

OFFICE OF THE GENERAL COUNSEL

COVID-19 Electronic Signatures Guideline

The University has been accustomed to working in a largely paper based environment when signing contracts and agreements. As a consequence of COVID-19, business is increasingly being conducted remotely and there is a need to move to electronic signing.

The University intends to take the opportunity to permanently move towards electronic transacting and this Guideline will continue to apply when business resumes after the COVID-19 remote working comes to an end.

What type of electronic signatures are authorised?

The University approves the execution of contracts and agreements by *electronic signature*.

The types of electronic signatures permitted are:

- applying a scanned image of your hand-written signature into the document; and
- directly drawing your signature into the document using Adobe Reader.

The University is planning to implement *digital signatures*¹ as a longer-term solution post-COVID-19. The Guideline is not intended to impact on the use of digital signatures already occurring in some areas.

What types of contracts and agreements can be signed electronically?

The University's position is that all contracts and agreements can be signed electronically, except for:

- Any contract with a total value of more than \$2 million. This is to ensure such contracts attract an appropriate level of attention by the signatory;
- Deeds, Powers of Attorney, Wills and any other document that is required to be witnessed;
- Any document which needs to be signed by applying the University's seal;
- Any document requiring assessment of stamp duty or other government filing (e.g. land transfers); and
- Any document to be signed under power of attorney (which may occur for real property transactions like purchasing or leasing property).

What if the other party signs electronically?

The University can also accept contracts and agreements signed electronically by other parties as long as the risks are managed properly as set out below.

Who can sign documents and contracts electronically?

This Guideline does not make any changes to existing delegations and authorities or who may sign contracts or agreements. Any person with existing delegated authority to sign contracts and agreements under the [University's Delegations](#) may now do so electronically.

The University's routine policies and procedures continue to apply (e.g. [Contracts and Agreements](#), [International Agreements](#), and [Research Grants, Contracts and Consultancies](#)).

¹ A **digital signature** is a type of electronic signature that incorporates an identity verification element, most often cryptographic authentication technology. For digital signatures, a specialised software platform or tool is required.

Are there risks with using electronic signatures?

Yes, but the risks can be managed by:

- following the instructions set out in this Guideline;
- authenticating the identity and authority of signatories of other parties;
- ensuring you keep good records of all correspondence and apply version control to contracts and agreements;
- confirming that foreign laws permit electronic signatures if the contract or agreement is with a foreign party;
- stating in the contract or agreement that the parties can use electronic signatures;
- ensuring that the signed copy or counterpart includes the entire contents of the contract or agreement (e.g. do not just exchange and sign the signature page);
- keeping a written record of the instruction if you intend to instruct someone else to apply your e-signature on your behalf.

You must still review and authorise execution of every agreement--don't give someone else a blanket authorisation on your behalf.

Please contact Legal and Risk Branch if you need assistance.

How do I create and insert an electronic signature in Word?

Follow the link below for step-by-step instructions:

<https://support.office.com/en-us/article/insert-a-signature-f3b3f74c-2355-4d53-be89-ae9c50022730#ID0EABAAA=Windows>

You **must always** convert your Word document (especially a signed version) to a PDF file before sending it to an external party, otherwise it may be altered without your knowledge.

How do I insert my electronic signature into a PDF Document?

If you have Adobe Reader DC there is a 'sign' feature. Follow the link below for instructions on how to use it - under the section 'Sign a PDF' click the 'Steps to sign a PDF' section:

<https://helpx.adobe.com/au/acrobat/using/signing-pdfs.html>

If you don't have Adobe Reader DC the University's ITDS Software Centre has it, and it can be downloaded and installed to your computer.

Need more help?

For legal support: contact Legal and Risk Branch (helpdesklegal@adelaide.edu.au or 8313 4539).

For technology support: contact the ITDS service desk (servicedesk@adelaide.edu.au or 8313 3000).

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