

REGULATORY FRANCHISING

OVERVIEW

BCLP has the capability and experience to confront and resolve regulatory inquiries and investigations into our franchisor clients, on both a state-by-state and federal basis. Our franchise and distribution lawyers actively communicate with state regulators and enjoy long-standing professional relationships with lawyers who are charged with enforcement of franchise laws at the Federal Trade Commission and in various states.

Our franchise and distribution team has represented franchisors with respect to inquiry letters and formal investigations by applicable regulatory agencies in many states. We also regularly work with state administrators to obtain discretionary exemptions, clarifications of the franchise laws and resolution of potential violations and enforcement actions at the earliest stage before formal governmental action.

In addition to our franchise and distribution team, the firm has a full team of regulatory and compliance lawyers with experience working on both sides of government and compliance issues. A number of other lawyers have longstanding relationships with key congressional members, staff of the Federal Trade Commission and other state and federal agencies. As appropriate, these resources are marshaled to respond to issues ranging from initial inquiry letters to full blown investigations.

MEET THE TEAM



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A new horizon for regulated funeral plan providers: opportunities, risks and lessons to be learned

On 29 July 2022, funeral plan providers (“FPPs”) will be brought within the remit of the Financial Conduct Authority (the “FCA”). While entering into a funeral plan contract as a provider has been a regulated activity for many years, the exclusions introduced by the government in 2001 meant that the FCA has not authorized any firm for the purpose of entering into funeral plan contracts. The 2018 Call for Evidence and subsequent consultation conducted by HM Treasury, as well as the FCA’s own information gathering, identified a number of potential harms to customers arising from practices which have not been adequately regulated by the former industry voluntary regulator, the Funeral Planning Authority (“FPA”). This is now changing for both providers and distributors of pre-

paid funeral plans. Below, we consider some of the key risks and opportunities this presents to those impacted by these changes.

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BCLP advises Agilitas on the buyout of Prodieco

International law firm BCLP, advised Agilitas Private Equity (Agilitas) on the buyout of Prodieco Advanced Engineering Solutions (Prodieco), a leader in precision engineering for European blister packaging lines.

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