

Electronic Signatures

Fact Sheet

This fact sheet outlines the key requirements for a valid electronic signature in Tasmania (current as at June 2024).

What is an e-signature?	An electronic signature can include a person's typed name, biometric marker, image of scanned signature, or a device-created signature.
Are e-signatures legally binding in Tasmania?	<p>Yes, provided they:</p> <ul style="list-style-type: none">properly identify the person and their intention to sign the document;are reliable; andhave the consent of the person receiving the signature. <p>But note the exceptions below.</p>
Are there any exceptions?	<p>In Tasmania e-signing is not permitted:</p> <ul style="list-style-type: none">for deeds where one party is an individual;for wills and powers of attorney; anddocuments that require personal service. <p>E-signatures should also not be used where a signature needs to be witnessed.</p>
Acceptable e-signing methods	<p>Any method which satisfies the criteria above (identification, reliability and consent) is acceptable.</p> <ul style="list-style-type: none">Secure, certified e-signature platforms are preferred because they are generally regarded as complying with these requirements.Other methods such as typing the sender's name on an email or adding a scanned copy of a signature can also be valid, provided the criteria are satisfied.
Can someone sign on my behalf?	<p>You must always comply with the <i>Property Agents and Land Transactions Regulations 2017</i>. Where there is a requirement for the 'managing agent only' to sign a document, that agent must sign and cannot delegate.</p> <p>In other cases, while not recommended, someone else can sign on your behalf if necessary, provided:</p> <ul style="list-style-type: none">you get the express consent of the signatory;the consent is specific to the document/occasion and not a blanket consent;the consent confirms that the person signing has reviewed the document, agrees that it should be legally binding and requests their signature be applied; andyou keep a record of the consent.
Other considerations	<p>Even if a document can be legally signed electronically, third parties may have their own rules – examples are:</p> <ul style="list-style-type: none">Land Titles OfficeLenders (eg banks)ASICATOGovernment departments <p>If unsure, check before you sign!</p>

Further Queries

For further information or queries, please contact the Property Agents Board of Tasmania:

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