



Provisional Listing

Application for Provisional Listing Membership

Provisionally Listed Companies

Provisionally Listed Companies are at the beginning of their development in franchising. There is a real business up and running where end products and services are being sold successfully to consumers albeit at the moment not through a franchise network. This provisional listing is available to businesses committed to franchising as a growth strategy and who have no track record to date in franchising. They must have produced the minimum documentation necessary to the standards specified in order to support the rollout of their franchise programme. Provisional listings will be renewed annually or an application be submitted for Associate membership if the then franchisor is in a position to satisfy the criteria required to achieve Associate membership status. Franchisors must show that they use an ethically constructed contract and offer documents that present a complete and fair picture.

Checklist of documentation and information required for application:

- Completed application form.
- Bank reference form – confirming the prospective franchisor continues to meet terms & conditions of their banking arrangements.
- Draft Copies of Operations Manual and Training Schedule, for inspection and return.
- Draft legal agreement for prospective franchisees, (or master license agreement) for review in order to assess whether the system is a bona fide BFF (Business Format Franchise) and complies with the Association's Code of Ethics, etc.
- Current prospectus/info pack for franchisees.
- Satisfactory evidence of business liquidity and viability, and confirmation that the Directors have never been adjudged guilty of bankruptcy offences or deemed to be unsuitable to become company Directors (i.e. restricted or disqualified.)
- Confirmation that a programme of ongoing support for franchisees will be put in place
- Three Trade Creditor letters for the existing business.
- Confirmation that the franchisors are not directors of companies supplying the franchisees.
- Written authorization to take up trade references / referees.
- Copy of most recent trading Accounts of the non franchised company.

Membership Application Form for Provisionally Listed members

1. Applicant Details

Please tick the square beside the category which describes your type of organisation or structure:

Limited Company ☐

Sole Trader ☐

Partnership ☐

Public Company ☐

Other (please describe)

Full Name/s:

Trading Name (*if different*):

(both names will appear on the Certificate of Membership)

Full Names (including all former names) of Directors or Partners:

Incorporation Date: _____

Co. Reg No: _____

VAT Number: _____

Street Address:

Postal Address:

(if different)

Web Site Address: _____

Email: _____

Phone: _____ Fax: _____

Contact Name/s: _____

Mobile: _____

List subsidiary, _____
affiliated or _____
associated _____
companies (if any) _____
and indicate _____
relationship to _____
applicant _____

List franchise _____
companies in which _____
Directors or their _____
families have an _____
interest or have _____
previously had an _____
interest (if any): _____

2. **System Details**

Where does your franchise system originate from?

If overseas please state which country

Do you intend to trade under a master franchise arrangement?

If yes, please give details of franchisor:

Company Name: _____ Address: _____

Contact Person: _____ Phone: _____

State completely and concisely the exact nature of your business. This should indicate a description of the product or service and its distribution from you to the ultimate consumer. *(This information, max. 30 words, will also be used for your listing on the Association's website).*

In which year did this business begin operating? _____

When do you intend to begin granting franchises? _____

List any franchise association or other trade country associations of which the applicant or any overseas country principal is a member

3. *Solvency Declaration*

Please have the following completed by your accountant:

The undersigned hereby certifies that they have reasonable grounds to believe that the Applicant will be able to pay its debts as and when they fall due and that the applicant is solvent as at today's date.

Signed _____

Director/Partner/Principal

Signed _____

Director/Partner

Dated _____

Stamp _____

4. *Application Fee*

Please make a cheque payable to the Irish Franchise Association or make payment by credit card.

For credit card payments of your Application Fee, please complete the following:

Please Debit my credit card:

Visa

MasterCard

Expiry Date:/.....

Amount: €500

Card number:

Name on Card:

Signature:

5. *Lodging Your Application*

Please submit the completed Application Form and attachments to:

Irish Franchise Association
Kandoy House
2 Fairview Strand
Dublin 3
Ireland

Tel: ++ 353 1 8134555

Email: info@irishfranchiseassociation.com

Fax:++ 353 1 8134575

Declarations & Commitments

I hereby apply for provisional membership with the Irish Franchise Association. I have received and read the conditions which apply to Membership of the Association and in making this application agree that my company will use its best endeavours to meet those conditions.

1. I/We can confirm that the information provided in and with this application is a true representation of the facts and includes all information which might be reasonably regarded as pertinent to my acceptance for membership of the Irish Franchise Association.
2. I/We agree to be bound by the Association's complaints procedures and to any amendments thereto agreed by the Association.
3. I/We agree to be bound by the Association's disciplinary and appeals procedures and to comply with any notices or instructions issued under those procedures and any amendments thereto agreed by the Association.
4. I/We agree to comply with the Association's requirements and conditions for re accreditation and any amendments thereto agreed by the Association.
5. I/We agree to comply with the Association's Code of Ethical Conduct and any amendments thereto agreed by the Association.
6. I/We agree to abide by the Advertising Standards Authority Code of Practice.
7. I/We agree that we will not sell, offer for sale or distribute any product or render any service, or promote the sale or distribution thereof, under any representation or condition which has a tendency, capacity or effect of misleading or deceiving purchasers or prospective purchasers.
8. I/We agree to use our best endeavours to adopt best practice in franchising as agreed and published by the Association from time to time.
9. I/We agree to notify the Association at the earliest possible opportunity of any material change in ownership, direction, financing or operation of our business and to provide copies of new relevant legal documents.
10. I/We agree to comply with the request for copies of non-confidential information to be held by the Association, in the case of offer documents and sample franchise agreements, to be open to inspection by the franchisor's appointed franchisees.
11. I/We agree to provide authorised officials of the Association access to but not copies of confidential information reasonably required in accrediting or re-accrediting our company to membership but only on the basis that the Association contractually requires its officials to maintain the confidentiality of same information
12. I/We agree to require any individual or organisation engaged by us to discharge any of our functions as a franchisor in Ireland, to secure compliance with the Association's requirements on us as members in their conduct of activities on our behalf.
13. I/We understand that I/We are not under any obligation to seek future membership and that the Association is under no obligation to accept any future application. I/We also understand that if I/We are accepted as a member, that membership may be withdrawn by the Association if it has reasonable cause to do so.

14. I/We authorise the Association to make any credit and/or reference check or inquiry it may require to verify the details of this application.
15. I/We confirm that I/We understand that membership may be suspended or terminated by the Association if I/We fail to comply with the Rules, the Code of Practice and the Code of Ethics or if I/We are found to have made any false statements or misrepresentations in relation to this application.
16. I/We also confirm that I/We consent to all of the above enquiries being made to any third parties and in this regard I/We waive any rights that either the Applicant or I/We may have under the terms of the data protection Act 1998 and Data Protections (Amendment) Act 2003.

To be signed by the Chairman or Managing Director making the application.

Signed

For and on behalf of

Position held

In the presence of:

Practising Solicitor, / Commissioner for Oaths

Dated _____.