

OGLALA SIOUX TRIBE
BUSINESS CODE

FORM 3 – FOREIGN ENTITY AUTHORITY INSTRUCTIONS

**Instructions for completing a
Statement of Foreign Entity Authority**

Use these instructions when completing a Statement of Foreign Entity Authority pursuant to Section 44-2-4.03 of the OST Business Code and filing pursuant to subpart 2.4 of Chapter 44 of the OST Law and Order Code.

Provide only information required or permitted to be included in the document by OST law. Information included in the document must be typewritten, in English and must state the name(s) and address(es) of at least one individual causing the document to be delivered for filing. The required form/coversheet must be used when filing the document.

You may include additional information in an attachment to the form/coversheet. Any attachment becomes part of the document. If there is a conflict between information in the attachment and the form/coversheet, the information in the form/coversheet controls. Information provided in a case-sensitive format will be retrieved and displayed in the same format.

Include a self-addressed stamped envelope and extra copy of the document for return mailing of the file stamped copy.

Line-by-line Instructions:

ID Number. The number assigned to the initial document that began the record in the Tribal Records of the Oglala Sioux Tribe. This ID number is specific to the OST. It is not a state or federal tax number. The ID number is noted in the Tribal Records indexed by name. This ID number must be indicated on all documents related to an existing record in the Tribal Records.

True Name of Applicant. The true name, with respect to a foreign entity, is the name as used in the entity's jurisdiction of formation.

Assumed Entity Name. If the true name is not distinguishable in the Tribal Records, the entity name to be used to transact business or conduct activities on the Reservation.

Restricted Words. Inclusion of any of these terms: "bank" or "trust" or any derivative thereof, "credit union", "savings and loan", "insurance", "casualty", "mutual", or "surety" may be prohibited or

OGLALA SIOUX TRIBE
BUSINESS CODE

FORM 3 – FOREIGN ENTITY AUTHORITY INSTRUCTIONS

restricted by applicable law, and may be regulated by other agencies. Mark only one. If more than one term appears in the name, choose the term that best describes the organizational structure of the entity.

Principal Office Street Address. List the complete street address of the entity's principal office, including zip code.

Principal Office Mailing Address. If mail cannot be delivered to the street address, please provide an address where mail may be delivered.

Registered Agent. List the name of the registered agent. A registered agent must be an individual age 21 years or older whose primary residence or usual place of business is on the Reservation and who is a member of the Oglala Sioux Tribe Bar (attorney or lay advocate). If the entity has a usual place of business on the Reservation, it may serve as its own registered agent.

Statement Regarding Registered Agent Consent. A statement is required that the person appointed as the registered agent in the document has consented to being so appointed.

Registered Agent Street Address. Please list the complete street address (physical location) of the entity's registered agent, including zip code. This may be the address of the registered agent's primary residence or usual place of business on the Reservation if the registered agent is an individual, or of the usual place of business on the Reservation if the registered agent is an entity.

Registered Agent Mailing Address. If mail cannot be delivered to the street address, please provide an address where mail may be delivered.

Form of Entity. Indicate the form of the entity. (examples include "corporation", "limited liability company", "partnership").

Jurisdiction of Formation. Indicate under which state's or country's laws the business organization is governed (where the entity was formed).

Commencement of Business on the Reservation. Indicate the date the foreign entity commenced or expects to commence business on the Reservation.

OGLALA SIOUX TRIBE
BUSINESS CODE

FORM 3 – FOREIGN ENTITY AUTHORITY INSTRUCTIONS

Delayed Effective Date. The effective date of this document may be delayed up to 90 days after filing. The delayed effective date may also specify a particular time of day Central Time. If no time of day is specified, it defaults to close of business on that date. Close of business is 11:59:59 PM Mountain Time.

Notice. Causing this document to be delivered to the Tribe for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of subpart 2.4 of Chapter 44 of the OST Law and Order Code, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Subpart, the constituent documents, and the organic statutes. This perjury notice applies to each individual who causes this document to be delivered to the Tribe, whether or not such individual is named in the document as one who has caused it to be delivered.

Filing Information. State the name(s) and address(es) of the individual(s) causing this document to be delivered for filing. This information is required for the Tribe to deliver notice if the filing of the document is refused. The individual(s) listed will be held responsible for complying with the above notice. The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark an "X" where indicated and include an attachment stating the name and address of such individuals.

Disclaimer. These instructions, and the related form, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While the related form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.

OGLALA SIOUX TRIBE
BUSINESS CODE

FORM 3 – STATEMENT OF FOREIGN ENTITY AUTHORITY

Document processing fee is \$100.00
Fees & forms/cover sheets are subject to change.
Documents must be typewritten or machine printed.

ABOVE SPACE FOR OFFICE USE ONLY

Statement of Foreign Entity Authority

filed pursuant to Section 44-2-4.03 of the OST Business Code, contained in Subpart 2.7 of Chapter 44 of the OST Law and Order Code:

ID number (if applicable): _____

1. True name: _____

2. Assumed entity name (if different from True name)

3. Use of Restricted Words (*if any of these terms are contained in an entity name, true name or assumed name, mark the applicable with an "X"*):

- ___ "bank" or "trust" or any derivative thereof
- ___ "credit union"
- ___ "savings and loan"
- ___ "insurance", "casualty", "mutual", or "surety"

4. Principal office street address: _____
(Street name and number)

_____ *(City) (State) (Postal/Zip Code)*
_____ *(Province – if applicable) (Country – if not US)*

5. Principal office mailing address: (if different from above):

_____ *(Street name and number)*
_____ *(City) (State) (Postal/Zip Code)*
_____ *(Province – if applicable) (Country – if not US)*

6. Registered agent: (if an individual) _____ *(Last)* _____ *(First)* _____ *(Middle)*
(Suffix)

OR (if a business organization): _____
Registered agent street address: _____ *(Street name and number)*
_____, PINE RIDGE INDIAN RESERVATION 57770.

OGLALA SIOUX TRIBE
BUSINESS CODE

FORM 3 – STATEMENT OF FOREIGN ENTITY AUTHORITY

Registered agent mailing address: _____
(if different from above) (Street name and number or Post Office Box information)

(City) (State) (Postal/Zip Code)

(Province – if applicable) (Country – if not US)

7. The person appointed as registered agent in the document has consented to being so appointed.

8. Form of entity: _____

9. Jurisdiction of formation: _____

10. Date entity commenced (or expects to commence) transacting business or conducting activities on the Reservation: _____
(mm/dd/yyyy)

12. (Optional) Delayed effective date: _____
(mm/dd/yyyy)

Notice: Causing this document to be delivered for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of subpart 2.4 of Chapter 44 of the Oglala Sioux Tribe Law and Order Code, the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that subpart, the constituent documents, and the organic statutes. This perjury notice applies to each individual who causes this document to be delivered to the Oglala Sioux Tribe, whether or not such individual is named in the document as one who has caused it to be delivered.

13. Name(s) and address(es) of the individual(s) causing the document to be delivered for filing:

(Last) (First) (Middle) (Suffix)

(Street name and number or Post Office Box information)

(City) (State) (ZIP/Postal Code)

(Province – if applicable) (Country)

(The document need not state the true name and address of more than one individual. However, if you wish to state the name and address of any additional individuals causing the document to be delivered for filing, mark below with an "X" and include an attachment stating the name and address of each such individuals.)

"X"

OGLALA SIOUX TRIBE
BUSINESS CODE

FORM 3 – STATEMENT OF FOREIGN ENTITY AUTHORITY

Disclaimer: This form, and any related instructions, are not intended to provide legal, business or tax advice, and are offered as a public service without representation or warranty. While this form is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form. Questions should be addressed to the user's attorney.