



# Common Seal Policy

## Purpose

The purpose of this policy is to:

- Set out the authorisations and procedures in respect of Unitec's common seal.

This policy replaces any other authority granted in respect of the use of the common seal and shall have immediate effect

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## Scope

Section 167 of the Education Act 1989 provides for the council of an institution to have a common seal and for the council to authorise members of the council or members of the staff of the institution to execute documents under that seal.

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## Policy Statement(s)

- 1) Unitec's common seal shall not be affixed to any document except:
    - a) Pursuant to a resolution of Council; or
    - b) By the authority of either:
      - i) Any two of the Chair the Deputy Chair or the Chief Executive; or
      - ii) Both the Chief Executive and the Chief Financial OfficerBoth i) and ii) above are subject to subsequent notification to Council.
  - 2) The affixing of the common seal pursuant to a resolution of Council shall be countersigned:
    - a) In the case of the affixing of the common seal to an award, by one member of Council; or
    - b) In any other case, by 2 members of Council.
  - 3) The affixing of the common seal by virtue of an authority under (1)(b) above shall be countersigned by the 2 persons under whose authority the common seal was affixed.
  - 4) Each use of the common seal shall be recorded in the register held by the Legal and Contracts Advisor who shall store the seal in a secure location.
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## Associated Procedures

### 1) Affixing the Seal

Some documents may be required to be executed under seal. If this is the case, then the document will say so explicitly.

If Unitec requires the seal to be used, then the relevant document should be referred to the Legal and Contracts Advisor who will affix the seal and get the requisite authorities to counter sign.

**2) Format**

The affixing of the common seal must be accompanied in each instance with the following (show below in italics);

*The common seal of **UNITEC INSTITUTE OF TECHNOLOGY** was affixed in the presence of:*

\_\_\_\_\_  
*Signature of Authorised Person*

\_\_\_\_\_  
*Name of Authorised Person*

\_\_\_\_\_  
*Signature of Authorised Person*

\_\_\_\_\_  
*Name of Authorised Person*

**Reference Documents**

- Education Act 1989

**Approval Details**

<b>Version number (this version)</b>	1.3	<b>Issue Date (this version)</b>	10 October 2017
<b>Version History (Amendments made to this version)</b>	Date of amendment/s: <ul style="list-style-type: none"> <li>• May 2015</li> <li>• Sept 2017</li> </ul>	Amendment/s: <ul style="list-style-type: none"> <li>• Formal periodic review – no changes required</li> <li>• Formal periodic review – formatting – new template</li> </ul>	
<b>Consultation Scope (if appropriate)</b>	Key stakeholders consulted in the review of this policy: <ul style="list-style-type: none"> <li>• Legal Counsel</li> </ul>		
<b>Approval authority</b>	Council	<b>Date of Approval</b>	10 October 2017
<b>Policy Sponsor (Has authority to approve minor amendments)</b>	Council	<b>Policy Owner</b>	Legal & Contracts Advisor
<b>Contact Person</b>	Richard Browning	<b>Date of Next Review</b>	October 2020