

COMMUNITY ECONOMIC DEVELOPMENT CORPORATION / ASSOCIATION APPLICATION FOR REGISTRATION

PART A – Identification

Corporation/Association Name: _____

NB Corporate Affairs Registration Number: _____

NAICS (North American Industry Classification System) Code- If known: _____

Mailing Address: _____

Physical Address (if different from mailing address):

Contact Person: _____ Title: _____

Telephone: _____ Facsimile: _____ E-Mail Address: _____

Language Preference : English French

PART B - Fee

The fee for the program registration application is \$100 (**all cheques or money orders to be made payable to “Minister of Finance”**). Please allow two to four weeks for processing from the date the application is received by the Department of Finance.

PART C - Application Information

1. The proposed share offering meets all of the following conditions: Yes No
- is for newly issued, fully paid, shares of capital stock and does not include a replacement share;
 - will directly benefit the New Brunswick operations of the corporation/association;
 - is not a share where a previous tax credit has been allowed under the *New Brunswick Income Tax Act*;
 - the main purpose of issuing the share is not to claim the Small Business Investor Tax Credit;
 - will include the rights to receive dividends declared by the corporation/association and to participate in the distribution of the remaining property of the corporation/association on dissolution; and
 - will not be purchased by investors who have disposed of shares of the corporation/association after February 4, 2014, and before the proposed share issuance.
2. The applicant corporation/association meets all of the following criteria: Yes No
- is incorporated under the laws of or registered to carry on business in New Brunswick;
 - is in compliance with the *Securities Act* ;
 - has a constitution that restricts its business
 - to operating or carrying on business that is an active business or to evaluating and making investments in active business(es),
 - to providing information and education to investors in the defined community,
 - to investing the capital raised in businesses located within the defined community,
 - to exercising ownership rights with respects to the investments made,
 - to providing administrative support necessary to carry on the business of the corporation/association;
 - has a constitution that describes the defined community and makes provisions for annual general meetings of shareholders;

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- has a Board of Directors elected by the shareholders at a general meeting of the shareholders (not less than 6 individuals being residents of the defined community);
 - is not a non-profit charitable or non-taxable corporation or association;
 - for a corporation, has authorized capital consisting of shares without par value or for an association at least one class of voting equity share with par value (where the purchase price is not less than its par value and the redemption price for the share does not exceed par value or book value per share, whichever is less);
 - the net book value of tangible assets, including the assets of any of its associated corporations/associations, is less than \$40 million;
 - all, or substantially all, of the fair market value of the corporation/association's assets are used in an active business;
 - in each of the four years after registration, the corporation/association will pay at least 75 per cent of its wages and salaries to New Brunswick residents unless a minimum of 50% of a corporation/association's total revenue is derived from the sale of its goods and services outside New Brunswick, in which instance, the corporation must pay a minimum of 50% of its wages and salaries to New Brunswick residents;
 - is not lending money, providing a loan guarantee or any other financial assistance to a person for the purchase of shares included in a specified issue under the Small Business Investor Tax Credit Program.
3. Funds raised by the proposed share offering will be used for purposes other than those listed as prohibited in the **Investment Eligibility** Section of the **Schedule I** document.
- Yes No
4. If one or more of the investors are corporations or trusts, the Appendix A must be completed and signed by the director of the applicant corporation for each corporation and trust investor.

PART D - Inclusions

Please attach the following information with this application:

- community economic development plan (see Schedule 1)
- income tax return from the previous taxation year (including those of associated corporations/associations)
- copy of the most recent financial statements of the corporation (including those of associated corporations), or in the case of a start up operation proforma financial statements, which have been independently prepared by a chartered professional accountant.
- copy of the instrument of incorporation certified by an officer of the corporation/association.
- copy of the constitution of the corporation/association certified by an officer of the corporation/association
- copy of the share registry certified by an officer of the corporation/association
- statements signed by all potential/eligible investor certifying that the information in the community economic development plan with respect to the potential/eligible investors is accurate (see **Community Economic Development Corporation/Association Potential Investor Statement**)
- if potential/eligible investor is a corporation or a trust, **Appendix A**
- statement signed by all the directors of the corporation/association certifying that the information contained in the application is complete and accurate (see **Community Economic Development Corporation/Association Directors' Statement**) and
- Fee (all cheques or money orders) to be made payable to "Minister of Finance".

PART E – Annual Returns

As required by the Minister of Finance, during the four-year holding period for specified share issuances, the corporation/association shall file an annual return, a detailed status report of its shareholdings, independently conducted review engagement or audited financial statements and other information required to confirm the use or disposition of the raised capital and to ensure compliance with other Small Business Investor Tax Credit Program requirements.

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PART F - Disclaimer

The Province of New Brunswick does not guarantee the value of any shares issued by a community economic development corporation/association registered under the Small Business Investor Tax Credit Act and does not express any opinions as to the financial condition of such corporations/associations or the merits of investing in the shares of such corporations/associations.

This form is intended to provide information respecting application under the Province of New Brunswick Small Business Investor Tax Credit Act and should not be regarded as a replacement of the laws, regulations or administrative documents to which it refers. Where there is a conflict between this form and the legislation, the legislation shall prevail.

PART G – Certification, Declaration and Consent

I have read and understand the disclaimer in **Part F**.

I have read and understand the information on **Schedule 1**.

I am an authorized officer of the corporation/association. By signing this application, I declare and certify that the information given in this application, and in any documents attached, is correct and complete.

I consent to the New Brunswick Department of Finance collecting, using and disclosing the information provided on this application and on any documents attached, for the purpose of verifying my eligibility for the Small Business Investor Tax Credit Program. I authorize the New Brunswick Department of Finance to disclose this information to the Financial and Consumer Services Commission of New Brunswick (FCNB) for the above noted purpose.

The personal information on this form is being collected under the authority of the Small Business Investor Tax Credit Act, and will be used for the purposes of determining eligibility under the New Brunswick Small Business Investor Tax Credit Program and the necessary administration of the Program. If you have any questions regarding the collection and use of this information, please contact the SBITC Program Administrator, Department of Finance, 200 Champlain St., Suite 350, Dieppe, N.B. E1A 1P1. Phone: 1-800-669-7070 or e-mail wwwfin@gnb.ca.

Name (please print)

Title

Signature

Date

Inquiries

All inquiries should be directed to:

Department of Finance
Revenue & Taxation Division
200 Champlain St., Suite 350
Dieppe, NB

Telephone : (800) 669-7070
Fax : (506) 444-5086
E-mail : wwwfin@gnb.ca
Website: www.gnb.ca/finance