

COUNCIL POLICY LG523

APPLICATION OF COMMON SEAL AND EXECUTING OF DOCUMENTS

KEY FOCUS AREA LEADERSHIP AND GOVERNANCE

Purpose

The purpose of this policy is to establish procedures for:

1. The affixing of the Town of Claremont's (**Town**) common seal; and
2. Authority for the Chief Executive Officer and other nominated officers to sign documents on behalf of the Town.

Policy

Council supports that:

1. The Chief Executive Officer (**CEO**) is to have charge of the common seal and is responsible for the safe custody and proper use of it.
2. The Mayor (or in his/her absence the Deputy Mayor) and CEO (or in his/her absence the Acting CEO) are authorised to affix and sign all documents to be executed under the common seal.
3. Details of all transactions where the common seal has been affixed are to be recorded in a register. The register is to include:
 - a. each date on which the common seal was affixed to a document, the nature of the document; and
 - b. each transaction with a reference number that may be retrieved in the Town's document management software.
4. The following documents require the Common Seal of the Town to be affixed:
 - Local Laws.
 - Land transaction documents including sales, purchase, vesting, easements, caveats, leases, deed and legal agreements.
 - Grant Funding Agreements.
 - Contracts and legal instruments.
 - Mortgages, Loans and Debentures.
 - Town Planning Schemes and Scheme Amendments.
5. Any documentation authorised by Council resolution does not require application of the common seal.
6. The CEO is authorised to sign documents on behalf of the Town.
7. The CEO may approve Town employees as persons duly authorised to sign documents on behalf of the Town.

Document Control Box			
Legislation:	<i>Local Government Act 1995 s9.49A</i>		
Organisational:	Common Seal Register		
Version #	Decision:	OCM Date:	Resolution Number:
1.	Adopted	5 October 2010	210/10
2.	Reviewed	10 December 2013	360/13
3.	Reviewed	9 December 2014	203/14
4.	Reviewed	13 December 2016	206/16
5.	Reviewed	18 December 2018	228/18
6.	Adopted	5 October 2010	210/10
7.	Modified	25 June 2024	88/24