

# Article 14

## Finance, Contracts and Legal Matters

### Introduction

**This Article refers to the Council's Financial Regulations and Contract Procedure Rules found in Part 4 of this Constitution.**

### 14.01 Financial Management

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

### 14.02 Contracts

Every contract made by the Council will comply with the Contract Procedure Rules set out in Part 4 of this Constitution.

### 14.03 Legal Proceedings

The Director of Legal and Governance Services is authorised to:

- (a) institute, defend or participate in any legal proceedings, in any Court or Tribunal and 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.
- (b) delegate to officers authority to institute, defend or participate in any legal proceedings, in any Court or Tribunal and 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
- (c) authorise officers to appear in any court or tribunal on the Council's behalf.

### 14.04 Authentication of Documents

Where any document is necessary to any legal proceedings or proceedings on behalf of the Council, it will be signed by the Director of Legal and Governance Services or another person authorised by him or her, unless any enactment otherwise authorises or requires, or the Council has given requisite authority to some other person.

Any contract entered into on behalf of the Council in the course of the discharge of an Executive function shall be in writing. Subject to the Contract Procedure Rules set out in Part 4 of the Constitution, such contracts must either be signed by at least two officers of the authority or made under the common seal of the Council.

#### **14.05 Common Seal of the Council**

The Common Seal of the Council will be kept in a safe place in the custody of the Director of Legal and Governance 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 Director of Legal and Governance Services, should be sealed. The Director of Legal and Governance Services will witness the affixing of the Common Seal or some other person authorised by him or her.