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SMALL BUSINESS ENTERPRISE CENTRE

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Incorporating Your Business in Ontario

Filing for Incorporation

There are four service delivery choices available to clients who wish to incorporate a business in Ontario:

- Submit Articles of Incorporation in person at the Companies and Personal Property Security Branch Public Office of the Ministry of Government Services (MGS) in Toronto, 375 University Ave, Ste 200 – (416) 314-8880
- Submit Articles of Incorporation to the branch by mail. Companies and Personal Property Security Branch of the Ministry of Government Services (MGS): Suite 200, 393 University Avenue, Toronto, ON, M5G 2M2.
 - 15 Other Service Ontario locations that accept in-person articles of incorporation:
 - http://www.ontario.ca/ontprodconsume/groups/content/@gosp/@so/@bus/@companies/documents/document/stel02_168162.pdf
- File Articles of Incorporation electronically via the Internet through one of the two Service Providers under contract with the ministry:
 - <http://www.cyberbahngroup.com/CyberbahnCMS/> or www.oncorp.com
- Hire a lawyer or other trained professional. Incorporating a business is a complicated process, with legal & financial implications. A lawyer or other trained professional will file all of the paperwork for you, including a mandatory NUANS name search and all the necessary incorporation articles. You will get the complete package, i.e. corporate seal, minutes book and advice. If you need a referral for one of these professionals please ask one of our associates.

Using Paper Forms in person or by mail

If you incorporate using paper forms, you must file the following:

- Articles of Incorporation completed in duplicate. Both copies must bear original signatures. **Please note that all business corporations must have shares.** Article 6 of the forms **must** be completed. (1 share owner is acceptable) Forms available at <http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf> or from legal stationery stores or name search houses.
- An original Ontario-based Newly Upgraded Automated Name Search (NUANS) report-not required if incorporating a numbered company. Online name search at www.nuans.com. Please note: The Companies and Personal Property Security Branch **does not** provide this search.
- A covering letter, identifying the name, return address and telephone number contact for the corporation
- A fee of \$360 (No GST) payable to Minister of Finance. Payments may be made by certified cheque, money order or personal cheque. Personal cheques must include pre-printed name, address, bank transit number and account number. Cash, Visa, MasterCard, AMEX and Interac payments may be made in person.
- Other supporting documents, if required. **Please note:** Consent to Act as First Director is no longer required to be filed with the Branch but it must be kept at the corporation's registered office. Business Incorporation forms may be purchased from legal stationery stores or name search houses, or downloaded from the Internet at the Company Forms Web site: <http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&ENV=WWE&NO=007-07117>
- For more information about what is required visit: http://www.ontario.ca/en/business/STEL02_163189 and www.canadabusiness.ca and search "incorporation".

Business Corporations Act:

Please allow 2-4 weeks for review by mail to the CPPSB for the following services:

- \$360 for immediate over-the-counter service or mailed-in service
- \$300 for immediate service through the Service Providers "filing electronically", below (+ the service provider fee.)
- There is a multiple transactions special service fee of \$25 in addition to the filing fee for each transaction over three, when filing more than three over-the-counter Business Corporation Act documents. This service is by appointment only.

Numbered Company

If an applicant wishes to incorporate with a number name, a name search is not required. The Companies and Personal Property Security Branch will assign a number.

When completing the forms leave 9 empty boxes (for the number) and then the word "ONTARIO" followed by a legal element.

Filing Electronically

If you incorporate electronically you must:

- Use the services of one of the primary electronic service providers:
- **Cyberbahn** <http://www.cyberbahngroup.com/CyberbahnCMS/>
- 416-595-9522 or 1-800-806-0003 or
- **OnCorp Direct Inc** at <http://www.oncorp.com/home/incorporation.asp>
- 416-964-2677 or 1-800-461-7772
- **Please note that all business corporations must have shares.** Therefore Article 6 of the forms must be completed.
- Obtain an Ontario-based NUANS name search and provide the name searched, the NUANS reservation reference number, and the NUANS date: www.nuans.com
- Complete the on-line covering letter, identifying the name, return address and telephone number of a contact for the corporation;
- Pay a statutory fee of \$300. In addition, each primary electronic service provider charges a fee for its services (payment is made through credit card or by setting up an account with the primary electronic service provider).

Federal incorporation: Online at www.strategis.gc.ca/corporations

Find out more about federal vs. provincial incorporation at:
<http://www.incorper.com/FedvsOnt.html>.