

# House of Commons: Written Statement (HCWS143)

## Ministry of Justice

Written Statement made by: **Lord Chancellor and Secretary of State for Justice (Robert Buckland)** on 03 Mar 2020.

### **Government response to the Law Commission report Electronic Execution of Deeds**

The Government welcomes the Law Commission's report on Electronic Execution of Documents, and I am very grateful to the Commission for the detailed consideration it has given to this important topic.

I agree with the report's conclusion that formal primary legislation is not necessary to reinforce the legal validity of electronic signatures. The existing framework makes clear that businesses and individuals can feel confident in using e-signatures in commercial transactions.

I endorse the Commission's draft legislative provision as set out in the report, as reflecting the Government's view of the legal position on electronic signatures. They are permissible and can be used in confidence in commercial and consumer documents.

I accept the Law Commission's recommendation that an Industry Working Group should be established, which the Government should convene. As the report demonstrates, notwithstanding the position in law, there are issues on the security and technology of electronic signatures that require further consideration from suitably experienced experts.

I will ask the Industry Working Group to consider the question of video witnessing of electronic signatures.

The report highlights that technological advances have meant that the status of electronic signatures is also applicable in other fields of law, and I note that while this presents opportunities it also entails challenges. These include ensuring that reform does not have any adverse impact, particularly on vulnerable people.

That is linked to the Law Commission's recommendation that there should be a wider review of the law of deeds, which I accept. The Government will ask the Law Commission to undertake this review, although the timing for the review will be subject to overall Government and Law Commission priorities given the volume of law reform work which exists.