



Report 11.39  
Date 4 February 2011  
File E/01/01/09

Committee Council  
Author Francis Ryan, Manager, Democratic Services

## Power of Attorney to sign deeds

### 1. Purpose

For the Council to grant a Power of Attorney to Bruce Simpson, Chief Financial Officer for the signing of deeds on behalf of the Council.

### 2. Significance of the decision

The matters for decision in this report do not trigger the significance policy of the Council or otherwise trigger section 76(3)(b) of the Local Government Act 2002.

### 3. Background

Deeds are routinely entered into by the Council for a wide range of property related matters. For reasons of administrative efficiency, the Council decided in February 2009 that officers should be granted a Power of Attorney to sign deeds on behalf of the Council – Report 09.24 refers. David Benham (Chief Executive Officer) and Barry Turfrey (Chief Financial Officer) have been granted a Power of Attorney to sign deeds.

### 4. Comment

With Barry Turfrey's departure from Greater Wellington in December 2010 it is appropriate for the Council to consider granting a new Power of Attorney so that there will continue to be two Greater Wellington officers with the power to sign deeds on behalf of the Council. It is proposed that a Power of Attorney to sign deeds on behalf of the Council be granted to Bruce Simpson, who took up the position of Chief Financial Officer on 31 January 2011. The proposed form of the Power of Attorney is attached as **Attachment 1**.

### 5. Communication

The Council's decision will be recorded in the delegations register and will be communicated to those persons who prepare deeds for the Council.

## 6. Recommendations

*That the Council:*

1. ***Receives*** the report.
2. ***Notes*** the content of the report.
3. ***Grants*** a Power of Attorney to Bruce Simpson, Chief Financial Officer, to sign deeds on behalf of the Council.
4. ***Authorises*** two Councillors to sign the Power of Attorney document as a deed.
5. ***Revokes*** the Power of Attorney granted to Barry Turfrey, Chief Financial Officer.

Report prepared by:

Report approved by:

Francis Ryan  
Manager, Democratic  
Services

David Benham  
Chief Executive

**Attachment 1:** Power of Attorney to sign deeds – Bruce Simpson, Chief Financial Officer

## Power of Attorney to sign Deeds

**This is a Power of Attorney** by way of a Deed signed by two elected councillors of the Wellington Regional Council, a council under the Local Government Act 2002 on the day of 2011.

### Background

- A Wellington Regional Council (“Council”) is a council under the Local Government Act 2002 and is authorised to enter into deeds.
- B Council wishes to grant to Bruce Simpson, Chief Financial Officer, a Power of Attorney to sign deeds on behalf of the Council.

### By this Deed

1. Wellington Regional Council hereby appoints Bruce Simpson of Wellington, Chief Financial Officer (“the Attorney”) to be the Council’s attorney to do the following on the Council’s behalf:
  - (a) To sign documents by way of deeds all documents which the Council is authorised to sign, and
  - (b) To continue to exercise the power under paragraph (a) until such time as the Attorney receives notice in writing from the Council revoking this Power of Attorney.
2. Council covenants to rectify any agreement or obligation assumed by the Attorney under any deed signed by the Attorney pursuant to or under this Power of Attorney, and to ratify any act, agreement or obligation assumed by the Attorney and necessary to render the foregoing effectual.

### Signed as Deed on the above date

Signed by  
*(insert name)*  
an elected councillor of  
Wellington Regional Council  
in the presence of

Signed by  
*(insert name)*  
an elected councillor of  
Wellington Regional Council  
in the presence of