

Electronic Signatures

Is an electronic signature legal?

In Canada, all federal and provincial governments have enacted e-commerce laws that give recognition to the legal effect of most types of authenticated electronic signatures.

Not all documents, however, may qualify for the use of electronic signatures, including Wills, negotiable instruments and land transfers. Also, simply attaching or embedding an image of a signature into a document may not provide sufficient proof of its legitimacy, since anyone could use it.

Canada's [*Personal Information Protection and Electronic Documents Act*](#) (PIPEDA) defines an electronic signature as "a signature that consists of one or more letters, characters, numbers or other symbols in digital form incorporated in, attached to or associated with an electronic document."

Under the *Act*, a secure electronic signature must be unique to the person making the signature; the technology or process used to make the signature must be under the sole control of the person making the signature; that specific technology or process must have the capability to be used to identify the person; and the electronic signature can be linked with an electronic document in a way that will allow one to determine if the document has been changed since the signature was attached to it.

Typical electronic signatures use *cryptographic*, *biometric* or *digitally capture* technologies.

For help in determining if an electronic signature is legal, contact a computer or technology lawyer.

<https://www.legalline.ca/legal-answers/is-an-electronic-signature-legal/>

Here are some accepted ways to sign your document:

1. Print document, sign it, scan it or snap a picture of it with your smart phone, and email. Note: picture in highest quality format.
2. **DocuSign.** Note on the signature line the left end of rectangle around the signature with "DocuSigned by: (your name): and under the signature is a sequence of numbers, and letters. Please note when using DocuSign the insignia will automatically appear on your signed document. See example below ~
<https://www.docusign.com/products/electronic-signature>



3. **AdobeSign.** Notice the Adobe insignia with “Digitally signed by [person’s name]” with timestamp. See example below.

<https://acrobat.adobe.com/>



There are other online signature programs that are accepted as long as the insignia and identifying sequence of letters and numbers are included.

Not a Legal signature:

1. A fillable PDF, using “fill and sign” that allows you to choose a script font and type it into the document. This is NOT a legal signature.
2. Using the ‘pen icon” to scribble lines and loops with your computer mouse, etc., is not a legal signature.
3. Please call if you have any questions. 604.853.5451 ex 304