



Ontario Motor Vehicle Industry Council

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BUSINESS CHANGE NOTICE – INDIVIDUALS

This application must be completed by corporations (including limited partnerships) when adding or removing officers, directors and shareholders, or by any dealership making changes to its signing officers. If you are a registered salesperson changing dealerships, please complete the "Salesperson Change Notice" form. If you are a dealership wanting to notify OMVIC of the cancellation of a salesperson, please complete the "Salesperson Cancellation Notice" form. For the purpose of this form, the "applicant" is the registered dealership named in Section A, below.

SECTION A: GENERAL INFORMATION

If you are changing the legal name of an existing registered dealership, please contact OMVIC to confirm the type of application required for your specific case. Please note that misleading names may not be approved.

Legal Name of Dealer: _____

Business (Trade) Name (if applicable): _____

Registration Number:

Please explain why you are submitting this form (e.g., sale of an existing dealership, dealership reorganization, resignation or termination of officers, directors or signing officers, etc.). You may be requested to provide supporting documentation at a later date. Please attach additional sheets if necessary.

SECTION B: CHANGES TO OFFICERS, DIRECTORS AND SHAREHOLDERS

Please complete this section if there are any changes to officers, directors or shareholders.

ADDITION/REMOVAL OF OFFICERS, DIRECTORS AND SHAREHOLDERS

Please indicate the name(s) of the individual(s) being added to or removed from the corporation or limited partnership. *Please note: Any individuals who are unknown to OMVIC will be required to submit an "Individual Application" form. Individuals known to OMVIC may also be required to submit an "Individual Application" form.*

The following individuals are being added (attach additional sheets if necessary):

First Name: _____ Initial: _____ Last Name: _____

Positions: _____ D.O.B. (YYYY/MM/DD): / /

Registration Number (if applicable):

For office use only

Registration Number:

First Name: _____ Initial: _____ Last Name: _____

Positions: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____

The following individuals are being removed (attach additional sheets if necessary):

First Name: _____ Initial: _____ Last Name: _____

Positions: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____

First Name: _____ Initial: _____ Last Name: _____

Positions: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____

Please note any individuals being added 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.

SECTION C: CHANGES TO PERSON IN CHARGE

Will there be any change to the person in charge of the day-to-day operations of the dealership (i.e., the person who has been assigned responsibility for and has agreed to be accountable for compliance with the *Motor Vehicle Dealers Act, 2002* and its regulations)?

Yes No If "yes," please indicate who will be the person in charge.

First Name: _____ Initial: _____ Last Name: _____

Position: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number: _____

Has the person in charge...

a) Been in charge of a dealership since January 1, 2007 (exempt from certification course)?

Yes No

b) Completed the OMVIC certification course since January 1, 2009?

Yes No

Georgian College Student ID Number (if available): _____

Please note the person in charge must have either completed the OMVIC certification course OR have been the person in charge of any dealership since January 1, 2007. 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 completed the certification course OR been the person in charge of a dealership since January 1, 2007. **In accordance with Section 11 of the Regulations under the Act, the "Registrar shall not grant" a renewal unless the requirements described above are met prior to your expiry date.**

SECTION D: CHANGES TO SIGNING OFFICERS

Please complete this section if there are any changes to signing officers on your bank or trust account.

ADDITION/REMOVAL OF SIGNING OFFICERS (REGISTERED)

Please note: Any individuals who are unknown to OMVIC will be required to submit an "Individual Application" form. Individuals known to OMVIC may also be required to submit an "Individual Application" form.

The following individuals are being added as signing officers (attach additional sheets if necessary):

First Name: _____ Initial: _____ Last Name: _____

Position: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____ Bank Account Trust Account

First Name: _____ Initial: _____ Last Name: _____

Position: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____ Bank Account Trust Account

The following individuals are being removed as signing officers (attach additional sheets if necessary):

First Name: _____ Initial: _____ Last Name: _____

Position: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____ Bank Account Trust Account

First Name: _____ Initial: _____ Last Name: _____

Position: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____ Bank Account Trust Account

Please note any individuals being added 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.

SECTION E: CHANGES TO OTHER SIGNING OFFICERS

Are there any other individuals whom you have not previously reported on an OMVIC application who have been designated with signing authority on behalf of the dealership?

Yes No

If "yes," please attach additional sheets as necessary.

First Name: _____ Initial: _____ Last Name: _____

Position: _____ D.O.B. (YYYY/MM/DD): ____/____/____

Registration Number (if applicable): _____ Bank Account Trust Account

SECTION F: REMOVAL OF INDIVIDUALS

Will any of the individuals being removed in Section B or Section D or as a person in charge continue to be involved in the dealership in any other capacity?

Yes No

If "yes," please explain (attach additional sheets if necessary):

Please note: If any of the individuals being removed are currently registered as salespersons to your dealership, you will need to submit the "Salesperson Cancellation Notice" form.

SECTION G: CONSENT AND UNDERTAKING

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 applicant, 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 applicant's name, registration number, business address and registration dates, is part of the public record.

The applicant 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 on the reverse 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 applicant (i.e. an officer, director, partner or the sole proprietor).

Name of Authorized Individual/Employer Signature of Authorized Individual/Employer / /
Date Signed (YYYY/MM/DD)

Position of Authorized Individual/Employer Dealership Business Phone Dealership Fax

Name of person who completed/translated this application, if different from authorized Individual/Employer

BUSINESS CHANGE NOTICE – INDIVIDUALS INFORMATION

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

SECTION A: GENERAL INFORMATION

Trade – Includes buying, selling, leasing, advertising or exchanging an interest in a motor vehicle or negotiating or 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 your behalf.

Business (Trade) Name – Please attach a copy of your registration of new business name (Master Business Licence). Sole proprietors, partnerships (general or limited) and corporations may operate under a business or trade name other than their own (e.g., "John and Mary's Auto Sales"). Any business name must be registered with the Ministry of Consumer Services – Companies Branch, or with Ontario Business Connects (OBC) through their Master Business Licence (MBL) registration. A Business Identification Number (BIN) is assigned to a registered business name.

Misleading Names – OMVIC reserves the right to refuse registration to an applicant who proposes to conduct business under any name which is misleading. For instance, names which incorporate words or phrases such as "wholesale," "at cost," "liquidation" and "factory direct" may lead customers to believe they will enjoy special pricing otherwise unavailable. If you have any questions about your proposed name, please contact OMVIC prior to submitting your application.

SECTION B: CHANGES TO OFFICERS, DIRECTORS AND SHAREHOLDERS

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.

SECTION D: CHANGES TO SIGNING OFFICERS

Signing Officers – The regulations to the *Motor Vehicle Dealers Act 2002* require dealers to report to OMVIC any changes to OMVIC regarding who will have signing authority on the dealer's bank account or 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".

Interested and Associated Persons – Section 6 of the *Motor Vehicle Dealers Act, 2002* empowers the Registrar to refuse, revoke or suspend registration based on the conduct of "interested persons" and "associated persons" as defined under Section 1(1) and 6(4) of the Act (below). You 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 you may be required to answer questions regarding persons who are deemed to be "interested persons" or "associated persons".

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.