

Cherokee Nation Code Annotated

Title 18: Corporations

Chapter 1: Cherokee Nation General Corporation Act

Article 4: Registered Office and Registered Agent

**§ 26. Resignation of registered agent not coupled with appointment of successor—
Absence of registered agent**

Cite as: 18 CNCA § 26

A. The registered agent of one or more corporations may resign without appointing a successor by filing in the name of each affected corporation a certificate with the Office of the Principal Chief or his authorized representative; but such resignation shall not become effective until sixty (60) days after each certificate is filed. There shall be included in the certificate a statement of such registered agent, if an individual, or of the president, a vice-president, or the secretary thereof, if a corporation, that at least thirty (30) days prior to the date of the filing of the certificate, due notice of the resignation of the registered agent was sent by certified or registered mail to the corporation for which such registered agent was acting, at the principal office thereof, if known to the registered agent or, if not, to the last-known address of the attorney or other individual at whose request the registered agent was appointed for such corporation and such address shall be specified therein.

B. After receipt of the notice of the resignation of its registered agent provided for in subsection (A) of this section, the corporation for which such registered agent was acting shall obtain and designate a new registered agent to take the place of the registered agent so resigning in the same manner as provided for in 18 CNCA § 23 for change of registered agent. If such corporation, being a corporation of Cherokee Nation, fails to obtain and designate a new registered agent prior to the expiration of the period of sixty (60) days after the filing by the registered agent of the certificate of resignation, the Office of the Principal Chief or his authorized representative shall be deemed to be the registered agent of such corporation until a new registered agent is designated. The Office of the Principal Chief or his authorized representative shall charge the fee prescribed by 18 CNCA § 23 for acting as registered agent.

C. If a corporation has no registered agent or the registered agent cannot be found, then service on the corporation may be made by serving the Office of the Principal Chief or his authorized representative as its agent as provided in 12 CNCA and in Rule 4 of the Federal Rules of Civil Procedure.

Historical Data

LA 16-96, eff. July 15, 1996.