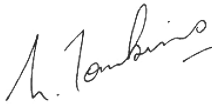



# POLICY

## Electronic Signatures



Issued with the authority of the Chief Commissioner  
and Chief Executive Officer of Scouts Australia NSW

Chief Commissioner signature		Chief Executive Officer signature	
Sponsor	Jeanne Young		
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# Electronic Signatures

## 1 Purpose

- 1.1 This policy establishes when an electronic signature may replace a written signature and when an electronic record may replace a paper document in official Scouts Australia NSW activities.

## 2 Scope

- 2.1 This policy applies to all members of the Scouts Australia NSW community, and governs all uses of electronic signatures and electronic records used to conduct the official business of Scouts Australia NSW. Such business shall include, but not be limited to electronic communications, transactions, contracts, grant applications and other official purposes..

## Definitions

- 2.2 An "electronic signature" is an electronic sound, symbol, or process, attached to or logically associated with an electronic record and executed or adopted by a person with the intent to sign a record.
- 2.3 An "electronic record" is a record created, generated, sent, communicated, received, or stored by electronic means.
- 2.4 A "record" is information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form. Financial and other documents or forms are records.
- 2.5 An "electronic transaction" is a transaction conducted or performed, in whole or in part, by electronic means or electronic records.
- 2.6 "Electronic" relates to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.
- 2.7 An "approved electronic signature method" is one that has been approved by the Chief Executive Officer of Scouts Australia NSW, in accordance with this policy and all applicable state and federal laws, and which specifies the form of the electronic signature, the systems and Procedures used with the electronic signature, and the significance of the use of the electronic signature.



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## 3 Use of an electronic signature

### 3.1 Signature required by Scouts Australia NSW policy

- 3.1.1. Where a Scouts Australia NSW policy requires that a record have the signature of a responsible person, that requirement is met when the electronic record has associated with it an electronic signature using an approved electronic signature method.
- 3.1.2. Where a Scouts Australia NSW policy requires a written document, that requirement is met when an electronic record has associated with it an electronic signature using an approved electronic signature method.

### 3.2 Signature required by law

- 3.2.1. Where there is a legal requirement, beyond Scouts Australia NSW policy, that a record have the signature of a responsible person, that signature requirement is met when the electronic record has associated with it an electronic signature using an approved electronic signature method which complies with Australian law.
- 3.2.2. Where a legal requirement, beyond Scouts Australia NSW policy, requires a written document, that requirement is met when an electronic record has associated with it an electronic signature using an approved electronic signature method, which complies with the Privacy Act 1998, or the Australian Privacy Principles.

3.3 The signing of a record using an approved electronic signature method does not mean that the record has been signed by a person authorized to sign or approve that record. Appropriate Procedures must be used to confirm that the person signing the record has the appropriate authority.

3.4 This policy applies only to transactions between parties each of which has agreed to conduct transactions by electronic means.

3.5 If parties have agreed to conduct a transaction by electronic means and a law requires a person to provide, send, or deliver information in writing to another person, the requirement is satisfied if the information is provided, sent, or delivered, as the case may be, in an electronic record capable of retention by the recipient at the time of receipt. An electronic record is not capable of retention by the recipient if the sender or its information processing system inhibits the ability of the recipient to print or store the electronic record



## 4 Approval of Electronic Signature Methods by the Chief Executive Officer for Scouts Australia NSW

- 4.1 The final approval of any electronic signature method will be by the Chief Executive officer of Scouts NSW. In determining whether to approve an electronic signature method, consideration will be given to the systems and Procedures associated with using that electronic signature, and whether the use of the electronic signature is at least as reliable as the existing method being used
- 4.2 The approval of an electronic signature method can limit the use of that method to particular electronic records. An electronic signature used outside of its limitations will not be considered valid by Scouts Australia NSW.
- 4.3 In the event that it is determined that an approved electronic signature method is no longer trustworthy, the Chief Executive Officer for Scouts Australia NSW must revoke the approval of that electronic signature method. If there is continued significance for the electronic signatures, which used the revoked method, steps will be taken to see that any valid records signed with the revoked electronic signature method are signed again with an approved electronic signature method

### Rules and Procedures

- 4.4 Scouts Australia NSW may make rules that:
  - 4.4.1. Identify specific transactions that Scouts Australia NSW is willing to conduct by electronic means;
  - 4.4.2. Identify specific transactions that Scouts Australia NSW will never conduct by electronic means;
  - 4.4.3. Specify the manner and format in which electronic records must be created, generated, sent, communicated, received, and stored, and the systems established for those purposes;
  - 4.4.4. If law or rule requires that the electronic records must be signed by electronic means, specify the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met, by any third party used by a person filing a document to facilitate the process;
  - 4.4.5. Specify control processes and Procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records; and



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- 4.4.6. Identify any other required attributes for electronic records that are specified for corresponding non-electronic records or that are reasonably necessary under the circumstances.

## Sanctions

- 4.5 Any individual or party that makes inappropriate or illegal use of electronic signatures and/or records is subject to sanctions up to and including dismissal, suspension, and criminal prosecution, whether or not they are referenced in this policy.

