



MOTOR TRADERS'
ASSOCIATION OF NSW

JOINT MEDIA RELEASE

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Navigating and maximising Dealer franchise reforms to get better agreements, fairer treatment, and stronger relationships



The Motor Trades Association of Australia (MTAA), in partnership with FCW Lawyers, and supported by the Motor Traders' Association of NSW (MTA NSW) will launch a comprehensive guide for car dealers and dealer councils to navigate recent automotive regulatory reforms on 8 April 2021.

For the past two decades, the MTAA, MTA NSW and its State and Territory Member Associations have been at the forefront of advocacy and representations to address the growing power imbalance between internationally headquartered car manufacturers and Australian dealers.

MTAA CEO Richard Dudley said the suite of legislative and regulatory reforms for motor vehicle dealers achieved in 2020 and early 2021 are profound, fundamentally change the way dealers can negotiate new dealer agreements' and manage existing and future relationships with manufacturers, distributors, and importers for the benefit of all parties.

'The landscape has changed with a separate Schedule of Amendments to the Franchising Code specific for car dealers, mandating Principles underpinning dealer agreements in that schedule, the inclusion of 'Agent' type agreements, overarching Franchising Code reforms, a Class Exemption for Collective Bargaining, and reforms to Unfair Contract Terms (UCT),' Mr Dudley said.

Discussions with Member Associations and their dealer constituents, recognised the quantum, interdependency and application of changes might be challenging and engaged one of Australia's leading automotive franchising experts, Robert Gardini, and an expert team at FCW Lawyers, led by Sotheary Bryant, to produce a Guide designed to assist dealers in navigating the reforms.

FCW Lawyers consultant, Robert Gardini, said the Motor Dealers Guide has been written specifically for dealers and dealer councils. 'In addition to being a comprehensive simple-English guide, importantly the Guide provides a road map as to how dealers and dealer councils can use the various reforms to improve their commercial bargaining position in the most effective and efficient ways,' Mr Gardini said.

The Guide will be launched to industry in Sydney on Thursday 8 April, with a follow-up Q&A panel event scheduled in Melbourne on Tuesday 20 April. Similar workshops will be held around the country in the following weeks. Invitations to these events are being distributed.

FCW Lawyers is a workplace and commercial law firm operating throughout Australia. Founded in 2018, the firm now employees 15 staff with a turnover of \$3M+ and a strong focus on a number of niche industries. Sotheary Bryant is a Principal at FCW Lawyers and heads the Motor Dealer Industry team. Sotheary has over 15 years of experience advising car dealers and counts some of the largest private dealer groups among her client base. www.fcwlawyers.com.au

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