

THE NOTARY: YOUR BUSINESS PARTNER

More and more business people are turning to notaries when they are in need of a corporate legal advisor or personal financial analyst. A growing number of notaries have specialized, and possess a wealth of experience, in corporate law and personal finance. Having built many close, privileged relationships with the business community over the years, these notaries have become valuable advisors in every facet of commercial activity. - By continually keeping their knowledge and skills up to date and actively participating in new business activities, notaries can provide valuable assistance to high-tech companies in the same way as they have always enjoyed the confidence of more traditional corporations. - In addition, to help resolve the majority of civil or commercial disputes that may face an entrepreneur during the normal course of business, many notaries also have the training and experience needed to act as mediators in civil and commercial matters. Other notaries are also accredited arbitrators. - The notary is an expert in the drafting of contracts and can provide all the legal security you and your company need to ensure that your rights and interests are well protected, why saving you time and money.

The Notary: Your business partner

YOUR COMPANY: SITUATIONAL ANALYSIS AND OBJECTIVES

To ensure that you are on the right track, your notary will begin with a comprehensive analysis of your company's legal situation. Working together, you and your notary can develop an effective plan of action to help you achieve your objectives.

An analysis of your company's basic characteristics is an important prerequisite to the establishment of the legal structure best suited to it. Such an analysis is, of course, ideal at the company's start-up stage, but can be done at any time. As companies grow and change, or as new objectives and projects emerge, new analyses may have to be made.

LEGAL STRUCTURES OF BUSINESS ORGANIZATIONS

Taking into account certain unavoidable factors such as the importance of your capital funding, your preferences regarding teamwork and your managerial skills, your notary will provide you with a clear explanation of the advantages and disadvantages of the various legal forms available to businesses. He or she will inform you of all the possibilities you can choose from with regard to:

- sole proprietorship;
- different types of partnerships;
- business corporations governed by federal or Quebec law;
- franchising;
- other forms of companies.

Armed with complete, detailed explanations from your notary, you will be in a position to make an informed decision and you will know exactly what the legal and fiscal ramifications of that decision are.

Your notary will now be able to draw up the necessary documents for the establishment or the structural modification of your company, whether in the form of a partnership contract, a shareholder agreement or any other relevant document.

CORPORATE TAXATION

Tax planning has become a key factor in sound corporate management. Here again, many notaries have acquired the expertise needed to help you prepare a comprehensive strategy, taking into account various possibilities such as:

- estate freeze;
- management companies;
- share redemption programs.

These expert notaries can also evaluate the tax consequences of the sale of your company on your estate and your heirs.

COMPANY FINANCING: MONEY DOESN'T GROW ON TREES!

It takes money to make money. Your company needs sound financial resources to ensure that it develops to its fullest potential. Backed by legal training and a firm commitment to the business community, your notary can help you develop realistic financing projects that are perfectly suited to your company.

Your notary is right at home when it comes to developing an integrated financing plan and selling it to potential financial partners, taking into consideration:

- sources of funding (shareholder advances, line of credit, hypothecary loan, equity loan, etc.);
- guarantees (security on property and personal guarantees);
- assistance programs and subsidies, where relevant.

Throughout a company's entire existence, financing remains a daily concern, as much at the start-up or restructuring stage as at the acquisition or expansion phase. When you reach the point of wanting to transfer your company - to the next generation or to a third party - your notary can help negotiate the financial agreements.

WHAT IF YOU ARE INJURED?

What would happen if, one day, you became incapable of running your business or making corporate decisions? Although no one wants this to happen, your notary will advise you nonetheless to sign a mandate in anticipation of incapacity. Among other things, this mandate will name the person who, in the event that you are unable to act, will ensure continuity and take control of the company. An initiative such as this will enable you to choose the person you consider the most qualified to run the company, and will often avoid family friction and conflict.

