

Anna Trist

Special Counsel

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OVERVIEW

Anna Trist is a senior corporate and commercial lawyer. Her particular focus is on franchising and licensing arrangements, disputes, and compliance. Anna's clients include numerous well-known Australian and international companies. She assists them with sensible legal and commercial solutions to franchising issues and general commercial advice. She has worked closely with franchisors, master franchisees and franchisees of almost 250 different franchising systems across a broad spectrum of industries.

Anna has an in-depth understanding of Australian franchising regulation and compliance. Her franchising experiences ranges from documenting new franchise systems and converting existing businesses to franchisees, assisting existing franchise systems with their commercial issues and assisting franchising parties to resolve disputes through negotiation and mediation. Anna's experience in the different levels of franchising has enabled her to understand it from the point of view of all parties and to provide sensible and practical commercial advice.

Anna collaborates with her clients to provide strategic commercial advice that assists her client's with sensible commercial solutions to their legal and business problems. Her breadth of experience across franchising issues at all levels and numerous industries has provided her with a unique set of skills and invaluable insight into commercial issues within the franchising sector, and the practical application of the legal advice she provides to her clients.

She has often presented on legal issues in franchising and general business transactions and has written numerous articles on the topic. Anna is a regular attendee at both the Franchise Council of Australia and other franchising industry events.

PROFESSIONAL BACKGROUND

Anna was previously a lawyer at a full service corporate law firm that focused on franchising in a commercial and litigious context between 2005 and 2008. She also worked at a boutique city law firm focusing on litigation from 2004 to 2005.

ACHIEVEMENTS

- Listed in *The Best Lawyers in Australia*™ for Franchise Law, 2023-2027

SPEAKING ENGAGEMENTS

Anna regularly presents seminars and training which is aimed at new staff engaged by franchisors with little previous franchising experience or who are looking to update their skills. Ms. Trist has also presented on franchising and the sale/purchase of business each year at careers fairs for local councils and community groups.

EDUCATION

- LL.M., Monash University, 2007
- D.B.U., Australian Graduate School of Management, 2006 *(franchising)*
- B.A., Monash University, 2003
- LL.B., Monash University, 2003

ADMISSIONS

- High Court of Australia
- Supreme Court of Victoria

THOUGHT LEADERSHIP *POWERED BY HUB*

- 23 January 2025, New Franchising Code to Commence in April
- 30 October 2024, Franchising Code Reforms: Exposure Draft Released
- 22 February 2024, Independent Review of Franchising Code – Final Report Released
- 1 September 2023, Another Review of Franchising Code Announced
- 7 October 2022, Franchisor (Jim's Group – Dog Wash Division) To Pay AU$24,420 in Penalties
- 14 September 2022, Franchisors Need to Register by 14 November 2022
- 4 June 2021, Changes to the Franchising Code Now Apply
- 24 August 2020, Franchising Update | Parliamentary Joint Committee on Corporations and Financial Services: Main Changes from the Australian Federal Government Response
- 15 May 2018, Franchising Update - May 2018
- 8 May 2017, Franchising Update

- 24 November 2016, Franchising Update
- July 2016, Franchising Update
- 17 March 2016, Franchising Update

OTHER PUBLICATIONS

- "Australia" *International Franchising*, Centre for International Legal Studies, JURIS, annual editions from 2nd edition (2011) to the latest 8th edition (2017)
- "Australia" *International Franchising*, Centre for International Legal Studies, Yorkhill Law Publishing, 2010

NEWS & EVENTS

- 16 April 2026, More Than 80 K&L Gates Lawyers Across Asia-Pacific Recognised in 2027 Best Lawyers, Ones to Watch Editions

AREAS OF FOCUS

- Mergers and Acquisitions
- Technology Transactions and Sourcing

INDUSTRIES

- Consumer Goods and Services
- Energy
- Franchising

REPRESENTATIVE EXPERIENCE

- Advising and drafting documentation regarding alternative arrangements to franchising such as licensing, agency, supply and distributions arrangements.
- Assisting franchisors with the roll out of their existing and new systems, including roll outs to change business culture and the management of high-volume conversions of existing franchisees to a new platform. This has included managing a number of roll outs (from the drafting of new documentation to the conversion and sign up of systems with over 220 franchisees). Also advised franchisee groups regarding roll outs and negotiated amendments to the franchise documentation on their behalf.
- Providing advice to businesses which do not wish to be subject to the Franchising Code of Conduct. This involves compliance advice, and can involve amending existing documentation and processes to ensure that an arrangement is not a franchise.

- Providing general commercial advice and documentation which often involves negotiating and drafting product supply agreements, distribution agreements, training agreements, wholesaler agreements, terms and conditions, confidentiality deeds, and other ancillary documents needed by her clients from time to time.
- Advising on the conversion of existing businesses to franchises and establishing new franchises (including structuring and asset protection of franchise systems). This generally involves meeting with businesses that wish to turn their business or concept into a franchise and assisting them with all appropriate documentation and advice to do this, including training relevant staff and setting up relevant internal processes and procedures.
- Advising on the resolution of franchising disputes through negotiation and mediation, including the drafting of breach, termination and dispute notices. This has assisted franchisors, master franchisee and franchisees in disputes, including representing them at mediations throughout Australia. This has included acting for franchisors in large disputes involving more than 10% of the network and in dealings with the ACCC.
- Drafting and reviewing franchising documentation and ancillary commercial documentation. This occurs primarily in the context of updating franchise documentation for existing systems, updating franchise documentation used overseas for use in Australia and advising master franchisees and franchisee on franchise documentation they are being asked to sign.
- Acted in the conversion of Godfreys franchises and Mail Plus franchises to a new agreement. Anna acted for the Telco in a Box franchisee council (including advising several Telco in a Box franchises individually) when the franchisor sought to move the network to a new agreement.
- Advising on compliance with the Competition and Consumer Act 2010 with a particular focus on compliance with the Franchising Code of Conduct, restrictive trade practices and general trade practices advice.
- Advising the Mitre 10 Group on its acquisition of independent hardware chains and in relation to.the updating of its Australian franchise documents.
- Assisting clients that are seeking to take their brand overseas, through a number of ways including by master franchising, granting area development rights, distribution and licencing networks. This usually involves assisting clients with a number of commercial documents and liaising with local counsel. This is a core and large part of Anna's practice, she often acts for American clients going into other jurisdictions and has specific experience in the following countries: India (including master franchises, joint ventures, terminations), Indonesia, China, Croatia, Japan, South Korea, Thailand, Papua New Guinea, New Zealand, America, United Arab Emirate, Guatemala, Paraguay, Dominican Republic, Honduras, Peru, Colombia, Ecuador, El Salvador and Nicaragua.