

## The Fundamentals of Franchise Law in Ontario

**Date:** Wednesday, February 8, 2017 | 11:00 am - 1:00 pm

**Location:** Twenty Toronto Street Conferences and Events  
20 Toronto Street, 2<sup>nd</sup> Floor, Toronto, ON M5C 2B8

**Program Chairs:** Kathleen Robichaud, Law Office of Kathleen Robichaud  
David Shaw, Blake, Cassels & Graydon LLP



**Professionalism Hours:** This program contains **0h 30m**  
**Substantive Hours:** This program is eligible for up to **1h 30m**

*The OBA has been approved as an Accredited Provider of Professionalism Content by The Law Society of Upper Canada.*

As a lawyer in a sole, small firm or general practice, you should understand the fundamentals of franchise law. Many clients are moving towards the franchise model as another way to earn their livelihood and income and you need to know how to assist them. With a broad statutory definition of a “franchise”, it is also important to spot and avoid “accidental franchises”, a concept explored by our stellar faculty.

The *Arthur Wishart Act (Franchise Disclosure), 2000* and its regulations set out the basic rights and obligations of franchisors and franchisees. Lawyers must be fully versed on the requirements of the legislation, especially the extensive disclosure obligations imposed by the *Wishart Act*. Whether you are acting for the franchisor or the franchisee, you need to know what must be included in a franchise disclosure document to make it compliant and to ensure that your client's rights are protected.

Join us to hear from experienced counsel who have the knowledge and practical strategies you need to successfully meet the needs of your clients and protect yourself from liability. This exceptional faculty will also provide you with practical tips for buying and selling a franchise including due diligence requirements and risk mitigation and allocation.

Register now and bring yourself up to speed on this increasingly popular business model!

---

### 11:00 am Welcome and Opening Remarks

### 11:05 am Introduction to Franchise Legislation and Primer on Disclosure under the *Arthur Wishart Act*

**Dixie Ho**, Sotos LLP

**Melissa Won**, McKenzie Lake Lawyers LLP

Benefit from an introduction to Ontario franchise law and legislation including:

- The statutory definition of a “franchise”
- The “accidental franchise”

Gain a solid understanding of the application and scope of the disclosure obligations under the *Wishart Act*, including:

- The obligation to deliver a disclosure document to franchisee candidates
- General obligations re: content, timing, delivery
- The remedies available to franchisees when this obligation is not met, including rescission of the franchise agreement and a right of action in damages for misrepresentation

### 12:00 pm Buying and Selling a Franchise – Tips for a Business Lawyer

**Christine Jackson**, Osler, Hoskin & Harcourt LLP

**Andrae Marrocco**, Dickinson Wright LLP

Experienced counsel will give you practical tips and strategies for buying and selling a franchise including:

- The regulatory environment that governs franchising in Ontario
- Providing independent legal advice on franchise agreements
- The role of the franchisor
- Unique franchise considerations when conducting due diligence
- Special franchise considerations when drafting the purchase agreement

### 12:50 pm Questions & Concluding Remarks

1:00 pm Program Concludes