

## THE SITUATION WITH DIGITAL SIGNATURES

### INTRODUCTION

We have integrated our applications with the Signiflow a digital signature system and have had good success with the system. They are accredited by the accreditation provider. This means that the Signiflow **electronic signature** is in fact called a **digital signature** in terms of the Electronic Communications and Transactions Act (ECTA) and is an **advanced digital signature** by definition.

I am told that the CIPC make use of Signiflow internally.

Accfin Sky generates documents like resolutions to be signed by shareholders or directors and tax documents to be signed. The signature is considered an **advanced digital signature** and is really excellent between the practitioner and client and of course government departments. The signature confirms filings and will stand up in court. A very important aspect is that if a government department says nothing about what kind of digital signature is to be used then it must be an advanced digital signature like signiflow.

The signature that we use is integrated into our software and in light of all the changes taking place with **Beneficial Ownership** documents submitted to the CIPC which have to be certified by the people who have the authority to do so this should be sufficient and acceptable.

### CERTIFIED COPIES

In government gazette 48210 **Certified Copy** is defined and means persons having authority to certify in accordance with such conditions as prescribed by the commission from time to time **or** electronically certified in terms of the ECTA by a person having authority to do so.

The ECTA act states that if nothing is said by the government agency an advanced digital signature is required. The only thing that the CIPC have said to my knowledge was something published by Astrid Ludin a long time ago which required biometrics like a finger print. You may remember them trying to sell a finger print machine. Clearly it was a failure. It is not reasonable to expect every client of a secretarial practitioner to buy such a device.

The answer to this is the advanced digital signature which is what we use. We could if the need arises add a one time password AND confirm ID's with home affairs, which we don't recommend as they are down often. In my view there has never been great success with a one-time password.

The commission has its own vested interested and is not interested in talking to Vendors like us. We are putting something together to try and change this.

## *SigniFlow in South Africa*

*SigniFlow is distributed in Africa by [Signiflow](#) with its headquarters situated in Sandton, Gauteng.*

*From here, Signiflow distributes SigniFlow Software through a highly experienced partner network into South Africa and SADC regions.*

*SigniFlow has a large team of software developers, business analysts, support agents, and partners situated in South Africa and across other African countries.*

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## ***Electronic Signatures in South African Law***

*SigniFlow is a certificate-agnostic digital signature workflow platform that caters for all SAAA Accredited South African Advanced Electronic Signature (AES, AESign) types, as described in the Electronic Communications and Transactions (ECT) Act of 2002, as well as internationally accredited Advanced Electronic Signatures (AES).*

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*[SigniFlow Advanced eSignature document workflow software](#) further complies with all regulations in South African Law to replace wet-ink signatures with electronic signatures, enabling customers in South Africa to digitise business processes with total confidence.*