

# Common Seal Policy

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Acronyms	
The following acronyms are used in this document	
Acronyms	Full form

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## 1 Policy Intent

The purpose of this policy is to regulate the use of the Liquor Commission (Commission) Common Seal and prohibit unauthorised use of the Common Seal or any device resembling the Common Seal.

Objectives:

- To protect the integrity of the Commission's Common Seal and authorise its use.
- Describe when the Common Seal may be affixed to documents.

## 2 Statement

1. The Commission's Common Seal will be securely kept in the offices of Licensing NT (the premises).
2. The Common Seal shall not be removed from the premises without the authority of the Chairperson.
3. The Common Seal will only be used when authorised by a resolution of the Commission.
4. Every document to which the Common Seal is affixed must be witnessed by the Chairperson and one Member or the Deputy Chairperson and one Member.

## 3 Legislative Basis

Section 5(2)(b) of the *Liquor Commission Act*.

## 4 Background

Section 5(1) of the Act provides for the Commission to have a Common Seal. The Common Seal is, in its physical manifestation, a rubber stamp carrying the words "Common Seal" and the name "Northern Territory Liquor Commission".

The Common Seal is in legal terms, the equivalent of the signature of an ordinary individual and its use therefore has a degree of legal formality.

## 5 Definition

**Common Seal** – is a device which formally and solemnly records the collective will of the Commission.

## 6 Procedure and Guidance Notes

### 6.1 Authority for Use

The Common Seal is to be used only on the authority of the Commission in respect of any legal matter and in respect to any reference. Such authority may take the form of direction or confirmation resolution.

Apart from the official use of the Common Seal, no person may use the Common Seal or any device resembling the Seal without the authority of the Commission.

The use of the Seal should be restricted to the minimum number of cases. It is not necessary to use the Seal for all business, such as approving minutes.

## **6.2 Keeping the Common Seal**

The Board and relevant personnel of Licensing NT must ensure the security of the Commission's Common Seal at all times.

## **6.3 Affixing the Common Seal**

The Common Seal can only be affixed to any document by the attest of two signatures - the Chairperson and one Member or the Deputy Chairperson and one Member.

The Common Seal is to be affixed to:

- liquor licences issued by the Commission;
- any Instrument of Delegation;
- a summons issued under section 22 of the Act.

## **7 Register**

A record shall be kept detailing the circumstances whenever the Common Seal is used. The records shall contain a description of the document, the date the Seal was affixed, the date the Commission resolved to affix the Common Seal and the names of the persons affixing the Common Seal.

The Register may be in either hard copy or electronic form and is the responsibility of the Board and Commission Support Services Unit.

## **8 Resolution of Commission**

When the Commission has directed that documents require the Seal of the Commission, resolutions should include the words:

“The Northern Territory Liquor Commission Common Seal be affixed to the .....