

Notice - Filing Methods and Requirements

Effective Date: This Notice is effective the date that Schedule 1 (Alternative Filing Methods for Business Act, 2020) and Schedules 2, 3, 6, 7, 8, 10 and 11 of the COVID-19 Response and Reforms to Modernize Ontario Act, 2020 come into force. Please visit [e-laws](#) to see this legislation.

In accordance with the requirements set out in this Notice, businesses and not-for-profits are permitted to file documents signed by electronic signature, file copies of documents and to file documents by email or fax that are otherwise required or permitted to be mailed or delivered in-person under a business statute listed below. This Notice of Filing Methods and Requirements is made by the Director and Registrar under the Alternative Filing Methods for Business Act, 2020 and amendments to the following business statutes (the “business statutes”):

1. Business Corporations Act
2. Business Names Act
3. Co-operative Corporations Act
4. Corporations Information Act
5. Corporations Act
6. Extra-Provincial Corporations Act
7. Limited Partnerships Act

In this Notice, “document” means any document, including any articles, notice, declaration, application or any accompanying document under any of the business statutes. The requirements in this Notice apply to documents required or permitted under the business statutes to be filed by in-person delivery or mail with the Minister, Director or Registrar, as applicable, and to documents permitted by this Notice to be filed by fax or email with the Minister, Director or Registrar in accordance with this Notice.

Signing by electronic signature

If a document is a prescribed, required or approved form that is required to be signed under a requirement of a business statute, and it is filed by email or fax in accordance with this Notice or by in-person delivery or mail, it may be signed by electronic signature in accordance with the requirements in this Notice. Supporting documents signed by electronic signature are also acceptable unless otherwise prohibited by law. Electronic signature is defined under the business statutes and for the purposes of this Notice as follows:

“electronic signature” means an identifying mark or process that is,

- (a) created or communicated using telephonic or electronic means,
- (b) attached to or associated with a document or other information, and
- (c) made or adopted by a person to associate the person with the document or other information, as the case may be.

The documents signed by electronic signature must also meet the following requirements:

- The full name of the signatory must be legible and must be set out in the document on the signature line.
NOTE: If it is not possible for any reason to set out the full name on the signature line, the full name may be set out in another field, e.g. the “description of office” field, together with the required information for that field.
- The document must indicate that it has been signed by electronic signature.
NOTE: A copy of a manual signature does not require this indication.

The following are examples of acceptable ways to set out the full name of the signatory on the document, and to indicate that it has been signed by electronic signature:

- Jane Doe by electronic signature
- Jane Doe by e-signature
- “Jane Doe” by electronic signature
- “Jane Doe” by e-signature
- In the above examples, in place of Jane Doe or “Jane Doe”, a font that appears to be hand-written (cursive) or a computer-generated electronic signature is acceptable if the full name of the signatory (Jane Doe) is also set out on the signature page of the document
- Alternatively, a cover letter to a document may state that the document has been signed by electronic signature if the name of the signatory is set out on the signature page of the document

NOTE: Any records that may exist related to an electronic signature (e.g. an email) should not be filed with the document. However, the individual, corporation or other entity, as applicable, filing the document under a business statute must meet the following requirements:

- A copy of the properly executed version of the signed documents (in paper or electronic format), including records that may exist related to an electronic signature, must be kept by the individual, corporation or other entity at the (as applicable):
 - registered office
 - head office
 - limited partnership's principal place of business in Ontario
 - limited partnership's attorney and representative if the limited partnership is an extra-provincial limited partnership that does not have a principal place of business in Ontario
- If required by notice from the Director or Registrar, as applicable, under a business statute, the individual, corporation or other entity must provide a copy of the executed version, including records that may exist related to an electronic signature, to the Minister, Director or Registrar within the time period set out in the notice.

Copies of documents

If any document is required to be filed with the Minister, Director or Registrar under a business statute, a legible copy is permitted to be filed. For greater certainty, this includes legible copies of articles, applications (including applications for letters patent and supplementary letters patent and declarations) and other documents instead of originals, where originals are required under the business statutes.

If a document is filed by fax or email in accordance with this Notice, the document must be a legible electronic copy.

For example, the following copies are permitted:

- legible copies of signed documents, whether signed by electronic signature or manually (filed by in-person delivery, mail or fax)
- legible PDF copies of signed documents, whether signed by electronic signature or manually (filed by email)
- legible copies of documents not requiring signatures (filed by in-person delivery, mail or fax)
- legible PDF copies of documents not requiring signatures (filed by email)

NOTE: Also acceptable are original documents, whether signed by electronic signature or manually (filed by in-person delivery or mail).

Court Orders

If a court order is required as an accompanying document, the Minister, Director or Registrar, as applicable, will accept legible copies of certified copies of court orders, or notarial copies of certified copies of court orders (filed by in-person delivery, mail, email or fax).

Temporary Filing Methods - E-Filing

For the purposes of section 3 of the Alternative Filing Methods for Business Act, 2020, if a business statute requires or permits a document to be filed by in-person delivery or mail with the Minister, Director or Registrar, a person or entity may instead file the document by email or fax in accordance with this Notice, until further Notice is provided. The document must be a legible electronic copy.

Documents filed by email or fax must be received together with all other required documents executed as required and the required fee by the Ministry during business hours (Monday – Friday, 8:30 am to 5:00 pm, except holidays), on or prior to the requested effective date. Documents and fees received outside these times are deemed received on the next business day. The business statutes and regulations continue to apply except as set out in this Notice.

Specific requirements for filing documents and search requests by email and fax are set out below.

i) Sending documents or search requests by email

Legible PDF electronic copies of documents may be filed at the following email address: companiesfilings@ontario.ca. Duplicate copies are not required. The prescribed, required or approved form under the applicable business statute for filing by in-person delivery or mail must be used, and the prescribed or required accompanying documents must be included, together with the fee (in the form of contact information as set out below to permit fee collection). No specific form is required for a search request.

For your security and protection, credit card information cannot be provided by email. Please provide a daytime contact phone number as part of your cover letter. After your email is received, you should receive a phone call from staff within about five (5) business days to collect credit card information (e.g. cardholder name, number, expiry date, etc.) and payment will be processed at that time.

Do not include credit card information in an email.

Any email containing credit card information will be deleted to protect your information and maintain compliance with credit card industry protocols. Your application will not be processed and you will need to email it again without the credit card information included.

All emailed documents will be handled the same as mailed in documents and service standards for mailed in documents will apply. The Acts continue to govern in all respects, including effective dates. This will not be immediate fulfillment.

A cover letter should include the contact name, return address, daytime telephone number and a future date (up to 30 days ahead) if requested for corporate documents. The total number of pages contained in the attached document should be indicated in the cover letter.

ii) Sending documents or search requests by fax

Legible electronic copies of documents may be filed by fax to 416-314-0102. Duplicate copies are not required. The prescribed, required or approved form under the applicable business statute for filing by in-person delivery or mail must be used, and the prescribed or required accompanying documents must be included, together with the fee (credit card information as set out below). No specific form is required for a search request.

A fax transmission should include a cover letter that contains the sender's contact name, return address, daytime telephone number and a future date (up to 30 days ahead) if requested for corporate documents. The total number of pages contained in the fax should be indicated in the cover letter.

When providing credit card information by fax, please set out this information on a separate page from the articles, applications or other documents that are being submitted. Credit card information should be provided on a stand-alone, separate page for the payment of fees but needs to be faxed jointly with the set of documents in one transmittal. **Do not include credit card information in a cover letter.**

The credit card information described above must include: cardholder name, number and expiry date.

Faxed documents will be handled the same as mailed in documents and service standards for mailed in documents will apply. The Acts continue to govern in all respects, including effective dates. This will not be immediate fulfillment.

NOTE: This Notice is subject to change or revocation by further Notice.

This Notice - Filing Methods and Requirements is made pursuant to:
Sections 3 and 7 of the Alternative Filing Methods for Business Act, 2020
Subsection 271.2.1 (1) of the Business Corporations Act
Subsection 10.5 (1) of the Business Names Act
Subsection 185.2 (1) of the Co-operative Corporations Act
Subsection 326.3.1 (1) of the Corporations Act
Subsection 21.4.1 (1) of the Corporations Information Act
Subsection 24.5 (1) of the Extra-Provincial Corporations Act; and

Subsection 37 (1) of the Limited Partnerships Act.

Approved:

Director and Registrar
Business Statutes

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