

**Section:** Council

**Title:** Use and Acceptance of Electronic Signatures Policy for the Township of Wilmot

Policy Number:

Approved by: Council, By-Law 2026-\_\_\_\_\_

Administered by: Corporate Services Department

Effective: April 27, 2026

## **POLICY STATEMENT**

It is the policy of the Township of Wilmot to use and accept electronic signatures with the same force and effect as the wet signature, wherever appropriate, unless specifically provided otherwise by applicable legislation or the Township's policies and procedures. Appropriate uses will be determined in accordance with the policy and include the Township's internal and external processes, as well as acceptance of externally generated records which have been electronically signed.

## **PURPOSE**

This policy is designed to provide guidance on when electronic submissions are considered official and acceptable by the Township.

## **SCOPE**

This policy applies to all Township employees, members of council, contractors and volunteers engaging in internal and external transactions involving signatures, which they conduct or in which they participate representing the Township. It also applies to members of the public, consultants, vendors, and other persons, when they engage in electronic transactions with the Township. This policy applies only to transactions between the Township and the other person(s), each of which has agreed to conduct transactions by electronic means, as well as internal electronic processes, where the electronic signature is used.

## **DEFINITIONS**

**Electronic record:** a record created, generated, sent, communicated, received, or stored by electronic means.

**Electronic signature:** electronic information that a person creates or adopts in order to sign the document and that is in, attached to or associated with the document.

**Electronic signature method:** any form of an electronic representation of a person's signature that can be linked or attached to an electronic document or transaction (e.g., signature block in

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an email, scanned hand-written signature, recorded voice command, user authentication to an internal application to approve a transaction, asymmetric cryptography based electronic signature, etc.).

**Person:** an individual or a business, government or other entity participating in an electronic transaction with the Township.

**Record:** information created, received, and maintained as evidence and information in the transaction of business or the pursuance of legal obligations.

**Vital records:** records containing vital information for the Township to continue its key functions and activities in case of an emergency/disaster.

**Wet (manual) signature:** signature made on the physical document using physical means, for example, ink signature by hand.

### STANDARDS AND PROCEDURES

1. Use of an electronic signature will only be with the consent of all parties (including the consent of the Township, in accordance with this Policy and applicable procedures). The Township will not require other persons to use an electronic signature.
2. Where a wet signature is requested, the Township will consent to its use.
3. This policy does not mandate any specific electronic signature software, so long as the application adopted meets the requirements outlined in this policy and related policies and procedures. Any electronic signature software must undergo a review by the Director of Corporate Services, in collaboration with the Township's information technology support team, before it is adopted by the Township.
4. The method of the electronic signature used in a transaction will be determined based on:
  - the reason for or context of the signature;
  - risks associated with the particular type of transaction and the electronic record it is documented by;
  - legal requirements (including integrity and reliability);
  - retention requirements of the electronic record being signed; and
  - the ability of the method to validate the electronic signature throughout the retention period of the electronic record containing the electronic signature.

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5. In order for a technology or process to be accepted for the purposes of the electronic signature, it must meet the following minimum requirements:
  - The electronic signature must be executed or adopted by the signer with an intent to sign.
  - The electronic signature must be unique to the signer.
  - The use of the technology or process adopted by the signer to incorporate, attach, or associate the electronic signature to an electronic document is under the sole control of the signer.
  - The technology or process can be used to identify the signer.
  - The electronic signature must be linked to an electronic document in such a way that it can be determined whether the electronic document has been changed since the electronic signature was incorporated in, attached to, or associated with the electronic document.
  - The continuing integrity of the electronic record, and its association or linkage to its electronic signature, and any associated data must be maintained, following the completion of the signing process.
  - The electronic record with the electronic signature incorporated in, attached to, or associated with it must be capable of being received, accessed and retained by the Township and any person who is entitled to have access to the document that was originally created, sent or received, or who is authorized to require its production.
  - The technology or process used must be able to include various supporting information (e.g., date and time associated with the signing transaction, origin, destination, etc.)
6. The Township shall not accept an electronic signing transaction if the method used by the other person does not meet the requirements outlined in this policy and the related Township procedures. The Director of Corporate Services, in collaboration with the Township's information technology support team, will establish whether the software meets these requirements.
7. In addition to this policy, the Corporate Services Department will maintain office procedures to:
  - identify specific record types that can be signed electronically;
  - identify specific record types that will not be signed electronically;
  - identify electronic methods by which specific electronic record types may be signed;

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- identify the manner in which electronic records with an electronic signature incorporated in, attached to or associated with must be created, internally shared, sent, received, and retained by the Township;
- identify methods of achieving consent;
- determine specific technical requirements for electronic signature methods and technologies (which address and may accede any requirements set out by applicable law); and
- establish other processes the Township will follow to implement this policy.

### **RESPONSIBILITIES**

The Corporate Services Department shall maintain the primary responsibility for coordinating the implementation and maintenance of this policy, as well as ensuring compliance with its requirements.

All employees, volunteers, and members of Council shall comply with this policy when participating in or coordinating Township electronic transactions.

Directors and the CAO, in collaboration with the Township's information technology support team, if necessary, may decide on using and accepting the electronic signature in a specific transaction.

### **EVALUATION**

This policy will be reviewed every five years.

### **DOCUMENTATION/REFERENCES**

- Corporate Records and Information Management Program
- Record Retention By-Law
- Electronic Commerce Act, 2000, SO 2000, c. 17
- Personal Information Protection and Electronic Documents Act, S.C. 2000, c. 5
- CAN/CGSB-72.34-2017 Electronic Records as Documentary Evidence (The National Standard of Canada)