



Ontario's Vehicle Sales Regulator

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email: registration@omvic.on.ca

Web Site: www.omvic.on.ca

For office use only

Reg #: _____

W- ID: _____

A- ID: _____

BUSINESS CHANGE NOTICE – INDIVIDUALS / AMALGAMATION

This application is to be completed by corporations (including limited partnerships) to add or remove officers, directors and shareholders, when an amalgamation between corporations takes place. It is also to be completed by any dealership to add or remove signing authorities or persons in charge. **All individuals added to the dealership who will be authorized to trade on behalf of the dealership, or who will have supervisory authority over individuals authorized to trade on behalf of the dealership, must be registered as salespersons with OMVIC.**

Do not use this form if you are a registered salesperson wanting to change dealerships. Instead, complete a **Salesperson Change Application** form. **Do not** use this form if you are a registered dealership wanting to report the cancellation of a salesperson. Instead complete a **Salesperson Cancellation Notice** form.

Please review the **Business Change Notice – Individuals/Amalgamation** Information section of this form before completing it. **For the purpose of this form, the “registrant” is the registered dealership identified in Section A, below.**

SECTION A: GENERAL INFORMATION

All registrants must complete this section.

If this application relates to a renewal you've submitted online, kindly provide your
Reference Number: _____

Application Type (select as many as apply):

- Amalgamation (Section B)
- Changes to Officers, Directors, Shareholders or Signing Authorities (Section C)
- Changes to Persons in Charge (Section D)

Application Contact Name: _____

Contact Phone: _____ Contact Email: _____

Please explain the reason for submitting this form in the space below (e.g. sale of existing dealership, dealership reorganization, resignation or termination of officers, directors or signing authorities, etc.). The registrant may be requested to provide supporting documentation at a later date. If you require additional space, you may attach additional sheets to this application. **Kindly sign and date all attachments.**

Dealership Information:

Registration Number: _____

Legal Name of Dealership: _____

Business (Trade) Name (if applicable): _____

SECTION B: AMALGAMATION

Please complete this section if an amalgamation took place to your corporation. **We require you to attach a copy of the Articles of Amalgamation in support of this application.**

Legal Name of Dealership (after amalgamation): _____

Amalgamation Date (YYYY/MM/DD): _____ Corporation #: _____

1. Is there any change in the officers/directors/shareholders due to the amalgamation?

Yes No If "yes," please complete **Section C**.

SECTION C: CHANGES TO OFFICERS, DIRECTORS, SHAREHOLDERS AND SIGNING AUTHORITIES

Please complete this section to add or remove officers, directors, shareholders, bank signing authorities, trust signing authorities or dealership signing authorities.

Upon review, we may require you to submit additional applications, documents, financial information, records or questionnaires regarding any individuals named in this section. For a definition of terms, please read the corresponding section of the BUSINESS CHANGE NOTICE – INDIVIDUALS/AMALGAMATION INFORMATION at the end of this form. We require you to attach a copy of the Articles of Amendment/Updated Corporate Profile or Shareholders Agreement (as applicable) in support of this application. Please note: One of the registrant's officers and directors will be required to complete the certification course if none of the registrant's officers or directors have been a person in charge of a dealership since January 1, 2007 without a break in time that amounts to two consecutive years or completed the course after January 1, 2009.

ADD Officer, Director, Shareholder or Signing Authority

First Name: _____	Position* (check as many as apply): <i>Corporations must have officers, directors and shareholders.</i>
Middle Name: _____	Officer
Last Name: _____	Director
Gender: M F	Shareholder
Birth Date (YYYY/MM/DD): _____	Bank Signing Authority
Registration Number (if applicable): _____	Trust Signing Authority
	Dealership Signing Authority
	Salesperson
First Name: _____	Position* (check as many as apply): <i>Corporations must have officers, directors and shareholders.</i>
Middle Name: _____	Officer
Last Name: _____	Director
Gender: M F	Shareholder
Birth Date (YYYY/MM/DD): _____	Bank Signing Authority
Registration Number (if applicable): _____	Trust Signing Authority
	Dealership Signing Authority
	Salesperson

First Name: _____	Position* (check as many as apply): <i>Corporations must have officers, directors and shareholders.</i> Officer Director Shareholder Bank Signing Authority Trust Signing Authority Dealership Signing Authority Salesperson
Middle Name: _____	
Last Name: _____	
Gender: M F	
Birth Date (YYYY/MM/DD): _____	
Registration Number (if applicable): _____	

*See the **Business Change Notice – Individuals/Amalgamation Information** section at the end of this form for definitions.

REMOVE Officer, Director, Shareholder or Signing Authority

Corporations must have officers, directors and shareholders.

First Name: _____

Middle Name: _____

Last Name: _____

Gender: M F

Birth Date (YYYY/MM/DD): _____

Registration Number (if applicable): _____

Pursuant to your obligations under Section 23 and 24 of the Motor Vehicle Dealers Act, 2002 (“the Act”), you are required to notify OMVIC if there was anything about a salesperson’s honesty, integrity, financial responsibility or lawful conduct that led to their departure.

Reason for Removal: _____

Will this individual be continuing with the dealership in any other capacity?
 Yes No

If “yes,” please indicate in what capacity (e.g. as salesperson, officer, director, shareholder, bank signing authority, trust signing authority, dealership signing authority, etc.):

First Name: _____

Middle Name: _____

Last Name: _____

Gender: M F

Birth Date (YYYY/MM/DD): _____

Registration Number (if applicable): _____

Pursuant to your obligations under Section 23 and 24 of the Motor Vehicle Dealers Act, 2002 ("the Act"), you are required to notify OMVIC if there was anything about a salesperson's honesty, integrity, financial responsibility or lawful conduct that led to their departure.

Reason for Removal: _____

Will this individual be continuing with the dealership in any other capacity?

Yes No

If "yes," please indicate in what capacity (e.g. as salesperson, officer, director, shareholder, bank signing authority, trust signing authority, dealership signing authority, etc.):

First Name: _____

Middle Name: _____

Last Name: _____

Gender: M F

Birth Date (YYYY/MM/DD): _____

Registration Number (if applicable): _____

Pursuant to your obligations under Section 23 and 24 of the Motor Vehicle Dealers Act, 2002 ("the Act"), you are required to notify OMVIC if there was anything about a salesperson's honesty, integrity, financial responsibility or lawful conduct that led to their departure.

Reason for Removal: _____

Will this individual be continuing with the dealership in any other capacity?

Yes No

If "yes," please indicate in what capacity (e.g. as salesperson, officer, director, shareholder, bank signing authority, trust signing authority, dealership signing authority, etc.):

If you require additional space you may attach supplementary sheets to this application. **Kindly sign and date all attachments and clearly identify the name, birth date, gender, position(s), registration number (if applicable) and reason for removal for each individual.**

ADD Corporate Shareholder:

COMPLETE THIS SECTION ONLY IF SHARES IN THE REGISTRANT ARE HELD BY ANOTHER CORPORATION.

Please Note: we require corporate shareholders to complete a Business Application form.

Legal Name of Business: _____

Business (Trade) Name (if applicable): _____

REMOVE Corporate Shareholder:

Legal Name of Business: _____

Business (Trade) Name (if applicable): _____

Reason for Removal: _____

If you require additional space you may attach supplementary sheets to this application. **Kindly sign and date all attachments.**

SECTION D: CHANGES TO PERSONS IN CHARGE

Please complete this section to add or remove a person in charge.

The “person in charge” is the person who is at the dealership on a day-to-day basis and has been designated with and accepted primary responsibility for ensuring compliance with the Act and Regulations and has authority over employees engaged in the trade (as defined in the MVDA) of motor vehicles (e.g. the General Manager or Dealer Principal). They must be currently registered as a salesperson or be the sole proprietor of this dealership “the registrant.” They must have been a person in charge of a dealership since January 1, 2007 without a break in time that amounts to two consecutive years or completed the certification course after January 1, 2009.

If the person in charge is not an officer or director of the dealership (if a corporation), a partner (if a partnership) or the owner (if a sole proprietor), then at least one officer, director, partner or the sole proprietor must have been a person in charge of a dealership since January 1, 2007 without a break in time that amounts to two consecutive years or completed the certification course after January 1, 2009.

In accordance with Section 11 of the Regulations under the Act, the “Registrar shall not grant” a renewal unless these requirements are met prior to the expiry date of this dealership “the registrant.”

ADD Person in Charge:

First Name: _____ Middle Name: _____

Last Name: _____ Birth Date (YYYY/MM/DD): _____

Gender: M F Registration Number: _____

Georgian College Student ID (if applicable): _____

Check all of the following boxes that apply to the new person in charge:

Has been in charge of a dealership since January 1, 2007 without any break in time that amounts to two consecutive years

Has completed the OMVIC certification course after January 01, 2009

REMOVE Person in Charge:

Pursuant to your obligations under Section 23 and 24 of the Motor Vehicle Dealers Act, 2002 (“the Act”), you are required to notify OMVIC if there was anything about a salesperson’s honesty, integrity, financial responsibility or lawful conduct that led to their departure.

First Name: _____ Middle Name: _____

Last Name: _____ Birth Date (YYYY/MM/DD): _____

Gender: M F Registration Number: _____

Reason for Removal: _____

Will this individual be continuing with the dealership in any other capacity?

Yes No

If “yes,” please indicate in what capacity (e.g. as salesperson, officer, director, shareholder, bank signing authority, trust signing authority, dealership signing authority, etc.):

SECTION E: CONSENT AND UNDERTAKING

All registrants must complete this section.

I confirm that I have not misrepresented or omitted any material facts in any document or statement made in support of this application. I understand that each statement is subject to verification. I understand it is a serious offence to knowingly provide false information in connection with this application. **I further understand the provision of false, incomplete or misleading information, or the omission of information in this application or the documents submitted with it, may result in the refusal, suspension or revocation of registration.**

In order to complete or verify the information provided on this form, it may be necessary for OMVIC to collect additional information from, or to exchange information with government and relevant non-government sources regarding the registrant, its officers, directors, partners and shareholders. On request by OMVIC, I agree to furnish any required authorization or release to obtain information. I consent to the collection of this information as authorized under the *Motor Vehicle Dealers Act 2002* ("the Act"). I understand this information will be used to determine whether I am and remain qualified for the registration for which I am applying or to ensure compliance with the Act. Only information relevant to my registration will be collected. I further consent to the sharing of any information gathered in the course of processing this application with others as may be considered necessary in the course of determining whether I am and remain qualified for registration or to ensure compliance with the Act. **I understand the consent to the collection and sharing of this information remains ongoing throughout the term of my registration and during the application process.**

I understand I must notify OMVIC in writing within five days of any changes to this information that occurs following this application being filed. I confirm I have retained a copy of this application for my records.

The registration record, which includes the registrant's name, registration number, business address and registration dates, is part of the public record.

The registrant understands it is a violation of the Act to conduct business as a motor vehicle dealer without benefit of registration from OMVIC.

I confirm that I have read and understood the information provided in the Business Change Notice – Individuals/Amalgamation Information section of this application.

I certify the information provided by the undersigned in support of this application is, to the best of my knowledge and belief, true.

I certify I am an authorized representative of the registrant (i.e. an officer, director, partner or the sole proprietor).

Print Name of Authorized Individual/Employer

Position of Authorized Individual

Signature of Authorized Individual/Employer

Date Signed (YYYY/MM/DD)

Business Phone

Business Fax

Print name of person who completed/translated this application, if different from the authorized individual/employer



CHECK THE STATUS OF THIS APPLICATION ONLINE AT WWW.OMVIC.ON.CA

BUSINESS CHANGE APPLICATION FORM CHECKLIST

Have you attached:

Copy of the **Articles of Amalgamation**. See Section B – Amalgamation

Copy of the **Articles of Amendment/Updated Corporate Profile** and/or **Shareholder Agreement** if adding or removing Officers, Directors, Shareholders or Corporate Shareholders. See Section C – Changes to Officers, Directors, Shareholders and Signing Authorities

Completed **Business Application** to add a Corporate Shareholder. See Section C – Changes to Officers, Directors, Shareholders and Signing Authorities

BUSINESS CHANGE NOTICE – INDIVIDUALS/AMALGAMATION INFORMATION

The following information is provided as a guideline only. All registrants are encouraged to review the relevant sections of *The Motor Vehicle Dealers Act, 2002* (“the Act”) and its regulations and to consult with a lawyer if they have any questions. After reviewing this information, please call OMVIC at 416-226-4500 (Toronto) or toll-free at 1-800-943-6002 for questions about completing this form.

SECTION A: GENERAL INFORMATION

Trade – Includes buying, selling, leasing, advertising or exchanging an interest in a motor vehicle or negotiating, inducing or attempting to induce the buying, selling, leasing or exchanging of an interest in a motor vehicle.

Salesperson – An individual who is employed by a motor vehicle dealer to trade in motor vehicles on the dealer’s behalf.

Employ – Means to employ, appoint, authorize or otherwise arrange to have another person act on the dealer’s behalf.

SECTION C: CHANGES TO OFFICERS, DIRECTORS, SHAREHOLDERS AND SIGNING AUTHORITIES

Officer – Includes the chair and any vice-chair of the board of directors, the president and any vice-president, the secretary and assistant secretary, the treasurer and assistant treasurer and the general manager and the assistant general manager of a corporation or a partner or general manager and assistant manager of a partnership; any other individual designated as an officer by by-law or resolution or any other individual who performs functions normally performed by an individual occupying such office.

Shareholder – Includes any person (or group of related persons) who will have beneficial ownership or control of at least 10% of the equity shares of a corporation. This includes shareholders previously reported to OMVIC who have increased their holdings. Shareholders are also considered Interested Persons.

Signing Authorities – The regulations to the Act require dealers to report to OMVIC any changes regarding who will have signing authority on the dealer’s bank account, trust account (if applicable) or who will have authority to sign on behalf of the dealership. The individuals reported on this application may be required to submit an Individual Application because they are deemed to be “interested persons” or “associated persons.” A “dealership signing authority” is any individual not previously disclosed to OMVIC who has signing authority on behalf of the dealership (e.g. for floor plan or lease agreements).

Interested and Associated Persons – Section 6 of the Act empowers the Registrar to refuse, revoke or suspend registration based on the conduct of “interested persons” and “associated persons” as defined under Section 1(2) and 6(4) of the Act (see below). The registrant must make reasonable efforts to identify to OMVIC any person who may be an “interested person” or “associated person.” In the course of processing this application, the registrant may be required to answer questions regarding persons who are deemed to be “interested persons” or “associated persons.”

From the *Motor Vehicle Dealers Act, 2002*:

1(2) For the purpose of this Act, one person is associated with another person in any of the following circumstances:

1. One person is a corporation of which the other person is an officer or director.
2. One person is a partnership of which the other person is a partner.
3. Both persons are partners of the same partnership.
4. One person is a corporation that is controlled directly or indirectly by the other person.
5. Both persons are corporations and one corporation is controlled directly or indirectly by the same person who controls directly or indirectly the other corporation.
6. Both persons are members of the same voting trust relating to shares of a corporation.
7. Both persons are associated within the meaning of paragraphs 1 to 6 with the same person.

6(4) For the purposes of this section, a person shall be deemed to be an interested person in respect of another person if the person is associated with the other person or if, in the opinion of the Registrar:

- (a) The person has or may have a beneficial interest in the other person's business;
- (b) The person exercises or may exercise control either directly or indirectly over the other person, or;
- (c) The person has provided or may have provided financing either directly or indirectly to the other person's business.

SECTION D: CHANGES TO PERSONS IN CHARGE

Person in Charge – Is the person who is at the dealership on a day-to-day basis and has been designated with and accepted primary responsibility for ensuring compliance with the Act and Regulations and has authority over employees engaged in the trade (as defined in the MVDA) of motor vehicles (e.g. the General Manager or Dealer Principal).