**Disclaimer:**

This consultation draft is intended to facilitate dialogue concerning its contents. Should the decision be made to proceed with the proposal, the comments received during consultation will be considered during the final preparation of the regulation. The content, structure, form and wording of the consultation draft are subject to change as a result of the consultation process and as a result of review, editing and correction by the Office of Legislative Counsel.

ontario regulation

to be made under the

Arthur Wishart Act (Franchise Disclosure), 2000 - A Consultation Draft

Amending O. Reg. 581/00

(GENERAL)

 1.  Section 12 of Ontario Regulation 581/00 is revoked and the following substituted:

Part IV
Delivery of documents

 **12.**(1)  Subject to subsection (2), for the purposes of subsection 5 (2) of the Act, a franchisor may deliver a disclosure document to a prospective franchisee by electronic transmission if the document,

 (a) is delivered in a form that enables the recipient to view, store, retrieve and print it;

 (b) contains no links to external documents or content; and

 (c) contains an index for each separate electronic file, if any, of which the document consists, where each index sets out,

 (i) the file name, and

 (ii) if the file name is not sufficiently descriptive of the subject matter dealt with in the file, a statement of that subject matter.

 (2)  A disclosure document delivered in accordance with subsection (1) is not effective until the franchisor receives an electronic acknowledgment of receipt from the prospective franchisee.

 (3)  A franchisor may deliver a disclosure document to a prospective franchisee by courier if the franchisor pays the costs of the delivery.

 **13.**(1)  For the purposes of subsection 6 (3) of the Act, a franchisee may deliver a notice of rescission by prepaid courier to the franchisor’s address for service in the franchise agreement.

 (2)  A notice of rescission delivered in accordance with subsection (1) shall be deemed to be delivered to the franchisor on the second day after the day of delivery by courier.

[Commencement]

 2.  [Commencement]