

## ***Article 13 - Finance, Contracts and Legal Matters***

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#### **13.1 Financial Management**

The management of the Council's financial affairs will be conducted in accordance with the Financial Procedure Rules set out in Part 4 of this Constitution.

#### **13.2 Contracts**

Contracts made by the Council will comply with the Contracts Procedure Rules set out in Part 4 of this Constitution.

#### **13.3 Legal Proceedings**

The Chief Operating Officer is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where he or she considers that such action is necessary to protect the Council's interests within budget.

The Chief Operating Officer has delegated powers to authorise officers to appear in court on the Council's behalf.

#### **13.4 Authentication of Documents**

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Chief Operating Officer or other person authorised by the Chief Operating Officer, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

In addition to any other person who may be authorised by resolution of the Council, the proper officer for the purposes of authentication of documents under the Local Government Acts shall be:

- The Chief Executive;
- The Chief Operating Officer;
- Any Chief Officer of the Council concerned with the matter to which the document relates; or,
- Any officer authorised in writing by such Chief Officer or by the Chief Operating Officer.

#### **13.5 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Chief Operating Officer.

A decision of the Council, or of any properly constituted body of the Council, will be sufficient authority for sealing any document necessary to give effect to

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the decision. The Common Seal will be affixed to those documents which in the opinion of the Chief Operating Officer should be sealed. The affixing of the Common Seal will be attested by the Authorised Officer i.e. Chief Operating Officer or some other person authorised by them.

### **13.6 Record of Sealing of Documents**

Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the Chief Operating Officer or some other person authorised by them and consecutively numbered in a book to be provided for the purpose.

### **13.7 Disposal of Land and Real Property**

Every disposal of land and real property made by the Council will comply with the Contract Procedure Rules set out in Part 4 of the Constitution.