Procedure: Electronic signatures (e-signatures)

Purpose

To outline the appropriate use of DocuSign software for the electronic signing of ANU documents.

Definitions

Electronic signature (e-signature): A visible representation of a person’s name or mark in digital form. An e-signature is attached to an electronically transmitted document, as verification of the sender's intent to sign the document.

Envelope: A fundamental object used in DocuSign transactions to digitally wrap the document. It contains recipient information, documents, document fields, and timestamps that indicate delivery progress. They also include information about the sender, security, authentication and more.

Definitions of additional terms used in this document are provided in the overarching Acceptable use of Information Technology policy.

Procedure

1. All ANU documents must comply with all applicable legislation (including University legislation), and University policies and procedures.

2. DocuSign is available to ANU staff to arrange for an e-signature/s on documents.
   a. This includes a Delegate’s signature on documents such as contracts, budgets, purchase orders and memos.

3. ANU staff can access DocuSign online. Users can log in with their ANU email address (john.smith@anu.edu.au). DocuSign online directs users to the ANU single sign-on portal, where staff can accept and proceed with ANU credentials.

4. Online training is available via DocuSign’s learning portal for staff to familiarise themselves with the software. Further information about DocuSign is also available on the ANU website.

Appropriate use of DocuSign

5. All ANU staff can create and send envelopes when not able to get the required signature in person. However, only the required signatories for a particular
document, including delegates with the appropriate authority, can apply an e-signature.

a. To identify the correct delegate, check the Delegations framework, particularly the Executive category (for most legal agreements and MOUs), the Financial category (for purchasing contracts) and the Research management and research services category (for grants, consultancies, research contracts, commercialisation of Intellectual Property (IP) and Non-Disclosure Agreements (NDAs).

6. Documents signed in this way are records of the University and must be stored in an appropriate enterprise system. The University's Electronic Records Management System (ERMS) securely stores digital records and enables compliance with record keeping requirements. Alternatively, the University’s Research Information Enterprise System (ARIES) is used for research records.

7. Use of DocuSign must be in accordance with the Electronic Transactions Act (Cth) 1999, Electronic Transactions Regulations (Cth) 2000, and ANU legislation.

Documents that cannot be signed using DocuSign

8. DocuSign, or any other authorised e-signature, cannot be used on certain types of agreements and documents. For example, e-signatures should not be used on: real estate property deeds and transfers, agreements with international parties or where performance takes place outside Australia, or where the document or agreement expressly prohibits signing electronically.

9. Caution should be exercised when using DocuSign, particularly for any high value or high risk contracts. It is the signatory’s responsibility to ensure the document is able to be signed electronically, that their identity has been verified, and that they have the appropriate delegations to do so.

10. Contact the Legal Office if you require advice: Legal.Office@anu.edu.au.
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