

# Annual Return and EFF Declaration

*Corporations Information Act - Ministry of Government Services (MGS)*  
*Corporations Tax Act - Ministry of Finance (MOF)*

This form is a combination of the Ministry of Government Services (MGS) Annual Return and the Ministry of Finance (MOF) Exempt From Filing (EFF) Corporations Tax Return Declaration. The **Annual Return** (page 1 and MGS schedule A or K) must be completed by **Ontario-Business share-capital corporations or Foreign-Business share-capital corporations that have a licence to operate in Ontario**. The return contains non-tax information collected under the authority of the *Corporations Information Act* for the purpose of maintaining a public database of corporate information.

If a corporation meets **all** of the EFF criteria listed on the **EFF Declaration** (page 2) for its current taxation year, it should complete the Declaration. If a corporation does not meet the EFF criteria, it should **NOT** complete the Declaration or Annual Return on this form. Instead, if a corporation meets the Short-Form criteria listed on page 2, it should request and file the combined CT23 Short-Form Corporations Tax and Annual Return. If the Short-Form criteria are not met by a corporation, it should request and file the combined CT23 Corporations Tax and Annual Return.

Ministry Use

 MGS Annual Return Required? *(if above applies, check  yes)*  Yes  No

**Page 1 of 4**

 Corporation's Legal Name *(including punctuation)* and Mailing Address

**Ontario Corporations Tax Account No. (MOF)**

Corporation's Taxation Year (MOF)

Start    year    month    day

End        year    month    day

 Has address changed since last filed EFF Declaration? Yes     Date of Change    year    month    day

Date of Incorporation or Amalgamation

year    month    day

Registered Head Office Address

Ontario Corporation No. (MGS)

Canada Revenue Agency Business No. (MOF)

If applicable, enter    RC

Name of person to contact regarding this Return (MOF)    Telephone No.    Fax No.

Jurisdiction Incorporated

 Address of Principal Office in Ontario *(Extra-Provincial Corporations only)* (MGS)

If not incorporated in Ontario, indicate the date Ontario business activity commenced and ceased:

Commenced    year    month    day

Ceased        year    month    day

 Former Corporation Name *(Extra-Provincial Corporations only)*    **Not Applicable**  (MGS)

**(Not Applicable)** 

Information on Directors/Officers/Administrators must be completed on MGS Schedule A or K as appropriate. If additional space is required for Schedule A, only this schedule may be photocopied. State number submitted (MGS).    No. of Schedule(s)

 If there is **no change** to the Directors'/Officers'/Administrators' information previously submitted to MGS, please check  this box. Schedule(s) A and K are not required (MGS).     No Change

 Preferred Language / *Langue de préférence*

 English     French   
*anglais                      français*

Ministry Use



## Certification (MGS)

 I certify that all information set out in the **Annual Return** is true, correct and complete.

 Name of Authorized Person *(Print clearly or type in full)*

 Title:     Director     Officer     Other individual having knowledge of the affairs of the Corporation

**Note: Sections 13 and 14 of the *Corporations Information Act* provide penalties for making false or misleading statements or omissions.**

# Exempt From Filing (EFF) Corporations Tax Return Declaration

Taxation Year End
year      month      day



Corporation's Legal Name	Ontario Corporations Tax Account No. (MOF)
(Please print name in full)	

I, \_\_\_\_\_ declare that:

The above corporation satisfies **all** of the exempt from filing criteria (a) through (f) below for the taxation year and therefore qualifies under the *Corporations Tax Act* as exempt from filing an Ontario Corporations Tax Return.

**Criteria for exempt from filing status:**

- |  |   |
|--|---|
| <ul style="list-style-type: none"> <li>a) has filed a federal Income Tax Return (T2) with Canada Revenue Agency for the taxation year;</li> <li>b) had no Ontario taxable income for the taxation year (subject to the provisions in NOTE 2 below);</li> <li>c) had no Ontario Corporations Tax payable for the taxation year;</li> <li>d) was a Canadian-controlled private corporation throughout the</li> </ul> | <ul style="list-style-type: none"> <li>taxation year (i.e. generally a private corporation with 50% or more shares owned by Canadian residents as defined by the <i>Income Tax Act</i> (Canada));</li> <li>e) had provided its Canada Revenue Agency business number to the Ministry of Finance, Corporations Tax Section; and</li> <li>f) is NOT subject to the Corporate Minimum Tax (i.e. alone or as part of an associated group whose total assets exceed \$5 million or whose total revenues exceed \$10 million for the taxation year).</li> </ul> |
|--|---|

Signature	Title/Relationship to Corporation	Telephone Number	Date
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**Please note that making a false statement to avoid compliance with the *Corporations Tax Act* is an offence which can result in a penalty and/or fine.**

**NOTE 1:** Filing of this declaration and the Annual Return does not constitute the filing of a Corporations Tax Return under section 75 of the *Corporations Tax Act*.

**NOTE 2:** The following loss situations will require otherwise EFF corporations to file a CT23 tax return complete with all related schedules and financial statements:

1. If a corporation has a loss in the current taxation year that is to be carried back and applied to a previous taxation year(s), regardless of whether the loss is the same as for federal purposes or not, a CT23 tax return is required for the current taxation year. The corporation must also provide information indicating that the loss is to be carried back and specify the year and the amount of loss to be carried back to each taxation year.
2. If a corporation has a prior year loss, that is not the same for both federal and Ontario purposes and the corporation is applying a loss carryforward from the prior year to the current year, a CT23 tax return is required for the current taxation year, and if not previously filed, a CT23 tax return for the prior taxation year in which the loss was incurred is also required. Although a tax return for the loss year is not required where the loss is not being applied, the Corporations Tax Branch will accept the filing of a tax return for a loss year at the time the loss is incurred.
3. If a corporation has a prior year loss, that is the same for both federal and Ontario purposes, but in the current taxation year the corporation is applying a different amount of loss for Ontario than the loss amount being applied for federal income tax purposes, the corporation is required to file a CT23 tax return for the current taxation year only.

The following 3 items **MUST** be completed if the EFF declaration only is being submitted at this time. In cases where the annual return, which includes page 1, is **also** being filed, completion of these fields is NOT necessary.

<p>1. Corporation's Mailing Address</p> <div style="border: 1px solid black; height: 50px; width: 100%;"></div>	<p>2. Ontario Corporation No. (MGS)</p> <div style="border: 1px solid black; width: 100%; height: 30px;"></div>	<p>3. Canada Revenue Agency Business No.</p> <p style="text-align: center; font-size: small;">If applicable, enter</p> <div style="border: 1px solid black; width: 100%; height: 30px; display: flex; justify-content: space-between;"> <span style="border-bottom: 1px solid black; width: 80%;"></span> <span style="border-bottom: 1px solid black; width: 15%; text-align: center;">RC</span> </div>
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A corporation **must** file an **Exempt From Filing Corporations Tax Return Declaration** form for each taxation year that the corporation is exempt from filing, **within 6 months** after the end of its taxation year, to the address shown at the top of Page 1.

**If you check "Yes" to ALL of the following criteria, you are eligible to file the CT23 Short-Form Corporations Tax Return. To obtain a copy, contact the Ministry Information Centre at the numbers listed on page 2 of the Guide.**

<p><b>Yes</b>   <b>No</b></p> <p><input type="checkbox"/>   <input type="checkbox"/> (a) The corporation is a Canadian-controlled private corporation (CCPC) throughout the taxation year.</p> <p style="text-align: right; font-size: small;">(nearest whole percentage)</p> <p>Indicate Share Capital with full voting rights owned by Canadian Residents   <input style="width: 50px;" type="text"/> %</p> <p><input type="checkbox"/>   <input type="checkbox"/> (b) The corporation's taxable income for the taxation year is \$200,000 or less. For a taxation year with less than 51 weeks, taxable income must be grossed-up. (<i>Refer to guide</i>)</p> <p><input type="checkbox"/>   <input type="checkbox"/> (c) The corporation is NOT a member of a partnership/joint venture or a member of an associated group of corporations during the taxation year.</p>	<p><b>Yes</b>   <b>No</b></p> <p><input type="checkbox"/>   <input type="checkbox"/> (d) The corporation's taxation year ends on or after January 1, 2001, and its gross revenue and total assets are each \$1,500,000 or less and the corporation is not a financial institution; OR</p> <p>The corporation's taxation year commences after September 30, 2001, and its gross revenue and total assets are each \$3,000,000 or less and the corporation is not a financial institution.</p> <p><input type="checkbox"/>   <input type="checkbox"/> (e) The corporation is NOT claiming a tax credit other than the Incentive Deduction for Small Business Corporations (IDSBC), Co-operative Education Tax Credit (CETC) or Graduate Transitions Tax Credit (GTTTC).</p> <p><input type="checkbox"/>   <input type="checkbox"/> (f) The corporation's Ontario allocation factor is 100%.</p>
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**NOTE:** Family Farm or Fishing corporations that have a taxation year ending on or after January 1, 2000 and that are NOT subject to the Corporate Minimum Tax, may also use the **CT23 Short-Form Corporations Tax Return** if the corporation checks "Yes" to (a), (b), (c), (e) and (f) above.

# Schedule A: Information on Ontario Corporations

(Corporations that are incorporated, continued or amalgamated under the Ontario *Business Corporations Act*)



To submit additional Director or Officer Information, please photocopy this page and attach the completed schedules with your return.

## Identification

Corporation's Legal Name (including punctuation)	Ontario Corporation No. (MGS)	Date of Incorporation or Amalgamation										
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## Director/Officer Information

Full Name and Address for Service:

Last Name	First Name	Middle Name(s)
Street Number and Name		Suite
City/Town/Village	Province/State	Country
Postal/Zip Code		

Director	Officer																																																																																		
<p>Are you a Resident Canadian? <i>(Applies to directors of business corporations only)</i></p> <p><input type="checkbox"/> Yes    <input type="checkbox"/> No</p> <p>Date Elected</p> <table border="1" style="width:100%"> <tr> <td style="width:33%">year</td> <td style="width:33%">month</td> <td style="width:33%">day</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> <p>Date Ceased</p> <table border="1" style="width:100%"> <tr> <td style="width:33%">year</td> <td style="width:33%">month</td> <td style="width:33%">day</td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	year	month	day				year	month	day				<p>Indicate the appointment period for each of the following:</p> <table border="1" style="width:100%"> <thead> <tr> <th rowspan="2"></th> <th colspan="3">Date Appointed</th> <th colspan="3">Date Ceased</th> </tr> <tr> <th>year</th> <th>month</th> <th>day</th> <th>year</th> <th>month</th> <th>day</th> </tr> </thead> <tbody> <tr> <td><b>President</b></td> <td> </td><td> </td><td> </td> <td> </td><td> </td><td> </td> </tr> <tr> <td><b>Secretary</b></td> <td> </td><td> </td><td> </td> <td> </td><td> </td><td> </td> </tr> <tr> <td><b>Treasurer</b></td> <td> </td><td> </td><td> </td> <td> </td><td> </td><td> </td> </tr> <tr> <td><b>General Manager</b></td> <td> </td><td> </td><td> </td> <td> </td><td> </td><td> </td> </tr> <tr> <td><b>Other (specify)</b></td> <td> </td><td> </td><td> </td> <td> </td><td> </td><td> </td> </tr> </tbody> </table> <p>Other Titles <i>(please specify)</i>:</p> <table style="width:100%"> <tr> <td><input type="checkbox"/> Chair</td> <td><input type="checkbox"/> Chief Executive Officer</td> </tr> <tr> <td><input type="checkbox"/> Chair Person</td> <td><input type="checkbox"/> Chief Financial Officer</td> </tr> <tr> <td><input type="checkbox"/> Chairman</td> <td><input type="checkbox"/> Chief Information Officer</td> </tr> <tr> <td><input type="checkbox"/> Chairwoman</td> <td><input type="checkbox"/> Chief Operating Officer</td> </tr> <tr> <td><input type="checkbox"/> Vice-Chair</td> <td><input type="checkbox"/> Chief Administrative Officer</td> </tr> <tr> <td><input type="checkbox"/> Vice-President</td> <td><input type="checkbox"/> Comptroller</td> </tr> <tr> <td><input type="checkbox"/> Assistant Secretary</td> <td><input type="checkbox"/> Authorized Signing Officer</td> </tr> <tr> <td><input type="checkbox"/> Assistant Treasurer</td> <td><input type="checkbox"/> Other (untitled)</td> </tr> <tr> <td><input type="checkbox"/> Chief Manager</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Executive Director</td> <td></td> </tr> <tr> <td><input type="checkbox"/> Managing Director</td> <td></td> </tr> </table>		Date Appointed			Date Ceased			year	month	day	year	month	day	<b>President</b>							<b>Secretary</b>							<b>Treasurer</b>							<b>General Manager</b>							<b>Other (specify)</b>							<input type="checkbox"/> Chair	<input type="checkbox"/> Chief Executive Officer	<input type="checkbox"/> Chair Person	<input type="checkbox"/> Chief Financial Officer	<input type="checkbox"/> Chairman	<input type="checkbox"/> Chief Information Officer	<input type="checkbox"/> Chairwoman	<input type="checkbox"/> Chief Operating Officer	<input type="checkbox"/> Vice-Chair	<input type="checkbox"/> Chief Administrative Officer	<input type="checkbox"/> Vice-President	<input type="checkbox"/> Comptroller	<input type="checkbox"/> Assistant Secretary	<input type="checkbox"/> Authorized Signing Officer	<input type="checkbox"/> Assistant Treasurer	<input type="checkbox"/> Other (untitled)	<input type="checkbox"/> Chief Manager		<input type="checkbox"/> Executive Director		<input type="checkbox"/> Managing Director	
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## Director/Officer Information

Full Name and Address for Service:

Last Name	First Name	Middle Name(s)
Street Number and Name		Suite
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Note: Sections 13 and 14 of the *Corporations Information Act* provide penalties for making false or misleading statements or omissions.

# Schedule K: Information on Foreign Business Corporations

(Corporations that are incorporated, continued or amalgamated in a jurisdiction outside Canada)

**MGS**

Schedule K

Page 4 of 4



Only one Schedule K may be submitted. Please DO NOT photocopy.

## Identification

Corporation's Legal Name (including punctuation)	Ontario Corporation No. (MGS)	Date of Incorporation or Amalgamation														
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year	month	day														

## Chief Officer/Manager Information

Name and Office Address of the Chief Officer/Manager in Ontario: *Not Applicable*

Last Name	First Name	Middle Name(s)	
Street Number and Name		Suite	
City/Town/Village	Province <b>Ontario</b>	Country <b>Canada</b>	Postal Code

Indicate the appointment period for the position of Chief Officer/Manager:

Date Appointed			Date Ceased		
year	month	day	year	month	day

## Agent for Service Information

Indicate if the Agent for Service is an individual or a corporation:  
Please check  box if applicable  **Individual**

Agent's Last Name	First Name	Middle Name(s)	
Street Number and Name		Suite	
City/Town/Village	Province <b>Ontario</b>	Country <b>Canada</b>	Postal Code

Please check  box if applicable  **Corporation**

Corporation Name (including punctuation)	Ontario Corporation No.								
	<table border="1"><tr><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td><td> </td></tr></table>								
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Street Number and Name	Suite								
City/Town/Village	Province <b>Ontario</b>	Country <b>Canada</b>	Postal Code						

Note: Sections 13 and 14 of the Corporations Information Act provide penalties for making false or misleading statements or omissions.

# Guide to Annual Return and Exempt from Filing (EFF) Corporations Tax Return Declaration

## Form and Format

To streamline the collection of corporate information, corporations are able to file a combined Annual Return and EFF Declaration form. This form may be used by a corporation if it meets all of the EFF criteria listed on page 2 of the form. The EFF Declaration collects the information required by the *Corporations Tax Act*. The Annual Return collects information required by the Ministry of Government Services (MGS) under the authority of the *Corporations Information Act*.

## Exempt from Filing (EFF) Declaration

### How Can You File?

If a corporation meets **all** of the criteria listed on page 2 of the form for EFF status, the corporation should complete and deliver to the MOF (at the address at the top of page 1 of the form), the EFF Declaration on page 2 of the form (and the Annual Return if applicable), instead of a CT23 Corporations Tax Return (CT23). If a corporation does not meet the EFF criteria, it should **not** complete this Declaration or Annual Return on this form. Instead the corporation should file either the Short-Form or regular CT23 Corporations Tax and Annual Return.

Financial Institutions (banks, credit unions, mortgage investment corporations, registered securities dealers, bank mortgage subsidiaries, loan and trust corporations & trustees to the public) and insurance corporations **do not** qualify for the exemption from filing a tax return for a taxation year .

### When Must You File?

Corporations are required to file an EFF declaration for every taxation year for which the EFF status is claimed, within six months after the end of its taxation year.

**Note:** A Notice of Assessment will not be issued for any CT23 filed by a corporation which is EFF.

EFF Corporations filing losses to be carried back and applied to prior years or applied to future years **must file a CT23** complete with all the related schedules in accordance with the requirements provided under Note 2 on page 2 of the Annual Return and EFF Declaration for the taxation year of the loss and for the taxation year to which the loss is being applied.

In addition, a CT23 for an EFF period may be required if requested by the Ministry of Finance.

## CT23 Short-Form Corporations Tax and Annual Return

A corporation that does not meet the EFF criteria but does meet the Short-Form criteria listed on page 2 of the Annual Return and EFF Declaration form should be using the CT23 Short-Form Corporations Tax and Annual Return.

One of the criteria is that a corporation must have taxable income for the taxation year equal to \$200,000 or less in order to qualify to use the Short-Form. If a corporation has a taxation year with less than 51 weeks it must gross-up its taxable income by multiplying it by 365 days and dividing it by the number of days in the corporation's taxation year.

## Regular CT23 Corporations Tax and Annual Return

If a corporation does not meet all the Short-Form criteria required to use the CT23 Short-Form Corporations Tax and Annual Return, then the corporation must file using the regular CT23 Corporations Tax and Annual Return.

## The Annual Return (MGS)

The Annual Return is comprised of page 1 of the combined Annual Return and EFF Declaration and either of MGS Schedule A or MGS Schedule K (page 3 or 4). The information provided on these pages is collected under the authority of the *Corporations Information Act* for the purpose of maintaining a public database of corporate information. The MOF is collecting this information on behalf of the MGS. This collection process applies to corporations that have a taxation year ending on or after January 1, 2000.

*If you answer "Yes" to the question, "Is an MGS Return Required?" (see below), most of the information on page 1 of the combined form and where applicable, MGS Schedule A or MGS Schedule K, will be provided to MGS by the MOF. Authority for providing this information is given pursuant to subsection 98(4) of the Corporations Tax Act.*

## Is An MGS Annual Return Required?

Every corporation that is incorporated, amalgamated or continued in Ontario under the *Ontario Business Corporations Act*, Ontario must file an Annual Return. This type of corporation is referred to as an "Ontario Corporation".

Every foreign corporation that has a licence endorsed under the *Extra-Provincial Corporations Act* to carry on business in Ontario must file an Annual Return. Foreign extra-provincial corporations are those corporations that are incorporated, amalgamated or continued outside Canada.

This type of corporation is referred to as a “Foreign Business Corporation”.

If neither of the above applies to the corporation then please answer “No” to the question “MGS Annual Return Required?”.

For Ontario Business Corporations that have filed the Annual Return electronically to MGS, the corporation’s response to the question will be “No”.

**Note:** A corporation that is incorporated, continued, or amalgamated in a Canadian jurisdiction other than Ontario is **not required** to file.

## How Can You File?

The following methods are available to file the Annual Return:

- A corporation may complete and submit the preprinted paper Annual Return and EFF Declaration to the MOF at the address indicated on the top of page 1 of the form.
- Alternatively, an Ontario Business Corporation may complete the electronic filing version of the Annual Return found through the MGS website, [www.mgs.gov.on.ca](http://www.mgs.gov.on.ca). This website will take you to the Primary Service Providers under contract with MGS. The Ontario Business Corporation may then file only the EFF Declaration to the MOF if it meets all of the EFF criteria listed on page 2 of the form. If a corporation does not meet the EFF criteria, but does meet the Short-Form criteria listed on page 2 of the form, it should obtain and file the CT23 Short-Form portion of the combined CT23 Short-Form Corporations Tax and Annual Return to the MOF. If a corporation does not meet the Short-Form criteria, it should file only the CT23 portion of the combined CT23 Corporations Tax and Annual Return to the MOF.

## When Must You File?

A corporation, with share capital that is required to file an EFF Declaration (or a CT23) and an Annual Return, is required to deliver an Annual Return within six months after the end of the **corporation’s first taxation year (enter start and end date on page 1)** of each calendar year. This applies whether the Annual Return is delivered to the MOF or electronically to the MGS.

The Annual Return will be considered delivered on the date it is received by the MOF. The effective date of filing for the Annual Return is the date the information is updated in the Ontario Business Information System (ONBIS).

If the Annual Return is filed electronically during MGS business hours, the date of receipt will be considered to be that day. Otherwise, the date of receipt will be the next business day of MGS.

An Annual Return is considered filed if it is complete and has been recorded in the ONBIS.

Incomplete Annual Returns are considered to be deficient. MGS will contact corporations regarding Annual Return deficiencies. The Annual Return will not be considered **filed** until the deficiency is corrected.

## What Must You File?

Ontario-Business Corporations (OBCs) and Foreign-Business Corporations (FBCs) must complete all of the information requested on page 1. In addition, OBCs complete MGS Schedule A and FBCs complete MGS Schedule K, if there has been a change in the information previously submitted to MGS.

All information in the Annual Return must be current as of the **date of delivery** to the MOF or to the MGS.

Each corporation must keep an up-to-date paper or electronic record of the prescribed information set out in the return available for examination at its registered/head office or principal place of business in Ontario.

Complete all of the applicable fields on the appropriate MGS schedule ( A or K), ensuring that the Corporation’s name includes all punctuation and that the Ontario Corporation Number (MGS) is the number assigned by MGS.

**MGS Schedule A** must report current information on all directors and the five most senior officers of the corporation. Senior officers include the following positions or their equivalent: president, secretary, treasurer and general manager. A minimum of one director is required in a non-offering business corporation and a minimum of three directors is required for all others. Space is provided for information on two Director/Officer positions. If the box “Other (specify)” is applicable, in order to cease or change an officer previously reported under “Other Titles”, cease the officer, then use a blank schedule “A” to add (if applicable) the new information.

**MGS Schedule K** is for reporting current information on the Chief Officer/Manager and the Agent for Service for foreign corporations which have a licence endorsed under the *Extra-Provincial Corporations Act* to carry on business in Ontario.

## What If You Need Help to Complete this Annual Return and EFF Declaration?

If you need help after reading this guide, please contact the Ministry Information Centre at: English 1-800-263-7965, French 1-800-668-5821, TTY 1-800-263-7776.

## How do You Obtain a Combined Return?

If you do not meet the EFF criteria and therefore require either a CT23 Short-Form Corporations Tax and Annual Return or a CT23 Corporations Tax and Annual Return, please contact the Ministry Information Centre at the numbers listed above.