

# U.S. Power of Attorney (POA)

*With Designation as Export Forwarding Agent and Acknowledging Terms and Conditions*

The U.S. Power of Attorney is a requirement of U.S. Customs and Border Protection (CBP) Bureau for Livingston to conduct customs business in your name. Livingston will not act as your customs broker without an original signed copy of this document. Please have an Officer of your company sign the Power of Attorney and return it to your Livingston account manager. For more information on how to complete the POA or an on-line form, please visit our website at [www.livingstonintl.com](http://www.livingstonintl.com).

Check appropriate box:     Individual     Partnership     Corporation     Sole Proprietor     LLC

Federal I.D. / Social Security / Customs-Assigned # \_\_\_\_\_

Know all men by these presents: that, (full name of person, partnership, corporation, sole proprietorship, or LLC (identify legal name))

\_\_\_\_\_, Grantor,

doing business as \_\_\_\_\_ under the laws of the State or Province of \_\_\_\_\_,

residing or having a principal place of business at (address) \_\_\_\_\_.

hereby constitutes and appoints each of the following persons: Livingston International, Inc., its heirs and assigns, through any of their licensed officers and duly empowered employees, as a true and lawful agent and attorney of the Grantor named above for and in the name, place, and stead of said Grantor from this date and in ALL Customs Districts, and in no other name to make, endorse, sign, declare, or swear to any entry, withdrawal, declaration, certificate, bill of lading, carnet, or other document required by law or regulation in connection with the importation, transportation or exportation of any merchandise shipped or consigned by or to said Grantor; to perform any act or condition which may be required by law or regulation in connection with such merchandise to receive any merchandise deliverable to said Grantor.

To make endorsements on bills of lading conferring authority to transfer title, make entry or collect drawback, and to make, sign, declare, or swear to any statement, supplemental statement, schedule, supplemental schedule, certificate of delivery, certificate of manufacture, certificate of manufacture and delivery, abstract of manufacturing records, declaration of proprietor on drawback entry, declaration of exporter on drawback entry, or any other affidavit or document which may be required by law or regulation for drawback purposes regardless of whether such bill of lading, sworn statement, schedule, certificate, abstract, declaration, or affidavit or document is intended for filing in any customs district.

To sign, seal, and deliver for and as the act of said Grantor any bond required by law or regulation in connection with the entry or withdrawal of imported merchandise or merchandise exported with or without benefit of drawback or in connection with the entry, clearance, lading, unlading or navigation of any vessel or other means of conveyance owned or operated by said Grantor, and any and all bonds which maybe voluntarily given and accepted under applicable laws and regulations, consignee's and owner's declarations provided for in section 485, Tariff Act of 1930, as amended, or affidavits in connection with the entry of merchandise.

To sign and swear to any document and to perform any act that may be necessary or required by law or regulation in connection with the entering, clearing, lading, unlading or operation of any vessel or other means of conveyance owned or operated by said Grantor.

To authorize other Customs Brokers to act as Grantor's agent; to receive, endorse and collect checks issued for Customs duty refunds in Grantor's name drawn on the Treasury of the United States; if the Grantor is a nonresident of the United States, to accept service of process behalf of the Grantor and to appoint subagents.

And generally to transact at the customhouses in any district any and all customs business including making, signing, and filing of protests under section 514 of the Tariff Act of 1930, in which said Grantor is or may be concerned or interested and which may properly be transacted or performed by an agent and attorney, giving to said agent and attorney full power and authority to do anything whatever requisite and necessary to be done in the premises as fully as said Grantor could do if present and acting, hereby ratifying and confirming all that the said agent and attorney shall lawfully do by virtue of these presents the foregoing power of

attorney to remain in full force and effect until notice of revocation in writing is duly given. If the donor of this power of attorney is a partnership, the said power shall in no case have any force or effect after the expiration of 2 years from the date of its execution.

Pursuant to section 111.24 of the Customs Regulations, information relating to the business of the Grantor obtained through the customs business of Livingston International, Inc. is to be considered "confidential" unless waived by the client. The information contained in these records will not be disclosed to parties other than Livingston International (in Canada) and/or its affiliates, except where required by regulations or law or where directed by the Grantor.

Appointment as Forwarding Agent: Grantor authorizes the above Grantee to act for and in the name, place and stead of the Grantor, within the territory as a true and lawful agent and attorney of the Grantor for export control, U.S. Census Bureau reporting, and CBP purposes, and to prepare, sign, endorse and transmit any Electronic Export Information, or other export documents or records (i.e., export declaration, AES (Automated Export System) filings, commercial invoices, bills of lading, insurance certificates, drafts and any other document) including those required to be filed with the U.S. Census Bureau, CBP, the Bureau of Industry and Security or any other U.S. Government agency, and to perform any other act that may be necessary for the completion of any export or transportation of any goods shipped or consigned by or to the Grantor on Grantor's behalf as may be required under law and regulation in the territory and to receive or ship goods on behalf of the Grantor and appoint forwarding agents on Grantor's behalf. The Grantor hereby certifies that all statements and information contained in the documentation provided to Livingston International, Inc. and relating to exportation will be true and correct. Furthermore, the Grantor understands that civil and criminal penalties may be imposed for making false and fraudulent statements or for the violation of any United States laws or regulations on exportation.

Grantor hereby agrees that this Power of Attorney and all transactions hereunder shall be governed by Livingston International, Inc. Terms and Conditions of Service. By its signature hereto, Grantor acknowledges receipt of the Terms and Conditions of Service and Reasonable Care Notice and it agrees to be bound by same, as maybe amended from time to time by Livingston International, Inc. through general notice posted on the web site: [www.livingstonintl.com](http://www.livingstonintl.com). Grantor acknowledges that posting of notice of change on said website shall be sufficient notice of change to the Terms and Conditions to bind Grantor.

If Grantor is a Limited Liability Company, the signatory certifies that he/she has full authority to execute the power on behalf of the Grantor.

If you are importer of record, payment to the broker will not relieve you of liability for customs charges (duties, taxes or other debts owed CBP) in the event the charges are not paid by the broker. Therefore, if you pay by check, customs charges may be paid with a separate check payable to the "U.S. Customs and Border Protection." which will be delivered to CBP by the broker. Importers who wish to utilize this procedure must contact our office in advance to arrange timely receipt of duty checks.

In witness whereof, the said (company name) \_\_\_\_\_

has caused these presents to be sealed and signed. (signature) \_\_\_\_\_

(print name and title) \_\_\_\_\_ (date) \_\_\_\_\_

# Certification by Nonresident Corporation

U.S. Customs Brokerage

*For non-resident corporations only: this form is to be completed by an officer of the company other than the one who executed the Power of Attorney.*

I (name) \_\_\_\_\_ certify that I am the (title) \_\_\_\_\_  
of (name of corporation) \_\_\_\_\_  
organized under the laws of the Province of \_\_\_\_\_  
that (name of signer of Power of Attorney) \_\_\_\_\_  
who signed the Power of Attorney on behalf of the corporation, is the (title) \_\_\_\_\_  
of the corporation, and that the signer was given the authority to sign Powers of Attorney on behalf of the corporation.

In witness whereof, I have hereunto set by hand at the city of \_\_\_\_\_  
Province of \_\_\_\_\_  
date \_\_\_\_\_, 20 \_\_\_\_ . Signature \_\_\_\_\_

<b>Note:</b>	
<p>U.S. Customs accepts the noted titles as having signing authority for the corporation.</p> <p>Titles other than noted require supporting documentation (Articles of Incorporation or Board of Directors resolution) to validate authority of signing officer.</p>	<ul style="list-style-type: none"> <li>▪ President</li> <li>▪ Vice President</li> <li>▪ Secretary</li> <li>▪ Treasurer</li> </ul>