

13. ARTICLE 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 rules set out in chapter 4 of this Constitution.

13.2 Contracts

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

13.3 Legal proceedings

The Assistant Director, Legal and Governance is authorised 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

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by Assistant Director, Legal and Governance, or other person authorised by him/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 local authority in the course of the discharge of an executive function shall be made in writing and in accordance with section 4 of the Contract Procedure Rules. Such contracts must either be signed by at least two employees of the authority or made under the common seal of the Council attested by at least one employee.

13.5 Common seal of the Council

The common seal of the Council will be kept in a safe place in the custody of the Assistant Director, Legal and Governance. 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 Assistant Director, Legal and Governance, should be sealed and those documents that are required to be sealed under the Contract Rules. The affixing of the common seal will be

attested by the Assistant Director, Legal and Governance, or some other person authorised by him/her.

References:

Sections 135, 151, 223 & 234, Local Government Act 1972

Part VIII, Local Government Finance Act 1988