



Competition and Consumer (Industry Codes— Franchising) Amendment (Franchise Disclosure Register) Regulations 2025

I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 16 October 2025

Sam Mostyn AC
Governor-General

By Her Excellency's Command

Dr Anne Aly
Minister for Small Business

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1 Name

This instrument is the *Competition and Consumer (Industry Codes—Franchising) Amendment (Franchise Disclosure Register) Regulations 2025*.

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.	21 October 2025

Note: This table relates only to the provisions of this instrument as originally made.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 Act 2010*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments

Competition and Consumer (Industry Codes—Franchising) Regulations 2024

1 Section 4

Omit:

The Code also confers functions on the Australian Small Business and Family Enterprise Ombudsman in relation to the Code and confers functions on the Secretary for the administration of the Franchise Disclosure Register.

substitute:

The Code also confers functions on:

- (a) the Australian Small Business and Family Enterprise Ombudsman in relation to the Code; and
- (b) the Chairperson of the Australian Competition and Consumer Commission in relation to the Franchise Disclosure Register.

2 Section 89 (heading)

Omit “Secretary”, substitute “Chairperson”.

3 Subsection 89(1)

Omit “Secretary”, substitute “Chairperson”.

4 Section 91 (heading)

Omit “Secretary”, substitute “Chairperson”.

5 Subsections 91(1) to (4)

Omit “Secretary” (wherever occurring), substitute “Chairperson”.

6 Paragraphs 92(2)(g) and (3)(a)

Omit “Secretary”, substitute “Chairperson”.

7 Subsection 92(4) (heading)

Repeal the heading, substitute:

*Additional information franchisors may be required to provide to the
Chairperson*

8 Subsection 92(4)

Omit “Secretary” (last occurring), substitute “Chairperson”.

9 Paragraph 93(2)(c) and (3)(a)

Omit “Secretary”, substitute “Chairperson”.

10 Subsection 93(4) (heading)

Omit “*Secretary*”, substitute “*Chairperson*”.

11 Subsection 93(4)

Omit “*Secretary*” (last occurring), substitute “*Chairperson*”.

12 Subsection 96(1)

Repeal the subsection (not including the note), substitute:

- (1) The Secretary may, in writing, delegate all or any of the Secretary’s functions or powers under this Part to an SES employee in the Department:
 - (a) with a classification of SES Band 3; or
 - (b) acting in a position usually occupied by an SES employee who is so classified.

13 At the end of section 96

Add:

- (3) The Secretary may, in writing, give directions for the purposes of subsection (2).

14 At the end of Division 5

Add:

96A Delegations by Chairperson

- (1) The Chairperson may, in writing, delegate all or any of the Chairperson’s functions or powers under this Part to an SES employee, or acting SES employee, in the Commission.
- (2) In performing a delegated function or exercising a delegated power, the delegate must comply with any written directions of the Chairperson.
- (3) The Chairperson may, in writing, give directions for the purposes of subsection (2).

15 At the end of Chapter 3

Add:

**Part 2—Provisions relating to the Competition and
Consumer (Industry Codes—Franchising)
Amendment (Franchise Disclosure Register)
Regulations 2025**

102 Saving of *Competition and Consumer (Industry Codes—Franchising) (Approved Form and Manner) Instrument 2025*

The *Competition and Consumer (Industry Codes—Franchising) (Approved Form and Manner) Instrument 2025* that was in force under paragraphs 92(3)(a) and

93(3)(a) of this instrument immediately before the commencement of this item continues in force (and may be dealt with) on and after that commencement as if:

- (a) the reference in the definition of *Franchise Disclosure Register online portal* in section 4 of that instrument to the Department were a reference to the Australian Competition and Consumer Commission; and
- (b) it had been made under those paragraphs as amended by the *Competition and Consumer (Industry Codes—Franchising) Amendment (Franchise Disclosure Register) Regulations 2025*.

103 Saving of *Competition and Consumer (Industry Codes—Franchising) (Additional Information Required by the Secretary) Determination 2022*

The *Competition and Consumer (Industry Codes—Franchising) (Additional Information Required by the Secretary) Determination 2022* that was in force under subsection 92(4) of this instrument immediately before the commencement of this item continues in force (and may be dealt with) on and after that commencement as if:

- (a) the reference in subsection 6(1) of that determination to the Secretary were a reference to the Chairperson; and
- (b) it had been made under that subsection as amended by the *Competition and Consumer (Industry Codes—Franchising) Amendment (Franchise Disclosure Register) Regulations 2025*.