

Cherokee Nation Code Annotated

Title 12: Civil Procedure

Chapter 2: Unfair and Deceptive Practices

§ 23. General provisions

Cite as: 12 CNCA § 23

A. The provisions of this Act must be construed as cumulative to existing law and not as new enactments;

B. Any waiver by a person of the provisions of this Act including, but not limited to, arbitration provisions that waive a person's right to seek redress through the courts or proceed as a class action, is contrary to public policy and shall be unenforceable and void;

C. The provisions of this Act are not exclusive. The remedies provided herein for violation of any section of this Act or for conduct proscribed by any section of this Act shall accrue in addition to any other procedures or remedies for any violation or conduct provided for in any other law. Nothing in this Act shall limit any other statutory, customary or common law rights. Nothing in this Act shall limit the right of the Attorney General or any other person to bring class actions or other lawsuits. If any act or practice proscribed under this title also constitutes a cause of action in common law, customary law, or pursuant to another statute, the person or Attorney General may also assert such common law or statutory causes of action under the procedures and with the remedies provided for in such law.

Historical Data

LA 16–16, eff. April 21, 2016. Amended LA 07–18, eff. May 18, 2018.