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**From:** EXTERNAL - Greg Nathan  
**Sent:** Monday, 27 August 2018 6:56 AM  
**To:** Adjudication  
**Cc:** Small Business and Franchising Consultative Committee  
**Subject:** Collective bargaining class exemption - submission

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**Categories:** Submission

My name is Greg Nathan and I am a long standing member of the ACCC's Small Business and Franchising Consultative Committee. As such I have an interest in the issue of collective bargaining for franchisees and franchisors. However my thoughts are slightly outside the proposed questions of whether franchisees should be eligible for a class exemption in relation to negotiations with their franchisor.

It is my view that the purpose of franchising is to provide franchisees and franchisors with a competitive advantage through collaboration. This is why people join a franchise network, and it is what all successful franchise networks do well.

Collaboration involves franchisees and franchisors within a brand sharing knowledge, information and resources to gain this competitive advantage. This involves franchisees sharing with franchisees, as well as these things being shared between franchisors and franchisees within a brand. This collaboration includes sharing the use of a brand, business systems, as well as sharing financial information, buying power and marketing processes. As such I believe all members of a franchise network should be exempt from the collective bargaining provisions of the ACCC. I believe this is an oversight that probably should have been addressed long ago.

As for the question of whether groups of franchisees should be eligible for a class exemption in relation to negotiations with their franchisor, including group mediation, I think this is a good idea. I do not have any specific thoughts over the size of the business.

Your sincerely

**Greg Nathan**  
Founder  
**Franchise Relationships Institute**

Web: [www.franchisereationships.com](http://www.franchisereationships.com)  
Franchise Relationships Pty Ltd ABN 75 168 579 888