

PROVISIONAL FRANCHISOR MEMBERSHIP

APPLICATION FORM



Guide to Franchisor Membership Category

Applicants in the Franchisor category who do not initially meet the full requirements for Franchisor Membership may apply for Franchisor Provisional Membership. (Refer to Rule 6.11). Provisional Membership, if approved, is granted for a maximum period of 1 year. During this time, the Franchisor must prepare to meet the requirements to complete a full Franchisor Membership application.

General Information

Registered Company Name:

Franchise Trading Name:

Incorporation date: Company Number: NZBN:

Street Address: Postal Address:

City: Postal Code: City: Postal Code:

Phone: Website:

List subsidiary, affiliated or associated companies (if any) and indicate relationship to applicant:

Contact Details

Primary Contact Name: Job Title:

Email: Phone: Mobile:

Company CEO Name:

Email: Phone: Mobile:

Authorised Representative (the key person for official communications from FANZ which include but are not limited to, eligibility to vote in the FANZ Board elections – FANZ Rule 10)

Use Primary Contact details Use Company CEO details

Accounts Payable contact Use Primary Contact details

OR

AP Contact Name: Job Title:

Email: Phone: Mobile:

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Franchise Business Structure

Did this franchise system originate in New Zealand? Yes No

If franchise system did not originate in NZ which country did it originate in?

The above named franchisor will be issuing the relevant franchise agreement/Licenses to franchisees: Yes No

We will also be appointing or have appointed Regional Master franchisees: Yes No

OR

We are the Master Franchisee of a Master Franchisor based in and we have a license to award franchises in New Zealand Yes No

We will also be appointing or have appointed Regional Master franchisees: Yes No

Please explain the nature of this franchise business with a description of products/services provided:

In which year did this business begin granting franchises?

Number of franchisees:

Number of Regional Master Franchisees:

Number of Company-owned Outlets:

Number of Joint Venture Franchisees:

Industry Category

- | | | |
|---|---|--|
| <input type="checkbox"/> Accommodation | <input type="checkbox"/> Courier/Delivery Services | <input type="checkbox"/> Irrigation Service |
| <input type="checkbox"/> Animal Services | <input type="checkbox"/> Educational | <input type="checkbox"/> Pest Control |
| <input type="checkbox"/> Appliance Rental | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Print Services |
| <input type="checkbox"/> Automotive Services | <input type="checkbox"/> Financial Services | <input type="checkbox"/> Property Sales/Management |
| <input type="checkbox"/> Business Advisory/Broking | <input type="checkbox"/> Food & Beverage | <input type="checkbox"/> Retail |
| <input type="checkbox"/> Cleaning (Domestic / Commercial) | <input type="checkbox"/> Health & Beauty | <input type="checkbox"/> Trade Services |
| <input type="checkbox"/> Community Support | <input type="checkbox"/> Home Solutions / Maintenance | <input type="checkbox"/> Other: <input type="text"/> |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Hospitality Services | |

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Privacy Policy

You consent to the collection and use of your personal information in this form by FANZ.

We collect your information primarily to process your membership application as well as to perform our services as FANZ. If you choose not to enter certain details we may not be able to process your application.

You have the right to ask for a copy of any personal information we hold about you and to ask for it to be corrected if you think it is wrong.

By filling in this form, you warrant you have read and understood the FANZ privacy policy and agree to be bound by it. The FANZ privacy policy is available at <https://www.franchiseassociation.org.nz/privacy-policy/>

From time to time, FANZ will communicate with you regarding FANZ, membership, events and other matters including communicating with you electronically, by email, phone or by text/sms. You agree to receive these messages and we will ensure an appropriate 'opt out' system is in place.

Member Undertaking

"I/We (full names) do hereby undertake and confirm as follows: that I/We have been provided current, accurate and complete information in all respects in relation to this application for membership of the Franchise Association of New Zealand Inc (the Association). I/We confirm that I/We have been provided with and have read the Rules of the Association, the Franchising Code of Practice and the Code of Ethics. I/We confirm that I/We have understood all of those and I/We will comply with them as they apply to **Provisional Membership** while I/We remain a **Provisional member** of the Association. Further, on behalf of the Applicant I/We authorise any credit and/or reference checking and inquiry verifying the details of this application the Board of the Association may require. I/We confirm that I/We understand that **Provisional membership** may be suspended or terminated by the Association if I/We fail to comply with the Rules, the Code of Practice and the Code of Ethics as they may apply to **Provisional Membership** or I/We are found to have made any false statements or misrepresentations in relation to this Application. I/We also confirm that I/We consent to all of the above enquiries being made to any third parties and in this regard I/We waive any rights that either the Applicant or I/We may have in terms of the Privacy Act 2020."

Applicant Name: Company:

Job Title: Signature: Date

Subscription

Provisional Membership Application Fee (The Application Fee covers the cost of independent scrutineering fee. This fee is non-refundable.) **\$200.00 +GST**

Provisional franchisor subscription **Provisional Membership Fees \$885.00 +GST**

NB
Provisional membership is valid for one year. During this period, you must meet the necessary requirements to qualify for and transition to Franchisor membership.

*See website for Franchisor membership pricing.

- A provisional membership:
- cannot make use of the FANZ member logo
 - does not get a listing on the FANZ website
 - does not get voting rights at the FANZ AGM

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The following documents are what is required to work towards to fulfill the criteria for full Franchisor membership. For Provisional membership, please submit any documentation that you currently have available. To proceed with your application, please review the checklist below and email the applicable documents to admin@franchise.org.nz.

Read and understand the following Franchise Association key documents:

- [The Rules of the Association](#)
- [The Code of Practice](#)
- [The Code of Ethics](#)

Payment of Application Fee \$200 +GST – FANZ Admin will contact you for payment

Attachments to send with application form:

Brand Logo JPG or PNG

Preliminary Agreement if used¹

Current Franchise Agreement if you are a single level system¹

Multi-tier systems² (for Multi-tier systems please supply a copy of the franchise agreement for each tier)

Disclosure Document³

Operations Manual⁴ evidence that a manual exists for the franchise (see below)

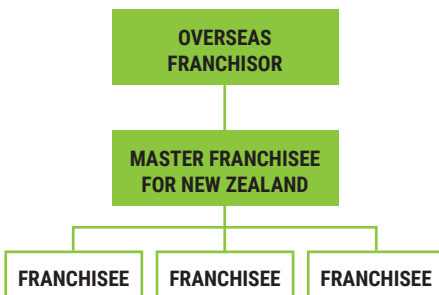
a copy of the contents page plus a certificate by a suitable independent person as to the existence of the materials referred to in the contents

OR

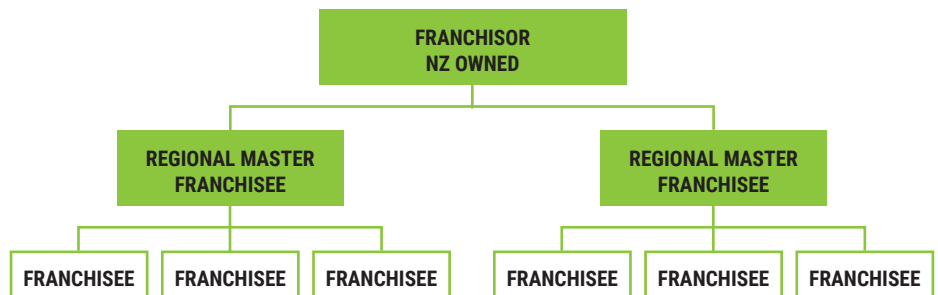
a letter from your solicitor, accountant or franchise consultant certifying that there is an Operations Manual for the Franchise

Simple diagram of the franchise structure, e.g.

1. STANDARD FRANCHISE STRUCTURE



2. SIMPLE MULTI-TIER FRANCHISE STRUCTURE STRUCTURE



[1] A copy of your current Franchise Agreement (and a copy of your preliminary Franchise Agreement if used - Code of Practice 5.2 and 7.1) The main requirements being it is compatible with our Code of Ethics and Code of Practice and that it contains:

- an appropriate mediation provision for dispute resolution (Code of Practice, Section 9);
- a minimum 7-day "cooling off" period during which the franchisee can withdraw from the agreement and receive a payment refund (Code of Practice, Section 8);
- a requirement for franchisees to observe and comply with the Code of Practice, the Code of Ethics and the Rules (Code of Practice, Section 6.1).
- a requirement for Franchisees to observe and comply with the laws of New Zealand relating to Employment, Health & Safety, Fair Trading and Tax (Code of Practice, Section 6.3)
- a requirement for Franchisees to identify that the Franchisee's business is being operated under franchise from the Franchisor (Code of Practice, Section 10)
- a certificate verifying that the Franchisee has received and read the Disclosure Document, the Code of Practice and the Code of Ethics, and before execution of any Agreement that they have taken and/or declined independent legal advice (Code of Practice clauses 5 & 11).

[2] A multi-tier system is a system where there are master franchisees or regional franchisees and, beneath those layers, there may then be sub-franchisees, sub-contractors or franchisees.

[3] A copy of your current Disclosure Document (Code of Practice Section 14 and 15)

[4] Verification of Operations Manual

We do not need to see your Operations Manuals. However, the Association does need to verify that an Operations Manual does exist where the Franchise Agreement requires it (there would be few franchises where an Operations Manual would not be required). Manuals may be printed, electronic or a combination of both. Verification can be provided in any acceptable way, such as by a letter from your solicitor, accountant or franchise consultant certifying that there is an Operations Manual for the Franchise, or by submission of a copy of the Contents page plus a certificate by a suitable independent person as to the existence of the materials referred to in the Contents.

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