

## **SECTION 13**

### 13. Finance, Contracts and Legal Matters

#### 13.1 Financial Management

The management of the Council's financial affairs will be conducted in accordance with the financial regulations set out in Section 19 of this Constitution.

#### 13.2 Contracts

Every contract made by the Council will comply with the Contract Procurement Rules set out in Section 20 of this Constitution.

#### 13.3 Legal Proceedings

13.3.1 The Service Director: Legal and Community is authorised to institute<sup>34</sup>, defend or participate in any legal proceedings and take all necessary steps in any case where such action is necessary to give effect to decisions of the Council or in any case where the Service Director: Legal and Community considers that such action is necessary to protect the Council's interests.

13.3.2 The Service Director: Legal and Community has delegated powers to authorise officers to appear in court on the Council's behalf.

#### 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 Service Director: Legal and Community or other person authorised by them, unless any enactment or otherwise authorises or requires, or the Council has given requisite authority to some other person.

13.4.2 Any contract with a value exceeding the figure set out in the Contract Procurement Rules and Financial Regulations, entered into on behalf of the Council shall be made in writing. Subject to the Contract Procurement Rules, such contracts must be signed by at least two officers of the Council or made under common seal of the Council attested by at least one authorised officer.

#### 13.5 Common Seal of the Council

##### 13.5.1 Common Seal

(a) The Common Seal of the Council shall be kept in a safe place in the custody of the Service Director: Legal and Community.

(b) A decision of the Council, or any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.

##### 13.5.2 Sealing and Execution of Documents

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<sup>34</sup> Save for proceedings under the Health and Safety at Work etc Act 1974.

The Common Seal will be affixed to those documents which, in the opinion of the Service Director: Legal and Community should be sealed. The affixing of the Common Seal will be attested by those officers authorised to do so by this Constitution (or as may be further delegated to officers).

#### 13.5.3 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 officer affixing the seal and consecutively numbered in a book to be provided for the purpose.

#### 13.5.4 References in 13.5.1-13.5.3 above (and Common Seal generally) includes an electronic version.