

City of Greater Geraldton Council Policy

4.15 AFFIXATION OF THE COMMON SEAL

SUSTAINABILITY THEME

Leadership

OBJECTIVES

The purpose of this policy is to establish the circumstances under which the official Council Common Seal may be affixed to documents.

POLICY STATEMENT

This policy applies to all Council documents.

POLICY DETAILS

1. Signatories to the Common Seal

The Mayor and Chief Executive Officer are authorised to affix and sign all documents to be executed under the Common Seal, however, in the absence of the Mayor and/or the Chief Executive Officer, the Deputy Mayor and the Acting Chief Executive Officer are authorised to affix the Common Seal.

2. 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, with such register to record each date on which the Common Seal was affixed to a document, the number of seals used, the nature of the said document, and the parties to any agreement to which the Common Seal was affixed.

3. Document Types to be sealed

The authority to affix the common seal of the City to a document that needs the City's common seal to be legally effective and that is within one or more of the following categories:

- 3.1. documents required to satisfy conditions of subdivision and/or development approval;
- 3.2. documents required to effect the transfer of land a part of a settlement transaction (sale and purchase);
- 3.3. documents required to secure the repayment of a loan granted by the City, a loan granted to the City by a third party and/or to secure the pre-funding of infrastructure works by the City;
- 3.4. documents required to effect the grant of leasehold interests in the land either by the City to a third party, or by a third party to the City;
- 3.5. documents which are capable of registration and/or lodgement at Landgate (WA Land Titles office);
- 3.6. documents required to effect the grant of a licence either by the City to a third party, or by a third party to the City;

- 3.7. documents required to effect the subdivision of land, including the strata titling of land; and
- 3.8. documents that are necessary or appropriate to enable a CEO to carry out his functions under any written law including legal agreements, services agreements and any other documents stating that the common seal of the City of Greater Geraldton is attached.

ROLES AND RESPONSIBILITIES

The PA to the Chief Executive Officer is responsible for implementing and maintaining this policy.

WORKPLACE INFORMATION

Local Government Act 1995, s 9.49A

Delegation Register – Delegation Council to CEO: Common Seal

Promapp Process: Affix the Common Seal

GO/19/0007: Governance - Register - Common Seal Register: D-15-14406

POLICY ADMINISTRATION

Directorate		Officer	Review Cycle	Next Due
Office of the CEO		PA to the Chief Executive Officer	Biennial	2024
Version	Decision Reference	Synopsis		
4.	CEO101 25/10/2022	Policy Review		