



Your Pubs Code Rights in Your Prospective New Business (Franchise)

Dear Prospective Franchisee

As you consider becoming a tied tenant under a franchise agreement, I want to introduce myself and tell you about the Pubs Code. My name is Fiona Dickie, and I am the Pubs Code Adjudicator (PCA). Independent of both the pub companies and the government, my job is to make sure that [name of POB] complies with its Pubs Code duties to you.

Your Pubs Code Rights

The Pubs Code is there to ensure that as a tied franchisee of a regulated pub company, you get fair and lawful treatment and are no worse off than if you were free of tie. While you are negotiating for a franchise agreement of a tied pub, you are already protected by important legal rights under the Pubs Code. These rights can strengthen your bargaining power in negotiations.

The Pubs Code offers lots of rights and protections, such as duties on the pub company to:

- Provide you with important information, including what you reasonably need to understand and negotiate the terms of the agreement
- Ensure you have prepared a sustainable business plan that is reasonable and realistic and has been prepared after taking independent professional advice
- Advise you to do pubs entry training (if you are a new or inexperienced tenant or licensee)
- Provide you with notes of all discussions with your Business Development Manager.

It is important to know that some Pub Code rights will not apply to you under a franchise agreement, including the right to request a Market Rent Only option, and rights to a rent proposal or rent assessment proposal.

Code Compliance Officer

[Name of POB] must employ a Code Compliance Officer (CCO), who has a duty to verify the pub company is complying with the Pubs Code. [Contact your CCO](#) if you have any queries about your Pubs Code rights or about your pub company's compliance.

Find out more

- Check the PCA's [factsheet](#) on Franchise Agreements
- Keep up with the latest developments on [our website](#)
- Follow the PCA on [X](#) and [Facebook](#)
- Read my regular column in [The Morning Advertiser](#)
- Speak to my team if you have [enquiries about the Code](#).

This is an exciting time as you contemplate a new business, and the Pubs Code is there to protect you. Understanding your rights will help you make the right decisions for your future.

Warm wishes,
Fiona Dickie, Pubs Code Adjudicator

