acloserlook

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Securing electronic records for the Evidence Act

What happens to your original hardcopies?

An ongoing series

For 20 years, PwC has been a Certifying Authority authorised to certify document imaging systems as an "approved process" for the purposes of Section 116A(6) of the Evidence Act. This is a series of articles to share its experience in this very niche sector of document digitisation.

To view our other A Closer Look pieces on Evidence Act, please visit www.pwc.com/sg/evidence-act

Highlights

- Are hardcopy documents necessary after having your electronic copies Evidence Act certified?
- What is the exception to discarding hardcopies?
- How are poor original documents captured in the electronic repository?

Previously we discussed how one decides whether Evidence Act (EA) certification is required. Does it mean if one continues to keep the hardcopy documents, no certification is required?

We have encountered clients who not only keep hardcopy documents, but also wanted their electronic copies to be EA certified. One of the reasons is for business continuity purpose – the organisation wanted its electronic copies of the documents to be "as good as original" should their hardcopies become unavailable.

If the system has been EA certified, does it also mean that the organisation does not need to keep the hardcopies?

This really depends on the risk appetite of the organisation. There is no indication in the Act on whether hardcopies should be retained or for how long. While some organisations would discard the hardcopies immediately after scanning, the common practice is to keep the hardcopies for a period of time, say a year or two, before discarding them.

There is however an exception to discarding hardcopies of originals that are unclear or poor quality. Often in document scanning, we come across documents that cannot be scanned properly or clearly. In other words, while the document can be read with human eyes, they cannot be captured electronically. When we have such documents, it would be a good practice to isolate them and keep the hardcopies.

How do we then handle the poor original documents in the electronic repository? We need a means to tell apart a document in the repository that was produced from a poor original, versus one that was not scanned properly.

Several practices are available here. Some organisations would put a "Poor Original" rubber stamp on the paper document and scan it in. Some would have a flag in the system to indicate poor original. The choice would depend on whether it is acceptable to add a stamp to the original document and whether the repository application system has the flag feature.

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Where shall we then keep the originals of the "poor original" documents?

As mentioned earlier, we probably should isolate and keep them.

One possible way is to maintain a paper file for these documents. The poor originals are added to the file chronologically with a reference number, and a reference pointer is added to the repository to tell the users where to find the originals.

The EA does not dictate how poor originals should be treated. However, we need to consider it to meet the compliance objectives of ensuring completeness and usability of documents.

In the next issue, we will explore the use of a digital signature.

Contact information

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