

Article 9 – Finance, Contracts and Legal Matters

This article sets out that the management of the Council's money and the making of contracts by it (especially when buying services and supplies) must follow special rules.

The article gives special authority to the *Monitoring Officer* and also to the Council's senior lawyers to take legal action on the Council's behalf. It also deals with how legal documents should be signed and how the official seal of the Council is to be used.

9.1 Financial Management

The management of the Council's financial affairs will comply with the *Finance Rules*.

9.2 Contracts

Every contract made by the Council will comply with the *Contract Procedure Rules*.

9.3 Legal Proceedings

- (a) The *Monitoring Officer* and/or the Team Manager (Solicitor) can institute, defend or take part in any legal proceedings where such action is necessary to give effect to decisions of the Council or where they consider that such action is necessary to protect the Council's interests.
- (b) The *Monitoring Officer* and/or the Team Manager (Solicitor) can designate nominated officers to carry out this function on their behalf.

9.4 Authentication of Documents

Where any document is necessary to any legal procedure or proceedings, it will be signed by the Solicitor to the Council and/or Team Manager (Solicitor) or by some other person authorised by them, unless any enactment otherwise authorises or requires, or the Council has given authority to some other person.

9.5 Common Seal of the Council

- (a) The Common Seal of the Council will be kept in a secure place in the custody of the Team Manager (Solicitor).
- (b) 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.
- (c) The Common Seal will be affixed to those documents which in the opinion of the Solicitor to the Council should be sealed or as required by the *Contract Procedure Rules*. The affixing of the Common Seal will be attested by the Solicitor to the Council, or in their absence, anyone delegated the function by the Solicitor to the Council together with the *Chairman of the Council*, or in their absence, another *Councillor*. An entry of every sealing shall be made and consecutively numbered in a book kept for the purpose.