

Section:	Administration (AD)
Subject:	Institute and Non-Institute Services
Legislation:	<i>Electronic Transactions Act (SA 2001 c.E-5.5)</i>
Effective:	November 25, 2020
Revision:	

**APPROVED:** \_\_\_\_\_  
**President and CEO**

## POLICY

The policy of the Board of Governors is to use electronic signatures to promote administrative efficiencies, improve customer service, and support SAIT's information management practices.

## PROCEDURE

### PHILOSOPHY

Whether a signature is paper-based or electronic, the signature's fundamental purpose is the same. It links a person to a document (or transaction) and typically provides evidence of that person's intent to approve or to be legally bound by the document or transaction. The signature's primary function is to provide evidence of the signatory's identity, intent to sign and agreement to be bound by the document.

### DEFINITIONS

**Digital signature** For the purpose of this procedure, digital and electronic have the same meaning.

**Electronic signature** A mark indicating the electronic expression of a person's agreement to the terms of a particular document. This includes the scan of a real hand-written signature or any kind of electronic and authenticity stamp that identifies or can be used to identify the signatory.

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<b>Employee</b>	A person employed on SAIT’s payroll, whether paid by annual salary or hourly wage.
<b>Low-risk document</b>	A document created entirely for use in SAIT’s own processes. This includes but is not limited to documents related to any new and existing relationship between SAIT and employees, SAIT and students, and internal financial transactions.
<b>Signing authority</b>	The legal authority that the Board delegates through SAIT’s president and CEO to organizational positions, enabling persons in these positions to perform transactions and execute agreements on SAIT’s behalf.

## GOVERNING PRINCIPLES

1. Electronic signature is permitted if:
  - a) The document is signed by an appropriate signing authority following the requirements of procedure FN.12.1.1 Signing Authority.
  - b) The electronic record validating the approval and signing of the document must be retained with the document for the term(s) of the document and meet the requirements of procedure AD.3.2.1 Records Management.
2. All members of the SAIT community, whether they are sending or receiving digitally signed documents, share responsibility for preventing the fraudulent use of electronic signatures.
3. In general, an electronic signature is assumed to be valid if the document was signed in the regular course of business and there was no material opportunity to tamper with the signature.

## PROCEDURE

### A. General

1. This procedure does not apply to the use of electronic signatures in relation to low-risk documents, as defined above.

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2. SAIT's Chief Information Officer (CIO) is responsible for managing the technology needed to implement this procedure.

## **B. Electronic Signatures**

1. The CIO will issue guidelines on acceptable formats for electronic signatures.
2. For an electronic signature to be valid, it must be in a format acceptable to the CIO and meet the following criteria:
  - a) It is unique to the person using it. When signing with an electronic signature, the appearance will include either a likeness of the handwritten signature of the person on whose behalf the document is being signed, or a unique digital identification in a form acceptable to the CIO.
  - b) It is capable of verification.
  - c) It is under the sole control of the person using it, subject to paragraph C.3.
  - d) It is understood that if the document is changed, the electronic signature is invalidated.
3. Electronic signatures will be created for all SAIT positions identified under procedure FN.12.1.1 Signing Authority.
4. SAIT's President and CEO is responsible for authorizing which additional positions will have digital signatures created for them.
5. Individuals who sign documents on behalf of others will have and use a digital signature referencing each person on whose behalf they sign.

## **C. Acceptable Use**

1. Electronic signatures may be permitted or required for any document requiring a signature, unless a handwritten signature is explicitly required.
2. Electronic signatures will not be used by anyone other than the owner, subject to paragraph C.3 of this procedure.

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3. Electronic signatures using an appearance showing the name of someone other than the owner will only be used with the explicit, written permission of the person whose name is in the appearance.
4. A SAIT recipient who receives a document that has been electronically signed in compliance with paragraphs C.1, C.2 and C.3 of this procedure may assume that the signature is valid unless there is reason to believe otherwise.

#### **D. Non-Compliance**

1. It is a violation of this procedure:
  - a) For a person to affix another person's signature without specific, written authority from that other person.
  - b) To falsify an electronic signature.
  - c) To create or use an electronic signature for a person not authorized to have an electronic signature under these procedures.
2. Employees must immediately report any actual or suspected fraudulent activities related to the use of electronic signatures to a manager in the appropriate school/department.
3. A breach of this procedure may be dealt with as per procedure HR.4.4.1 Corrective Actions Procedure and/or any applicable collective agreement or terms of employment.

#### **POLICY/PROCEDURE REFERENCE**

AD.2.16      Electronic Signature policy

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