



Canada business corporations act form 4











47, s. 33, s. A lawyer is not necessary to incorporate, but if you do not have prior experience or if the proposed corporate structure is complicated, you must register your corporation within the applicable jurisdictions. 14, s. 6, s. 9 1978-79, c. 8, s. 142 1994, c. What is the deadline for filing your Annual Return with the Corporate Registry? Incorporating your company is only one of the steps involved in organizing your business. 6 Marginal note: Prohibited names12 (1) A corporation shall not be incorporated or continued as a corporation under this Act with, have, carry on business under or identify itself by a name(a) that is reserved for another corporation under section 11. Marginal note: Directing change of name(2) If, through inadvertence or otherwise, a corporation(a) comes into existence or is continued with a name, or(b) on an application to change its name in accordance with section 173.(3) [Repealed, 1994, c. 551, c. 7 Marginal note:Certificate of amendment13 (1) When a corporation has had its name revoked and a name assigned to it under subsection 12(5), the Director shall issue a certificate of amendment showing the new name of the corporation and shall give notice of the change of name assigned to it under subsection 12(5), the Director shall issue a certificate of amendment showing the new name of the corporation and shall give notice of the change of name assigned to it under subsection 12(5), the Director shall issue a certificate of amendment showing the new name of the corporation and shall give notice of the change of name assigned to it under subsection 12(5). note:Effect of certificate(2) The articles of the corporation are amended accordingly on the date shown in the certificate of amendment.R.S., 1985, c. For your convenience we provide a list of resources for businesses which you may find useful. Previous PageTable of ContentsNext Page Marginal note:Individual with significant control2.1 (1) For the purposes of this Act, any of the following individuals is an individual with significant control over a corporation:(a) an individual is the registered holder of them, (ii) the individual is the beneficial owner of them, or(iii) the individual has direct or indirect control or direction over them;(b) an individual who has any direct or individual to whom prescribed circumstances apply. Marginal note; Joint ownership or control(2) Two or more individuals are each considered to be an individual with significant control over a corporation if, in respect of a significant number of shares of the corporation, (a) an interest or right, or a combination of interests or rights, referred to in paragraph (1)(a) is subject to any agreement or arrangement under which the right or rights are to be exercised jointly or in concert by those individuals. Marginal note: Significant number of shares of a corporation is(a) any nu corporation's outstanding voting shares; or(b) any number of shares that is equal to 25% or more of all of the corporation's outstanding shares measured by fair market value. You can also find practical information and advice in our How to Incorporate a Business package on the forms page. 167, c. 551]Marginal note:Certain Acts do not apply(3) The following do not apply to a corporation: Marginal note: Limitations on business that may be carried on(4) No corporation shall carry on the business as a degree-granting educational institution unless expressly authorized to do so by a federal or provincial agent that by law has the power to confer degree-granting authority on an educational institution.R.S., 1985, c. 5 2001, c. Cheques/money orders must be made payable to: "Government of the Northwest Territories." Credit card information can be included with a cover letter or submission sheet. 1(F) Marginal note:Name of corporation 10 (1) The word or expression "Limitee", "Incorporated", "Incorporated", "Incorporation" or "S.A.R.F." shall be part, other than only in a figurative or descriptive sense, of the name of every corporation, but a corporation may use and be legally designated by either the full or the corresponding abbreviated form. Marginal note: Saving for "S.C.C." (1.1) Subsection (1) does not apply to a corporate name that, immediately before the day on which this subsection comes into force, included, other than only in a figurative or descriptive sense, the expression "Société commerciale canadienne" or the abbreviation "S.C.C.", and any such corporation may use and be legally designated by either that expression or that abbreviation. Marginal note: Alternate name(3) Subject to subsection 12(1), the name of a corporation may be set out in its articles in an English form, a French form, an English form and a French form, or a combined form meets the prescribed criteria. 1(F) Marginal note: Certificate of incorporation8 (1) Subject to subsection (2), on receipt of articles of incorporation, the Director shall issue a certificate of incorporation in accordance with section 262. Marginal note: Exception - failure to comply with Act(2) The Director may refuse to issue the certificate if a notice that is required to be sent under subsection 19(2) or 106(1) indicates that the corporation, if it came into existence, would not be in compliance with this Act.R.S., 1985, c. 13 2001, c. 31, s. 4 Marginal note: Effect of certificate 9 A corporation. 1974-75-76, c. 63 2001, c. 10 1992, c. 0n the application, the court may make any order it thinks fit. Marginal note: Effect of certificate 9 A corporation. 1974-75-76, c. 63 2001, c. 10 1992, c. 0n the application, the court may make any order it thinks fit. Marginal note: Effect of certificate 9 A corporation. 1974-75-76, c. 63 2001, c. 10 1992, c. 0n the application, the court may make any order it thinks fit. Marginal note: Effect of certificate 9 A corporation. 1974-75-76, c. 63 2001, c. 10 1992, c. 10 199 expressly so provided in the written contract, a person who purported to act in the name of or on behalf of the corporation before it came into existence is not in any event bound by the contract or entitled to the benefits thereof. R.S., 1985, c. 5(F) Marginal note: Personal liability 14 (1) Subject to this section, a person who enters into, or purports to enter into, a written contract in the name of or on behalf of a corporation before it comes into existence is personally bound by the contracts(2) A corporation may, within a reasonable time after it comes into existence, by any action or conduct signifying its intention to be bound thereby, adopt a written contract made before it came into existence in its name or on its behalf, and on such adoption(a) the corporation had been in existence at the date of the contract and had been a party thereto; and(b) a person who purported to act in the name of or on behalf of the corporation ceases, except as provided in subsection (3), to be bound by or entitled to the benefits of the contract. Marginal note: Application to court(3) Subject to subsection (4), whether or not a written contract made before the coming into existence of a corporation is adopted by the corporation, a party to the contract may apply to a court for an order respecting the nature and extent of the contract in the name of or on behalf of the corporation. Annual returns (Form 17) for all corporations are due by the end of the month following the anniversary date of incorporation/amalgamation. 14, ss. 3 1991, c. 212 1999, c. 23, ss. Payments can be made in-person during business hours. 24, s. 53 1994, c. 4 1978-79, c. 11 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 4 1978-79, c. 11 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 4 1978-79, c. 11 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. You can search for business hours. 24, s. 53 1994, c. 595, c. 719 1992, c. 45, s. 4(F) 2001, c. 4(F territorial corporations, non-profit societies, co-operative associations, and other entities registered in the Northwest Territories online using the Corporate Registries Online System. Fees can be paid by cash, cheque, Visa or Mastercard. 7]Marginal note: Idem(4) If a corporation has a designating number as its name, the Director may direct the corporation to change its name to a name other than a designating number in accordance with section 173. Marginal note: Undertaking to change name, and the undertaking is not honoured, the Director may direct the corporation to change its name in accordance with section 173, unless the undertaking is honoured within the period specified in subsection (2), (4) or (4.1) to change its name and has not within sixty days after the service of the directive to that effect changed its name to a name that complies with this Act, the Director may revoke the name of the corporation and assign a name to it and, until changed in accordance with section 173, the name of the corporation is thereafter the name so assigned.R.S., 1985, c. 309, 344 Marginal note: Purposes of this Act are to revise and reform the law applicable to business corporations incorporated to carry on business throughout Canada, to advance the cause of uniformity of business corporated under various Acts of Parliament to this Act. 1974-75-76, c. Almost any type of business may incorporate under the Business Corporations Act. 1, s. 2 Marginal note: Articles of incorporation (a) the name of the corporation; (b) the province in Canada where the registered office is to be situated; (c) the classes and any maximum number of shares that the corporation is authorized to issue, and(i) if there will be two or more classes of shares, the rights, privileges, restrictions and conditions attaching to each class of shares, the rights, privileges, restrictions and conditions attaching to each class of shares may be issued in series, the authority given to the directors to fix the number of shares in, and to determine the designation of, and the rights, privileges, restrictions and conditions attaching to, the shares of each series;(d) if the issue, transfer or ownership of shares of the corporation is to be restricted, a statement as to the nature of such restrictions;(e) the number of directors or, subject to paragraph 107(a), the minimum and maximum number of directors of the corporation; and(f) any restrictions on the businesses that the corporation may carry on. Marginal note: Additional provisions in articles (2) The articles may set out any provisions in articles (3) Subject to subsection (4), if the articles or a unanimous shareholder agreement require a greater number of votes of shareholders to remove a greater number of votes of shareholders to remove a director than the number required by section 109.R.S., 1985, c. 7 1978-79, c. 14 2001, c. 8 2001, c. 8 2001, c. 46, s. A full entity profile including scanned copies of documents filed by the organization can be accessed for a fee. C-44, s. However, railway, steamship, air transport, canal, telegraph, telephone, irrigation, mortgage, banking, insurance, loan and trust companies, and other financial institutions, cooperative, Chambers of Commerce as well as not-for-profit corporations are incorporated under different statutes. Basic information such as the legal name, status, and type of organization is available free of charge. 1(F) PART IIIncorporators5 (1) One or more individuals or bodies corporate may incorporate a corporate by signing articles of incorporation and complying with section 7. Marginal note: Individuals(2) An individual may incorporate a corporation only if that individual(a) is not less than 18 years of age; (b) is not less than 18 years of age; (b) is not less than 18 years of age; (b) is not incapable; or (c) does not have the status of bankrupt. R.S., 1985, c. 6 1994, c. 3, 134(F) Marginal note: Delivery of articles of incorporation only if that individual (a) is not less than 18 years of age; (b) is not incorporation and the documents required by sections 19 and 106.1974-75-76, c. 7 Date modified: 2022-01-20 To incorporate within the Northwest Territories Application for Name Search and Reservation form - except when requesting a numbered name Form 1: Articles of Incorporation Form 2: Notice of Registered Office Form 4: Notice of Directors applicable fees. 3 1996, c. 10, s. 5 2018, c. 12 1994, c. 2(F) 2007, c. A corporation has a share structure, and can raise capital by selling shares. 399 2009, c. 5 Marginal note: Reserving name11 (1) The Director may, on request, reserve for ninety days a name for an intended corporation or for a corporation about to change its name. Marginal note: Designating number (2) If requested to do so by the incorporation as its name a designating number followed by the word "Canada" and a word or expression, or the corresponding abbreviation, referred to in subsection 10(1).R.S., 1985, c. Overview Forms and guides A corporation is a legal entity owned by its shareholders, whose liability is limited to the amount they have invested in the corporation. 9, s. There are no restrictions, such as minimum company size, on the businesses that may incorporate under the Act. What kinds of businesses can incorporate under the Business Corporations Act? The corporation may use and may be legally designated by any such form. Marginal note: Alternative name outside Canada, set out its name in its articles in any language form and it may use and may be legally designated by any such form outside Canada.Marginal note:Publication of name(5) A corporation shall set out its name in legible characters in all contracts, invoices, negotiable instruments and orders for goods or services issued or made by or on behalf of the corporation.Marginal note:Other name(6) Subject to subsections (5) and 12(1), a corporation may carry on business under or identify itself by a name other than its corporate name if that other name does not contain, other than in a figurative or descriptive sense, either the word or expression "Limitée", "Incorporated", "Corporation" or "Société par actions de régime fédéral" or the corresponding abbreviation.R.S., 1985, c.

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