Waitomo District Council

Use of Council Seal Policy 2026~~5~~

Waitomo
District Council

Adopted by:	Council (27 October 2026)
Doc No:	1006681
Date of Next Review:	2028
Responsibility:	General Manager - Strategy and Environment
~~Policy~~ First Adopted:	27 March 2018
~~Last~~ Review History:	2018, 2025, 2026

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INTRODUCTION | KUPU ARATAKI

Waitomo District Council retains a common seal with which it executes certain documents, in compliance with various sections of the Statutes and Regulations.

POLICY | KAUPAPA HERE

1. PURPOSE AND SCOPE | TE ARONGA ME TE KORAHI

1.1 The purpose of this policy is to set out the limitations on the use of the Council Seal (also known as the 'Common Seal').

2. DEFINITIONS | NGĀ WHAKAMĀRAMATANGA

Council	Means Waitomo District Council
Chief Executive	Means the Chief Executive of Waitomo District Council
Waitomo District	Means the District of Waitomo as administered by the Waitomo District Council

3. GUIDELINES

3.1 The Common Seal of the Waitomo District Council must be affixed to the following documents as required by law:

a) A written warrant under section 174(1) of the Local Government Act 2002

b) A warrant written under Building Act 2004

c) A conveyance, transfer or lease under section 345(1)(a) of the Local Government Act 1974.

~~d) A memorandum of transfer or lease under section 80 of the Local Government (Rating) Act 2002.~~

~~e)~~d) The approval of a policy statement or plan under clause 17 of Schedule 1 of the Resource Management Act 1991.

3.2 The following documents are to be authenticated or signed on behalf of the Council by way of affixing the Common Seal:

a) Any bylaws made by the Council.

~~b) Consent to a dealing where Council has a Land Charge imposed under the Statutory Land Charges Registration Act 1928 and where such dealing does not affect the priority of substance of Council's Statutory Land Charge. (A partial release, where part of the land is sold but the charge remains, would still be a matter for Council's discretion).~~

~~c) Bonds for roading construction in subdivision development.~~

3.3 The Common Seal may be affixed to any document referred to in clauses 3.1 or 3.2 subject to the following requirements:

a) The affixing of the Common Seal to any document is either to be in accordance with the requirements of a resolution from Council or a Council Committee, or undertaken by an officer acting under delegated authority (i.e. sealing documents under delegation pursuant to a particular Act); and

b) A schedule listing the documents to which the Common Seal has been applied is provided to the next scheduled meeting of Council so that Council may ratify the sealing and pass an appropriate resolution to record the same.

c) Application of the common seal to documents is to be witnessed by two signatories. These two signatures are the Mayor and Chief Executive, or in eithers absence, the Deputy Mayor or Acting Chief Executive respectively.

d) The only exception to requiring two signatories is for Waitomo District Council Staff Warrants where due to warrants being produced as "pocket" size, the seal is witnessed by the Chief Executive only.

3.4 The Chief Executive shall be responsible for managing the security and use of the Common Seal.