



**starting a
small
business**

*“Whatever the mind can
conceive and believe; the
mind can achieve.”*
-Napoleon Hill-

Tom Davies Square / Place Tom Davies
200, rue Brady Street
Sudbury, ON P3E 3L9
705-688-7582 / 1-800-668-7582
www.regionalbusiness.ca



NEED HELP WITH YOUR NEW BUSINESS VENTURE?

The regional Business Centre staff are ready
to assist you throughout the process.

Our services include:



- Information on starting and expanding a business
- Assistance with business plan development
- Guidance on regulations, licenses and registrations
- Market research and access to resource library
- Access to loans, grants and other financial incentive programs
- Business seminars, networking and mentoring opportunities
- Online business registrations
- One-on-one consultations



Be sure to pick up the following guides:

- Starting a Small Business
- Writing a Business Plan
- The Funding Handbook
- Greater Sudbury Statistics Handbook

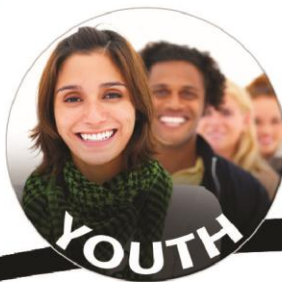


Table of Contents

CHOOSING YOUR LEGAL STRUCTURE	1
SOLE PROPRIETORSHIP CHECKLIST	3
SOLE PROPRIETORSHIP	4
PARTNERSHIP CHECKLIST	6
PARTNERSHIPS.....	7
CORPORATION CHECKLIST	10
CORPORATION.....	11
OPERATIONAL REQUIREMENTS.....	17
HIRING EMPLOYEES	23
INDUSTRY SPECIFIC CONTACTS	28
USEFUL INTERNET SITES	33

CHOOSING YOUR LEGAL STRUCTURE

You have the choice of registering your business name as a sole proprietorship, partnership, or a corporation. Choosing the structure that is suitable for your business can sometimes be challenging. However, it is wise to evaluate each form of business organization to determine which one is appropriate.

Keep the following things in mind:

- Different structures are accompanied by different abilities to reduce costs and maximize profits.
- If you are looking for investors, partners, or raising share capital, it may be easier to accomplish this with a certain type of business structure.
- Taxation regulations and procedures differ according to business structure.

There are 3 legal structure options:

- Sole-proprietorship (See page 3)
- Partnership (See page 6)
- Corporation (See page 10)

Sole Proprietorship vs. Partnership vs. Incorporation

Type of Business Organization	Advantages	Disadvantages
<p>Sole Proprietorship <i>Business owned by one person, called a "proprietor."</i></p>	<ul style="list-style-type: none"> • Low start-up costs • Owner has direct control • All profits go to owner • Less regulations than other forms of business • Minimal requirements for working capital • Tax advantages for the small business owner (losses can be applied against other income of proprietor) 	<ul style="list-style-type: none"> • Owner assumes all risk of business; responsible for payment of all business debt • Difficult to raise capital • Lack of continuity (ownership not transferable) • Possible tax disadvantages (profits must be added to personal income)
<p>Partnership <i>Business owned by two or more individuals or corporations.</i></p>	<ul style="list-style-type: none"> • Low start-up costs • Ease of formation • Broader management base • Limited outside regulation • Partners provide sources of additional capital and skills • Possible tax advantage 	<ul style="list-style-type: none"> • Partners assume personal liability for debts of business • Difficulty in raising additional capital • Divided authority • Difficulty in finding suitable partners • Partners can legally bind each other without prior approval • Lack of continuity • More complex record keeping and tax returns
<p>Corporation <i>A separate legal entity which can enter into contracts and own property, separately and distinctly from its owners who are the shareholders.</i></p>	<ul style="list-style-type: none"> • Limited liability (generally limited to individual's personal investment in the business) • Continuous existence (ownership transferable) • Legal entity • Easier to raise capital (i.e. money for the business can be raised by selling shares) • Specialized management • Possible tax advantages 	<ul style="list-style-type: none"> • Most expensive and complicated form of business to organize • Closely regulated • Charter restrictions • Extensive record keeping and complex taxation • Shareholders may be held legally responsible in certain circumstances

SOLE PROPRIETORSHIP CHECKLIST

- Choosing your Legal Structure** (page 1)
- Choosing a Sole Proprietorship as your legal structure** (page 4)
- Choosing a Business Name** (page 4)
- Registering your business name with Service Ontario** (page 5)
(Master Business License \$60 renewable every 5 years)
- Contacting the City of Greater Sudbury By-Law Department for municipal licenses and permits** (page 17)
(Costs vary on industry types)
- Contacting the City of Greater Sudbury Planning Department for zoning and Building Services for Building Permits.** (page 17)
- Registering with industry specific agencies; *if applicable***
(See page 28 for some contact information)
- Registering for HST with Canada Revenue Industry; *if applicable*** (page 18)
- Obtaining Business Insurance** (page 19)
(Liability, Disability, Property, Vehicle and/or Home Insurance, Errors & Omissions, Business Interruption Insurance)
- Complying with the Accessibility Standards for Customer Service; *if applicable*** (page 19)
- Registering for mandatory WSIB coverage in the construction industry; *if applicable*** (page 20)
- Other Self-Employment Obligations & Considerations: WSIB, EI Special Benefits, CPP Contributions and Claiming Business Income.** (page 20-22)
- Hiring employees** (page 23)
- Useful Internet Sites** (page 33)

SOLE PROPRIETORSHIP

STRUCTURE DESCRIPTION

A sole proprietorship is a single unincorporated business owner. This form of business organization is the most simple and common for self-employed people. As a sole proprietor you assume complete responsibility/ liability for your business. Any income generated and expenses incurred are claimed through personal income taxes each year.

THE BUSINESS NAME

If the business will operate in your given name, you are not required to register the business. If you attach any word to your given name, you are required to register under the Business Names Act.

Bill Gates - ***Does Not Need to Register***
Bill Gates Computers - ***Does Need to Register***

The business name that you have chosen can be searched before registering your business. The free search is conducted in Canada and generates a list of existing business names, as well as trademarks, that are similar to the one being proposed.

There are 2 ways to do a business name search:

In Person	Regional Business Centre Tom Davies Square, 200 Brady Street Sudbury, ON P3E 3L9 (Credit card only)
Online	Nuans Name Search https://www.nuans.com/auth/app/scr/corp/nuans/public/PreSearch.html?reportType=6&lang=eng

MASTER BUSINESS LICENSE

This license is required for all businesses operating in Ontario under a trade/business name. The license allows the business to **advertise the name and to open a business bank account**. Financial institutions require proof of registration to open a business account. The Master Business License will provide them with the business identification number (9 digit ID number).

Note:

The registration of the business name does not grant you exclusive use of the name. In other words, the Regional Business Centre and the Province of Ontario are not required to inform you of a business name that has already been registered.

In order to legally protect your business name, you would have to register a trademark/trade name or incorporate that name in the area you wish to be protected. If you would like more information on protecting your business name, contact the Regional Business Centre.

Where to Register

When you are ready to register your business, you can visit the Regional Business Centre where an employee will assist you with the **online registration** and answer any questions you may have. There is a fee of **\$60.00** (renewable every five years). The online registration also enables you to register for Employer Health Tax and Workplace Safety and Insurance.

Important: You will not be notified about an expiring or expired business license. Be sure to monitor the license's expiration date in order to renew.

There are two ways you can register:

In Person	Regional Business Centre Tom Davies Square, 200 Brady Street Sudbury, ON P3E 3L9 (Credit card only)
Online	Service Ontario https://www.ontario.ca/page/ontario-business-registry
Mail or Email	Service Ontario – Central Forms Repository https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=5288&NO=5288E

PARTNERSHIP CHECKLIST

- Choosing your legal structure** (page 1)
- Choosing a Partnership as your legal structure** (page 7)
- Developing a Partnership Agreement** (page 8)
- Choosing a Business Name** (page 8)
- Registering your business name with Service Ontario** (page 9)
(Master Business License \$60 renewable every 5 years)
- Contacting the City of Greater Sudbury By-Law Department for municipal licenses and permits** (page 17)
(Costs vary on industry types)
- Contacting the City of Greater Sudbury Planning Department for zoning and Building Services for Building Permits.** (page 17)
- Registering with industry specific agencies; *if applicable***
(See page 28 for some contact information)
- Registering for HST with Canada Revenue Industry; *if applicable*** (page 18)
- Obtaining Business Insurance** (page 19)
(Liability, Disability, Property, Vehicle and/or Home Insurance, Errors & Omissions, Business Interruption Insurance)
- Complying with the Accessibility Standards for Customer Service; *if applicable*** (page 19)
- Registering for mandatory WSIB coverage in the construction industry; *if applicable*** (page 20)
- Other Self-Employment Obligations & Considerations: WSIB, EI Special Benefits, CPP Contributions and Claiming Business Income.** (page 20-22)
- Hiring employees** (page 23)
- Useful Internet Sites** (page 33)

PARTNERSHIPS

STRUCTURE DESCRIPTION

General Partnership	Limited Partnership
<p>A General partnership is the ownership structure involving two or more individuals, corporations, trusts, or partnerships joining together to carry on the business as one. As a partnership, each partner assumes unlimited liability for the debts and liabilities of that partnership. The partnership is bound by the actions of any member, as long as the actions are within the usual scope of the operations.</p>	<p>In a limited partnership, the partners are liable only to the extent of the capital they have contributed. There must be at least one managing partner, and that one partner has unlimited liability. The limited partner will become a general partner if they take on ANY part of the management in the partnership.</p> <p>Typically, only accountants and lawyers are able to open LLPs in Ontario.</p> <p>Refer to the Limited Liability Partnership Act for the rights powers, and obligations of the limited partner. A paper or electronic copy can be found at:</p> <p>Ontario Government Bookstore 880 Bay St. Toronto, ON M7A 1N8 www.e-laws.gov.on.ca</p>

PREPARING A PARTNERSHIP AGREEMENT

A Partnership Agreement is a voluntary contract between two or more persons to enter into a business relationship between or among one another with the intention of carrying out the said business and sharing its profits/losses among themselves as agreed to in the document.

The parties to the agreement are referred to as Partners. The Partners agree to put all their capital, labor and skills towards achieving maximum gains from the venture. A Partnership Agreement will also spell out the manner in which it may be dissolved and must be signed and followed by each of the Partners.

If you are considering forming a partnership, a partnership agreement will identify the terms and conditions for all parties involved.

THE BUSINESS NAME

The business name that you have chosen can be searched before registering your business. The free search is conducted in Canada and generates a list of existing business names, as well as trademarks, that are similar to the one being proposed.

There are two ways to do a business name search:

In Person	Regional Business Centre Tom Davies Square, 200 Brady Street Sudbury, ON P3E 3L9 (Credit card only)
Online	Nuans Name Search https://www.nuans.com/auth/app/scr/corp/nuans/public/PreSearch.html?reportType=6&lang=eng

MASTER BUSINESS LICENSE

This license is required for all businesses operating in Ontario under a trade/business name. The license allows the business to **advertise the name and to open a business bank account**. Financial institutions require proof of registration to open a business account. The Master Business License will provide them with the business identification number (9 digit ID number).

Note:

The registration of the business name does not grant you exclusive use of the name. In other words, the Regional Business Centre and the Province of Ontario are not required to inform you of a business name that has already been registered.

In order to legally protect your business name, you would have to register a trademark/trade name or incorporate that name in the area you wish to be protected. If you would like more information on protecting your business name, contact the Regional Business Centre.

To register as a partnership within the Regional Business Centre, it is required that all members of the partnership are present during the process.

Where to Register

When you are ready to register your business, you can visit the Regional Business Centre where an employee will assist you with the **online registration** and answer any questions you may have. There is a fee of **\$60.00** (renewable every five years). The online registration also enables you to register for Employer Health Tax and Workplace Safety and Insurance.

Important: You will not be notified about an expiring or expired business license. Be sure to monitor the license's expiration date in order to renew.

There are two ways you can register:

In Person	Regional Business Centre Tom Davies Square, 200 Brady Street Sudbury, ON P3E 3L9 (Credit card only)
Online	Service Ontario https://www.ontario.ca/page/ontario-business-registry-all-services#section-1
Mail or Email	Service Ontario – Central Forms Repository https://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?OpenForm&ACT=RDR&TAB=PROFILE&SRCH=&ENV=WWE&TIT=Register+a+Business+Name+for+a+General&NO=5298E

CORPORATION CHECKLIST

- Choosing your Legal Structure** (page 1)
- Choosing a Corporation as your legal structure** (page 11)
- Choosing your legal structure: Provincial Corporation or Federal Corporation** (page 12)
- Completing the registration process of Articles of Incorporation** (page 13-14)
- Choosing a Business Name** (i.e.: Microsoft Inc.) **or Registered Number Company** (i.e.: 123456 Ontario Ltd.) (page 15)
- Registering your business name with Service Ontario if you require an “operating as” Trade Name** (page 15)
(Master Business License \$60 renewable every 5 years)
- Paying yourself as a corporation director/officer.** (page 16)
- Contacting the City of Greater Sudbury By-Law Department for municipal licenses and permits** (page 17)
(Costs vary on industry types)
- Contacting the City of Greater Sudbury Planning Department for zoning and Building Services for Building Permits.** (page 17)
- Registering with industry specific agencies; *if applicable***
(See page 28 for some contact information)
- Registering for HST with Canada Revenue Industry; *if applicable*** (page 18)
- Obtaining Business Insurance** (page 19)
(Liability, Disability, Property, Vehicle and/or Home Insurance, Errors & Omissions, Business Interruption, Directors and Officers)
- Complying with the Accessibility Standards for Customer Service; *if applicable*** (page 19)
- Registering for mandatory WSIB coverage in the construction industry; *if applicable*** (page 20)
- Other Self-Employment Obligations & Considerations: EI Special Benefits, WSIB, and Claiming Business Income.** (page 20-22)
- Hiring employees** (page 23)
- Useful Internet Sites** (page 33)

CORPORATION

STRUCTURE DESCRIPTION

A corporation is the legal structure which creates a business as a completely separate legal entity from its directors/owners. With time a corporation offers little liability of the owners, since the entity can enter into contracts separately and distinctly from the directors/owners.

It is important to note:

- If the owner personally guarantees a contract, then that owner is taking on liability.
- If the owner personally does something that affects the business, they will be held responsible/liable.
- If the owner files the incorporation papers themselves, if there are any mistakes or missing clauses, they would become personally liable once again.

Note:

*This is a guideline about how to incorporate a business on your own. **Depending on the complexity of your business situation, you may wish to contract the services of a lawyer.***

PROVINCIAL CORPORATIONS VS. FEDERAL CORPORATIONS

If you're thinking of incorporating your business, you will need to decide whether you should incorporate federally (under the Canada Business Corporations Act) or provincially (in Ontario under the Ontario Business Corporations Act).

The following table explains the pros and cons of provincial and federal incorporation.

Type of Corporation	Advantages	Disadvantages
Provincial Corporation	<ul style="list-style-type: none"> • Name selection is self-policing • Name only needs to be available under Ontario laws • Faster incorporation turnaround time (real time available) • No government fee for Form 1 filings under the Corporations Information Act (Initial Return, Notice of Change, and Annual Return) 	<ul style="list-style-type: none"> • Higher government incorporation fee • May be difficult to use corporate name when expanding into other provinces
Federal Corporation	<ul style="list-style-type: none"> • Name decision by government examiners based on availability across Canada • Enhanced name protection • Increased global recognition of federal charter • Ability to operate in every province • Lower government incorporation fee • Filing Articles of Incorporation and other required documents online is accessible and convenient • Location flexibility • High quality clientele service • Resources for small businesses 	<ul style="list-style-type: none"> • Finding an available name is more difficult • Name decision made by government examiners • Longer processing time (1-2 days) • Government fees associated with annual filings

COMPLETING PROVINCIAL OR FEDERAL PROCESSES

Provincial Corporation	Federal Corporation
<p>The following must be completed:</p> <ol style="list-style-type: none"> Articles of incorporation (Form 1) in duplicate. Forms are available online (http://www.forms.ssb.gov.on.ca/mbs/ssb/forms/ssbforms.nsf/FormDetail?openform&ENV=WWE&NO=007-07116) or from a lawyer. An original copy of a NUANS Name Search Report. This report reserves the name for a 90-day period. You can complete the NUANS name search either by telephone or electronically. A NUANS is not required if incorporating a numbered company. Complete the <u>provincial</u> Name Search: <p style="text-align: center;">By Phone: ESC Corporate Services Ltd. 1 -800-668-8208 www.eservicecorp.ca</p> <p style="text-align: center;">Or Online: OnCorp Direct www.oncorp.com</p> Covering letter with contact information (Name, Return Address and Telephone Number). If a future date of incorporation (up to 30 days ahead) is required it must be set out in the covering letter. A cheque of \$360 made payable to the Minister of Finance for filing in person, by e-mail, by fax, or by mail. You can file online through a licensed provider where cost will vary. 	<p>The following must be completed:</p> <ol style="list-style-type: none"> Articles of incorporation (Form 1) in duplicate. Forms are available from a lawyer or online (https://www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs05260.html) Complete Initial Registered Office Address and First Board of Directors (Form 2). Available online at (https://www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs05260.html) An original copy of a NUANS Name Search Report. This report reserves the name for a 90-day period. You can complete the NUANS name search either by telephone or electronically. A NUANS is not required if incorporating a numbered company. <p>Complete the <u>federal</u> NUANS Name search electronically at www.nuans.com cost \$20.</p> <ol style="list-style-type: none"> Include information about the proposed name. <p>You can complete a "Corporate Name Information" Form. Available online at https://www.ic.gc.ca/eic/site/cd-dgc.nsf/eng/cs01107.html</p>

FILING ARTICLES OF INCORPORATION:

FILING PROVINCIAL ARTICLES	FILING FEDERAL ARTICLES
ONLINE (costs vary)	ONLINE (fee: \$200)
<p>OnCorp Direct Inc. www.oncorp.com Telephone: (416) 964-2677 Toll free: 1-800-461-7772</p> <p>Cyberbahn, a division of Thomson Reuters Canada Limited www.cyberbahngroup.com Telephone: (416) 306-3070 Toll free: 1-800-267-0183</p> <p>ESC Corporate Services Ltd www.eservicecorp.ca Telephone: (416) 595-7177 Toll free: 1 -800-668-8208</p>	<p>Corporations Canada www.corporations.ic.gc.ca</p>
MAIL (fee: \$360)	MAIL OR IN PERSON (fee: \$250)
<p>Companies and Personal Property Security Branch Ministry of Government Services 393 University Ave., Suite 200, Toronto ON M5G 2M2 Articles (in duplicate, original Ontario based NUANS name search report (if applicable), covering letter</p>	<p>The Director, Canada Business Corporations Act Jean Edmonds Tower, South 9th Floor, 365 Laurier Ave. West Ottawa Ontario K1A 0C8</p>
Ontario Business Registry	BY FAX (fee: \$250)
<p>Service Ontario https://www.ontario.ca/page/ontario-business-registry</p>	<p>1-877-568-9922</p>
<p>Online purchases: can be made using a Credit Card.</p> <p>Mail: Certified cheque, money order or personal cheque payable to the Minister of Finance.</p> <p>In person: Cash, Debit, Credit Card or Cheques (payable to Minister of Finance)</p>	<p>Fees can be paid by cheque, MasterCard, and Visa. Cheques are payable to the Receiver General for Canada and can be sent to:</p> <p style="text-align: center;">The Director, Canada Business Corporations Act Jean Edmonds Tower, South 9th Floor, 365 Laurier Ave. West Ottawa Ontario K1A 0C8</p>

CHOOSING A CORPORATE NAME OR NUMBERED COMPANY

Corporate Name (i.e.: Microsoft Inc.)	Number Company (i.e.: 123456 Ontario Ltd.)
<p>By incorporating a business name you obtain legal ownership.</p> <p>Note: <i>A Master Business License is not required when incorporating a specific name.</i></p>	<p>If you register as a numbered company and you wish to use an ‘operating as’ name, you <u>must register</u> that name under the corporation with Service Ontario. This is called the Master Business License</p>

MASTER BUSINESS LICENSE

This license is required for all Corporations operating in Ontario using an **“OPERATING AS” Trade Name**. (i.e.: Microsoft Inc. “operating as” Bob’s Computer Repair OR 123456 Ontario Ltd. “operating as” Bob’s Computer Repair).

The license allows the business to **advertise the name and to open a business bank account**. Financial institutions require proof of registration to open a business account. The Master Business License will provide them with the business identification number (9 digit ID number).

Where to Register

When you are ready to register your **“OPERATING AS” Trade Name**, you can visit the Regional Business Centre where an employee will assist you with the **online registration** and answer any questions you may have. There is a fee of **\$60.00** (renewable every five years). The online registration also enables you to register for Employer Health Tax and Workplace Safety and Insurance.

There are three ways you can register:

In Person	<p>Regional Business Centre Tom Davies Square, 200 Brady Street Sudbury, ON P3E 3L9 (Credit card only)</p>
Online	<p>Service Ontario https://www.ontario.ca/page/ontario-business-registry</p>
Email or Mail	<p>Service Ontario https://www.ontario.ca/page/ontario-business-registry-all-services#section-1</p>

PAYING YOURSELF AS A CORPORATE DIRECTOR/OFFICER

As a corporation director/officer, there are different options available to you when it comes to paying yourself. The most common methods of compensation are salary and dividends, or a combination of both. You may want to speak with an accountant to determine which option will offer you the most tax advantages for your particular business situation.

Salary:

Corporation directors/officers can be considered employees and added to the company's payroll; therefore the same basic principles of payroll apply with the exception of Employment Insurance (See Hiring Employees Section on page 34). Corporate directors/officers may not be eligible for regular EI benefits when they (employee) and the employer (corporation) do not have an arm's length relationship. You can contact the Canada Revenue Agency for a ruling to determine your eligibility for Employment Insurance (EI) regular benefits.

Salaries are an expense to the corporation and the tax is paid by the individual who claims it on their personal income tax return.

Dividends:

Dividends are investment income – a return on your shares of the corporation. Therefore, they are not subject to payroll deductions such as CPP and EI premiums, payroll taxes, etc; nor do they generate RRSP contribution room.

Dividends are paid out of the retained corporate income that has already been taxed at the corporate level. The individual who claims the dividend on their personal income tax return will receive a dividend tax credit to avoid full double taxation.

To register and/or obtain more information on payroll, contact:

Canada Revenue Agency
1-800-959-5525

<https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/payroll.html>

Meaning of "arm's length" for the purposes of Employment Insurance

<http://www.cra-arc.gc.ca/tx/hm/xplnd/rms-eng.html>

OPERATIONAL REQUIREMENTS

MUNICIPAL BUSINESS LICENSES

The City of Greater Sudbury has set by-laws with respect to business licenses, zoning and business taxes. You can obtain and apply for a business license at the By-Law Enforcement Office. Keep in mind that every municipality is different, therefore, if you will be working in multiple communities, ensure that you review the requirements with each one.

Please contact the Compliance and Enforcement Services for more information:
Compliance and Enforcement Services (By-Law Department)
City of Greater Sudbury
Tom Davies Square, Main Floor
(705) 671-2489 ext 2320
<http://www.city.greatersudbury.on.ca>

MUNICIPAL ZONING REGULATIONS

The three main categories of zones are residential, commercial, and industrial. Zoning by-laws include type of activity, size of building, parking, number of employees, amount of traffic, and size of sign. If the location you have chosen must be re-zoned, issues, such as time and cost, may be important factors.

To enquire about zoning a particular property, contact:
Planning Services
Tom Davies Square, 3rd Floor
(705) 671-2489 ext 4295
<http://www.city.greatersudbury.on.ca>

BUILDING PERMITS

If you are planning to build, renovate, or demolish a residence or commercial property, it is important that you look into building permit requirements before beginning any construction project within the municipality. A building permit must be obtained from the City of Greater Sudbury for projects including (but not limited to): changing the use of a space, renovating/repairing an existing building, installing/removing partitions and load-bearing walls, changing the size of doors and windows, installing/modifying electrical, heating, plumbing and air conditioning systems, etc.

For all building permit inquiries, contact:
Building Services
Tom Davies Square, 3rd Floor
(705) 671-2489 ext 4278
<http://www.city.greatersudbury.on.ca>

HARMONIZED SALES TAX (HST)

Every person/business engaged in a commercial activity with *worldwide revenues greater than \$30,000 within 12 consecutive months* is required to register and charge the HST. If your gross worldwide revenues are less than \$30,000, you are not required to register and therefore, do not charge this tax to your customers. However, you may want to register voluntarily for certain reasons:

- You want to claim input tax credits to recover the HST you pay or owe on your business purchases.
- You are starting your business activities and you want to register your HST account before your worldwide revenues of taxable goods and services exceed \$30,000.
- Your clients may only do business with businesses registered for HST.

If you decide to register voluntarily (revenue under \$30,000):

- You have to charge, collect and remit HST on your sales of taxable goods and services. You will also have to file HST returns on a regular basis; and
- You have to stay registered for at least one year before you can cancel your registration (unless you stop your commercial activities).

If you choose not to register voluntarily (revenue under \$30,000):

- If you choose not to register, you cannot charge HST to your customers and the HST you pay on your business purchases becomes a cost for which you cannot claim input tax credits.

There is no fee for this registration.

To register and/or obtain more information, contact:

Canada Revenue Agency

1-800-959-5525

<https://www.canada.ca/en/services/taxes/gsthst.html>

FYI - Before you register you need:

- Social Insurance Number (Sole-proprietorship)
- Business structure & Business activity
- Name, Location of the business and Contact person/ representative
- Sales estimate for year/ reporting period
- Fiscal year end (generally Dec 31 - normally only corporations can choose different fiscal year ends)
- Effective date

BUSINESS INSURANCE

Insurance coverage at some level is required by most businesses and is usually necessary as a condition of a loan from a financial institution. As a sole proprietor, having sufficient insurance coverage is especially important because you are personally liable for all debts. For those of you that are starting a home-based business, your existing homeowner's policy does not automatically cover business assets and operations. The latter also holds true for vehicle insurance policies.

There are several types of commercial insurance to consider for your business, some of which include:

- liability insurance
- home insurance
- vehicle insurance
- disability insurance
- property insurance
- errors and omissions insurance
- business interruption insurance

Contact an insurance broker to discuss your specific business insurance needs.

ACCESSIBILITY STANDARD FOR CUSTOMER SERVICE

Accessibility is the law in Ontario. Accessible customer service is not about installing ramps or automatic door openers. It's about making small changes to your customer service to address the needs of people with disabilities.

The Accessibility Standard for Customer Service applies to all organizations (public, private and non-profit) that provide goods or services either directly to the public or to other organizations in Ontario and that have one or more employees in Ontario. What you need to do depends on how many employees you have.

To find out what you need to do to comply with the customer service standard, contact:

Accessibility Services
1-866-515-2025

<https://www.ontario.ca/page/accessibility-laws>

WSIB: MANDATORY COVERAGE IN THE CONSTRUCTION INDUSTRY

Under new legislation, independent operators, sole proprietors, some partners in a partnership and some executive officers in a corporation carrying on a business in construction are required to have WSIB coverage starting January 1, 2013 (some exceptions apply).

To register and/or obtain more information, contact:

Workplace Safety and Insurance Board
30 Cedar Street
Sudbury, ON P3E 1A4
1-800-387-0750
www.wsib.on.ca

WSIB COVERAGE FOR THE SELF-EMPLOYED

If you have employees, you are required by law to have WSIB coverage based on your industry rate group. If you are self-employed, you have the option of carrying coverage for yourself. You are not obligated to do this, unless you are in the construction industry, but you would also not be entitled to any benefits from WSIB if you are injured at work. This optional insurance is available for individuals who have been ruled to be Independent Operators by the WSIB. To determine your Independent Operator Status, a WSIB Questionnaire must be completed and signed by both you (business owner/operator) and the principals that hire you for your services.

If you are deemed to be an Independent Operator, the WSIB determines the approved amount of insurance based upon your industry rate group and your average earnings up to a maximum amount. For 2019, the maximum annual insurable earnings ceiling is \$92,600.

If you are an executive officer of a corporation, average earnings are the earnings reported by the corporation officer on the previous year's Canada Revenue Agency income tax return. If the employer has been in operation for less than one year, average earnings are the executive officer's salary as stated by the employer. These amounts are subject to the maximum annual earnings ceiling.

Workplace Safety and Insurance Board
30 Cedar Street
Sudbury, ON P3E 1A4
1-800-387-0750
www.wsib.on.ca

EMPLOYMENT INSURANCE (EI) FOR THE SELF-EMPLOYED

Self-employed individuals are not eligible to receive regular EI benefits. You do have the option to register for special EI benefits. However, this program does not provide coverage if your business fails. It only provides maternity, parental, sickness and compassionate care benefits.

Once you are enrolled, you must pay into the program for 12 months before you can begin to receive benefits. After you receive EI special benefits, your participation will continue and you will have to continue to pay EI premiums for the entire duration of your self-employed career (regardless of any change in the nature of your business activity).

NOTE: Operating a business (full-time/part-time) while being employed elsewhere (full-time/part-time) could affect your eligibility for regular EI benefits should you ever be laid off by your employer. Factors that will be considered in your claim are the revenue generated by your business as well as your ability to look for work while on EI. You have to report any self-employed earnings your business generates for you while you are receiving EI benefits, including earnings you receive from profits or commissions. This can reduce your EI benefit.

For more information regarding EI Special Benefits for Self-Employed People:

Service Canada
1 800 206-7218

<https://www.canada.ca/en/services/benefits/ei/ei-self-employed-workers.html>

CPP CONTRIBUTIONS FOR THE SELF-EMPLOYED

If you are self-employed and are between the ages of 18 to 69 years old, you must contribute to the Canada Pension Plan (CPP). You do not make contributions if you are receiving a Canada Pension Plan disability or retirement pension. These contributions can provide you with income if your earnings stop because of disability or death and can also provide you with retirement income.

As a self-employed person, you are considered to be both the employer and the employee, and are therefore responsible for making both portions of the contributions. The amount you pay is based on net business income after expenses on your personal income taxes. The CPP contribution is reported on your personal tax return and it is payable when your personal tax return is filed.

Service Canada
1-800-277-9914

<https://www.canada.ca/en/services/benefits/publicpensions/cpp/contributions.html>

CLAIMING YOUR BUSINESS INCOME (PROPRIETORSHIP/PARTNERSHIP)

For details on how to claim your income on your personal income taxes as a Sole Proprietor visit the Canada Revenue agency website to obtain the guide:

Guide: T4002 – Self Employed Business, Professional, Commission, Farming, and Fishing Income

<https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/t4002.html>

CLAIMING YOUR CORPORATION'S INCOME

For details on how to file corporate taxes, visit the Canada Revenue agency website to obtain the guide:

Guide: T4012 – T2 Corporation Income Tax Guide

<https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/t4012.html>

HIRING EMPLOYEES

Employees are the lifeblood of your business, and it is important to know your obligations and opportunities when it comes to hiring people. This guide will help you familiarize yourself with employer regulations in Ontario and the resources that are available for employers.

EMPLOYEE OR SELF-EMPLOYED INDIVIDUAL.

It is important to determine whether a worker is an **employee** or a **self-employed individual**. Employment status directly affects a person's entitlement to Employment Insurance (EI) benefits under the *Employment Insurance Act*. It can also have an impact on how a worker is treated under other legislation such as the *Canada Pension Plan*, and the *Income Tax Act*.

The facts of the working relationship as a whole determine the employment status.

If the worker is an **employee** (employer-employee relationship), the payer is considered an employer. Employers are responsible for deducting Canada Pension Plan (CPP) contributions, Employment Insurance (EI) premiums, and income tax from remuneration or other amounts they pay to their employees. They have to remit these deductions along with their share of CPP contributions and EI premiums, to the Canada Revenue Agency.

An employer who fails to deduct the required CPP contributions and EI premiums has to pay both the employer's share and the employee's share of any contributions and premiums owing, plus penalties and interest. For more information, go to Payroll.

*NOTE: You can view the guide online:

<https://www.canada.ca/en/revenue-agency/services/forms-publications/publications/rc4110.html>

PAYROLL DEDUCTIONS (SOURCE DEDUCTIONS)

As an employer, you have the responsibility of making certain deductions on behalf of your employees. The federal deductions consist of Employment Insurance Premium (EI), Canada Pension Plan Contributions (CPP) and Personal Income Tax (T4s). There is no fee for this registration.

Income Tax

As an employer, you are responsible for deducting income tax from the remuneration or other income you pay.

There is no age limit for deducting income tax and there is no employer contribution required.

<http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/ncmtx/menu-eng.html>

Note: As the employer you will need to provide the federal and provincial **TD1 Form for employees to fill in order to determine how much income tax to deduct from their pay. <http://www.cra-arc.gc.ca/formspubs/frms/td1-eng.html>*

Canada Pension Plan (CPP)

Employer must match dollar for dollar

<http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/cpp-rpc/menu-eng.html>

Employment Insurance (EI)

Employer must provide 1.4 times each dollar deducted from the employee

<http://www.cra-arc.gc.ca/tx/bsnss/tpcs/pyrll/clcltng/ei/menu-eng.html>

Self-employed Canadians are now able to access Employment Insurance (EI) special benefits. There are four types of EI special benefits:

- Maternity benefits;
- Parental benefits;
- Sickness benefits; and
- Compassionate care benefits.

To register and/or obtain more information, contact:

Canada Revenue Agency

1-800-959-5525

<https://www.canada.ca/en/revenue-agency/services/tax/businesses/topics/payroll.html>

FYI Before you register you need:

- Social Insurance Number (Sole-proprietorship)
- Business structure
- Name and Location of the business
- Business activity
- Contact person/ representative (name and address)
- Payroll estimates for year/ first payroll date
- Effective date

ONTARIO'S WORKPLACE SAFETY AND INSURANCE BOARD

(Formerly Worker's Compensation)

The Workplace Safety and Insurance Act covers most industries. Employers are required to pay into this fund through assessment, coverage, accident reporting requirements and appeal procedures. You are required to contact the Workplace Safety and Insurance Board ***within 10 calendar days of hiring an employee.***

To ensure that workers are aware of their rights, employers are required, by law, to post the following document:

1) In Case of Injury – 1234 : Under a regulation of the Workplace Safety and Insurance Act (WSIA), employers are required to prominently display the poster entitled "In Case of Injury--1234" in their workplace. This poster is provided free of charge to employers directly by the WSIB. Employers can get the poster by calling the WSIB or by downloading it online at

www.wsib.on.ca/en/community/WSIB/230/ArticleDetail/24338?vgnextoid=cafee35c819d7210VgnVCM100000449c710aRCRD

**Note: As an owner, you do have the option to apply for personal coverage under the Workplace Safety and Insurance Act, but it is not required as it is for all employees.*

The benefits of registration include:

- Help in returning your injured employees to the job
- Insurance benefits to cover lost earnings as a result of injury
- No-fault insurance
- Prevention and training programs
- Protection from law suits

To register and/or obtain more information, contact:

Workplace Safety and Insurance Board
30 Cedar Street
Sudbury, ON P3E 1A4
1-800-387-0750
www.wsib.on.ca

WORKPLACE HEALTH AND SAFETY

Almost every worker, supervisor, employer and workplace in Ontario is covered by occupational health and safety regulations. As an employer in Ontario, you have a number of obligations, including a duty to instruct, inform and supervise your workers to protect their health and safety.

To ensure that workers are aware of their rights, employers are required, by law, to post the following documents:

1) Health & Safety at Work: Prevention Starts Here: The most recent version of the "Health & Safety at Work: Prevention Starts Here" poster must be posted in the workplace where it is likely that employees will see them. They are available in multiple languages and can be downloaded for free at www.labour.gov.on.ca/english/hs/pubs/poster_prevention.php. It can be printed in colour or black and white on letter-size (8 1/2" x 11") paper.

2) Occupational Health and Safety Act: Under the Occupational Health and Safety Act (OHSA), Employers are required to post a copy of the Occupational Health and Safety Act in their workplaces. The act is available online for free at www.e-laws.gov.on.ca/html/statutes/english/elaws_statutes_97w16_e.htm.

3) Occupational Health and Safety Policy: The OHSA also requires employers to prepare and review, at least once a year, a written occupational health and safety policy, and to develop and maintain a program to implement that policy. The policy must be posted in the workplace. For information on how to prepare a health and safety policy, visit www.labour.gov.on.ca/english/hs/pubs/ohsa/ohsag_appx_a.php.

4) Workplace Violence and Workplace Harassment Policy: The OHSA also requires employers to prepare and review, at least once a year, workplace violence and workplace harassment policies, and to develop and maintain programs to implement those policies. These policies must be in writing and posted in the workplace except for workplaces with five or fewer regularly employed workers, unless ordered by an inspector. Learn more about workplace violence and workplace harassment by visiting www.labour.gov.on.ca/english/hs/topics/workplaceviolence.php.

Read Online Guides:

Occupational Health and Safety Act

<http://www.labour.gov.on.ca/english/hs/pubs/ohsa/index.php>

ONTARIO'S EMPLOYMENT STANDARDS

The Ministry of Labour, through the Employment Standards Program, will provide you with information regarding the terms and conditions of employment. Vacation, minimum wage, working conditions and statutory holidays are examples of the terms and conditions.

To ensure that workers are aware of their rights, employers are required, by law, to post the following document:

1) What You Should Know About the Ontario Employment Standards Act: The most recent version of the Ministry of Labour's "What You Should Know About the Ontario Employment Standards Act" poster must be posted in the workplace where it is likely that employees will see it. They are available in multiple languages and can be downloaded for free at www.ontario.ca/ESAposter. It can be printed in colour or black and white on legal-size (8 1/2" x 14") paper.

****Note: There is no registration. The Ministry of Labour can provide resources and information on Employment Standards.***

To obtain more information, contact:

Ministry of Labour
159 Cedar Street
Sudbury, ON P3E 6A5
(705) 564-7400
1-800-531-5551

www.labour.gov.on.ca/english/es

ONTARIO'S EMPLOYER HEALTH TAX (EHT); if applicable

The EHT rates vary from 0.98% on Ontario payroll less than \$200,000, up to 1.95% for payroll in excess of \$400,000. The amount of EHT you, as an employer, pay is calculated by multiplying your Ontario payroll for the year – after deducting any tax exemption – by the applicable tax rate.

To register and/or obtain further information, contact:

Employer Health Tax
1-866-668-8297

www.rev.gov.on.ca/en/tax/eht

INDUSTRY SPECIFIC CONTACTS

Alcohol and Gaming Commission of Ontario

1-800-522-2876

www.agco.on.ca

Apprenticeship training

Ministry of Training, Colleges and Universities

159 Cedar St, Ste 506

Sudbury, ON P3E 6A5

(705) 564-3030

1-800-603-5999

www.edu.gov.on.ca/eng/tcu/

Bonding

Insurance Bureau of Canada

151 Yonge Street, Suite 1900

Toronto, Ontario M5C 2W7

1 (800) 387-2880

www.ibc.ca

Building Permits

Building Services City of Greater Sudbury

200 Brady St.

Sudbury, ON P3E 5W5

(705) 671-2489 ext. 4278

www.city.greatersudbury.on.ca

Businesses causing any type of emission (including light or sound emissions), producing wastes (storage and disposal), etc.

Ministry of Environment

Sudbury District Office

199 Larch St. - Suite 1201

Sudbury ON P3E 5P9

(705) 564-3237

1 (800) 890-8516

www.ene.gov.on.ca

Canadian Innovation Centre

Waterloo Research & Technology Park

Accelerator (Accelerator Centre)

295 Hagey Blvd, Suite 15

Waterloo, ON N2L 6R5

(519) 885-5870

www.innovationcentre.ca

Canadian Public Tenders – MERX

1-800-964-MERX (6379)

www.merx.com

City of Greater Sudbury Public Tenders

www.greatersudbury.ca/pubapps/tenders/

Construction Business (houses)

Tarion Warranty Corporation

1877-9TARION

(705) 560-7100

www.tarion.com

Cosmetics

Health Canada Product Safety Officer

2301 Midland Avenue

Toronto, Ontario M1P 4R7

1-866-662-0666

www.hc-sc.gc.ca

Day Care/ Nursery

Ministry of Children and Youth Services

Sudbury Local Office

199 Larch St.

Sudbury, ON. P3E 5P9

(705) 564-8153

1-800-268-6119

www.children.gov.on.ca

Employment Records

Service Canada

19 Lisgar Street

Sudbury, ON P3E6L1

www.servicecanada.gc.ca

Environmental Protection Act / Certificate of Approval

When a company or individual emits or has the potential to emit any contaminant into the natural environ

Charlotte Morden, Environment and Health and Safety Intern, NORCAT

cmorden@norcat.org

(705) 521-8324 x 203

Export Development Canada

151 O'Connor

Ottawa, ON K1A 1K3

1-866-283-2957

www.edc.ca

Fire Regulations and Permits

Greater Sudbury Emergency Services- Fire

(705) 855-9062

www.city.greatersudbury.on.ca

Food Premises, Food & Drug Act and regulations, Septic Tank Installations, etc.

Sudbury District Health Unit

1300 Paris St.

Sudbury, ON P3E 3A3

705) 522-9200

<http://www.sdhu.com>

Health and Safety Standards-Consumer Packaging and Labelling Act

Competition Bureau of Canada

Phase 1, Place du Portage

50 Victoria Street

Gatineau, Quebec K1A 0C9

1-800-348-5358

www.competitionbureau.gc.ca

Import/Export Business

(Duties, tariffs, quotas and/or importer's number)

Canada Border Services Agency

1050 Notre Dame Ave

Sudbury ON P3A 5C2

(705) 669-2187

1-800-267-8376

www.cbsa-asfc.gc.ca

Intellectual Property

(Patents, Trademarks, Copyrights, Industrial Design)

Canadian Intellectual Property Office

Place du Portage 1

50 Victoria Street

Gatineau, Quebec K1A 0C9

1-866-997-1936

www.cipo.ic.gc.ca

Labelling

Food Labelling, Food and Drug Allergy Regulations

Canadian Food Inspection Agency Regional Director, North East Ontario

Room 208, Unit 6

345 College Street East

Belleville, Ontario K8N 5S7

1-800-442-2342

www.inspection.gc.ca

Motor vehicle dealers and salespersons registration

Ontario Motor Vehicle Industry Council (OMVIC)

789 Don Mills Road

Suite 800

Toronto ON M3C 1T5

1-800-943-6002

www.omvic.on.ca

Pesticide License

1-800-461-6290

Police Checks

Greater Sudbury Police Service

190 Brady Street

SUDBURY, Ontario, P3E 1C7

(705) 675-9171

<http://www.police.sudbury.on.ca>

Private Schools, Educational Facility, Trade Certification, Estheticians/ Beauticians

159 Cedar St, Ste 506

Sudbury, ON P3E 6A5

(705) 564-3030

1-800-603-5999

www.edu.gov.on.ca/eng/tcu/

Registration under the Consumer Protection Act, Incorporations.

Land Registry Office

Ontario Government Building – Third Floor

199 Larch St.

Sudbury, ON P3E 5P9

(705) 564-4300

Security Guard, Private Investigator, Security Alarm Monitoring Station

Ministry of Community Safety and Correctional Services

(416) 326-0050

www.mcscs.jus.gov.on.ca

SOCAN**Society of Composers, Authors and Music Publishers of Canada**

Licensing: businesses requiring SOCAN licences

Current licensees: 1-866-944-6223

New licensees: 1-866-944-6210

licence@socan.ca

www.socan.ca

Taxi/Limousine Service

Ministry of Transportation

1-800-387-7736

www.mto.gov.on.ca

Technical Standard & Safety Authority (TSSA)

1-877-682-TSSA

media@tssa.org

www.tssa.org

Tourist Establishments

Ministry of Tourism

(416) 326-9326

www.tourism.gov.on.ca

Travel Industry Council of Ontario

1-888-451-8426

www.tico.on.ca

Translation and Interpretation

Association of Translators and Interpreters of Ontario

(613) 241-2846

www.atio.on.ca

Video Rental/Sales- Film Exchange license

Ministry of Government Services

1-800-268-6024

www.ofrb.gov.on.ca

Working at Heights

Ministry of Labour

1-877-202-0008

www.ontario.ca/workingatheights

For more information on industry specific guides, please visit

Canada-Ontario Business Service
Centre's site at:

www.canadabusiness.ca

or call 1-800-567-2345.

USEFUL INTERNET SITES

General Information

Regional Business Centre Regional Business Centre – Market Research Guide (Resource List)	www.regionalbusiness.ca
Canada Business	www.canadabusiness.ca

Market Research

Canada 411 Directory	www.canada411.ca
CHMC- Canada Mortgage and Housing Corporation	www.cmhc-schl.gc.ca
City of Greater Sudbury – Key Facts	www.greatersudbury.ca/keyfacts
Downtown Village Development Corporation	http://www.dvdcsudbury.ca/
Esource Suppliers Directory	www.esourcecanada.com
Frasers	www.frasers.com
Greater Sudbury Development Corporation	www.investsudbury.ca
Industry Canada	www.ic.gc.ca
Industry Canada Benchmarking Tool search “SME Benchmarking Tool”	www.strategis.ic.gc.ca
Labour Market Information	www.labourmarketinformation.ca
Statistics Canada	www.statcan.gc.ca
Sudbury & Manitoulin Workforce Planning Board	www.planningourworkforce.ca

Others

Provincial:

Ministry of Economic Development & Innovation	www.ontario.ca
Ministry of Finance	www.ontariocanada.com
Ministry of Revenue	www.fin.gov.on.ca
Northern Ontario Heritage Fund Corporation	www.rev.gov.on.ca
E-laws	www.nohfc.com
	www.e-laws.gov.on.ca

Federal:

Service Canada	www.canada.gc.ca
Canada Revenue Agency (GST, payroll, etc.)	www.servicecanada.gc.ca
Canadian Intellectual Property Office (patents, trademarks, etc.)	www.cra-arc.gc.ca
Canadian Border Services Agency (Import, Export)	www.cipo.ic.gc.ca
Industry Canada	www.cbsa.gc.ca
	www.ic.gc.ca

Thank you to our collaborators

Merci a nos collaborateurs



Follow up on social media!

