Alan Dean – franchisor

Overall view on recommendations: recommendations address misconduct by large franchisors, such that small franchisees that do the right thing will be unduly affected new provisions; will incur disproportionate costs

* Draft Principle 5 – Levy: Burdensome to a small franchise system, and without cost restraints could be used as a weapon by franchisee against franchisor. Present system is fair because costs of ADR are shared.
* Principle 5.6 – Supporting former franchisees without breaching restraints of trade – dilution of restraints of trade clauses will lead to hardship to small franchisor business. Allows for franchisee to start opposing business and using confidential equipment, information and methods. Could completely destroy franchisor business by starting opposing business. Not good path for reform.
* Principle 5,7 – compliance and enforcement – increasing of fines disproportionately burdensome for smaller franchise systems – unfair

Franchise: tennis court maintenance franchisor 30 year operation