



Common Seal Policy

REM REFERENCE

A5639383

POLICY TYPE

Administrative: under authority of the CEO

APPROVAL

Chief Executive Officer

AUTHORISATION

Signed by:

Cam Arullanantham

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01 December 2025 | 13:47 AEDT

DATE APPROVED

DIRECTORATE

Corporate and Commercial Services

POLICY OWNER

Manager Governance

NEXT REVIEW

November 2029

REVISION RECORD

November 2025

VERSION

1.0

REVISION DESCRIPTION

Initial policy, incorporates Letters Under Seal Policy

1. Purpose

The purpose of this Policy is to establish the circumstances under which Council's Common Seal may be affixed to documents and to determine the appropriateness of those circumstances. The policy ensures the Council's Common Seal is used only in accordance with a resolution or direction of Council and in compliance with the relevant local law.

2. Scope

This Policy applies to all instances in which the Council's Common Seal may be affixed to a document. It covers all documents requiring formal execution by Council, including, but not limited to, agreements, contracts, leases, and other legal instruments.

This Policy also applies to the preparation and execution of Letters Under Seal and Certificates recognising milestone years of service.

The Policy applies to:

- The Chief Executive Officer (CEO), or any other authorised officers responsible for affixing the Common Seal; and
- Councillors and Council officers involved in preparing, reviewing, or approving documents requiring the Common Seal.

This Policy does not apply to documents executed under delegated authority that do not require the use of the Common Seal.

This Policy does not apply to *Citizen of the Year*, *Young Citizen of the Year* and *Community Group of the Year Awards*, as they are separate awards conducted under the auspices of the National Australia Day Council and presented annually on Australia Day.

This Policy excludes *Councillor Appreciation Awards*, which are governed by the *Councillor Appreciation Award Protocol*, or *Employee Excellence Awards*, which are administered internally by the People and Culture Department.

3. Governance Principles and Council Plan Alignment

3.1. Governance Principles

A Council must, in the performance of its role, give effect to the overarching governance principles (*Local Government Act 2020 (Act)* s9). In accordance with the Act, this Policy aligns with the following governance principle/s:

Principle (a) Council decisions are to be made and actions taken in accordance with the relevant law; and

Principle (i) the transparency of Council decisions, actions and information is to be ensured.

3.2. Council Plan Alignment

Strategic Outcome 4: Council Performance and Leadership – A forward-thinking and responsive council that values community input, committed to optimising services, ensuring robust governance and making sustainable decisions.

4. Policy

4.1. Constitution of the Common Seal

Pursuant to the *Local Government Act 2020*, Division 2, Section 14 (1)(b) a Council must have a common seal; and (2) the common seal must:

- a) Bear the name of the Council and any other word, letter, sign or device the Council determines should be included; and
- b) Be kept at the Council office; and
- c) Be used in accordance with any applicable local law.

Further to the above, Council's Local Law No. 3: Governance Local Law outlines requirements relating to the security and use of the Common Seal, including the signatures that must accompany its application and the maintenance of the Seal Register.

4.2. Letters Under Seal

A Letter under Seal represents the highest form of formal recognition issued by Council. It signifies official endorsement through the affixing of the Council's Common Seal and is awarded to acknowledge exceptional achievement, contribution, or service to the community. The Letter carries significant civic prestige and reflects Council's appreciation at an official and enduring level.

4.2.1. Recognition of Service to the Community for Mayors and Deputy Mayors

- 4.2.1.1. A Letter under Seal will be awarded to an outgoing Mayor and Deputy Mayor in recognition of their service to the community during their tenure.
- 4.2.1.2. A report will be prepared and considered by Council at its Meeting prior to the Annual General Meeting to award a Letter under Seal to the outgoing Mayor and Deputy Mayor in recognition of their service to the community.
- 4.2.1.3. After Council resolves to award a Letter under Seal to an outgoing Mayor and Deputy Mayor, the Councillors' office will prepare the letter and arrange the Council's common seal to be affixed. The Letter Under Seal will be presented by the incoming Mayor or Chief Executive Officer, upon election, at the Annual General Meeting or at a function determined by the Mayor or Chief Executive Officer.

4.2.2. Recognition to Individuals or Community Groups

- 4.2.2.1. A Letter under Seal may be awarded to an individual or community group in recognition of outstanding achievement or exceptional service that has provided significant benefit to the Frankston municipality.
- 4.2.2.2. Due to the exceptional significance and formal authority bestowed by a Letter Under Seal, it may be awarded only once to any individual or community group.
- 4.2.2.3. The nominee must not be an employee of Council, in a partnership with Council, or an internal or external committee of Council.
- 4.2.2.4. The parameters for receiving a Letter Under Seal are:

Exceptional Achievement – The nominee has accomplished a *significant contribution* which is an outstanding contribution that brings honour, recognition or benefit to the community, well above or exceeding community expectations.

Significant Contribution – The nominee has made a notable, positive and immeasurable contribution to the community through long-term service (25+ years), leadership, volunteerism, or impactful initiatives.

Remarkable Service – The nominee's actions demonstrate an extraordinary level of commitment, integrity, and influence, resulting in substantial and lasting community benefit.

Enduring Legacy – The achievement or contribution has long-term value or creates a meaningful legacy for current and future generations and has not been awarded to the nominee on any previous occasion.

- 4.2.2.5. A Councillor wishing to submit a nomination for an individual or community group must provide sufficient supporting material to accompany their nomination. This will enable Councillors to make a well-informed decision regarding whether a Letter under Seal should be awarded to the nominated individual or community group.
- 4.2.2.6. The supporting material must be submitted to the Governance department for a preliminary assessment, including background checks.
- 4.2.2.7. Following the preliminary assessment, nominations will be informally discussed by Councillors at a briefing. Nominations must be supported by a majority of Councillors prior to any Notice of Motion being submitted to Council.
- 4.2.2.8. A maximum of four (4) Letters under Seal may be awarded to individuals or community groups during each Mayoral term year. Additional nominations may be considered at the Mayor's discretion.
- 4.2.2.9. Once Council resolves to award a Letter under Seal, the relevant Manager will prepare the letter and arrange for the Council's common seal to be affixed. The Letter Under Seal will be presented by the Mayor at the next scheduled Council Meeting or at an alternate function as determined by the Mayor or Chief Executive Officer.

4.3. Certificates Under Seal

A Certificate under Seal is a formal document that bears Council's Common Seal, signifying the official approval and authority of Council. Certificates under Seal are typically issued to recognise significant milestones or achievements, such as long-serving Councillors, Council employees or other notable occasions as determined by Council. The use of the Common Seal reflects the official and enduring nature of the recognition and ensures the certificate carries the full civic authority and authenticity of Council.

4.3.1. Recognition of Years of Service for Councillors

- 4.3.1.1. A Certificate under Seal may be awarded to a Councillor, honouring key tenure achievements: 10 plus years of service to Local Government.
- 4.3.1.2. A report will be prepared and considered by Council at a Council Meeting to award a Certificate under Seal to a Councillor who has served as a Councillor for 10, 15, 20, 25 or 30 years.

- 4.3.1.3. After Council resolves to award a Certificate under Seal to a Councillor, the Councillors Office will prepare the Certificate and arrange for the Council's Common Seal to be affixed.
- 4.3.1.4. The Certificate will be presented by the Mayor at a Council Meeting, or a function determined by the Mayor or Chief Executive Officer.

4.3.2. **Recognition of Years of Service for Council Employees**

- 4.3.2.1. At its 27 January 2021 Meeting, Council resolved to authorise the Common Seal to be affixed to Years of Service Certificates in recognition of Council employees who have achieved service milestones of 25 years or more.
- 4.3.2.2. Upon reaching the milestone years of service, the People and Culture Department will prepare the Certificate and arrange for the Common Seal to be affixed.
- 4.3.2.3. Years of Service achievements are recognised annually and presented at an event organised by the People and Culture department.

4.4. **Other documents as determined by Council**

- 4.4.1. The Council's Common Seal may also be affixed to other documents as determined by a resolution of Council or where required by legislation or formal agreement.
- 4.4.2. These documents may include, but are not limited to, the following:
 - Delegations and Authorisations from Council to Chief Executive Officer and Council Staff, where required by legislation
 - Agreements under Section 173 of the Planning and Environment Act 1987
 - Frankston Cemetery Trust Abstract of Accounts
 - Transfer Deed
 - Memorandum of Understanding for Sister City and Friendship City relationships
 - Any other legal document Council is required to affix the Seal to from time to time.

4.5. **Resolution of Council**

- 4.5.1. A resolution of Council is required when a document is to be affixed with the Common Seal and should include the words:

"That Council authorises the Seal to be affixed...."

5. **Roles and Responsibilities**

Role	Responsibility
Councillors	Responsible for: <ul style="list-style-type: none"> • Endorsing authorised documents to be affixed with the Common Seal.

	<ul style="list-style-type: none"> Signing the authorised document for which the Common Seal is to be affixed – this is normally the Mayor of the day.
Chief Executive Officer	<p>Responsible for:</p> <ul style="list-style-type: none"> determining the suitability of nominations of Letters Under Seal for individual or community group submitted by a Councillor through a Notice of Motion to ensure it complies with this Policy. Signing the authorised document for which the Common Seal is to be affixed. Causing the endorsed documents to be sealed and ensuring the details are recorded in the Common Seal Register.
Managers	<p>Responsible for:</p> <ul style="list-style-type: none"> conducting a preliminary assessment on nominations, relevant to their area; preparing the Letter Under Seal for the community member or group and making arrangements for the Seal to be affixed. making arrangements for the individual(s) and/or community group(s) to attend the nominated Council Meeting to receive their Letter under Seal.
Manager Governance	<p>Responsible for:</p> <ul style="list-style-type: none"> ensuring the Policy is implemented and maintained. ensuring the Notice of Motion is appropriately worded, in-line with this Policy and the Governance Local Law and affixing the Seal. Reviewing this Policy.
Governance	<p>Responsible for:</p> <ul style="list-style-type: none"> Monitoring the progress of the Letter Under Seal and ensuring arrangements are confirmed for the presentation at the nominated Council Meeting. Providing advice and guidance on this Policy.

6. Policy non-compliance

Non-compliance with this Policy has the potential to be in breach of Council's Local Law.

Failure to comply with this Policy will result in causing offence and may result in penalties, as prescribed in Council's Local Law No 3.

7. Definitions

Term	Definition
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<i>Delegated Officer</i>	Means a Council officer position that has been delegated, under the relevant Instrument of Delegation, to perform the function of affixing the Comon Seal
<i>Certificate Under Seal</i>	Means a formal certificate bearing the Council's Common Seal, issued to recognise significant milestones or achievements and signifying the official authority and endorsement of Council
<i>Common Seal</i>	Means the official seal of Council used to endorse documents, letters, or certificates that have been formally approved or authorised by Council, signifying the Council's legal and corporate authority.
<i>Council</i>	Means Frankston City Council
<i>Key tenure achievements</i>	Means recognising Councillor years of service 10 years and above at each 5-year increment eg. 10, 15, 20, 25 etc
<i>Letter Under Seal</i>	Means a formal letter bearing the Council's Common Seal, issued to acknowledge an individual or community group for exceptional achievement, contribution, or service, representing the official recognition and endorsement of Council.
<i>Milestone years of service</i>	Means recognising 25 years and above at each 5-year increment eg. 25, 30, 35, 40 etc.
<i>Outstanding achievement</i>	Means recognising outstanding performance by an individual or community group who are known for their continued commitment to excellence in endeavours of sport, environmental, economic or leadership. Leadership will have been demonstrated by the individual or community group as an achievement and/or commitment to enhancing the City of Frankston in the best interests for the community.
<i>Outstanding service</i>	Means recognising an individual or community group who has made a significant contribution to the community for a period of 20 years or more, through their time, actions, talents and dedication. The individual or community group will have a passion for helping others in their community outside any volunteer work done for their employer.

8. Related documents

8.1. Legislation

- *Local Government Act 2020*
- *Local Law No. 3 of 2020: Governance Local Law*

8.2. Documents and resources

- • Letter Under Seal Procedure

9. Implementation of the Policy

This Policy will be published on Councils website and intranet so it can be used by Council officers.