

## **Appendix 3**

### **Finance, Contracts and Legal Matters**

#### **1 Financial Management**

The management of the CJC's financial affairs will be conducted in accordance with the Financial Procedure Rules

#### **2 Contracts**

Every contract made by the CJC will comply with the Contracts Procedure Rules.

#### **3 Legal and Other Proceedings**

The Monitoring Officer is authorised to institute, defend or participate in any legal proceedings: including court actions; those of Tribunals, Arbitrations and/or Forums involving dispute resolutions; he/she is also authorised to instruct Counsel, engage expert witnesses and to do all other things to facilitate the conduct of cases in the CJC's name; including, as deemed appropriate, to settle and otherwise compromise actions (whether during the conduct of court proceedings, prior to issue of court proceedings or to resolve any Ombudsman complaint).

The Monitoring Officer is Solicitor to the CJC, or any part of it, hence all proceedings and court actions are entered in his or her name and all representation organised through him/her.

The Monitoring Officer is also authorised to instruct Counsel to provide advice to the CJC on any matters relating to the carrying out of its functions and to represent the CJC at Inquiries (of whatever nature) where he/she deems it necessary in the CJC's interests to do so.

#### **4 Authentication or Signature of Documents**

Where it is necessary and proper that any document be authenticated or signed in respect of any matter on behalf of the CJC, or any part of it, the Chief Executive, S151 Officer or Monitoring Officer shall so authenticate or sign as the "Proper Officer", unless any enactment otherwise authorises or requires, or the CJC has given requisite authority to some other person, to also authenticate or sign any document.

#### **5.2 Sealing and Execution of Documents**

(a) The Monitoring Officer shall have authority to the Common Seal and execute under Seal any deed or document.

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

(c) This function can be delegated further by the named persons.

(d) Any entry of the sealing of every deed or document to which the Common Seal has been affixed shall be made by the Head of Legal Services and consecutively numbered in a book to be provided for the purpose.