



Ontario Motor Vehicle Industry Council

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For office use only

Reg #: _____

W-ID: _____

A-ID: _____

BUSINESS CHANGE NOTICE – INDIVIDUALS

This application is to be completed by corporations (including limited partnerships) to add or remove officers, directors and shareholders, and by any dealership to add or remove signing officers 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 Notice** 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 Information** section of this form before completing it. For the purpose of this form, the “applicant” is the registered dealership identified in Section A, below.

SECTION A: GENERAL INFORMATION

All applicants must complete this section.

Application Type (select as many as apply):

Changes to Officers, Directors, Shareholders (Section B)

Changes to Persons in Charge (Section C)

Changes to Signing Officers for Bank Account or Trust Account (Section D)

Changes to Dealership Signing Officers (Section E)

Application Contact Name: _____

Contact Phone: _____ Contact Email: _____

Please explain why you are submitting this form (e.g. sale of 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. If you require additional space, you may attach additional sheets to this application. Please sign and date all attachments.

Dealership Information:

Registration Number:

Legal Name of Dealership: _____

Business (Trade) Name (if applicable): _____

SECTION B: CHANGES TO OFFICERS, DIRECTORS AND SHAREHOLDERS

Please complete this section to add or remove officers, directors or shareholders.

We require you to attach a copy of the **Articles of Amendment/Form 1 Schedule A** to support this application.

ADD Officer, Director or Shareholder:

*Please note: Individuals unknown to OMVIC will be required to submit an **Individual Application** form (no fee required). Known individuals may also be asked to submit an **Individual Application** form without fee.*

One of your officers and directors will be required to complete the certification course if none of your 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.

- First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): / /
 Gender: M F Position: Officer Director Shareholder Other _____
 Registration Number (if applicable):
 Georgian College Student ID (if applicable):

- First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): / /
 Gender: M F Position: Officer Director Shareholder Other _____
 Registration Number (if applicable):
 Georgian College Student ID (if applicable):

- First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): / /
 Gender: M F Position: Officer Director Shareholder Other _____
 Registration Number (if applicable):
 Georgian College Student ID (if applicable):

If you require additional space you may complete and attach an **Additional Individuals for Business Supplement** form, available on OMVIC's website at www.omvic.on.ca.

REMOVE Officer, Director or Shareholder:

- First Name: _____ Middle Name: _____
Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
Gender: M F Position: Officer Director Shareholder Other _____
Registration Number (if applicable): _____
- First Name: _____ Middle Name: _____
Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
Gender: M F Position: Officer Director Shareholder Other _____
Registration Number (if applicable): _____
- First Name: _____ Middle Name: _____
Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
Gender: M F Position: Officer Director Shareholder Other _____
Registration Number (if applicable): _____

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) and registration number (if applicable) of each individual you wish to remove.

ADD Corporate Shareholder:

Please Note: A business application may be required for the corporate shareholder

Legal Name of Business: _____

Business (Trade) Name (if applicable): _____

REMOVE Corporate Shareholder:

Legal Name of Business: _____

Business (Trade) Name (if applicable): _____

SECTION C: CHANGES TO PERSON IN CHARGE

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

The "person in charge" (i.e., the person who will be assigned primary responsibility for and has agreed to be accountable for compliance with the *Motor Vehicle Dealers Act, 2002* and its regulations) must be currently registered as a salesperson or be the sole proprietor of this dealership "the applicant." 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 applicant."

ADD Person in Charge:

Please note: Individuals unknown to OMVIC will be required to submit an Individual Application form with the appropriate fee. Known individuals may also be asked to submit an Individual Application form with fee.

• First Name: _____ Middle Name: _____
Last Name: _____ Birth Date (YYYY/MM/DD): / /
Gender: M F Other Position(s): _____
Registration Number (if applicable):
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

If you wish to add additional persons in charge please submit the **Additional Individuals for Business Supplement** form available on OMVIC's website at www.omvic.on.ca.

REMOVE Person in Charge:

• First Name: _____ Middle Name: _____
Last Name: _____ Birth Date (YYYY/MM/DD): / /
Gender: M F Other Position(s): _____
Registration Number (if applicable):

SECTION D: CHANGES TO BANK/TRUST ACCOUNT SIGNING OFFICERS

Please complete this section to add or remove signing officers for your bank account or trust account.

ADD Signing Officer for Bank Account or Trust Account:

Please note: Individuals unknown to OMVIC will be required to submit an Individual Application form. Known individuals may also be asked to submit an Individual Application form.

• First Name: _____ Middle Name: _____
Last Name: _____ Birth Date (YYYY/MM/DD): / /
Gender: M F Positions: Bank Account Trust Account Other _____
Registration Number (if applicable):

• First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
 Gender: M F Positions: Bank Account Trust Account Other _____
 Registration Number (if applicable): _____

If you require additional space you may complete and attach an **Additional Individuals for Business Supplement** form, available on OMVIC's website at www.omvic.on.ca.

REMOVE Signing Officer for Bank Account or Trust Account:

• First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
 Gender: M F Positions: Bank Account Trust Account Other _____
 Registration Number (if applicable): _____

• First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
 Gender: M F Positions: Bank Account Trust Account Other _____
 Registration Number (if applicable): _____

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) and registration number (if applicable) of each individual you wish to remove.

SECTION E: CHANGES TO DEALERSHIP SIGNING OFFICERS

Please complete this section to add or remove dealership signing officers (i.e., unregistered individuals who have authority to sign on behalf of the dealership).

ADD Dealership Signing Officer:

• First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
 Gender: M F Positions: _____
 Registration Number (if applicable): _____

• First Name: _____ Middle Name: _____
 Last Name: _____ Birth Date (YYYY/MM/DD): ____/____/____
 Gender: M F Positions: _____
 Registration Number (if applicable): _____

If you require additional space you may complete and attach an **Additional Individuals for Business Supplement** form, available on OMVIC's website at www.omvic.on.ca.

SECTION G: CONSENT AND UNDERTAKING

All applicants 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 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 in the Business Change Notice – Individuals 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 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

Business Phone

Business Fax

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

BUSINESS CHANGE NOTICE CHECKLIST

Have you attached:

- Copy of the Articles of Amendment/Form 1 Schedule A. See Section B –Changes to Officers, Directors and Shareholders

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 ("dealership signing officers"). 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."

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.