



Australian Government



Australian  
**Small Business and  
Family Enterprise**  
Ombudsman

28 May 2020

Australian Competition & Consumer Commission  
23 Marcus Clarke Street  
Canberra ACT 2601

*via email: adjudication@accc.gov.au*

Dear Sir/Madam

**7-Eleven Stores Pty Ltd Application for Authorisation: AA1000500**

It is reasonable for 7-Eleven Pty Ltd (7-Eleven) and its franchisees to respond to the difficulties brought on by the COVID-19 pandemic in a cost-efficient manner, while supporting 7-Eleven's customers. It is clear that the only way for many small businesses to survive the coming months is to 'hibernate' for the time being. We therefore support, in principle, this application.

It is equally important for 7-Eleven franchisees to be able to quickly respond when trading conditions begin to recover. To facilitate this we recommend that:

1. Franchisees have the same ability to resume ordinary operations as they have to temporarily close or reduce their trading hours. 7-Eleven must not be able to withhold consent or impose any sanction for franchisees resuming ordinary operations.
2. The franchisor and franchisees should be reminded that they are covered by the Franchising Code of Conduct and that, should a dispute arise regarding temporary closures or reductions in trading hours, or resumption of ordinary operations, they can approach our Office to refer the matter to mediation.

Thank you for the opportunity to comment. If you would like to discuss this matter further, please contact Mike Kearney on [REDACTED] or at [REDACTED].

Yours sincerely

[REDACTED]

**Kate Carnell AO**  
Australian Small Business and Family Enterprise Ombudsman

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