

Mae'r ddogfen hon ar gael yn Gymraeg hefyd



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SECTION 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 Procedure Rules set out in Section 17 of this Constitution.

13.2 Contracts

Every contract made by the Council will comply with the Contracts Procedure Rules set out in Section 18 of this Constitution.

13.3 Legal proceedings

The Head of Law and Governance is authorised:-

To institute, defend, settle and participate in any legal proceedings (either in the name of the Council or in the name of a specific officer of the Council) where such action is necessary to give effect to decisions of the Council or in any case where the Head of Law and Governance considers that such action is necessary to protect the Council's interests.

13.4 Authentication of documents

13.4.1 Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Head of Law and Governance or other person authorised by him/her, unless any enactment or otherwise authorises or requires, or the Council has given requisite authority to some other person.

13.4.2 Any contract with a value exceeding £50,000, entered into on behalf of the Council shall be made in writing and in a form of contract approved by the Monitoring Officer. Subject to the Contracts Procedure Rules, such contracts must be signed by at least two Officers of the Council or made under common seal of the Council attested by at least one Officer if they exceed £250,000 in value.

13.4.3 In addition to any other person who may be authorised by resolution of the Council, the Proper Officer for the purposes of authentication of documents under the Local Government Acts shall be:

- (a) the Chief Executive;
- (b) the Head of Law and Governance;
- (c) any Chief Officer of the Council concerned with the matter to which the document relates; or,
- (d) any Officer authorised in writing by such Chief Officer.

13.5 Common Seal of the Council

(a) Common Seal

13.5.1 The Common Seal of the Council shall be kept in a safe place in the custody of the Head of Law and Governance.

13.5.2 A decision of the Council, including decisions under delegated powers, will be sufficient authority for sealing any document necessary to give effect to the decision.

(b) Sealing and Execution of Documents

13.5.3 The affixing of the Common Seal shall be attested by the Head of Law and Governance or some other person authorised by him/her. An entry of every sealing of a document shall be made, and numbered consecutively, in a book kept for the purpose, and shall be signed by the person who shall have attested the seal.

13.5.4 The Officers of the Council referred to above shall have authority to execute any deed or document not required by law to be under seal which is necessary to effect the decisions of the Council.

13.5.5. This function can be delegated further by the named persons.

(c) Record of Sealing of Documents

13.5.6 Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by Head of Law and Governance and consecutively numbered in a book to be provided for the purpose.