

# Instructions for Completing the BNA Register a Business Name for an Extra Provincial Limited Liability Company Name

# **Before You Begin**

Congratulations on deciding to register your extra-provincial limited liability company in Ontario!

If you are an extra-provincial limited liability company that wants to carry on business in Ontario, you must register your extra-provincial limited liability company name under the *Business Names Act* (BNA).

Before you register your extra-provincial limited liability company name in Ontario, you can search the ministry's records of existing registrations at <a href="Ontario.ca/BusinessRegistry">Ontario.ca/BusinessRegistry</a> to see if the name of your business is already being used by another business and where that business is located. Please see the <a href="applicable Notice">applicable Notice</a> for more information.

While doing the search, you may consider applying online at <a href="Ontario.ca/BusinessRegistry">Ontario.ca/BusinessRegistry</a> 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. Administrative information for the contact person (name, telephone number and email address). **This will not be shown on the public record**.
- 2. Company name.
- 3. Governing jurisdiction.
- 4. North American Industry Classification System (NAICS) primary activity code. For more information on NAICS code visit NAICS link. For limited liability partnerships, only certain primary activities are permitted.
- 5. Official email address of the business. This will not be shown on the public record.
- 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

#### Contact Information

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

# **Company Name**

The name of the company in the jurisdiction where it was formed must be set out. The company name must include the words or abbreviations identifying it as a limited liability company as required under the laws of its governing jurisdiction.

It is your responsibility to make sure that your company 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.

# **Governing Jurisdiction**

Set out the name of the jurisdiction under whose laws the extra-provincial limited liability company is governed.

### **Primary Activity**

Your primary activity is the main activity of your business. Please refer to the list of primary activities from the NAICS that best describes your primary activity and then set out in this form your primary activity code from the link.

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.

# Official Email Address

An official email address is required for administrative purposes and must be kept current. All official documents or notices and correspondence to the corporation or entity that is the subject of this filing will be sent to this email address.

# **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 General Manager/Representative or a person acting under power of attorney must authorize the registration.

### **General Manager/Representative Authorizing the Registration**

Please set out if the General Manager/Representative authorizing the registration is an individual, corporation or registered entity (any registration with a Business Identification Number (BIN)), or an 'other' entity.

If the General Manager/Representative authorizing the registration is an individual, set out the full name and address for service.

If the General Manager/Representative authorizing the registration is a corporation or registered entity, set out the OCN or BIN, as applicable. Also set out the full name and position of the person representing the corporation or registered entity.

If the General Manager/Representative authorizing the registration 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.

### 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 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.

5296E\_Instruction (2021/10) Page 2 of 3

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 Government and Consumer Services Central Production and Verification Services Branch 393 University Avenue, Suite 200 Toronto, Ontario M5G 2M2

# **Returned Application**

If your application is handwritten, missing 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 for correction electronically 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 <a href="Ontario.ca/BusinessRegistry">Ontario.ca/BusinessRegistry</a> or contact us by <a href="mailto:emailto

Telephone: 416-314-8880 or Toll-free: 1-800-361-3223

TTY: 416-325-3408 or Toll-free TTY: 1-800-268-7095

5296E\_Instruction (2021/10) Page 3 of 3