



**ESB Only (1a, b, and c):**

**1a) To your knowledge, are any of the investors on this application related to each other or any other individual who owns shares in the ESB?**

Yes  No 

- A **related person** includes: individuals connected by blood relationship, marriage or common-law partnership or adoption, a corporation, or any two corporations

**If “Yes”, please specify who:**

**b) Have any of the investors on this application disposed of shares issued by the ESB in the two years immediately preceding the submission of this application?**

Yes  No 

**If “Yes”, please specify who:**

**c) I declare that the investments listed on this Tax Credit Certificate Application are in compliance with Section 5 of the Saskatchewan Technology Start-up Incentive Regulations (See Appendix A for Section 5 of The STSI Regulations).**

Yes  No **VCC Only (2a, b):**

**2a) To your knowledge, are any of your VCC shareholders related to someone (outside the VCC) who owns shares in the ESB indicated on this Tax Credit Certificate Application?**

Yes  No 

- A **related person** includes: individuals connected by blood relationship, marriage or common-law partnership or adoption, a corporation, or any two corporations

**If “Yes”, please specify who:**

**b) I declare that the VCC is in compliance with Section 26 of *The Saskatchewan Technology Startup Incentive Act* and Section 22 of *The Saskatchewan Technology Start-up Incentive Regulations* (See Appendix B for Section 26 of The STSI Act and Appendix C for Section 22 of The STSI Regulations).**

Yes  No

**ESBS AND VCCS MUST SUBMIT THE FOLLOWING ATTACHMENTS WITH THIS APPLICATION:**

- Letter(s) of Intent or Term Sheet(s)
- Updated Shareholder Registry or Capitalization Table
  - Must outline the percentage of shares held by each shareholder.

**APPLICATION DECLARATIONS**

I (please print) \_\_\_\_\_ am an authorized signing officer of the applicant organization. I hereby apply for a Saskatchewan Technology Start-Up Incentive. I declare that to the best of my knowledge the information given in this application is true and complete. I acknowledge that to knowingly make a false or misleading statement in an application is an offense and punishable by law. The information so provided will be used for the purposes of administering the rebate program, including verifying the contents of this application and except as may be required by law will not be communicated for any other purpose.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

## Appendix A

### *The Saskatchewan Technology Start-up Incentive Regulations*

#### **Ineligible investments re section 6 of the Act**

5 For the purposes of clause 6(1)(c) of the Act, an investment is an eligible investment if the equity shares issued do not:

- (a) create a debt between the holder or beneficial owner of the equity shares and any other person;
- (b) entitle the holder or beneficial owner of the equity shares to reduce the impact of any loss the holder or beneficial owner sustains in holding or disposing of the equity shares; or
- (c) provide the holder or beneficial owner of the equity shares with the right to require the eligible start-up business to repurchase the shares before the expiry of 2 years after the date of issue.

## Appendix B

### *The Saskatchewan Technology Start-up Incentive Act*

#### **Non-arm's length investment prohibited**

**26(1)** A venture capital corporation must not make or hold an investment in an eligible start-up business if any of the shares of the venture capital corporation are held by a prescribed shareholder who is, or was at any time during the 2 years preceding the date of the investment, a prescribed related person.

(2) A venture capital corporation must not make or hold an investment in an eligible start-up business if the eligible start-up business, an associate, affiliate, director, officer or shareholder of the start-up business or other prescribed person provides or has provided, directly or indirectly, as part of any transaction or series of transactions, a loan, guarantee or any other financial assistance to a prescribed related person.

## Appendix C

### *The Saskatchewan Technology Start-up Incentive Regulations*

#### **Prohibitions re non-arm's length investments**

**22(1)** For the purposes of subsection 26(1) of the Act, a venture capital corporation must not make or hold an investment in an eligible start-up business if any of the shares of the venture capital corporation are held by:

- (a) a major shareholder of the eligible start-up business;
- (b) an associate of a major shareholder of the eligible start-up business;
- (c) a voting trust for which the trustee votes shares of the eligible start-up business;
- (d) the eligible start-up business or an associate or affiliate of the eligible start-up business.

(2) For the purposes of subsection 26(2) of the Act, a related person is a related person within the meaning of subsections 251(2) to (6) of the *Income Tax Act* (Canada).