



## Policy No 2013 - 11

### Legal Opinions Policy

Responsible Officers: General Manager

For Review By: General Manager

Review Date: 31/12/2019

Signed By:

.....  
*[Signature]*

Mayor

.....  
*[Signature]*

General Manager

.....  
*25/2/16*

Date

.....  
*25/2/16*

Date

Adopted at Council Meeting

15/10/2013

Reviewed & Adopted at Meeting

16/02/2016

1. Council from time to time may require a legal opinion to enable them to make an informed decision on a matter before Council.
  
2. Council may direct the General Manager to obtain a legal opinion in relation to an item listed on Council's Ordinary or Special Meeting agenda or a Council Committee Meeting agenda for a decision
  
3. (a) The Mayor is authorised to obtain a legal opinion in relation to confidential matters or proceedings raised by a third party against the Councillors, General Manager or an employee; and  
  
(b) the Deputy Mayor is authorised to obtain a legal opinion in relation to confidential matters or proceedings raised by a third party where the matter relates directly to the Mayor or involves the Mayor as a party to the matter raised, or in instances where a matter has been referred directly to the Deputy Mayor because of the nature of the proceedings or matter raised
  
4. Where a legal opinion has been requested, the legal opinion must be in writing.
  
5. Council will not consider an agenda item, where, in the opinion of the Mayor or General Manager, a legal opinion should be sought.
  
6. Where an agenda item has a reference to a legal opinion, the written legal opinion will be included in the "in committee" confidential agenda for that meeting.
  
7. A copy of all correspondence received from both the Auditor-General and the Solicitor- General must be promptly given to the Mayor and presented to Council.