

# Instructions for Completing the BNA Register a Business Name for a Partnership

# **Before You Begin**

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

If you are a general partnership or limited partnership and would like to operate your business using a name other than your partnership 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 <a href="Ontario.ca/BusinessRegistry">Ontario.ca/BusinessRegistry</a> to see if your proposed business name is already being used by another business and where that business is located. Please see the applicable Notice 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 is 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. Partnership information. Provide the firm name of the partnership, Business Identification Number (BIN), and official email address of the partnership. **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 partnership 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.
- 5. North American Industry Classification System (NAICS) primary activity code. For more information on NAICS code visit NAICS 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

### **Partnership Information**

Please enter the **firm name**, BIN, company key and official email address of the partnership registering the business name.

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

The firm name of the partnership must be the same as it appeared on the ministry's records.

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

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

If the registrant's official email address has changed, you must notify the ministry by filing an <u>Amend a Firm Name for a General Partnership Form Number 5293</u> if the registrant is a general partnership. If the registrant is a limited partnership you must <u>File a Declaration of Change of a Limited Partnership Form Number 5307</u>.

#### **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. 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 or 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 partnership.

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 partner or a person acting under power of attorney must authorize the registration.

### Partner Authorizing the Registration

Indicate if the partner authorizing the registration is an individual, corporation or registered entity (any registration with a BIN), or an 'other' entity.

If the partner authorizing the registration is an individual, set out the full name.

If the partner authorizing the registration is a corporation or other registered entity, set out its name and OCN or BIN, as applicable. Also set out the full name and position of the person representing the corporation or registered entity.

If the partner authorizing the registration is an 'other' entity, set out the name of the entity, 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.

5298E Instruction (2022/12) Page 2 of 3

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

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 in Ontario, 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 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 and a company key 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="emailto:emailt

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

5298E\_Instruction (2022/12) Page 3 of 3