment
- Clear, straightforward interpretation and analysis of the new legislation

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[I N S I D E]

GAIN SOLID INSIGHT INTO THE NEW ONTARIO FRANCHISE LAWS

Franchising accounts for 40 per cent of all retail dollars generated in Canada. Ontario is home to almost 80 per cent of franchisor head offices. Yet industry regulations have been sparse, occasionally resulting in unsuspecting franchisees being lured into risky investments, real estate battles, and bitter legal disputes.

Until Ontario introduced franchise specific legislation, franchisors held most of the power and control, and franchisees were often held back by onerous duties and obligations. Prospective franchisees had little practical legal interpretation to guide them in making one of the most important business decisions of their lives.

Because of these contractually unbalanced relationships, the Ontario Government moved toward the finding of an implied obligation of good faith and fair dealing. There is now an established statutory requirement of fair dealing in the new Act, so disputes and litigation can be handled within legal parameters *specific* to a regulated franchise industry.

A Strong Case for Acquiring the Act

You now have the opportunity to acquire the only text that provides coverage of the new Ontario Arthur Wishart Act (Franchise Disclosure), 2000. Modeled after the Alberta Act, the Act sets out the provisions for dealing with several franchise-related legal issues.

This comprehensive text provides the author's commentary, case law and cross references on the disclosure, fair dealing, and freedom of association components of the legislation, amongst others. It is completely annotated and also includes analysis, issue identification, and a discussion of case law interpreting a host of well-reasoned doctrines. In addition, the book also contains a Table of Concordance that compares the Ontario Act to the Alberta Act.

Since the Ontario *Franchise Disclosure Act* is brand new legislation, there is no decided case law under the Act. The bibliography to the discussion on fair dealing includes reference to 30 academic papers and dozens of decided cases. The book also contains extensive precedent materials setting out suggested working for use by practitioners who are required to draft disclosure documents on behalf of clients.

An Essential, Practical Guide for Commercial Lawyers and Litigators

This irreplaceable collection of precedents is set out in a concise, practical manner. Commercial lawyers will now have specific guidelines to advise clients regarding ongoing compliance with the legislation, and litigators will be able to interpret their own particular fact situation in the context of a lawsuit. Other benefits include the following:

- Author's detailed discussion regarding "fair dealing"
- Sample wording for disclosure documents
- Applied jurisprudence provides guidance as to how the Act may be interpreted by the courts
- Extensive commentary identifies problem areas

A Vital Legal Resource for Franchisors and Franchisees

Opportunity may knock. But unless you know your legal rights and responsibilities before entering into a contractual franchise agreement, you could run into serious and costly obstructions on your path to business success. The new Annotated Ontario *Franchise Disclosure Act* interprets and clearly explains the new regulations.

Keep Your Act Current

Laws constantly change, but the looseleaf binder format makes it easy for you to annually update your text.

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Preface
User's Guide
Table of Cases
Table of Concordance

Arthur Wishart Act (Franchise Disclosure), 2000

Annotated Arthur Wishart Act (Franchise Disclosure), 2000

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The Annotated Ontario *Franchise Disclosure Act* is intended for...

- Commercial lawyers who must prepare disclosure documentation in accordance with the provisions of the Act
- Commercial lawyers who must advise their franchisor clients regarding ongoing compliance with the statutory obligations set out in the Act
- Commercial lawyers who represent franchisees who must interpret the disclosure documentation prepared by franchisors
- Commercial lawyers who must advise their franchisee clients with respect to the conduct of franchisors and whether it meets the standards established by the Act
- Litigation lawyers who represent franchisors or franchisees in the context of proceedings commenced under the Act
- In-house counsel for franchisors
- Franchisors
- Franchisees
- American Bar Association members (Forum on Franchising), many of whom act for clients with Canadian operations
- Canadian Franchise Association members
- International Franchise Association members
- Law libraries
- Accountants who represent franchisors (and franchisees)

About the Author

Peter Macrae Dillon heads Siskinds Franchise Law Group. Mr. Dillon is the author of the Annotated Franchises Act of Alberta, Quicklaw's Netletter on Franchising, and over 30 other franchise-related articles. He is a registered Canadian trademark agent, and the only lawyer in Ontario, outside of Toronto, recognized in L'Expert (a publication identifying legal experts in various fields) as a recognized authority in franchise law. He is a member of the Legal Legislative Committee of the Canadian Franchise Association and past chairman of the Franchise, Licensing, Distribution and Trademarks Group of the Commercial Law Affiliates, a world-wide affiliation of law firms with representatives in more than 70 countries and 240 cities. Mr. Dillon is a member of the American Bar Association Forum on Franchising. Since his call to the Bar in 1988, he has practiced almost exclusively in the area of franchising. This has permitted him, over a period of years, to experience the operations of a large number of Canadian and U.S. franchise systems. Mr. Dillon was also a featured guest on the television talk show, Michael Coren Live.

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THE ANNOTATED ONTARIO *FRANCHISE DISCLOSURE ACT*

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