

**11. CANTERBURY JOINT COMMITTEE/CANTERBURY WASTE SUBCOMMITTEE
DOCUMENT EXECUTION**

RR 9916

Officer responsible Waste Manager	Author Dennis Morgan
Corporate Plan Output: Solid Waste - Regional Landfill	

The purpose of this report is to establish a procedure for document execution for the Canterbury Joint Committee and Canterbury Waste Subcommittee.

Philip Taylor, Buddle Findlay, has advised:

“I confirm that the constituting agreement and the Local Government Act 1974 do not provide any method of contracting by CWSC. However, the required method of contracting is set out in the provisions of the Public Bodies Contracts Act 1959.

The Public Bodies Contracts Act states that, if the document is required to be in writing, then so long as it is signed by someone with the express or implied authority of the public body, then that will suffice. In this instance, I recommend that CWSC pass a resolution authorising the Secretary and the Chairperson of CWSC jointly to sign documents that have been approved by CWSC on its behalf.

However, in respect of contracts that are required to be entered by deed, the Public Bodies Contracts Act states that these must be made under the public body’s common seal. I consider it prudent that in such circumstances the CWSC arrange for the documents to be executed by all the councils that are members of CWSC by affixing their common seals.”

- Recommendation:**
1. That the Canterbury Waste Subcommittee authorise the Christchurch City Council Waste Manager to sign documents that are within the delegation of the Canterbury Waste Subcommittee ie up to \$100,000.
 2. That in respect of contracts that are required to be entered into by deed and those over \$100,000 the documents be executed by all members of the Canterbury Waste Subcommittee by affixing their common seals.

Chairman’s

Recommendation: That the above recommendation be adopted.