



Power of Attorney

Forms and Instructions



UTC Overseas, Inc.
2 Northpoint Drive
Houston, TX 77060

POWER OF ATTORNEY INSTRUCTIONS

Attached you will find a copy of the UTC Overseas, Inc. Power of Attorney form. Please follow the directions below carefully to ensure it is filled out in accordance with U.S. Customs and Border Protection regulations. When completed, please send a copy via fax or scanned e-mail attachment to your local UTCO branch office. Please note that these forms are treated as confidential, and will be used only for the purposes of transacting business on your behalf.

Business Type	Mark the box which indicates your type of company
C-TPAT Status	Please indicate if your company is a participant.
Federal Tax ID	Enter your company's IRS/EIN#, OR your Social Security number, OR Customs assigned number (if foreign)
Grantor Name	Full legal name of corporation, individual, partnership, etc. If a partnership, you must place the name of all partners and a copy of the partnership addendum must be filled out.
Type of Business	Use the drop down box and select the type of business. This should match the box that was checked for business type.
State	List the state of incorporation. If a foreign Grantor, enter the country and province in which the Grantor is doing business.
Address	Your complete legal physical business address or physical residential address, including the state and postal code.
Grantor Name	Full legal name of corporation, individual, partnership, etc. If a partnership, you must place the name of all partners and a copy of the partnership addendum must be filled out.
Signature	<i>(see below section on signatures)</i>
Print Name	Full Legal Name of Signing Individual <i>(see below section on signatures)</i>
Capacity / Title	The capacity of the signatory (title) <i>(see below section on signatures)</i>
Date	Enter today's date

SIGNATURE PORTION:

Individual & Foreign Non-Resident: To be signed by the individual acting in a non-business capacity. Please include a copy of your government issued photo identification for verification purposes.

Partnership: The person signing this document **must** be a **Partner**. Certification on LLC / Partnership Addendum on page 7 must be completed.

Corporation: The person signing this document **must** be an **Officer** of the company i.e., President, Vice President, Treasurer, Secretary, CEO, CFO, CIO, or COO), OR the person signing the Power of Attorney for the corporation must be authorized to do so by resolution of the Board of Directors and the Power of Attorney should contain a letter from the corporation certifying to that effect, for the Power of Attorney to be valid. See following Corporate Certification on page 5 for example.

Sole Proprietorship: The person signing this document **must** be the **Owner**.

Limited Liability Company: The person signing the document must be authorized to do so. (i.e., Member, Managing Member, also see 'Corporation' above.) Certification on LLC / Partnership Addendum on page 7 must be completed.

Foreign Corporation: All foreign corporations that are not qualified to conduct business in the United States must include a Non-Resident Foreign Corporate Certification. See example on page 6.

Proof of Valid EIN:

Any new POA received by UTC Overseas, Inc. for U.S. based commercial importers must be accompanied by documentation from the IRS reflecting the name, address and Federal tax identification number/EIN that the client has supplied to UTC Overseas, Inc. on the Power of Attorney.

The only documentation that is acceptable proof of a valid EIN is documentation FROM the IRS. The following are acceptable:

- A copy of the Original notification FROM the IRS with the assigned Tax ID/EIN (Form CP-575). *Note that form SS-4 is used to obtain an assigned Tax ID/EIN from the IRS.*
- Documentation or correspondence FROM the IRS on their letterhead to the client referencing their Tax ID number/EIN.

IRS form W-9 & form SS-4 are not acceptable as proof of a valid EIN/IRS number. UTC Overseas can accept copy of the SS-4 FROM the IRS showing the issued IRS number - not the initial SS-4 application presented TO the IRS.

Why is this required? U.S. Customs has mandated that customs brokers are required to exercise reasonable care in establishing the validity of the information provided to them on power of attorney forms. U.S Customs requires this verification of the correct federal ID number via an IRS document. UTC Overseas feels that recognition by the Internal Revenue Service meets that burden of proof.



CUSTOMS POWER OF ATTORNEY
Designation of Export Forwarding Agent
And
Acknowledgement of Terms and Conditions



C-TPAT STATUS
Yes, I am a C-TPAT member

SVI No.: _____

No, I am not a C-TPAT member

I would like to receive C-TPAT information

FEDERAL TAX ID (EIN): _____

Or IRS# / SSN# or Customs Assigned Number

Business Type

- Individual
Partnership
Limited Liability Partnership (LLP)
Corporation
Limited Liability Corporation (LLC)
Sole Proprietorship
Foreign Resident or Foreign Corporation

KNOW ALL MEN BY THESE PRESENTS: That, _____ ("Grantor") doing business
(Full legal name of individual, partnership, sole proprietorship name, corporation name, or limited liability company (see attached addendum))

as a(n) _____ under the laws of the State of or Country and Providence of _____,

residing or having a principal place of business at (Address) _____,

hereby constitutes and appoints UTC Overseas, Inc., its officers, employees and/or specifically authorized agents to act for and on its behalf as true and lawful agent and attorney of the grantor for and in the name, place and stead of said grantor, from this date, in the United States (the "territory") either in writing, electronically, or by other authorized means, to:

Make, endorse, sign, declare, prepare, transmit, file or swear to any customs entry, security filing, withdrawal, declaration, certificate, bill of lading, carnet or any other documents required by law or regulation in connection with the importation, exportation, transportation, and security filing, of any merchandise in or through the customs territory, shipped or consigned by or to said grantor;

Perform any act or condition which may be required by law or regulation in connection with such merchandise deliverable to said grantor; to receive any merchandise;

Make endorsements on bills of lading conferring authority to transfer title, make entry or collect drawback; and make, sign, declare or swear to any statement or certificate required by law or regulation for drawback purposes, regardless of whether such document is intended for filing with Customs;

Sign, seal, and deliver for and as the act of said grantor any bond required by law or regulation in connection with the transmission, filing or preparation of the entry, security filing or withdrawal of imported merchandise or merchandise exported with or without benefit of drawback, or in connection with the entry, clearance, lading, unloading or navigation of any vessel or other means of conveyance owned or operated by said grantor, and any and all bonds which may be 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 or statements in connection with the entry or merchandise;

Sign and swear to any document and perform any act that may be necessary or required by law or regulation in connection with the entering, clearing, lading, unloading, or operation of any vessel or other means of conveyance owned or operated by said grantor;

Authorize other Customs Brokers duly licensed within the territory to act as grantor's agent; to receive, endorse and collect checks issued for Custom duty refunds in grantor's name drawn on the Treasurer of the United States; if the grantor is a nonresident of the United State, to accept service of process on behalf of the grantor;

Grantor waives the confidentiality requirements of Sections 111.24 of the Customs Regulations and the requirement in Section 111.36 of the Customs Regulations that the Customs Broker transmits a copy of its bill for service directly to the importer, and authorizes the Customs Broker to transmit it's bill for services and copies of the Customs entry documents and related documents (CBP-7501 or other documents used to make entry, commercial invoices, etc.) through Grantor's forwarder. No part of this agreement or any other agreement forbids or prevents direct communication between the importer or other party in interest and the Customs Broker.

And generally to transact business, including filing of claims or protest under section 514 of the Tariff Act of 1930, or pursuant to other laws of the territories, 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 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;

This power of attorney to remain in full force and effect until revocation in writing is duly given to and received by the grantee and a District Director of Customs. If the donor (grantor) of this power of attorney is a partnership, the said power shall in no case have any force or effect in the United States after the expiration 2 years from the date of its execution.

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 UTC OVERSEAS, Inc., its licensed officers, designated employees, and agents, 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.

The execution of this Power of Attorney acknowledges receipt and agreement to UTC Overseas, Inc. terms and conditions of service
By signing this form, the signatory certifies that he/she has full authority to execute this power on behalf of the Grantor.

IN WITNESS WHEREOF, the said _____
(Full legal name of individual, partnership name and partners name, limited partnership name and general partners names, limited liability partnership name, sole proprietorship name, corporation name, or limited liability company name.)

has caused these presents to be sealed and signed: (Signature) _____ (Printed Name) _____

(Capacity / Title) _____ (Date) _____

If you are the importer of record, payment to the broker will not relieve you of liability for U.S. Customs charges, (duties, taxes or other debts owed Customs) 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 "Bureau of Customs & Border Protection", which shall be delivered to customs by the broker. Importers who wish to utilize this procedure must contact our office in advance to arrange timely receipt of duty checks.

MUST BE ON CORPORATE LETTERHEAD

Corporate Certification

(Must be completed by a corporate officer other than the individual who signed the Customs Power of Attorney)

I, _____, certify that I am the _____
(Name of authorized officer) (Title – President, Vice-President, etc.)

of _____, organized under the laws of _____
(Corporation Name as registered with EIN/SS#) (Country/State or Province)

that _____, who signed this Power of Attorney on behalf
(Name of signatory on Power of Attorney)

of Grantor _____, of said corporation; and that the said
(Title of signatory on Power of Attorney)

Power of Attorney was duly signed, and attested for and in behalf of said corporation by authority of its governing body as the same appears in a resolution of the Board of Directors. I further certify that the resolution is in accordance with the articles of the incorporation and bylaws of the said corporation.

Signature of authorized officer

Date

This form must be completed and signed by an officer other than the person who signed the Customs Power of Attorney form.

(Must be on Corporate Letterhead)

NON-Resident (Foreign) Corporate Certification for the Import POA

I, _____, certify that I am the _____
(Name of second officer) (Title)

of _____, organized under the laws of _____
(Corporation name) (Country/State or Province)

maintaining its principal offices at _____, and that the
(Country where the corporation is organized)

following resolutions are still in force and effect adopted by the board of directors

on the _____ day of _____, _____ (year), and that the said resolutions
are still in force and effect.

Resolved, UTC Overseas, Inc. shall be authorized to serve as the corporation's true and lawful agent and attorney for the purposes of transacting Customs business in any Customs district in the United States in accordance with the terms and conditions of the "Customs Power of Attorney" and accepting service of legal process against the corporation in the United States.

Resolved, that _____, _____ of the
(Name of signatory on PoA) (Title)

corporation shall be authorized to sign and execute the "Customs Power of Attorney" authorizing UTC Overseas, Inc. as an agent of the corporation in the capacity as set forth in the "Customs Power of Attorney".

Signed,

Signature of second officer

Date

Print Name of second officer

This form must be completed and signed by an officer other than the person who signed the Customs Power of Attorney form.



UTC Overseas, Inc. LLC / Partnership Addendum

Instructions: Check the applicable box (**Only one statement will apply**). Complete only the applicable corresponding statement. For all management structures other than Sole Manager or Sole Member, complete the body of this form to list all other partners, members, managers, and/or directors with authority to bind the firm.

General Partnership – I, _____ hereby certify that the following persons and / or companies are the general partners with full authority to execute this instrument of Customs Power of Attorney on behalf of said, _____, a General Partnership organized within the State or Country and Province of _____, as follows:

Manager Managed LLC – I, _____ hereby certify that the following persons / entities are all of the managers and / or directors with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____, a Limited Liability Company organized with the State or Country and Province of _____, as follows:

Member Managed LLC – I, _____ hereby certify that the following persons / entities are all of the managers and / or directors with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____, a Limited Liability Company organized with the State or Country and Province of _____, as follows:

Sole Manager LLC OR Sole Member LLC – I, _____ hereby certify that I am the sole manager / member with full authority to execute this instrument of Customs Power of Attorney on behalf of said _____, a Limited Liability Company organized within the State or Country and Province of _____. **(If you have selected this statement do not complete the body of this form)**

Member / Manager Name(s)	Capacity
_____	_____
_____	_____
_____	_____
_____	_____

(You may list additional partners, members, managers, and / or directors on a separate sheet)

Sincerely,

Signature _____ Capacity _____

Name _____ Date _____

Notice: This document is not valid to certify a Limited Partnership Customs Power of Attorney. A copy of the partnership agreement is required to be filed with the POA to certify it valid pursuant to 19CFR 141.39(a)(2).