

POLICY: EXEC-OD-006 USE OF COMMON SEAL

PURPOSE

To establish protocols for the affixing of the City's Common Seal in accordance with *Sect 9.49A Local Government Act 1995* and *Part 19.1 of the City of Kalgoorlie-Boulder Standing Orders Local Law 2013*

DEFINITIONS

City: City of Kalgoorlie-Boulder

CEO: Chief Executive Officer

STATEMENT

- 1. Documents requiring the Common Seal may include, but shall not be limited to:**
 - a) Sale of City owned land for which a Council resolution is required expressly stating that the final document is signed and sealed and the transaction finalised.
 - b) Legal Agreements
 - c) Contractual Agreement
 - d) A Town Planning Scheme and any Town Planning Scheme Amendments;
 - e) Documents relating to land matters including the lodgement of caveats, memorials, leases, transfers, deeds, licences, covenants, easements and withdrawal of instruments;
 - f) Local Laws
 - g) Service Agreements
 - h) New Funding or Contracts of Agreement between the City and State or Commonwealth Governments for programs to which the City has previously adopted, or additions to existing programs, which in the view of the Chief Executive Officer are in accordance with the original intent of the City endorsed program; ad
 - i) Any other documents stating that the Commons Seal of the City of Kalgoorlie-Boulder is to be affixed.

- 2. Documents requiring the Common Seal may include, but shall not be limited to:**

The following documentation unless otherwise specified or expressly state by Council resolution that the final document be signed and sealed and the transaction finalised, generally do not require affixation of the common seal:

- a) Withdrawal of caveats;
- b) Purchase of land by the City;
- c) Sale of City owned land;
- d) Subdivision of City owned land

3. Signatories to Common Seal

As stated in Part 19.1 of the City of Kalgoorlie-Boulder Standing Orders Local Law 2012

(2) The common seal of the Local Government may only be used on the authority of the Council given either generally or specifically and every document to which the seal is affixed must be signed by–

- (a) the Mayor and the CEO or an appropriate officer authorised;*
- (b) the Deputy Mayor and the CEO or an appropriate officer authorised; or*
- (c) the CEO and an appropriate officer authorised.*

4. Register to be kept

Details of all transactions where the Common Seal has been affixed shall be recorded in a register kept by the Chief Executive Officer. The register will record the date of Council meeting and Item No where the affixing of the common seal was resolved, the nature of the document and the number of common seals affixed per document (i.e. 4 copies).

5. Reporting to Council

Council will receive a copy of the register of all Common Seals affixed for the previous month at the first Ordinary Council Meeting of each month.

RELEVANT DOCUMENTS