Office of the
State Archivist

Electronic and digital signatures

FACT SHEET

Introduction

This fact sheet was developed to provide some general information and guidance regarding the use of electronic and digital signatures.

Using the information in this fact sheet, you may be able to make some changes to your work processes.

Types of signatures

Wet or wet ink – the traditional method of signing documents using ink on paper.

Electronic – these perform the same purpose as a handwritten signature on a paper document.

Digital – these use authentication technology to prove the signatory's identity and confirm their intent, with verified information.

See the Definitions section (below) for more information.

Case study

Some organisations are required to keep signed copies of meeting minutes. These are signed to verify that the minutes are a true and accurate record of the meeting that occurred. Traditionally these minutes have been created in hard copy, physically signed, kept in hard copy and then digitised for distribution, as required.

However, there is no requirements for these to be created or kept in hard copy. Nor is there a requirement that they are signed with wet ink signature. Creating digital minutes and using electronic signatures saves time and creates business efficiencies.

Are electronic and digital signature legally valid?

In Australia electronic and digital signatures have the same legal validity, as wet signatures.

But there are some circumstances where a wet signature is required. Some examples are when:

- executing a will, codicil or any other testamentary instrument
- appointing an enduring power of attorney
- appointing an enduring guardian
- changing signatories on community or association bank accounts for example, school associations, sporting clubs or member organisations
- a document must be delivered by personal service, such as a family violence order or a restraint order.

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Scanned signatures are legally admissible. But like digitised records their authenticity may be challenged.

Legislation

***Electronic Transactions Act 2000* (Tas)**

This Act promotes business and community confidence in the use of electronic transactions. It recognises the legality of transactions carried out electronically. The Act means that if you are legally required to give information in writing, provide a handwritten signature, produce a document in a material form or record or retain information, you can do this electronically.

In Australia, an electronically signed transaction is legally valid as long as the electronic signature meets certain conditions, and no exceptions apply. Tasmanian law states that signatures must identify a person and indicate their consent for the transaction, the method used to sign must be reliable and appropriate, and the recipient of the signature must be satisfied with this form of signature (s7).

Each State and Territory in Australia has laws that effectively mirror the *Electronic Transactions Act 1999* (Cth). However, each State and Territory has different exceptions to the use and legality of electronic signatures.

Definitions

A **signature** is “a representation that identifies a person and indicates the adoption of some expression as their own.” (Tierney, 2019)

A **wet ink signature** refers to the traditional method of signing documents using ink on paper.

An **electronic signature** is intended to perform the same purpose as a handwritten signature on a paper document. Types of electronic signatures include:

- typing your name at the bottom of an email
- using a generic email signature
- placing a digitised image of a handwritten signature on to a digital document
- typing a name and then clicking an ‘accept’ button to agree to terms and conditions on a website
- handwritten signature on a hard copy document which is then scanned to create a digital document
- using a digital pen or a stylus to sign your name on an electronic device, for example, when collecting a parcel from a post office.

Examples of commercially available electronic signature tools are Adobe, PandaDoc, SignNow and Blue Ink.

A **digital signature** uses authentication technology to prove the signatory’s identity and confirms their intent, with verified information. It has unique electronic attributes that enables the secure verification of a person’s identity. Some common examples are:

- verifying identity when applying for a mortgage with a bank
- using a digital ID to access government websites like Medicare or the Australian Taxation Office
- applying for a Directors ID through MyGov.

Next steps

We recommend you:

- examine business practices to identify potential changes and efficiencies
- implement an approach that suits your records management needs and organisational risk profile
- seek legal advice for high-value, high-risk areas of your business, and for *Electronic Transactions Act 2000* (Tas) exemptions.

Further information

OSA has published a standard and a toolkit for digitisation. There is also an implementation tool on the *Legal admissibility of records*.

You can find these resources here Information Management Framework – Office of the State Archivist.

Acknowledgements

- Electronic Transactions Act 2000 (Tas).
- Office of the State Archivist (2026) *Legal admissibility of records* [PDF 223 KB], Version 1.1, OSA, accessed 24 July 2025.
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- Tierney T (2019) Paperless Signatures - Law Society of Tasmania, *The Law Society of Tasmania Law Letter Hub*, accessed 29 July 2025.

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Electronic and digital signatures is part of the *Tasmanian Government Information Management Framework.* It supports the *Information and records management standard.* This is a living document and we will make minor changes as needed. If you notice anything that needs updating, please let us know.

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Document Development History

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1	15/01/2026	Initial release