

## **ARTICLE 15 - FINANCE, CONTRACTS AND LEGAL MATTERS**

1. This article refers on to the authority's Financial and Contract Rules, which are contained in Part 5 of this Constitution and to Sections 135, 151, 223 & 234, Local Government Act 1972 Part VIII, Local Government Finance Act 1988.

### **Financial Management**

2. The management of the Council's financial affairs will be conducted in accordance with:
  - (a) The Budget and Policy Framework set out in Part 4 of this Constitution; and
  - (b) Financial Regulations within Part 4 of this Constitution.

### **Contracts**

3. Every contract made by the Council will comply with the Contracts Rules set out in Part 4 of this Constitution unless a waiver has first been obtained by report to Portfolio Holder or the Cabinet as appropriate.

### **Legal Proceedings**

4. The Council's Legal Services Manager is authorised to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Council or in any case where the Head of Paid Service considers that such action is necessary to protect the Council's interests. Further details are set out in the scheme of delegation in Part 3 of this Constitution.

### **Authentication of Documents**

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

### **Common Seal of the Council**

6. The Common Seal of the Council will be kept in a safe place in the custody of the Legal Services Manager. A decision of the Council, or of any part of it, will be sufficient authority for sealing any document necessary to give effect to the decision.
7. The Common Seal will be affixed to those documents which in the opinion of the Monitoring Officer should be sealed or are required by the Procurement Rules in Part 4 of this Constitution..
8. The affixing of the Common Seal will be attested by person(s) authorised by the Leader or Cabinet as set out in Part 3 (Executive Delegations) of this Constitution.
9. The common seal may be in physical or electronic form as determined by the Monitoring Officer.