

Combative Sports

L.CS.1711

Under the guidance of Almighty God, Our Creator, and as a sovereign Nation; We, the peoples of Tsuut'ina Nation, in preservation and continuation of the Tsuut'ina Nation's unique culture, identity, traditions, language and institutions, and with respect to the special relationship to the land and resources, in continued relationship with all First Nations and Canada; Do ordain and establish this law in accordance with our inherent right to governance.

Nato ninist'iya dinachowi diyi nananitini k'asona diyi datl'ishi nanisaatluni niiha nihina?o-ha tlaat'a Tsuut'ina wusa dinaloku nihininisha, nihiusno, misila yino?i, nihigunaha misila nihininana?o-hi. Nisk'a uwa mits'i-hi tlaat'a dina-tii uwa Canada isla najuna adadanazini diyi datlishi dik'asilo niiha nihina?o-ha gwasaala.

A Document to Ratify the L.CS.1711 Within the Tsuut'ina First Nation Lands

**Enacted on November 17, 2017 in Tsuut'ina Nation
Coming Into Force: November 17, 2017**



Preamble

WHEREAS the Tsuut'ina Nation Chief and Council desire to make a law to establish a commission to regulate and control Combative Sports on the Tsuut'ina Nation Reserve;

AND WHEREAS the Government of Canada recognizes the inherent right of self-government as an existing aboriginal right under section 35 of the Constitution Act, 1982;

AND WHEREAS the Tsuut'ina Nation Chief and Council have the authority to establish an athletic board, commission or similar body for the control of sport at the Tsuut'ina Nation;

AND WHEREAS the Tsuut'ina Nation Chief and Council are empowered to make such law or by-law, and any matter ancillary thereto as recognized by paragraphs 81(1)(m) and (r) of the *Indian Act*;

NOW THEREFORE the Tsuut'ina Nation Chief and Council hereby make the following law:

Table of Contents

Preamble	2
Definitions	4
Short Title	5
Commission	6
Commission Membership	7
Meetings and Officers	8
Administration	9
Powers of Commission	10
Permits	11
Indemnification	12
Offence	13
Chief and Council Signatory Page	15

Definitions

1. In this Law, unless the context otherwise requires:
 - (a) "Commission" means the Tsuut'ina Nation Combative Sports Commission established pursuant to this Law;
 - (b) "Chief and Council" means the elected Chief of the Tsuut'ina Nation and the duly elected members of Council;
 - (c) "Chief Executive Officer" means the Chief Executive Officer of the Tsuut'ina Nation;
 - (d) "Event" includes any exhibition, card, contest or promotion involving the presentation of the Regulated Sports;
 - (e) "Executive Director" means the Nation employee appointed to the Commission by the Chief Executive Officer pursuant to section 7(b) of this Law;
 - (f) "Member" means a person appointed to the Commission pursuant to section 7 of this Law;
 - (g) "Nation" means the Tsuut'ina Nation;
 - (h) "Permit" means a permit issued to a person pursuant to the Rules;
 - (i) "Permit Application" means an application in the form required for the issuance of a Permit;
 - (j) "Regulated Sports" includes any of the following:
 - i. boxing;
 - ii. wrestling;
 - iii. full contact karate;
 - iv. kickboxing;
 - v. muay thai;
 - vi. mixed martial arts; and
 - vii. any other sport that holds contests where opponents strike each other with a hand, foot, knee or other part of the body; and
 - (k) "Rules" means the rules and regulations approved by Chief and Council.

Short Title

2. This law may be cited as "The Tsuut'ina Nation Combative Sports Law".

Commission

3. For the purpose of regulating, governing and controlling the Regulated Sports within the Tsuut'ina Nation, there is hereby created a commission to be appointed by band council resolution of Chief and Council.
4. The Commission shall be called "The Tsuut'ina Nation Combative Sports Commission", and shall within the Tsuut'ina Nation have the power and authority to supervise, regulate, govern and control all aspects of the Regulated Sports at the Nation.
5. By band council resolution of Chief and Council, a commission, other than the Commission, that has been established by or under the authority of the Province of Alberta's legislature for the control of sport, may supervise and control an Event.
6. A commission appointed to supervise and control an Event shall act pursuant to, and in accordance with, the Rules approved by Chief and Council by band council resolution, and amendments made thereto by the Commission.

Commission Membership

7. The Commission shall consist of at least four (4) persons:
 - (a) At least three (3) members of the public at large appointed by band council resolution of Chief and Council; and
 - (b) An employee of the Tsuut'ina Nation designated by the Chief Executive Officer who shall be the Executive Director and shall not have the right to vote in the affairs of the Commission.
8. Chief and Council may by band council resolution specify the dates of the beginning and end of the term of office of a Member.
9. No person while a Member of the Commission shall be connected with any Event held within the jurisdiction of the Commission by officiating therein or by acting as matchmaker, promoter, second, manager or in any other capacity where the possibility may arise of a conflict of interest between the Member and the Commission in the performance of its duties.
10. Any Member may resign that Member's appointment at any time upon written notice to the Chair or Executive Director, and any Member may be removed by band council resolution of Chief and Council at any time, with or without cause. Any vacancy created by reason of the resignation or removal of a Member and any vacancy arising by reason of the death of any Member or otherwise may be filled by band council resolution of Chief and Council.
11. The Commission may reimburse its Members for out of pocket expenses reasonably incurred while conducting Commission business, provided that the cost of the expenses so incurred are within the limits approved by the Commission.

Meetings and Officers

12. The Commission shall hold regular meetings for the transaction of its business at such times and places as it may fix by resolution and any special meetings that may be held by the Commission shall be called in the manner the Commission shall deem most practicable.
13. Meetings of the Commission may be held anywhere in the Province of Alberta.
14. A Member may participate in a meeting by means of telephone, or other communication facilities that allows all persons participating in the meeting to hear each other, and a Member participating in such a meeting is deemed to be present at the meeting.
15. The Chair, Vice-Chair and Treasurer of the Commission shall be elected by the Members at the first meeting of the calendar year.
16. The Executive Director shall record the minutes of all meetings, perform administrative duties and act as a liaison between the Commission and the Nation.
17. If the Executive Director is temporarily unable to perform any of his or her duties, the Chair or another Member designated by the Commission may act in the place of the Executive Director.
18. A majority of Members shall constitute a quorum for the transaction of the business of the Commission.
19. A majority vote by a quorum of the Commission shall be deemed to be a binding decision of the Commission.
20. Any vote that receives an equal number of votes for and against the question is deemed to be defeated.
21. All meetings of the Commission shall be presided over by the Chair, and in the event of the Chair being absent from any meeting then the Vice-Chair shall preside at that meeting. In the event that both the Chair and the Vice-chair are absent from any meeting the members present shall elect a Chair for the meeting.
22. Any member of the Commission who fails to attend three (3) consecutive meetings of the Commission without the Chair approval shall be deemed to have submitted a resignation.
23. Minutes of all meetings shall be kept by the Commission and also an accurate record of Permits issued and of every bout or contest involving the Regulated Sports under the control of the Commission, giving the names and descriptions of the contestants, the name of the officiating organization and of the Medical Doctor in attendance and any other information the Commission may require to be kept as a record.
24. The Commission may from time to time delegate any of its duties to one or more of its Members.

Administration

25. Chief and Council shall approve an annual balanced budget for the Commission and shall allocate appropriate funds for use by the Commission.
26. The Commission shall abide by the Tsuut'ina Nation Finance and Administration Act and all other applicable Legislation and policy.
27. The Commission shall cause to be kept accurate accounts of all monies received and expended by the Commission, which accounts shall be open for inspection by any person appointed for that purpose by the Chief Executive Officer and such records and accounts shall be produced to the Nation upon request of the Chief Executive Officer.
28. For the purposes of the Commission, the end of the financial year shall be March 31 of each and every year. A report on the financial transactions of the Commission, together with a report of the Commission's activities, shall be forwarded to the Chief Executive Officer within 90 days of the Commission's financial year end.

Powers of Commission

29. Neither the Commission, nor any Member, shall have the power or authority to pledge the credit of the Nation or bind the Nation.
30. All Members shall at all times have free and complete access to all Events and for the purpose of proving their right of access, they may adopt a badge bearing the words “Tsuut’ina Nation Combative Sports Commission”.
31. The Commission shall supervise and control all Events held at the Nation, other than those Events in which another commission has been given authorization by band council resolution to supervise and control the Event.
32. A commission being given authorization to supervise and control an Event, at all times, must be and remain established by or under the authority of the Province of Alberta’s legislature for the control of sport.
33. The Commission and any authorized commission must supervise and control an Event pursuant to, and in accordance with, the Rules.
34. The Commission may amend the Rules from time to time, by a majority vote, said amendments to be effective as of the date of the decision of the Commission. Any substantive amendments to the Rules must be approved by Chief and Council. A substantive amendment being an amendment that may in any manner affect this Law or the Nation’s unique culture, identity, traditions, language and institutions.
35. The Rules may include all or any portion of the rules, regulations and safety codes of any organization deemed suitable by the Commission.
36. The Commission may establish a bank account in its name to be used for the purpose of holding and disbursing security deposits, contestants' purses, official's fees, Permit fees and other monies related to Events. Revenue earned by the Commission shall be used to pay expenses incurred by the Commission, including payment of approved expenses incurred by Members.

Permits

37. Any person who desires to promote, participate in or officiate an Event within the Nation shall first obtain a Permit pursuant to the Rules.
38. An application fee shall be established for the issuance of Permits under this Law and the fee shall be payable before a Permit is issued.
39. The application fee is non-refundable.
40. A separate Permit shall be required for each Event.
41. Permits may be issued with or without conditions or may refuse to issue a Permit. If an application for a Permit is refused, written reasons for the refusal to the applicant.
42. The Commission or authorizing commission shall have the authority to cancel any Permit issued by them if, in their opinion, there are just and reasonable grounds to cancel the Permit.
43. Without limiting the generality of section 42, failure to comply with this Law or the Rules may result in cancellation of a Permit.
44. It shall be unlawful for any person or persons, association or club, to conduct, or for any other person or persons to take part in or be present at, whether as a contestant, second, official or promoter, any Event within the Nation, whether an admission fee to such Event is charged or not, unless a Permit to hold the Event has been issued pursuant to the Rules.

Indemnification

45. The Nation shall indemnify Members for legal liability for the loss or damage arising from anything said or done or omitted to be done in the performance of their functions, duties, or powers, pursuant to this Law.
46. Section 45 does not apply if the cause of action is defamation, or the Member was dishonest, grossly negligent or guilty of wilful misconduct.

Offence

47. A person who contravenes any provision of this Law is guilty of an offence and liable upon conviction to pay a fine not exceeding Ten Thousand (\$10,000.00) Dollars or imprisonment for a term not exceeding thirty days, or both.

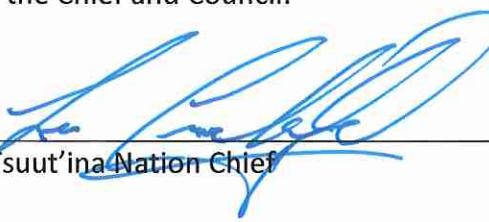
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Chief and Council Signatory Page

THIS LAW IS HEREBY made at this duly convened meeting of the Chief and Council of the Tsuut'ina Nation this 17th day of November, 2017 by Band Council Resolution.

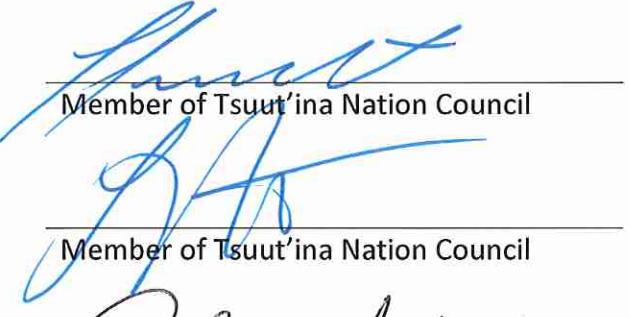
Coming into Force: November 17, 2017

Voting in favour of the Combative Sports Law, as evidenced by signatures, are the following members of the Chief and Council:



Tsuut'ina Nation Chief

Member of Tsuut'ina Nation Council



Member of Tsuut'ina Nation Council

Member of Tsuut'ina Nation Council



Member of Tsuut'ina Nation Council



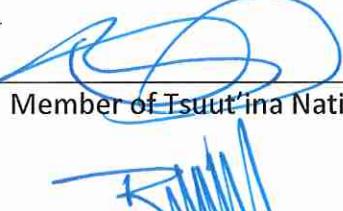
Member of Tsuut'ina Nation Council



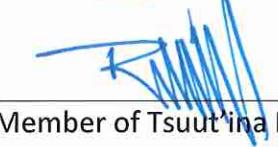
Member of Tsuut'ina Nation Council



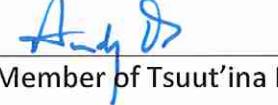
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