



George Town Council

Use of the George Town Council Common Seal Policy

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1. Introduction

A Council seal is like the signature of a Council. Affixing the seal demonstrates approval of the content of a document and shows what Council has done or agreed to do.

2. Type of Policy

This Policy is recognised as a “Council Governance” Policy in accordance with the requirements of Council’s Policy Development, Approval and Review Policy No. 9. Council is the approval authority for this Policy.

3. Objective

To regulate the use of Council’s Common Seal and prohibit unauthorised use of the Common Seal.

4. Link to Strategic Plan

Goal 05

Ensure Council listens to and understands community needs and continues to make responsible decisions on behalf of the community.

Key Objective 04

Consistently achieve a high standard of internal financial and governance arrangements.

5. Legislative Requirements

- Local Government Act 1993

6. Definitions

“**The Council**” means the George Town Council.

7. Risk Considerations

This Policy aligns itself to Council’s Risk Management Policy No. 33 in that it promotes the maintenance of overall set performance standards and the regular review and improvement of Council practices and procedures.

8. Policy

The General Manager is to ensure the security of the Council's Common Seal at all times.

The Council's seal will be used only for documents that relate to the business of the Council, and without limiting the use of the seal, will normally only include specifically:

- The exercise by the Council of its functions in relation to contracts for the purchase, exchange, leasing, disposal of, and otherwise dealing with, real property; or
- Contracts that have been endorsed by the Council;
- Tenders that have been endorsed by the Council;
- Any contract documents (supplied by a tender) which includes terms and conditions of trade, and any formal deed;
- Executing a contract of employment for the General Manager; or
- Completing agreements or contracts from State or Federal Government departments where they have requested the agreements or contracts be under seal; or
- Entering into Planning Agreements; or
- Any other legal document the Council is required to affix the Seal to from time to time.

The Council's seal will not be used for documents such as references or certificates of service for Council employees.

A decision to affix the Council's seal to a document can only be made by a resolution of the Council. It is not a matter that can be delegated except those delegations made by the Council to the General Manager.

Miscellaneous Powers and Functions to the General Manager

The affixing of the Common Seal as per the following conditions:

1. *The General Manager may only affix the Council Seal to Sealed Plans.*
2. *The General Manager may only affix the Council Seal to Grant Deeds/Funding Agreements.*
3. *A monthly information Report detailing the Use of Council's Seal is to be made available to Councillors.*

The General Manager will not witness the affixing of the Council's seal to the contract of employment for the General Manager.

8. Policy (Cont.)

The seal of the Council may be affixed to a document only in the presence of:

- The Mayor and the General Manager (including those acting in that capacity); or
- The Mayor and at least one other Councillor.

The affixing of the Council's seal to a document has no effect unless the persons who were present when the seal was affixed (being persons referred to above) attest by their signatures that the seal was affixed in their presence.

Details of the use of Council's seal must be recorded in the Use of Seal Register and to include the following:

- Date Document Sealed; and
- Council Resolution No; and
- Document Details; and
- Signed by.

9. Implementation of Policy

Responsibility

Responsibility for the administration of this Policy rests with the General Manager.

Date of Approval:	17 th August 2016
Approval Authority:	Council
Source of Approval:	Council Resolution 216/16
Commencement Date:	17 th August 2016
Related Council Documents:	<ul style="list-style-type: none">• Policy Development, Approval and Review Policy No. 09• Risk Management Policy No. 33
Next Review Date:	August 2019 or as required by legislative changes
Publication of Policy:	This Policy will be made publicly available via Council's website.