

Ministry of Public and Business Service Delivery and Procurement

**Filing Future Dated and/or Back-to-Back Articles
for 2024 Year-End**

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Filing Future Dated and/or Back-to-Back Articles for 2024 Year-End

Business Registry Services Branch

Purpose

This guide provides Ontario Business Registry (OBR) users with information on the various service delivery channels for submitting filings. It also sets expectations regarding document effective dates and the submission of future dated and/or back-to-back articles during the year end period.

For all scenarios outlined within this guide, it is crucial that information provided to the ministry is **complete and acceptable for processing** to help ensure that documents can be processed within [service standards](#) or faster (when urgent filing is requested).

Service Delivery Channels for Entity Owner

- Customers can file their documents online through the Service Providers (SPs), intermediaries, or directly through the OBR.
- Customers may also submit their filings by mail. The processing times vary but are typically 15 business days for mail.
- Filing by email is another option available only for Corporations Act/Co-operative Corporations Act documents. These filings can be submitted via email to [Filing Support Mailbox](#). Processing times are typically 35 business days.

Service Delivery Channels for Service Providers and Intermediaries

- Service Providers (SPs) can submit filings online.
- Intermediaries with access to partner portal can submit filings online.
- Intermediaries with no access to partner portal can file their documents:
 - Online through the SPs.
 - By email to [Filing Support Mailbox](#). The processing times vary but are typically 7 business days for email. ***NEW*** As of January 02, 2025, only exception filings will be accepted when submitted to the [Filing Support Mailbox](#). Please refer to the [Filing Support Guide](#) for guidance on exception filings.
 - Intermediaries that would like to create a partner portal account can do so by using the [Partner Portal Intake Form](#). To learn more about partner portal, visit [Ontario Business Registry Partner Portal | ontario.ca](#).

An effective date for corporation filings can be requested up to 30 days in the future. For example, if you file on October 24, 2024, the effective date you can request is anything in between October 24, 2024, and up to and including November 22, 2024. Endorsed documents will not be received until the requested effective date of the document.

Future-dated (i.e., post-dated) articles with a requested effective date that falls on a weekday

- If customers and intermediaries file online directly with the OBR or through a SP and request an effective date in the future that **falls on a weekday** (e.g., Friday, December 27, 2024), **and the transaction does not require review*** and is acceptable, they will receive output documents on the requested effective date. Please refer to [Our service standards and fees webpage](#) on Ontario.ca.
 - If the document requires review and is acceptable, the requested **effective date is secured** but the **output documents may be emailed after the requested effective date** depending on the duration between the date it was submitted and the effective date. For example, if submitted on Thursday, December 26, 2024 with a requested date of Friday, December 27, 2024 and it requires review, one day may not be enough time for ministry staff to complete the review (service standards are typically 2 to 5 business days).
- If filed by mail (or email for intermediaries), the requested effective date is secured but the output documents may be emailed after the requested effective date depending on the duration between the date it was received and the effective date, provided that the application is received by the Ministry by the effective date. For example, if received on Thursday, December 26, 2024 with a requested date of Friday, December 27, 2024, one day may not be enough time for ministry staff to process the document (service standards are typically 7 to 15 business days).

Please Note: if the future-dated articles also require an adoption / approval date that is postdated (i.e., a date in the future), the application will not go through the partner portal or ServiceOntario Account for Business portal. Customers must submit to the [Filing Support Mailbox](#) for exception handling.

*To determine if a filing requires a review by the Ministry, check [Our Service standards and fees webpage](#). Ministry review is required for any service that states a processing time of 2 business days or more.

Future-dated (i.e., post- dated) articles with a requested effective date that falls on a weekend or statutory holiday

- If customers and intermediaries file online directly with the OBR or through SPs and request an effective date in the future that **falls on a weekend or statutory holiday** (e.g., Saturday, December 28, 2024, or Wednesday, January 1, 2025), **and the transaction does not require review and is acceptable**, they will get the output documents on the requested effective date.

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- If the document requires review and is acceptable, the requested **effective date is secured** but the **output documents may be emailed after the requested effective date** depending on the duration between the date it was submitted and the effective date. For example, if submitted on Tuesday, December 31, 2024, with a requested date of Wednesday, January 1, 2025, and it requires review, one day may not be enough time for ministry staff to complete the review (service standards are typically 2 to 5 business days). Ministry staff would not be able to continue the review until the government office is open (i.e., Thursday, January 2, 2025, at the earliest).
- If filed by mail (or email for intermediaries), the requested effective date is secured but the **output documents may be emailed after the requested effective date** depending on the duration between the date it was received and the effective date. For example, if submitted on Tuesday, December 31, 2024, with a requested date of Wednesday, January 1, 2025, one day may not be enough time for ministry staff to process the document (service standards are typically 7 to 15 business days). Ministry staff would not be able to continue processing the document until the government office is open (i.e., Thursday, January 2, 2025, at the earliest).

Back-to-back filings with same effective date on a weekday

- Customers can have back-to-back transactions with the same effective date on a weekday if they file directly with the OBR or with SPs/intermediaries and if the document does not require review. This is because the customer or SPs/intermediaries can enter the first transaction, obtain information for the subsequent filing (e.g., Ontario Corporation Number) from the output documents, and then file the subsequent transaction(s).
 - This would apply to typical and most critical back-to-back filings that do not require review such as back-to-back amalgamations.
- For documents received by mail/email or more unusual situations where the back-to-back documents with a requested effective date on a weekday requires review (e.g., Articles of Continuance and then an amalgamation), the customer must ensure that the effective date they are requesting is aligned with the service standards for the document. For example, Articles of Continuance and Articles of Arrangement submitted by email have a service standard of 7 business days. If the effective date required is Friday, December 27, 2024, the package would need to be received via email on or before December 16, 2024 to help ensure that the documents are processed for December 27, 2024.
- If the customer needs a filing processed faster than the service standard, they may request urgent processing by emailing [Filing Support Mailbox](#). The ministry will do its best to accommodate the timeframe required by the customer. Refer to the Filing Support Guide to review the criteria for urgent filings before you submit the filing.

Back-to-back filings with future date on a weekend or statutory holiday

- Customers cannot have future back-to-back filings on statutory holidays or weekends if filed by paper form with the ministry via mail or email because the government office is closed.
 - For example, if documents were received by email as a package on Friday, December 27, 2024, with three back-to-back documents effective Wednesday, January 1, 2025, only the first document can be post-dated for Wednesday, January 1, 2025, and the rest could have an endorsement date of the next business day (i.e., Thursday, January 2, 2025).
- Customers can have future dated back-to-back transactions with the same effective date on a statutory holiday or weekends (e.g., Wednesday, January 1, 2025) if they file online using the OBR on or before the statutory holiday or weekend or with SPs/intermediaries (if they choose to be open on a statutory holiday or weekend**) and if the documents do not require review. This is because the customer or SPs/intermediaries can enter the first post-dated transaction, obtain information for the subsequent filing (e.g., Ontario Corporation Number (OCN)) from the output documents that are emailed to them on the effective date, and then file the subsequent transactions on the requested effective date, which falls on the statutory holiday or weekend.

**Please contact the SPs/intermediaries to confirm their hours of operation during year-end. They may have their own requirements for receipt and processing documents.

Common Deficiencies

Some **common deficiencies** encountered when filing **Articles of Continuance** are:

- Supporting documents from other jurisdictions are not certified with a current date or do not contain the correct wording.
- The “Date of Authorization” should be the date in which the appropriate officer of the incorporating jurisdiction indicates that the corporation is authorized under the laws of that jurisdiction to apply for Articles of Continuance in Ontario.

Some **common deficiencies** encountered when filing **Articles of Amalgamation** are:

- Incorrect OCN(s)/amalgamating corporation name(s) are provided or the OCN of one of the amalgamating corporations is transposed. Consequently, the wrong corporation could end up being involved with the amalgamation and eventually a Corrected Certificate will be requested to correct the error (i.e., change status of corporation inadvertently impacted from amalgamated to active).
- Incorrect schedule(s) are provided for chosen Method of Amalgamation. For example, if a short-form amalgamation is

requested the client should attach a Schedule 'A' (Statement of Director) and Schedule 'B' (Directors Resolution) for each of the amalgamating corporations.

- The successor name of an amalgamated numbered corporation cannot be one of the predecessors numbered name as per section 7 of the Names and Filing Regulation under the Business Corporations Act (BCA). A newly assigned Ontario Corporation Number will be provided followed by the word "Ontario" and one of the words or abbreviations provided for in subsection 10 (1) of the BCA.

Questions and Answers:

Q1. If the ministry returns a document that was submitted online because it is deficient, when the revised document is resubmitted online, will the effective date be the date it was originally submitted or the date it was resubmitted (assuming it is acceptable for filing after resubmission)?

A1. The effective date will be the date it was resubmitted (assuming it is acceptable for filing). However, on case-by-case basis, if obtaining the date on which the filing was originally submitted is required, the revised document could be submitted to the [Filing Support Mailbox](#) for exception handling, instead of through the OBR.

Please note: the effective date cannot be prior to the date on supporting documents for the filing (e.g., the effective date of articles of continuance cannot be prior to the date on the letter of satisfaction/legal opinion accompanying the articles).

Q2. I am concerned that the first filing (e.g., articles of continuance) in my back-to-back transaction will not be processed in time to complete the subsequent filing (e.g., articles of amalgamation).

A2. The SPs/intermediaries should submit the first filing online and then email the [Filing Support Mailbox](#) to advise that the first filing has been submitted and the ministry will expedite the processing. Please note that this email is not monitored on weekends or statutory holidays.

Q3. How far in advance of the effective date requested should SPs/intermediaries submit documents to help ensure the ministry has enough time to process them?

A3. The ministry will continue to process requests throughout the month of December and aims to process articles received according to service standards. The ministry recommends that you submit documents as early as possible to allow for sufficient lead time and an effective date up to 30 days in the future may be requested. To assist with processing of transactions with minimal delays, please ensure that all documentation provided is complete and meets requirements. You may refer to the [Notice of filing requirements](#) for

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details.

In cases where urgent processing of documents is required (i.e., you need documents processed faster than the service standards), please submit your request to the [Filing Support Mailbox](#). An urgent processing request may include any of the following:

- Major commercial transaction with a deadline such as
 - initial public offering with shareholder meeting
 - filing required before customer can complete real estate, land purchase, or other commercial transaction, or it relates to an overseas transaction.
- Multiple transactions that must be completed in sequence.
- Transactions where there is an obligation to meet a court date.

Requests will be assessed on a **case-by-case basis**. Business Registry Services Branch staff will contact you to discuss your request and if your request is deemed urgent, make appropriate arrangements to receive your documents by email from the [Filing Support Mailbox](#).