

Bass Coast Shire Council

Administrative Procedures (Use of the Common Seal) Local Law 2020

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PART A - INTRODUCTION

1. Title

This Local Law will be known as the Bass Coast Shire Council "Administrative Procedures Local Law 2020".

2. Purpose of this Local Law

The purpose of this Local Law is to:

2.1 regulate the use of the common seal;

2.2 make provision for related administrative procedures; and

2.3 provide for the peace, order and good government of the municipal district.

2.4 revoke the Bass Coast Shire Meeting Procedure Local Law 2018

3. Authorising Provision

This Local Law is made under section 14 of the Local Government Act 2020.

4. Commencement and End Dates

This Local Law:

4.1 commences on the day following the day on which notice of the making of this Local Law is published in the Victoria Government Gazette, and operates throughout the municipal district; and

4.2 ceases to operate on the tenth anniversary of the commencement date unless revoked sooner.

5. Revocation of the Bass Coast Shire Meeting Procedure Local Law 2018

On the commencement of this Local Law, the Bass Coast Shire Meeting Procedure Local Law 2018 is revoked.

6. Definitions

6.1 In this Local Law:

"Chairperson" means the person who chairs a meeting;

"Chief Executive Officer" means the person who is the Chief Executive Officer of Council or any person acting in that position;

"Committee meeting" means a meeting of a Delegated Committee;

"Council" means the Bass Coast Shire Council;

"Council meeting" means a meeting of Council;

"Councillor" means a Councillor of Council;

"meeting" means a Council meeting or a Delegated Committee Meeting;

"Officer" means a member of Council staff;

PART A - COUNCIL'S COMMON SEAL

The purpose of this Part is to regulate the use of the common seal and prohibit unauthorised use of the common seal or any device resembling the common seal as required by section 14(2)(c) of the Local Government Act 2020.

7. Security

7.1 The Chief Executive Officer must ensure the security of Council's common seal at all times.

7.2 The Chief Executive Officer will keep a register detailing how the Common Seal is affixed.

8. Use of the Common Seal

8.1 The common seal may only be used on the authority of Council given either generally or specifically and every document to which the common seal is affixed must be signed by the Chief Executive Officer or another Senior Officer authorised by the Chief Executive Officer for that purpose.

8.2 The common seal and words to be used accompanying it on any document to which it is affixed are as follows -

The COMMON SEAL of)
BASS COAST SHIRE COUNCIL)
was affixed on)
in the presence of:)

.....
Chief Executive Officer/Authorised Officer

8.3 A person must not use the common seal or any device resembling the common seal without the authority of Council.

Penalty: 5 penalty units

PART B – BEHAVIOUR

9. Offences

It is an offence for:

9.1 a Councillor to not withdraw an expression considered by the Chairperson to be offensive or disorderly, and apologise when called on twice by the Chairperson to do so;

Penalty: 2 penalty units

9.2 any person, not being a Councillor, who is guilty of any improper or disorderly conduct, to not leave the meeting when requested by the Chairperson to do so;

Penalty: 5 penalty units

9.3 any person who fails to comply with a direction of the Chairperson in relation to the conduct of the meeting and the maintenance of order;

Penalty: 2 penalty units

9.4 a Councillor to refuse to leave the meeting on suspension.

Penalty: 5 penalty units

PART C – CERTIFICATION

10. Key information

The following key information is set down in order to facilitate the management of this Local Law.

Date Resolved By Council	19 August 2020
Date of Notice in Gazette	03 September 2020
Commencement Date:	11 September 2020
Responsible Officer:	Chief Executive Officer

11. Affixing of the Common Seal

The Common Seal is affixed to signify the authenticity of this Local Law.

The COMMON SEAL of)
BASS COAST SHIRE COUNCIL)
was affixed on 11 September 2020)
in the presence of:)



.....

Chief Executive Officer/Authorised Officer