

# Compliance Document: How Evia Sign Meets the Standards of Brunei Darussalam's Legal Framework



Brunei Darussalam's progressive legal framework for electronic transactions sets the stage for secure and compliant digital business operations. The Electronic Transactions Act (ETA), Chapter 196, is the cornerstone of these efforts, providing clear guidance on the use and recognition of electronic records and signatures. Coupled with the Computer Misuse Act, which addresses cybersecurity risks, and emerging data protection measures, Brunei creates a robust environment for trustworthy digital commerce.

Evia Sign, a reliable electronic signature solution, seamlessly integrates with these regulations, offering businesses in Brunei a compliant, user-friendly, and secure platform.

# Key Provisions of Brunei's Legal Framework

## 1. Electronic Transactions Act (ETA), Chapter 196

- **Legal Recognition of Electronic Records and Signatures:** The Act ensures that electronic records and signatures carry the same legal weight as traditional paper-based documentation.
- **Secure Electronic Signatures:** Electronic signatures must be unique to the signer, capable of identifying the signer, and created in a way that ensures the document's integrity.
- **Exclusions:** Some documents, like wills, negotiable instruments, and property transactions, still require physical execution. Commerce Act of 2000 in the Philippines.

## 2. Computer Misuse Act

- This act strengthens cybersecurity by defining offenses such as unauthorized access and tampering with digital systems, ensuring the safety of electronic transactions.

## 3. Data Protection Developments

- Brunei is formulating comprehensive data protection laws to enhance the security and privacy of personal information in electronic transactions.

# Evia Sign's Commitment to Compliance and Assurance

## 1. Compliance with Brunei's Legal Framework

- Evia Sign ensures its platform fully adheres to the ETA, Chapter 196, providing legally valid electronic signatures that meet Brunei's regulatory standards.
- It aligns with international best practices, making it a reliable choice for businesses operating in or with Brunei.

## 2. Robust Cybersecurity Measures

- Evia Sign implements stringent measures, such as encryption and secure authentication, in alignment with the Computer Misuse Act to protect users against unauthorized access and data breaches.

## 3. Future-Ready Adaptation

- With Brunei's data protection laws under development, Evia Sign is poised to adapt and comply, ensuring continued alignment with emerging regulations.

# How Evia Sign Aligns with Brunei's Standards

## 1. Secure and Legally Valid Signatures

### Authentication Mechanisms:

- **Email and SMS OTP:** Evia Sign uses one-time passwords (OTPs) sent via email or SMS to verify the identity of signatories. This ensures that only authorized individuals can access and sign documents, preventing unauthorized access. By implementing these mechanisms, Evia Sign aligns with the ETA's requirements for secure and authenticated signatures, ensuring the legal validity of electronic transactions.
- **Access Codes:** For added security, Evia Sign allows users to establish access codes that are shared with authorized signatories. This layer of protection is particularly useful for sensitive transactions, ensuring compliance with the ETA's mandate to be poised to adapt and comply, ensuring continued alignment with emerging regulations.

- **Integration with Microsoft O365:** Evia Sign integrates seamlessly with Microsoft O365, enabling users to authenticate through Single Sign-On (SSO) and Multi-Factor Authentication (MFA). SSO simplifies user authentication by allowing signatories to use their existing Microsoft credentials, while MFA adds an extra layer of verification by requiring additional authentication steps (e.g., app-based codes). These features ensure robust access controls, aligning Evia Sign with the Computer Misuse Act's objectives of preventing unauthorized access and ensuring cybersecurity.
- **Tamper-Proof Audit Trails:** Every action taken on a document in Evia Sign is meticulously logged, including timestamps, IP addresses, and user activities. These audit trails are digitally sealed to prevent tampering, offering a transparent and secure record of the signing process. This aligns with the ETA's standards for maintaining document integrity and provides businesses with reliable proof of compliance.

## 2. Data Security and Document Integrity

- **End-to-End Encryption:**

**In Transit:** Evia Sign employs SSL encryption to safeguard data as it travels between users and servers. This ensures that documents cannot be intercepted or altered during transmission, meeting the ETA's requirements for secure communication.

**At Rest:** Documents are protected with AES 256-bit encryption when stored in Evia Sign's secure infrastructure. This level of encryption is considered an industry gold standard, reflecting Brunei's commitment to aligning with global best practices in data security.

- **Digital Seals:** All documents signed through Evia Sign are digitally sealed using trusted digital certificates. These seals make it immediately apparent if a document has been altered post-signature, ensuring compliance with the ETA's emphasis on preserving document integrity.
- **ISO Certification:** Evia Sign adheres to ISO 27001:2022 standards for information security management. This certification demonstrates the platform's robust approach to securing user data, aligning with the Computer Misuse Act's focus on protecting sensitive information from unauthorized access and breaches.

### 3. Transparent Record Retention

- **Long-Term Accessibility:** Evia Sign ensures that all signed documents are preserved in their original format and stored securely for long-term access. This capability helps businesses comply with the ETA's requirements for record retention and supports organizations in maintaining historical documentation for legal and audit purposes.
- **Audit-Friendly Features:** Evia Sign provides detailed, tamper-proof logs that document every step of the signing process. These logs simplify audits by offering clear and comprehensive records, ensuring full compliance with Brunei's legal standards for accountability and transparency.

### 4. Explicit Consent and Intent

- **Clear User Agreements:** Before signing any document, external users are required to review and accept terms and conditions within Evia Sign. This practice ensures informed consent, directly addressing the ETA's mandate for explicit agreement from signatories.
- **Unambiguous Actions:** To finalize a signature, signatories must explicitly confirm their intent by clicking a 'Finish' button. This deliberate action ensures that signatures are provided knowingly and willingly, aligning with the ETA's requirement for clear, verifiable consent.

# Documents That Accept and Do Not Accept eSignatures

## Documents That Accept eSignatures

- **Commercial Agreements:** These include non-disclosure agreements (NDAs), sales contracts, and service agreements. The ETA recognizes these documents as legally valid when signed electronically, provided the electronic signatures meet authentication and security standards.
- **Consumer Transactions:** Account opening forms, subscription agreements, and consent forms fall under this category. The ETA ensures that such documents executed via eSignatures carry legal weight, facilitating seamless consumer interactions.
- **Employment Contracts:** Offer letters, employment agreements, and policy acknowledgments are acceptable for eSignatures. The ETA supports the use of electronic records in employment documentation, provided the intent and consent are clear and verifiable.
- **Vendor Agreements:** Purchase orders, invoices, and supplier contracts are included. Electronic signing of these documents complies with the ETA's provisions for valid electronic records and ensures efficient business transactions.

## Documents That Do Not Accept eSignatures

- **Wills and Trust Documents:** These documents require physical signatures as per the specific exclusions listed in the ETA. The requirement is to ensure utmost clarity and authentication in matters of inheritance and trust.
- **Negotiable Instruments:** Instruments like promissory notes and checks must be executed manually to comply with existing legal frameworks that mandate physical endorsements.
- **Property Transactions:** Contracts related to the sale or transfer of immovable property fall outside the purview of eSignatures, as outlined in the ETA. These require notarization or manual execution.
- **Government Filings:** Certain legal or administrative filings demand handwritten signatures to meet statutory and procedural requirements.

By clearly distinguishing these categories, Evia Sign ensures its platform supports legal compliance while enabling digital transformation in Brunei's business landscape.

## Conclusion

Evia Sign is dedicated to empowering businesses in Brunei by delivering electronic signature solutions that are secure, reliable, and compliant. By integrating seamlessly with the Electronic Transactions Act (ETA) and other regulatory measures, Evia Sign provides businesses the confidence to transition to digital workflows while maintaining full compliance.

For organizations seeking to modernize their operations while adhering to Brunei's legal standards, Evia Sign is the trusted partner for secure and valid electronic transactions.