

<b>POL</b>	<b>COMMON SEAL OF THE CITY OF COCKBURN</b>	<b>AES2</b>
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<b>POLICY CODE:</b>	AES2
<b>DIRECTORATE:</b>	Executive Support Department
<b>BUSINESS UNIT:</b>	Executive Support Services
<b>SERVICE UNIT:</b>	Executive Services
<b>RESPONSIBLE OFFICER:</b>	Director, Administration & Community Services
<b>FILE NO.:</b>	182/001
<b>DATE FIRST ADOPTED:</b>	15 April 1997
<b>DATE LAST REVIEWED:</b>	10 March 2016
<b>ATTACHMENTS:</b>	N/A
<b>DELEGATED AUTHORITY REF.:</b>	AES2
<b>VERSION NO.</b>	6

<b>Dates of Amendments / Reviews:</b>		
DAPPS Meeting:	15 November 2007 26 July 2012 31 January 2013	27 February 2014 25 February 2016
OCM:	15 April 1997 13 December 2007 9 August 2012	14 February 2013 13 March 2014

## **BACKGROUND:**

Under the provisions of the Local Government Act, 1995, (sec 9.71) - Transitional Provisions) Council is required to continue to keep registers which were required under the previous (1960) Act. A Common Seal Register was required to be maintained.

## **PURPOSE:**

To enable the execution of documents requiring the affixation of Council's Common Seal.

## **POLICY:**

### 1. General

- (a) The Mayor and Chief Executive Officer be authorised to affix the Common Seal to documents appertaining to all dealings initiated by a Council Resolution. In this regard the Council Resolution need not refer to the sealing of a document or documents and may express its wish for certain action which may ultimately require the affixing of the Common Seal to a document or documents to achieve the Council's intention;

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- (b) In the absence of the Mayor and/or the Chief Executive Officer, as the case may be, the Deputy Mayor and the Acting Chief Executive Officer be authorised to affix the Common Seal;
- (c) In the absence of the Mayor or the Deputy Mayor the provisions of Section 5.35(2) of the Local Government Act, be invoked;
- (d) The Mayor and Chief Executive Officer are authorised to affix the Common Seal to new Funding or Contracts of Agreement between the Council and State or Commonwealth Governments for programs to which Council 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 adopted program.

2. Land Matters

The affixing of the Common Seal to documents relating to land matters including caveats, withdrawal of instruments, memorials, leases, transfers, deeds, licences and covenants and easements shall be undertaken by two (2) of the following persons:

- the Mayor or Deputy Mayor;
- Chief Executive Officer;
- Directors;
- Manager, Planning Services; and
- the Property & Lands Officer.

3. Funding Agreements

The affixing of the Common Seal or the signing of funding agreements, on behalf of Council, including those provided by Federal and State Government Agencies, shall be undertaken by two(2) of the following persons:

- the Mayor or Deputy Mayor;
- Chief Executive Officer;
- Directors;
- Manager, Community Development; and
- Child Care & Seniors Manager

- 4. Details of all transactions where the Common Seal has been affixed shall be recorded in the Delegated Authority Portal System.