Publisher's Note

An Update has Arrived in Your Library for:

Please circulate this notice to anyone in your office who may be interested in this publication. *Distribution List*
☐
☐
☐
☐

FRANCHISE LEGISLATION IN CANADA

Peter Dillon

Release No. 2, July 2026

Franchising has become a highly technical, hotly litigious and liability-prone area of practice. Whether you represent franchisees or franchisors, *Franchise Legislation in Canada* is a must-have resource for any lawyer practicing in this area. Filled with valuable commentary, case annotations, precedents and background, this text is an indispensable desk-top reference. *Franchise Legislation in Canada* has the most comprehensive series of Concordances of provincial and US laws and regulations, making it the only truly national and international resource on the topic of franchising.

Thomson Reuters®

Customer Support
1-416-609-3800 (Toronto & International)
1-800-387-5164 (Toll Free Canada & U.S.)
E-mail CustomerSupport.LegalTaxCanada@TR.com

This publisher's note may be scanned electronically and photocopied for the purpose of circulating copies within your organization.

What's New in the Update:

This release features updates Annotated Arthur Wishart Act.

Highlights

- **Saskatchewan—Franchise Legislation Now in Force—** Saskatchewan is now the seventh Canadian jurisdiction with franchise-specific disclosure legislation when the *Franchise Disclosure Act* (the "Act"), the *Franchise Disclosure Regulations* (the "Regulations"), and the *Franchise Disclosure Amendment Regulations*, 2025 (the "Amendment Regulations") came into force on June 30, 2026. The Act closely follows the core structure of Ontario's *Arthur Wishart Act*, Alberta's *Franchises Act*, and the harmonized regimes in BC, Manitoba, New Brunswick, and PEI, but introduces several Saskatchewan-specific nuances. The Amendment Regulations address definitional gaps, clarify drafting inconsistencies, and correct textual errors in the original Act and Regulations.
- **Purpose and Framework—**The Act codifies the duties of fair dealing, the obligation to provide a disclosure document at least 14 days before signing or paying any consideration, rescission rights if disclosure is deficient, and the right of action for misrepresentation. It provides the standard remedies found in other Canadian provinces, including 60-day rescission for deficient disclosure, 2-year rescission for complete failure to disclose, and statutory damages for misrepresentation by the franchisor, broker, or franchisor's associate.
- **Saskatchewan-Specific Disclosure Requirements—**The Regulations introduce several requirements not found in the same form elsewhere in Canada.
  (a) Prescribed **risk-warning statements** and **certificate language** differ materially from the Ontario/BC/Manitoba harmonized model. Franchisors must therefore prepare a Saskatchewan-specific cover page and certificate rather than relying on a generic Canadian template.
  (b) A franchisor **without a Saskatchewan place of business must disclose an agent for service in Saskatchewan.**
  (c) If the franchisor has **fewer than 20 Canadian franchises of the type being offered**, it must disclose **foreign locations of the same type** (usually U.S. locations) until reaching the lesser of 20 total disclosed locations or the total number of such franchises globally.
- **Financial Disclosure Standards—**Saskatchewan confirms that financial statements compliant with **U.S. GAAS/GAAP audit and review standards** satisfy the Act. This aligns

with common practice for U.S.–based franchisors and avoids the need for duplicative Canadian-standard audits.

- **Definition of "Franchise"—**Saskatchewan narrows the statutory definition. It requires the **actual exercise** of substantial control over, or **actual provision** of substantial assistance to, the franchisee. This contrasts with other provinces, where the *right* to exercise control or provide assistance is often sufficient. This narrowing may affect disclosure obligations for distribution, dealership, and hybrid arrangements.