



Competition and Consumer (Industry Codes— Franchising) (Treasury) Delegations 2022

I, Steven Kennedy, Secretary to the Department of the Treasury, make the following delegations.

Dated 1 April 2022

Steven Kennedy
Secretary
Department of the Treasury

Contents

| | |
|--|---|
| Part 1—Preliminary | 1 |
| 1 Name | 1 |
| 2 Commencement | 1 |
| 3 Authority..... | 1 |
| 4 Definitions | 1 |
| Part 2—Delegations | 2 |
| 5 Delegations relating to Franchise Disclosure Register..... | 2 |

Part 1—Preliminary

1 Name

This instrument is the *Competition and Consumer (Industry Codes—Franchising) (Treasury) Delegations 2022*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

| Commencement information | | |
|---------------------------------|--|--------------|
| Column 1 | Column 2 | Column 3 |
| Provisions | Commencement | Date/Details |
| 1. The whole of this instrument | The day after this instrument is registered. | |

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Competition and Consumer (Industry Codes—Franchising) Regulation 2014*.

4 Definitions

Note: Expressions have the same meaning in this instrument as in the *Competition and Consumer (Industry Codes—Franchising) Regulation 2014* as in force from time to time—see paragraph 13(1)(b) of the *Legislation Act 2003*.

- (1) In this instrument:

Franchising Code of Conduct means the code set out in Schedule 1 to the *Competition and Consumer (Industry Codes—Franchising) Regulation 2014*.

privacy officer means the person or persons in the Treasury designated as a Privacy Officer (within the meaning *Privacy (Australian Government Agencies—Governance) APP Code 2017*).

the Treasury means the Department of the Treasury.

Part 2—Delegations

5 Delegations relating to Franchise Disclosure Register

- (1) Under subclause 53H(1) of the Franchising Code of Conduct, each person holding, occupying or performing the duties of each of the following offices or positions in the Treasury, is delegated the Secretary's functions and powers under Part 5A of the Franchising Code of Conduct:

- (a) a Deputy Secretary;
- (b) an SES employee.

Note: Part 5A of the Franchising Code of Conduct relates to the establishment and maintenance of the Franchise Disclosure Register.

- (2) Under subclause 53H(2) of the Franchising Code of Conduct, a delegate under subsection (1) is directed to exercise the function or power in a manner consistent with all of the following:
- (a) on each occasion that delegate exercises a function or power under subclause 53B(4) of the Franchising Code of Conduct, to notify the Secretary that the function or power has been exercised and the associated details relating to the exercise of the function or power;
 - (b) on each occasion that delegate exercises a function or power under subclause 53B(4) of the Franchising Code of Conduct, to notify the privacy officer that the function or power has been exercised and the associated details relating to the exercise of the function or power.