

Council Policy CP-037 Affixation of the Common Seal			
Officer	Coordinator Governance & Risk	Owner	Chief Executive Officer
Review Frequency	Annually	Next Review	2013
Council Resolution number and date			
Chief Executive Officer		Mayor	

OBJECTIVE

The purpose of this policy is to establish the circumstances under which the official Council Common Seal may be affixed to documents.

SCOPE

This policy applies to all Council documents.

DEFINITIONS

Common Seal: means the official Common Seal of the Council of the City of Greater Geraldton

Document(s): can mean maps, photographs, computer printouts, agreements, contracts, letters, etc.

CEO: means the Chief Executive Officer of a local government.

Councillor: means a person who holds the office of councillor on a council.

Mayor: means a mayor elected by the electors to hold the office of Mayor.

POLICY PRINCIPLES

1. Documents requiring affixation of the Common Seal

Documents requiring the Common Seal may include, but shall not be limited to:

- a. Sale of City owned land for which a Council resolution is required expressly stating that the documents be signed and sealed and the transaction finalised;
- b. Legal Agreements;
- c. A Town Planning Scheme and any Town Planning Scheme Amendments;
- d. Documents relating to land matters including lodgement of caveats, memorials, leases, transfers, deeds, licences, covenants, easements and withdrawal of instruments;
- e. Local Laws;
- f. Service Agreements;
- g. New funding or Contracts of Agreements between the City and State or Commonwealth Governments for programs to which the City has previously adopted, or additions to existing programs, which in the view of the Chief



- Executive Officer are in accordance with the original intent of the City endorsed program; and
- h. Any other documents stating that the Common Seal of the City of Greater Geraldton is to be affixed.

2. Signatories to Common Seal

The Mayor and Chief Executive Officer are authorised to affix and sign all documents to be executed under the Common Seal, however, in the absence of the Mayor and/or the Chief Executive Officer, the Deputy Mayor and the Acting Chief Executive Officer are authorised to affix the Common Seal.

3. Register to be kept

Details of all transactions where the Common Seal has been affixed shall be recorded in a register kept by the Chief Executive Officer, with such register to record each date on which the Common Seal was affixed to a document, the nature of the said document, and the parties to any agreement to which the Common Seal was affixed.

The Director of Corporate Services will on a Monthly basis compile a report to Council, listing all the documents sealed in accordance with this policy during the preceding month.

WORKPLACE INFORMATION

Local Government Act 1995, s.9.49A.

ROLES AND RESPONSIBILITIES

The Director of Corporate Services is responsible for implementing and maintaining this policy.