

Instructions for Completing the BNA Register a Business Name for a Corporation

Before You Begin

Congratulations on deciding to register a business name/operating name in Ontario!

If you are a corporation and would like to operate your business using a name other than your corporation name, you must register a business name under the *Business Names Act* (BNA).

Before you register a business name, you can search the ministry's records of existing registrations at to see if your proposed business name is already being used by another business and where that business is located. Please see the <u>applicable Notice</u> for more information.

While doing the search, you may consider applying online at <u>Ontario.ca/BusinessRegistry</u> because it is better, easier and faster for you. Benefits of applying online include: a faster response, getting immediate notice that your application was received, option to use a debit or credit card and being able to check the progress of your application online.

If you prefer to complete this form, you must complete it on a computer. The form is dynamic – it changes depending on how you answer questions. You can save the form but can't print it until you complete all mandatory fields – they are marked with an asterisk (*).

For detailed information about this application, please see the applicable Notice first.

Information You Need

Before completing this form, please make sure that you have the following information ready.

- 1. Corporation name, Ontario Corporation Number (OCN), and official email address of the corporation. **The** official email address will not be shown on the public record.
- 2. Company key. This is the 9-digit number provided by the ministry that provides access to the corporation information to make changes in the public record. For more information refer to <u>company key</u>.
- 3. Administrative information for the contact person (name, telephone number and email address). **This will not be shown on the public record.**
- 4. Proposed business name.
- North American Industry Classification System (NAICS) primary activity code. For more information on NAICS code visit <u>NAICS</u> link.
- 6. Address of the principal place of business.
- 7. Person authorizing the registration.
- 8. Fee of \$60.00. Make the cheque payable to the Minister of Finance. There is a service charge payable for any bounced cheques.

Completing the Form

Corporation Information

Please enter the corporation name, OCN, company key and official email address of the corporation registering the business name.

We will need the company key to verify that you are authorized to file this registration.

The corporation name must be the same as it appeared on the original certificate of incorporation document or, if there has been a name change, the same as the name that appears on the most recent articles changing the name.

You must enter the corporation's official email address that is already on record with the ministry. The corporation's official email will be used to communicate with the corporation regarding this business registration. The documents

related to this application will be sent to the official email address of the corporation as well as to the email address of the contact person indicated in Section 2 of this form.

If the corporation's official email address has changed, you must notify the ministry by filing an <u>Initial Return/Notice</u> of Change/Annual Return by an Ontario Corporation - Form Number 5284 if the registrant is an Ontario corporation. If the registrant is a Foreign corporation with share you must file an <u>Initial Return/Notice of Change/Annual Return by</u> an EP Foreign Corporation with Share - Form Number 5285. If the registrant is a Federal, Domestic or Foreign non-share corporation you must file an <u>Initial Return/Notice of Change by an EP Federal/Domestic/ Foreign Non-Share</u> Corporation Form 5286. Please see the *Corporations Information Act* (CIA) for more details. You may include the CIA filing together with this form when you mail your application.

Contact Information

Please enter the full name, telephone number and email address of the contact person. This information will not be shown on the public record. The ministry will contact this person for any questions related to this application, and documents related to this application will be sent to the contact person's email address.

Proposed Business Name

It is your responsibility to make sure that your business name is in accordance with the requirements of the BNA and the regulations. Please see the applicable Notice for specific rules and restrictions on business names under the BNA. You may also need to obtain consent(s) to the use of the business name if required. If you register a name that is contrary to the BNA and the regulations, the name is subject to compliance action at any time that may result in cancellation.

Primary Activity

Your primary activity is the main activity being carried out under the business name. This may be different from the primary activity of your corporation.

NAICS is the North American Industry Classification System. Please refer to the NAICS link and select the code that best describes the main activity of your business and then set out in this form your primary activity code from the link. The NAICS activity code is a 2 to 6 digit number that corresponds to a business's primary activity. You must select the code that best describes the main activity of your business. For example, a code for a hair salon could be "812116 – unisex hair stylist shops"). The NAICS code is required under the *Business Names Act* and *Limited Partnerships Act* and appears on the public record for filings made under those Acts.

Address of Principal Place of Business

If there is a place of business in Ontario, you must provide the address of the principal place of business in Ontario. If there is **no** place of business in Ontario, you must provide the address of the principal place of business **outside** Ontario. If you have an international address and the "Region" field is not applicable to you, please enter 'Parish,' 'County' or any other equivalent information in the "Region" field. This also applies to any other international address in the form.

Authorization

A director or officer **or** a person acting under power of attorney must authorize the registration.

Director/Officer Authorizing the Registration

If the director or officer is authorizing the registration, set out the full name and director/officer position (e.g., director, president or secretary).

Person Acting Under Power of Attorney Authorizing the Registration

A person acting under power of attorney could be an individual, corporation or registered entity (any registration with a Business Identification Number (BIN)), or an 'other' entity.

If the person acting under power of attorney is an individual, set out the full name and address for service.

If the person acting under power of attorney is not an individual (e.g., corporation or other registered entity), set

out its name and OCN or BIN, as applicable, and its address for service in Ontario. Also set out the full name and position of the person representing the corporation or registered entity.

If the person acting under power of attorney is an 'other' entity, set out the name of the entity, address for service, and the full name and position of the individual representing the entity.

Confirmation

The contact person must confirm the accuracy of the information submitted.

Submitting the Form

Once you have completed the form, print it, and mail it to the ministry at the address below with your exact payment.

Ministry of Public and Business Service Delivery Business and Personal Property Branch 393 University Avenue, Suite 200 Toronto, Ontario M5G 2M2

Returned Application

If your application is handwritten, missing the company key, the required payment or email addresses, or if the wrong form is used, it will not be processed and will be returned to you by regular mail. You may resubmit by regular mail in this case.

However, if the form is missing **any other** required information or has not been properly completed, it will be returned electronically for correction to the email address provided on the form. To resubmit the application, you will be provided with a link to the electronic business registration system, where you **must** complete the transaction electronically. When you resubmit the application, it is your responsibility to review the entire application, and to ensure that all data is accurate and meets all requirements. **No additional fee will be charged.**

The effective date of a returned application that is resubmitted to the ministry will be the date an application acceptable for filing is processed by the ministry. For details, please see the applicable Notice.

Successful Application

Whether you applied electronically or by mail, after the ministry receives your application and it is successfully processed, you will receive official documents by email, including a payment receipt if applicable and a company key if one has not already been assigned to the entity. For more information on the documents, please see the applicable Notice.

These documents will be sent to the official corporation or entity email provided and to the contact person specified, except for the company key, if applicable, which is sent only to the official email.

Questions

After reading these detailed instructions and the applicable Notice, if you still have questions, visit <u>Ontario.ca/BusinessRegistry</u> or contact us by <u>email</u>. Alternatively, you may call ServiceOntario at:

- Telephone: 416-314-8880 or Toll-free: 1-800-361-3223
- TTY: 416-325-3408 or Toll-free TTY: 1-800-268-7095