



Province of Alberta

## FRANCHISES ACT

# FRANCHISES ACT EXEMPTION REGULATION

### **Alberta Regulation 312/2000**

With amendments up to and including Alberta Regulation 185/2016

### Office Consolidation

© Published by Alberta Queen's Printer

Alberta Queen's Printer  
7<sup>th</sup> Floor, Park Plaza  
10611 - 98 Avenue  
Edmonton, AB T5K 2P7  
Phone: 780-427-4952  
Fax: 780-452-0668

E-mail: [qp@gov.ab.ca](mailto:qp@gov.ab.ca)  
Shop on-line at [www.qp.alberta.ca](http://www.qp.alberta.ca)

### **Copyright and Permission Statement**

Alberta Queen's Printer holds copyright on behalf of the Government of Alberta in right of Her Majesty the Queen for all Government of Alberta legislation. Alberta Queen's Printer permits any person to reproduce Alberta's statutes and regulations without seeking permission and without charge, provided due diligence is exercised to ensure the accuracy of the materials produced, and Crown copyright is acknowledged in the following format:

© Alberta Queen's Printer, 20\_\_.\*

\*The year of first publication of the legal materials is to be completed.

### **Note**

All persons making use of this consolidation are reminded that it has no legislative sanction, that amendments have been embodied for convenience of reference only. The official Statutes and Regulations should be consulted for all purposes of interpreting and applying the law.

(Consolidated up to 185/2016)

**ALBERTA REGULATION 312/2000**

**Franchises Act**

**FRANCHISES ACT EXEMPTION REGULATION**

**Exemption**

**1** A franchisor is not required to include financial statements in a disclosure document given to a prospective franchisee

- (a) if the franchisor has a net worth on a consolidated basis according to its most recent financial statements, which have been audited or for which a review engagement report has been prepared,
  - (i) of not less than \$5 000 000, or
  - (ii) of not less than \$1 000 000 if the franchisor is controlled by a corporation that meets the requirements of subclause (i),
- (b) if the franchisor
  - (i) has had at least 25 franchisees conducting business at all times in Canada during the 5-year period immediately preceding the date of the disclosure document,
  - (ii) has conducted business that is the subject of the franchise continuously for not less than 5 years immediately preceding the date of the disclosure document, or
  - (iii) is controlled by a corporation that meets the requirements of subclause (i) or (ii).

and

- (c) if neither the franchisor (including any person who is included in that term) nor any of its associates, directors, general partners or officers has had any conviction, judgment, order or award made against that person in Canada in the 5 years immediately preceding the date of the disclosure document, relating to
  - (i) fraud,

- (ii) unfair or deceptive business practices, or
- (iii) the Act or any equivalent statute of any other jurisdiction in Canada specifically regulating the subject matter of franchises.

AR 312/2000 s1;185/2016

**Exemption**

**1.1(1)** The Collins Barrow National Cooperative Incorporated, registered under the *Canada Cooperatives Act*, is exempt from the disclosure requirements of section 4 of the Act.

**(2)** Subsection (1) is deemed to have come into force on May 7, 2003.

AR 134/2004 s2

**Repeal**

**2** The *Exemption Regulation* (AR 249/95) is repealed.

**3** Repealed AR 185/2016 s3.









Printed on Recycled Paper 