

## **ARTICLE 13 - FINANCE, CONTRACTS AND LEGAL MATTERS**

*Text shown in red is amendments made by the Joint Constitution Working Group on 4 March 2015*

### **13.1 Financial Management**

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

### **13.2 Contracts**

13.2.1 Every contract made by the Council will comply with the contracts procedure rules set out in Part 4 of this Constitution.

### **13.3 Legal proceedings**

13.3.1 The Service Manager – Legal is authorised by the Scheme of Delegation to Officers set out in Part 3 of this constitution 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.

### **13.4 Authentication of documents**

13.4.1 Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Chief Executive Officer or the Service Manager – Legal or in their absence by other persons authorised by the Service Manager - Legal, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

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

13.5.1 The Common Seal of the Council will be kept in a safe place in the custody of the Head of HR, Legal & Democratic Services. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision. The Common Seal will be affixed to those documents which in the opinion of the Council's Monitoring Officer should be sealed. ~~The affixing of the Common Seal will be attested~~ Sealed documents will be signed by any one of the following officers of the Council:

- The Chief Executive Officer
- The Monitoring Officer

- The Deputy Monitoring Officer
- A Director
- A Head of Service
- A Lawyer.

13.5.2 An entry of every sealing of documents will be made and consecutively numbered in a register and be initialled by the person who attested the seal.

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