

CANADIAN SOCIETY OF CUSTOMS BROKERS

CONTINUOUS GENERAL AGENCY AGREEMENT AND POWER OF ATTORNEY WITH POWER TO APPOINT A SUB-AGENT

KNOW ALL MEN BY THESE PRESENTS that

I/We (Name of Client and Business Number) \_\_\_\_\_ of (Address) \_\_\_\_\_ do hereby constitute and appoint (Name of Customs Broker and Business Number) Near North Customs Broker 119418812, a Customs Broker licensed under the Customs Act, of (Address) 20 Elliott Avenue, Barrie, ON L4N 4V7 Canada my true and lawful attorney to transact business on my behalf in all matters relating to the import and export of goods, including but not restricted to:

- i) the release of and accounting for goods, document and data preparation, payment of, and refund of, all government duties, taxes and levies in respect of imported and exported goods released or to be released, and
ii) the transportation, warehousing and distribution of such goods.

And I do hereby engage the customs broker to perform such services.

AND IN CONNECTION THEREWITH:

- (a) to obtain, sign, seal, endorse and deliver for me all bonds, entries, permits, bills of lading, bills of exchange, declarations, claims of any nature, or other means of payment or collateral security which comes into his possession and to use same, including drawbacks and claims of any nature for reimbursement of duties, taxes, levies and the like;
(b) to receive all such payments and sums of money as are now due or may hereafter become due and payable to me relative to the foregoing; and to endorse on my behalf and as my attorney and to deposit to and for his own account all such payments.

To facilitate the carrying out of such services on our behalf, I hereby authorize the customs broker to obtain and review from the Canada Border Services Agency our Canada Border Service Agency importer profile.

I confirm that this Agency Agreement and Power of Attorney shall be deemed to constitute all notices and authorizations required by the Minister of Foreign Affairs and the Export and Imports Controls Bureau in the Department of Foreign Affairs and International Trade with respect to all matters relating but not limited to softwood lumber export issues and apparel tariff preference issues. Further I also confirm that this Agency Agreement and Power of Attorney is intended to apply and does apply to allow the customs broker to act on our behalf with respect to documentary compliance with all Federal Government programs involving the import or export of goods.

I acknowledge that any duties, charges or other amounts paid on my behalf or to my account by my attorney or sub-agent shall be a debt due by me to my attorney or sub-agent and any refund, rebate or remission of such duties, charges or other amounts shall be the property of my attorney or sub-agent and I direct and authorize any governmental agencies collecting same to deliver such rebate, refund or remission to my attorney or sub-agent.

I hereby certify that, to the best of my knowledge, all documents and/or information that will be provided to my aforesaid attorney by myself or on my behalf, in connection with this mandate, will be true, accurate and complete.

I further grant my attorney full power and authority to appoint any other person to whom a license to transact business as a Customs Broker has been issued under the Customs Act as a sub-agent to transact the aforesaid business on my behalf and to revoke any such appointment and to appoint any other person who holds such a license as a sub-agent in the place of any sub-agent whose appointment has been revoked, as he, my attorney, shall from time to time think fit.

I hereby agree that this Agency Agreement and Power of Attorney and all transactions hereunder shall be governed by the Standard Trading Conditions of the Canadian Society of Customs Brokers which are on the reverse side hereof and which have been read by the undersigned.

I hereby ratify and confirm and agree to ratify and confirm all that my said attorney may do by virtue hereof.

This Agency Agreement and Power of Attorney shall be and remain in full force and effect, until due notice of its revocation shall have been given to my aforesaid attorney, in writing and subject to article 8 of the Standard Trading Conditions

In witness whereof (Corporate Name) \_\_\_\_\_ has caused these presents to be sealed with its corporate seal, attested to by the signature of its duly authorized officials at (Name of Municipality) \_\_\_\_\_ in (Name of Province/State and Country) \_\_\_\_\_, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Corporate Name

**Near North Customs Brokers Inc.**  
\_\_\_\_\_  
Name of Customs Broker

By: \_\_\_\_\_  
Name - Office Held

Accepted By: \_\_\_\_\_  
Name - Office Held

By: \_\_\_\_\_ Signature c/s  
Name - Office Held

Date: \_\_\_\_\_

The following guidelines have been prepared by the CSCB to assist corporate members and their employees when they meet with clients to sign the general agency agreement and standard trading conditions.

## **GUIDELINES FOR THE COMPLETION OF THE GENERAL AGENCY AGREEMENT AND STANDARD TRADING CONDITIONS**

It is important to remember that the General Agency Agreement (GAA) and Standard Trading Conditions (STC) are legally binding contracts. Clients should be encouraged to read these documents before signing them. It is recommended that all signatories initial each page of the GAA and STC.

Following are some additional considerations:

1. Who can sign the GAA/STC on behalf of the client when that client is an incorporated company?

If possible, obtain two signatures from individuals authorized to sign on behalf of an Incorporated company. Their titles should also be indicated. If possible, have the corporate seal affixed and ensure that the name of the client company corresponds exactly with the name on the corporate seal. In many jurisdictions a corporate seal is no longer required. In that case, it is important to verify that the persons signing the agreement have the authority to do so. In instances where the signatory is not an officer but has authority to sign, attach a copy of the corporate resolution granting this authority.

2. Who can sign the GAA/STC on behalf of the client when that client is not an incorporated company?

Unincorporated companies, associations, partnerships or sole proprietorships require the signature of at least one and preferably two duly authorized signing officers, partners or owners. Always insert the title or position of the person, i.e. president, partner. These signatures must be witnessed by another individual of "lawful age".

3. How do we proceed if amendments are made to the GAA and STC?

All signatories should initial any changes to the agreements.

4. Do the documents need to be originals or can we retain photocopies for our records?

It is always preferable to have a signed original in your possession. It is recommended that you take a minimum of two copies of the documents to your client for signing. One original can be left with the client and the other can then be returned for safekeeping in your own office.

New Client Profile

Client Profile	
<p>Legal Company Name (as listed on your registration papers)</p> <p>_____</p>	
<p>Address: _____ Postal Code: _____</p> <p>City: _____ Province/State: _____ Phone Number: _____</p> <p>Country: _____ Fax Number: _____</p> <p>Website: _____ E-mail: _____</p> <p>Structure of Business:   <input type="checkbox"/> Corporation   <input type="checkbox"/> Partnership   <input type="checkbox"/> Sole Proprietor</p> <p style="padding-left: 100px;">If yes, Corporation Number _____</p>	
<p>Organizational Structure:</p> <p>President: _____ Vice-President: _____</p> <p>Controller: _____ Accounts Payable: _____</p>	
<p>Business Number (HST Number): _____</p> <p><input type="checkbox"/> Non Resident</p> <p><input type="checkbox"/> Resident      BN: _____      RM: _____</p> <p>Date Business Founded: _____ Nature of Business: _____</p>	
<p>Print Name: _____ Title: _____</p> <p>Signature: _____ Date: _____</p>	