

# General Agency Agreement



## Appointing a Customs Broker Power of Attorney with Power to Appoint a Sub-Agent

*The General Agency Agreement (GAA) is a legal requirement of the Canada Border Services Agency. Livingston cannot act as your customs broker without an original signed copy of this document. Please have an Officer of your company sign the GAA and return it to your Livingston account manager.*

I / We **(name of company)** \_\_\_\_\_

**(business number)** \_\_\_\_\_ (we will advise the Customs Broker of any change in our business number)

of **(address)** \_\_\_\_\_

do hereby constitute and appoint Livingston International Inc. of 405 The West Mall, Toronto, Ontario M9C 5K7; business number 887919538RM0001, a Customs Broker licensed under the Customs Act, and its successors and assigns, 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 limited to:**

- 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
- The transportation, warehousing, and distribution of such goods.

### **And I do hereby engage the Customs Broker to perform such services. And in connection therewith:**

- 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 draw-backs and claims of any nature for reimbursement of duties, taxes, levies and the like;
- To receive all such payments and sums of money as are now due or may hereafter become due and payable to me in respect of 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 my behalf, I hereby authorize the Customs Broker to obtain from Canada Revenue Agency my Business Number import/export account(s) information, or to apply for a Business Number on my behalf when so required.

I acknowledge that any duties, charges or other amounts paid on my behalf or to my account by my attorney or its sub-agent shall be a debt that is forthwith owing and payable by me to my attorney or its sub-agent, as the case may be. I further acknowledge that this debt is in no way conditional on my attorney or its sub-agent making any application or request for, or obtaining, any refund, rebate or remission of such duties, charges or other amounts from any governmental agencies, and that Livingston or its sub-agent is not bound to make any such application or request whatsoever. In the event, however, that the parties hereto agree that my attorney will apply for or request any refund, rebate or remission of such duties, charges or other amounts from any governmental agencies, any refund, rebate or remission so received by my attorney or its sub-agent shall be the sole property of my attorney or its sub-agent, and I direct and authorize any governmental agencies collecting same to deliver such rebate, refund or remission to my attorney or its sub-agent. I hereby certify that all documents and/or information that will be provided to my attorney or its sub-agent 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 General Agency Agreement and Power of Attorney and all transactions hereunder shall be governed by the attached Service Terms and Conditions which have been received, read and understood by the undersigned. I hereby ratify and confirm and agree to ratify and confirm all that my said attorney or its sub-agent may do by virtue hereof. This General 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 by me to my aforesaid attorney, in writing and subject to paragraph 8 of the Service Terms and Conditions. All invoices rendered by my attorney or its sub-agent shall be due upon receipt, or as otherwise agreed between the Client and the Customs Broker in writing. Interest on overdue accounts is calculated at the rate of one and a half percent (1.5%) per month, upon which interest shall be charged 30 days following the invoice due date.

This General Agency Agreement and Power of Attorney and the Service Terms and Conditions will be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable therein. The parties hereby irrevocably and unconditionally attorn to the courts of the Province of Ontario and all courts competent to hear appeals there from. If any of the provisions contained in this General Agency Agreement and Power of Attorney and the Service Terms and Conditions are determined to be invalid or unenforceable, the remaining provisions shall remain in effect and be binding on the parties to the fullest extent permitted by law. The attached Service Terms and Conditions form an integral part of this Agreement.

In witness whereof **(company name)** \_\_\_\_\_ has caused these presents to be sealed  
with corporate seal, attested to by the signature of its duly authorized officials at **(municipality)** \_\_\_\_\_  
in **(province / state and country)** \_\_\_\_\_  
this **(date)** \_\_\_\_\_ day of **(month)** \_\_\_\_\_, 20 \_\_\_\_\_

### Officer of the Company

**Signature:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

I have the authority to bind the Corporation

### Accepted by Livingston International Inc.

**Signature:** \_\_\_\_\_

**Name:** \_\_\_\_\_

**Title:** \_\_\_\_\_

I have the authority to bind the Corporation