

In light of the COVID-19 outbreak, and the physical distancing guidelines put in place to contain it, e-signatures have become more relevant than ever. Pursuant to Law No. 126-02 regarding Electronic Commerce, Digital Documents and Signatures, dated as of September 4, 2002 (the “**ECL**”) (Access: <https://bit.ly/2Smddp5>), and its application norm, approved by Executive Decree No. 335-03 dated as of April 8, 2003 (the “**Application Norm**”), e-signatures are legally valid in the Dominican Republic, so long as they comply with the specifications contained in these regulations.

The ECL grants legal validity to digital documents and data messages, and provides that when the law requires a document to be signed; this requirement can be fulfilled with a digital signature, so long as it meets the established criteria set forth in the ECL and its Application Norm. Digital signatures in the Dominican Republic are implemented using digital certificates issued by certification entities duly authorized by the Dominican Telecommunications Institute (“**Indotel**”). Therefore, contracts and other documents can be digitally signed using digital certificates.

If you believe that you or your business needs to operate using digital signatures technology or that it would be advisable, although not necessary, to use digital signatures to operate given the current state of events, we can assist you with selecting a digital signature provider and guide you through the entire onboarding process to obtain the digital certificate.

With respect to contracts that must be notarized by a Public Notary, either by express legal mandate or in accordance with general legal and commercial practice, Law No. 140-15 regarding Public Notaries and the Dominican Institute of Public Notaries, dated as of August 7, 2015 (the “**NL**”), recognizes the scope and effects of the ECL and its Application Norm. However, certain gray areas exist with regard to its implementation. For more information regarding these nuances and potential ways to resolve them, please contact Miguel Cano and Awilda Alcantara, at their email addresses: miguel.cano@squirepb.com and awilda.alcantara@squirepb.com, respectively.

Should you have any further questions, or require our assistance in obtaining a digital signature, do not hesitate to contact us.