

Expanding Your Business into Alberta, Canada

Category	Question	Answer
Timing	How long does it take to incorporate?	Within 24 hours after we have the required information. Everything can be done electronically and signed via DocuSign. We make the process as smooth and simplified as possible.
Resident Canadian Director	Do I need a resident Canadian director to incorporate a Canadian company?	No – as of March 29, 2021, Alberta no longer requires corporations to have at least one Canadian resident act as a director. As a result, there is no need to incorporate a Canadian subsidiary in a province where there is no resident Canadian director requirement – we can simply incorporate in Alberta.
Federal vs. Provincial Incorporation	Does it make a big difference if I incorporate federally or provincially (e.g. Alberta)?	No – federal and provincial legislation relating to incorporations are substantially similar. A federally incorporated company, however, requires at least 25% of a corporation's directors to be either Canadian citizens or permanent residents ordinarily residing in Canada.
Type of Corporation	What type of corporation should I incorporate?	Two options – either a standard Canadian corporation or an unlimited liability corporation (ULC). We'll work with you and your tax advisors to determine the optimal approach. Note that there are no C Corps, S Corps or LLCs in Canada.
Bank Account	Do I need a bank account to incorporate?	No – and you don't need to have any assets in Canada at the time of incorporation.
Minimum Investment	Is there a minimum amount you have to invest in Canada in order to incorporate?	No – there is no minimum requirement.
Employment	Are employment laws substantially the same as in the United States?	No – there are numerous and important differences. For instance, Canada does not have at-will employment. As a result, it is critical to use carefully constructed employment agreements before any employees begin working. We can provide Canadian employment agreements on a very cost-efficient basis. We also have significant experience in all aspects of employment-related issues that can arise in the Canadian context once employment commences, such as wrongful termination lawsuits, human rights complaints and workplace investigations.



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