

# Section 11

## Finance, Contracts and Legal Matters

### 11.1 FINANCIAL MANAGEMENT

The management of the Council's financial affairs will be conducted in accordance with the Financial Regulations set out in Part 4 of this Constitution.

### 11.2 CONTRACTS

Every contract made by the Council will comply with either the Financial Regulations or the Procurement Regulations set out in Part 4 of this Constitution depending on the value of the contract. Thresholds determining whether contracts are required to comply with Financial Regulations or Procurement Regulations are set out in Annex 2 to the Financial Regulations.

### 11.3 LEGAL PROCEEDINGS

The Monitoring Officer (or whosoever he/she delegates) 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 authorised person considers that such action is necessary to protect the Council's interest.

### 11.4 AUTHENTICATION OF DOCUMENTS

- (a) Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Managing Director or Monitoring Officer 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.
- (b) Any contract entered into on behalf of the Council in the discharge of an executive function shall be made in writing. Unless otherwise authorised under the Procurement Regulations, any such contract with a value exceeding £40,000 must either be signed by a duly authorised officer or where the value exceeds £75,000, made under the Common Seal of the Council attested by at least one authorised officer.

### 11.5 COMMON SEAL OF THE COUNCIL

The Common Seal of the Council will be kept in a safe place in the custody of the Monitoring Officer (or whoever he/she delegates). 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.