

Cherokee Nation Code Annotated

Title 28: Ethics

Chapter 1: General Provisions

§ 3. Definitions

Cite as: 28 CNCA § 3

A. **"Hiring Authority"** is the branch of government, instrumentality, official, board or commission or CEO or other executive officer ultimately responsible for hiring decisions including but not limited to Principal Chief and Deputy Principal Chief, Tribal Council, Supreme Court and other entities or instrumentalities including Gaming, Tax, Election and other boards and commissions for their respective branch of government instrumentalities or boards or commissions any entities in which Cherokee Nation is the sole or majority stockholder or owner and all entities that are fifty-one percent (51%) or more owned by Cherokee Nation.

B. **"Immediate Family"** shall include parents, children (including adopted children but not including foster children even when living in the same household), spouses (including common law spouses or those with whom the subject individual shares a conjugal relationship), siblings (one or more persons having one common parent), step-parents and step-children and wards over which the subject individual has guardianship or anyone living in the same household as the individual.

C. **"Instrumentalities"** means Cherokee Nation Government and any entities in which Cherokee Nation is the sole or majority stock holder or owner and all entities that are fifty-one percent (51%) or more owned by Cherokee Nation.

D. **"Interest, Profit, Benefit or Gratuity"** as used in Article 10, Section 10 of the Cherokee Nation Constitution shall not include any benefit paid on behalf of and for the betterment of a Cherokee Nation citizen, regardless of the payee of the benefit.

E. **"Official"** means any elected or appointed person to any governmental entity, instrumentality, commission or board of Cherokee Nation Government or its instrumentalities any entities in which Cherokee Nation is the sole or majority stock holder or owner and all entities that are fifty-one percent (51%) or more owned by Cherokee Nation as defined by this act.

B.¹ **"Relative"** shall include the following: parents, children (including adopted children but not including foster children even when in current placement with the individual), spouses (including common law spouses or those with whom the subject individual shares a

¹ So in original.

conjugal relationship), siblings (one or more persons having one common parent), step-parents and step-children, step-siblings, parents-in-law, siblings-in-law, grandparents-in-law, grandchildren-in-law, aunts, uncles, nephews, nieces, grandparents, and grandchildren, wards over which the subject individual has an existing guardianship, and anyone living in the same household as the individual. These relationships include those created by adoption as well as by marriage or blood. Provided, however, that for the purposes of this act a divorce of husband and wife or permanent termination of the conjugal relationship shall terminate all relationship by affinity that existed by reason of the marriage or conjugal relationship.

Historical Data

LA 31–89, eff. April 8, 1989. Amended LA 34–07, eff. September 13, 2007; LA 25–12, eff. July 24, 2012; LA 40–12, eff. October 16, 2012.