

Cherokee Nation Code Annotated

Title 49: Notaries Public

Chapter 1: General Provisions

§ 112. Definitions

Cite as: 49 CNCA § 112

As used in the Uniform Law on Notarial Acts:

1. **"Acknowledgment"** means a declaration by a person that the person has executed an instrument for the purposes stated therein and, if the instrument is executed in a representative capacity, that the person signed the instrument with proper authority and executed it as the act of the person or entity represented and identified therein.

2. **"In a representative capacity"** means:

a. For and on behalf of a corporation, partnership, trust, or other entity, as an authorized officer, agent, partner, trustee, or other representative;

b. As a public officer, personal representative, guardian, or other representative, in the capacity recited in the instrument;

c. As an attorney-in-fact for a principal;

d. in any other capacity as an authorized representative of another.

3. **"Notarial acts"** means any act that a notary public of this Nation is authorized to perform, and includes taking an acknowledgement, administering an oath or affirmation, taking a verification upon oath or affirmation, witnessing or attesting a signature, certifying or attesting a copy, and noting a protest of a negotiable instrument.

4. **"Notarial officer"** means a notary public or any other person authorized to perform notarial acts in the place in which the act is performed.

5. **"Verification upon oath or affirmation"** means a declaration that a statement is true made by a person upon oath or affirmation.