

# Advanced Electronic Signatures (AES)

## What are Advanced Electronic Signature (AES) systems?

AES systems are controlled and audited web-based platforms that enable documents to be executed digitally via an advanced electronic signature. They are used by many of our counterparts in the market and provide appropriate legal protection when signing electronically.

These easy to use, secure systems, allow individuals and companies to execute documents that require a legally effective signature and are well suited to our evolving working environment.

A brief idea of how they operate is as follows:

- A document is uploaded and sent from within a portal to all the required signatories. The person uploading, or what is often referred to as the initiator, can be, but does not need to be a signatory. The recipients will receive a secure link via an email, from which they can access the document and electronically execute it. Crucially, access to any document is protected by an authentication process.
- Once all required signatories have signed electronically, the initiator receives the fully executed document and in addition, an audit trail is recorded which details the full digital journey of the executed document.

## What are our requirements?

We are able to accept instructions and documents executed by means of AES as long as the electronic signature meets the requirements set forth under the Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019 (SI 2019/89) (the Regulations).

At the end of the post Brexit transition period, the UK government incorporated an amended form of the EU Regulation No 910/2014 (eIDAS-regulation) into domestic law by the Regulations. The Regulations are an amended form of the eIDAS-regulation and retain many aspects of the e-IDAS-regulation but are tailored for use within the UK. The Regulations provide a consistent security standard for Advanced Electronic Signatures which assist in reducing fraud risk for our clients. The below features are present in electronic signatures that meet the Regulations and enable us to protect our clients from fraud.

- Provides unique identifying information that links it to the signatory
- Ensures the signatory has sole control of their data
- (signature)
- Identifiable if the document and/or data has been tampered with after signature
- Uses an electronic certificate for the signature which is electronic proof that confirms the identity of the signatory and links the electronic signature data to that person.

Electronic signatures which do not meet the standards set in the Regulations may not offer the above security features.

In line with the terms of our Legal and General Assurance (Pensions Management) Limited (PMC) Operational Procedures, the electronically signed document must be executed by the correct number of the relevant authorised persons. To clarify, whilst the digital component is new, PMC's execution requirements are unchanged.

Some AES providers offer the option to either digitally sign via a mouse, a touchpad, or alternatively use a pre-selected signature function; we are able to accept electronic signatures in all of these formats providing the electronic signature meets the standard for AES as set out in the Regulations.

We will only accept advanced electronic signatures when an executed document is accompanied by an audit document produced by the electronic signature system for example:

- Some providers produce the audit document automatically upon execution and it is emailed to the initiator
- Other providers store a certificate which can be extracted following execution

We use this audit document to validate that only authorised individuals have seen and signed the document. This is particularly important where pre-selected signatures are used as we cannot compare to the specimen we hold on record.

Please note that we have introduced AES-compatible dealing forms which are designed to work seamlessly with AES systems. Please contact your dedicated Client Relationship Manager to obtain these.

Additionally, please note we are also able to accept contracts relating to your unit linked insurance policy (such as a Supplemental Proposal or Deeds of Novation) executed by means of advanced electronic signatures. However, we are aware that not all electronic signature systems offer a witnessing facility (witnessing is generally required where a natural person is executing a Deed). If this is a function you will need, this should be checked and verified with your chosen electronic signature system.

Where you are arranging execution of documents via an electronic signature system, please only designate your own signatories. We will separately arrange for the document to be executed by PMC where necessary.

## What we are unable to accept

- An instruction or document that contains copy and pasted signatures (these do not meet the standard for AES under the Regulations). For clarity, please note that Adobe Acrobat imported signatures will be rejected for this reason
- A signature that is typed over the top of a document, e.g. using Microsoft Word or Adobe Acrobat
- An instruction or document sent to us without the accompanying audit document may be considered invalid and may be rejected.

## AES Providers/Systems

At the time of writing, we are able to accept AES authorised instructions and documents, together with the relevant audit document from Adobe Sign, DocuSign, Signing Hub, OneSpan and Nitro Sign, only where the electronic signature meets the standard for AES as set out in the Regulation.

Information on each of these providers can be found on their respective websites.

If you are currently using another AES system, please contact your dedicated Client Relationship Manager. We may be able to consider other providers but will need to first carry out due diligence and verify whether the level of electronic signature being used meets the relevant regulatory requirements.

*\*Defined as an electronic signature that has met the requirements set forth under Electronic Identification and Trust Services for Electronic Transactions (Amendment etc.) (EU Exit) Regulations 2019 (SI 2019/89)*

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