

Council Policy CP037 Affixation of the Common Seal			
Officer	Manager Corporate Services	Owner	Director Corporate & Commercial Services
Review frequency	Triennially	Next review	April 2018
Council resolution number and date			
Mayor		Chief Executive Officer	

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

CEO means the Chief Executive Officer of the City.

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

Council means the Council of the City of Greater Geraldton.

Councillor means a person who holds the office of Councillor on the Council.

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

Mayor means the Mayor elected by electors of the district of the City of Greater Geraldton.

POLICY

1. Signatories to the Common Seal

- 1.1. 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.

2. Register to be Kept

- 2.1. 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.

3. Document Types to be Sealed

- 3.1. 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;
- 3.2. Legal Agreements;
- 3.3. A Town Planning Scheme and any Town Planning Scheme Amendments;

- 3.4. Documents relating to land matters including lodgement of caveats, memorials, leases, transfers, deeds, licences, covenants, easements and withdrawal of instruments;
- 3.5. Local Laws;
- 3.6. Service Agreements;
- 3.7. 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
- 3.8. Any other documents stating that the Common Seal of the City of Greater Geraldton is to be affixed.

ROLES AND RESPONSIBILITIES

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

WORKPLACE INFORMATION/REFERENCES

Local Government Act 1995, s.9.49A.