

ARTICLE 14 FINANCE, CONTRACTS AND LEGAL MATTERS

14.1 FINANCIAL MANAGEMENT

The management of the Authority's financial affairs will be conducted in accordance with the Financial Rules set out in [Part 4H](#) of this Constitution.

14.2 CONTRACTS

Every contract made by the Authority will comply with the Contract Rules set out in [Part 4I](#) of this Constitution.

14.3 LEGAL PROCEEDINGS

The **Borough Solicitor** and the Head of Legal Services is each authorised **subject to 14.4 below** to institute, defend or participate in any legal proceedings in any case where such action is necessary to give effect to decisions of the Authority (**Council, Cabinet, Committee or Officer under powers delegated to them**) or in any case where the **Borough Solicitor** or Head of Legal Services considers that such action is necessary to protect the Council's interests and he/she is satisfied as to the available evidence. In cases of conflicting opinion the **Borough Solicitor's** view shall prevail.

14.4 ***This authority may only be exercised within the financial limit which is authorised by the decision or is within the authorised expenditure limit of the Borough Solicitor.***

14.5 AUTHENTICATION OF DOCUMENTS

Where any document is necessary to any legal procedure or proceedings on behalf of the Council, it will be signed by the Chief Executive or the **Borough Solicitor** or the Head of Legal Services or any other person authorised by them, unless any enactment otherwise authorises or requires or the Council has given requisite authority to some other person.

Any contract entered into on behalf of the Council shall comply with the requirements of the Contract Rules, ([Part 4I](#) of the Constitution), concerning process and form of required documentation, in particular all contracts must be evidenced in writing.

14.6 COMMON SEAL OF THE AUTHORITY

The common seal of the Authority will be kept in a safe place in the custody of the Monitoring Officer.

A decision of the Authority, or the Cabinet, a Committee, Sub-Committee or Employee able or authorised to act on its behalf, will be sufficient approval for sealing any document necessary to give effect to the decision.

The common seal will be affixed to those documents which in the opinion of the **Borough Solicitor** or the Head of Legal Services should be sealed. The affixing of the common seal must be attested by either the Mayor, Deputy Mayor, the Chief Executive, the **Borough Solicitor** or the Head of Legal Services.