

**From:** Billson, Bruce (MP)  
**Sent:** Sunday, February 17, 2013 05:32 PM  
**To:** 'rudolphselles@gmail.com' <rudolphselles@gmail.com>  
**Subject:** RE: brucebillson.com.au Website Contact Form Submission

Hello Mr Selles,

Thank you for your email and congratulations on your work with Gloria Jeans. Our own business was next door to one of, your outlets and we enjoyed the coffee!

If you are drawing your insights from the FCA about Coalition policy then I can understand while you may have been led to suggest that there is reason for concern.

The FCA's advice to its franchisor network and recent email urging you to be concerned is quite unconscionable in its intentional omissions and misrepresentations. Despite canvassing the policy parameters and repeated invitations to provide input to the policy formation process, the FCA seems intent on asserting falsehoods about the Coalition policy on to be able to incite negative reaction from powerful franchisors and their representatives.

Perhaps it is a cunning FCA membership drive although all it appears to have done is to recruit support for the very policy proposal the FCA was seeking to undermine.

Anyway, my issue is not with the FCA but seeking to support the recovery of small business formation and to restore small business hope reward and opportunity.

The Coalition introduced the Franchise Code and we are keen to see a truly national franchising framework maintained with the code refined to strengthen its effectiveness, improve its responsiveness to the sector's unique commercial characteristics and tensions and to guard against additional standalone state-based regulation. A copy of my most recent public statement on this matter is included below fyi.

The unfair contracts terms extension from its current consumer focus to include small business transactions relates to standard term 'take it or leave it' contracts where there is no meaningful scope for negotiation. If more accurate and dependable in its communications, the FCA would have mentioned that our discussions on the transaction parameters (not entity sizes), transition considerations and measures to avoid 'forum shopping'.

If you have any constructive and/or useful insights arising from the considerable experience of Gloria Jeans, I would be happy to make the time to meet and discuss your thoughts when I'm next in Sydney.

Kind regards,

Bruce

The Hon Bruce Billson MP Federal Member for Dunkley Shadow Minister for Small Business,  
Competition Policy & Consumer Affairs