

TITLE 19--CUSTOMS DUTIES

CHAPTER I--UNITED STATES CUSTOMS SERVICE, DEPARTMENT OF THE TREASURY

PART 141--ENTRY OF MERCHANDISE--Table of Contents

Subpart B--Right to Make Entry and Declarations on Entry

Sec. 141.17 Entry by nonresident consignee.

A nonresident consignee has the right to make entry, but any bond taken in connection with the entry shall have a resident corporate surety or, when a carnet issued under part 114 of this chapter is used as an entry form, an approved resident guaranteeing association.

Sec. 141.18 Entry by nonresident corporation.

A nonresident corporation (i.e., one which is not incorporated within the Customs territory of the United States or in the Virgin Islands of the United States) shall not enter merchandise for consumption unless it:

(a) Has a resident agent in the State where the port of entry is located who is authorized to accept service of process against such corporation; and

(b) Files a bond on Customs Form 301, containing the bond conditions set forth in Sec. 113.62 of this chapter having a resident corporate surety to secure the payment of any increased and additional duties which may be found due.

Subpart C--Powers of Attorney

Sec. 141.31 General requirements and definitions.

(a) Limited or general power of attorney. A power of attorney may be executed for the transaction by an agent or attorney of a specified part or all the Customs business of the principal.

(b) [Reserved]

(c) Minor agents. A power of attorney to a minor shall not be accepted.

(d) Definitions of resident and nonresident. For the purposes of this subpart, ``resident'' means an individual who resides within, or a partnership one or more of whose partners reside within, the Customs territory of the United States or the Virgin Islands of the United States, or a corporation incorporated in any jurisdiction within the Customs territory of the United States or in the Virgin Islands of the United States. A ``nonresident'' means an individual, partnership, or corporation not meeting the definition of ``resident.''

Sec. 141.36 Nonresident principals in general.

A power of attorney executed by a nonresident principal shall not be accepted unless the agent designated thereby is a resident and is authorized to accept service of process against such nonresident.

Sec. 141.37 Additional requirements for nonresident corporations.

If a nonresident corporation has not qualified to conduct business under state law in the state in which Customs district the agent is empowered to perform the delegated authority, the power of attorney shall be supported by documentation establishing the authority of the grantor designated to execute the power of attorney on behalf of the corporation.