

“e-Signing is an online tool to legally sign any electronic document, enabling recipients to verify your identity as signer and the integrity of your document.”



Certipost e-Signing Applicability

Description of Certipost e-Signing

The goal of Certipost e-Signing is to lower the barrier for electronic document signing dramatically by taking the legal and technical complexity away from the **Signer** who applies the signature and **Verifier** who trusts the signature. Certipost e-Signing is a service that will help users to create and verify Qualified Electronic Signatures with long term value. Qualified Electronic Signatures are electronic signatures that comply with the requirements from the European Directive (1) and Belgian law (2) concerning electronic signatures in such a way that from a legal point of view they are automatically accepted as equivalent to a handwritten signature. As the requirements from the European Directive and Belgian law are complex for the general public, Certipost has created this service to take this complexity away from the Signer and the Verifier can be assured of compliance of their signature and verification method to the European Directive and Belgian law. In addition, the Certipost e-Signing service offers a number of measures to make sure that supplementary conditions for long term non-repudiation (the characteristic that it can not be denied) of signatures are met.

What can it be used for?

Thanks to the Certipost e-Signing service you can sign documents electronically instead of printing them and sending via fax or snail mail. We think about the following opportunities to save paper, time and postmarks:

- Order forms (e.g. mail order, domain name registration, online services, software to download, advertisement, exhibition space)
- Subscriptions for courses, events, sports competitions, seminars, etc.
- Mandate someone
- Reservation forms (e.g. hotels, car rental, holiday, meals (e.g. organized BBQ), festivity location, etc...)
- Complaints
- Signed mailings
- Requests for licenses (e.g. fishing), membership (card), loan (equipment, catering, materials, etc...), subsidy, customer loyalty card, bank card (individual or corporate), commercial visit, treatment, etc...
- Contract (e.g. leasing, services like translations)
- Confirmation of receipt
- Notifications (e.g. intention to end subscription, end contract, move to other provider (e.g. electricity, domain name, gas, telephony, ...) address change)
- Agreement from parent regarding participation of a child for an activity
- Request for reimbursement (health care costs, cost for employer, etc...)
- Timesheets (consultants)

This list is of course not exhaustive.



Exception of usage:

Still for some transactions electronic signatures (such as Certipost e-Signing signatures) are not allowed as imposed and stipulated by some contracts or national legislation.

Also the Belgian law does foresee some exceptional situations where handwritten signatures are still required:

- Testament
- "cheque", "order note" and "bill of exchange"
- Unilateral engagement by non-merchant to pay a certain amount or good of value
- Contracts which need to be registered, such as contracts to rent a house (as there is no e-registration at this time)
- Authentic acts: these are all contracts with specific formalities mentioned in the law, such as the contract to buy real estate, etc...), such authentic acts cannot be signed electronically

An exhaustive e list can not be guaranteed, but this list does contain the main exceptions. Beside Belgium other countries might foresee similar exceptions.

References

(1) EC 1999/93: European Community (EC) DIRECTIVE 1999/93/EC OF THE EUROPEAN PARLIAMENT AND COUNCIL ON A COMMUNITY FRAMEWORK FOR ELECTRONIC SIGNATURES

(2) The 9th of July 2001 Belgian Law about electronic signatures