

Common Seal Policy

Local Government Act 2009

1. Policy Statement

The role of Townsville City Council (Council) is to provide guidance for use of Council's Common Seal.

2. Principles

This policy ensures that the Council's Common Seal is utilised in accordance with the provisions of the *Local Government Act 2009*.

3. Scope

This policy applies to the use of the Common Seal for ceremonial documents and to documents that are to be provided to foreign entities.

This policy will not apply to documents executed by Council under section 236 of the *Local Government Act 2009*.

4. Responsibility

The Office of the Mayor is the custodian of the Common Seal and is to ensure the safe custody of the Common Seal. The Office of the Mayor will maintain a Common Seal Register.

5. Definitions

Ceremonial Documents - includes certificates, contracts/agreements of historic significance, awards or presentations or documents as decided by resolution of Council.

Common Seal - means the official impressed stamp including the words Townsville City Council Corporate Seal, Incorporated 1866.

Common Seal Register - means a document maintained by the Office of the Mayor that will record the date and details of the document signed under the Common Seal of the Council.

6. Policy

With the exception of Declarations of Office, which may be witnessed solely by the Chief Executive Officer (CEO), a combination of any two of the persons holding the following positions are required as authenticating witnesses to the affixing of the Common Seal:

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Legal Services | Common Seal Policy

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- CEO (or a person who has been formally appointed as the Acting CEO);
- Mayor;
- Deputy Mayor; or,
- Acting Mayor in the absence of the Mayor and Deputy Mayor.

The Common Seal as identified above is the one and only Common Seal of Townsville City Council and cannot be duplicated. It can only be replaced by resolution of Council.

The Common Seal will only be affixed to:

- ceremonial documents; and
- documents that are to be provided to foreign entities, if it is necessary for the documents to bear the Council's official seal.

7. Legal Parameters

Local Government Act 2009

Local Government Regulation 2012

8. Associated Documents

Civic Protocol Policy