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Demystifying the Legal Validity of Digital Signatures in the Philippines

Mark S. Gorriceta

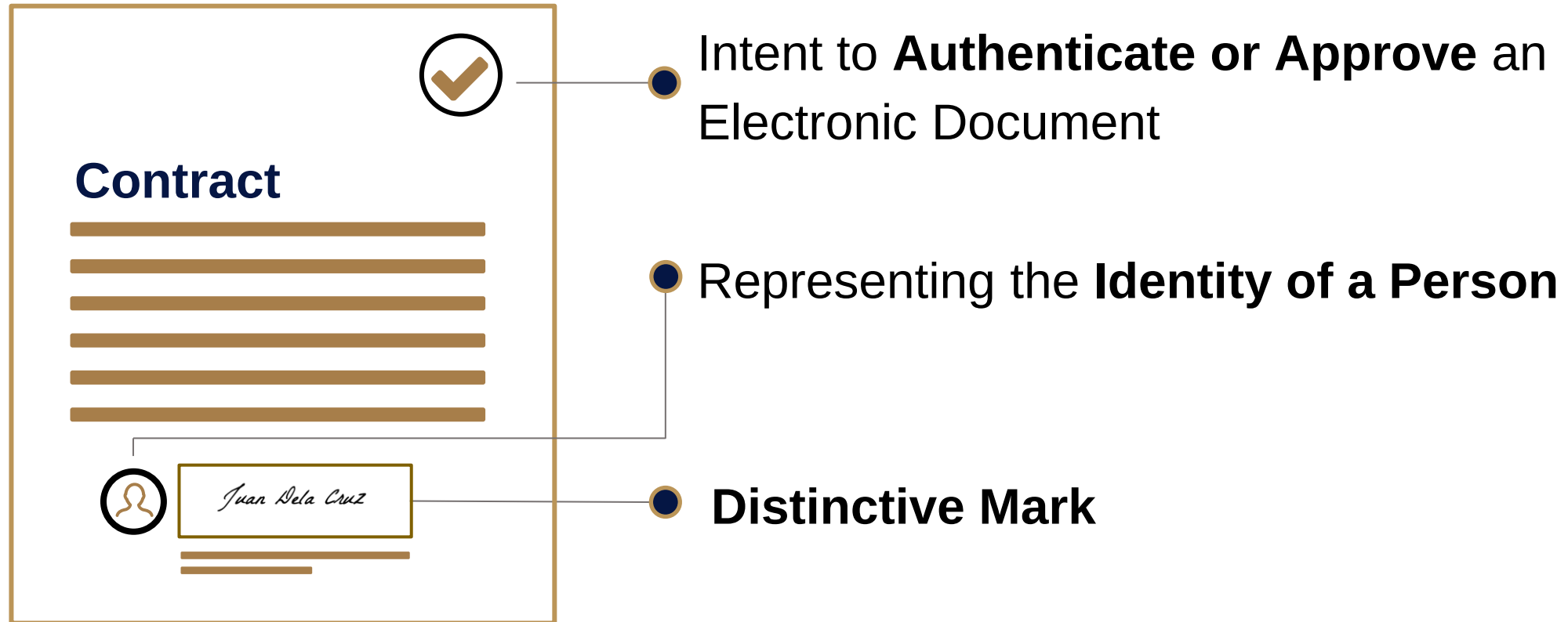
Managing Partner

Gorriceta Africa Cauton & Saavedra

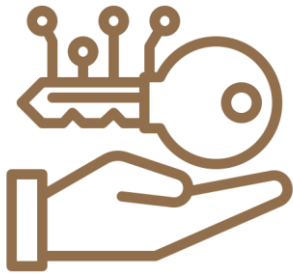
30 May 2025

The Peninsula Manila

What is an *Electronic* Signature?



What is a *Digital* Signature?



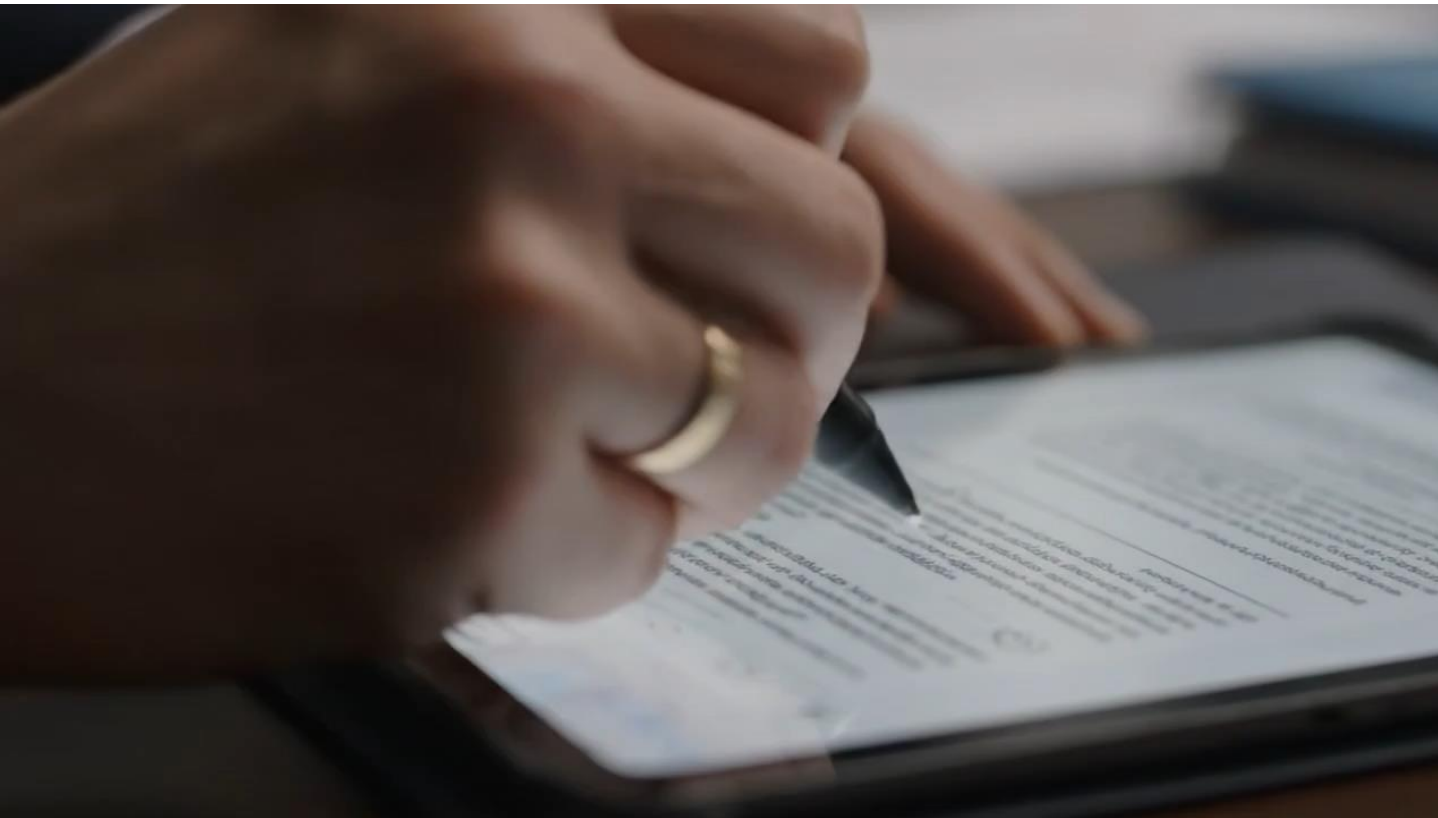
Authenticates
Signer Identity **via**
Public Key



Detects
Tampering After
Signature



Uses **Asymmetric**
Cryptosystem for
Validation



While all digital signatures are electronic signatures, **not all electronic signatures are digital signatures.**

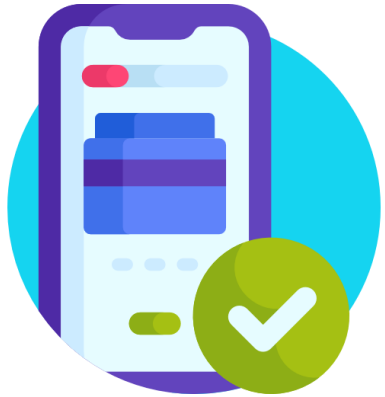
Relevance of Digital Signatures in today's Digital Landscape

Increasingly digital nature of commercial transactions

Facilitates cross-border transactions

Philippine Legal Framework On Digital Signatures

Overview of the Philippine Legal Framework



**Electronic Commerce
Act**



**Rules on Electronic
Evidence**



**DTI-DOST Joint
Administrative Order 3**



**UN Electronic
Communications
Convention**

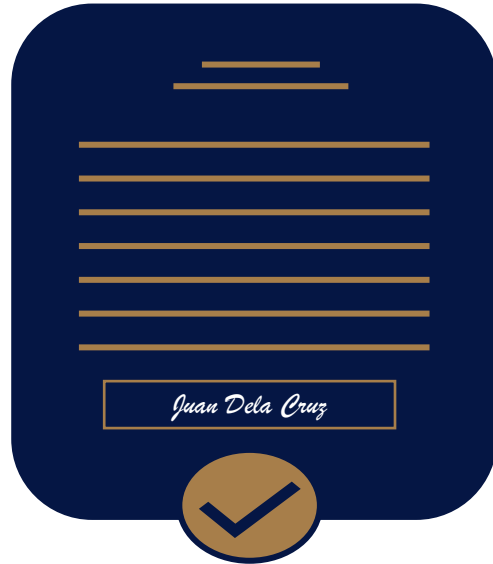
PH E-Signature Standards to Compared to Key Global Standards

Comparison of Digital Signature Global Legal Frameworks

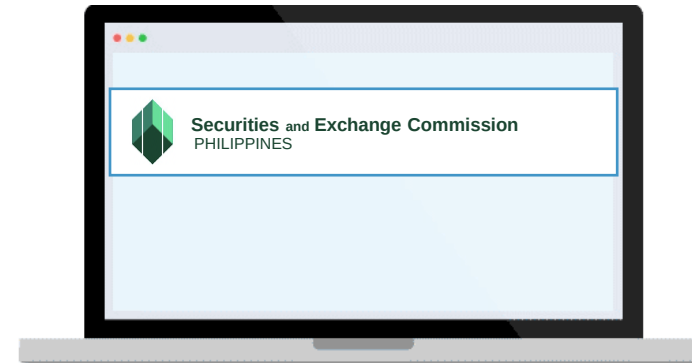
Region	Legal Recognition	Tech Standards	Presumed Valid?
Philippines	Same as handwritten	Tech-neutral; must ensure secure method and signer's intent	 Yes, presumed valid if authenticated under Rules on Electronic Evidence
US	Same as handwritten	Tech-neutral; focuses on intent to sign and consent to e-process	 Yes, unless proven otherwise
EU	Only Qualified E-Signatures (QES) are equal to handwritten	Tiered system; QES meets strict ID and encryption rules	 Yes, but QES only
Singapore	Same as handwritten	Tech-neutral; "secure" e-signatures must meet cryptographic standards	 Yes, if meets "secure" criteria

The Adoption of Digital Signatures in e-Government Services

Public Sector Adoption



**Supreme Court Rules on
Electronic Notarization**



**SEC Electronic Submission
Authentication Portal**

Public Sector Adoption



PHILIPPINE NATIONAL PKI

Department of Information and Communications Technology
Cybersecurity Bureau, Don A. Roces Avenue, Quezon City, NCR

**DICT's Philippine National
Public Key Infrastructure**



**Bureau of Internal Revenue
RMC No. 29-2021**

E-Signing the Future: Key Developments in Digital Transactions



Blockchain Integration



**AI-Powered Document
Verification**



**Mobile-Compatible Digital
Signature Solutions**

Digital Signatures: Overcoming Challenges & Shaping the Future

Challenges in Digital Signature Adoption



Accelerating E-Signature Adoption in the Philippines



**Demystify the
Legal Framework**



**Set Practical
Guidelines**



**Lead with Government
Adoption**

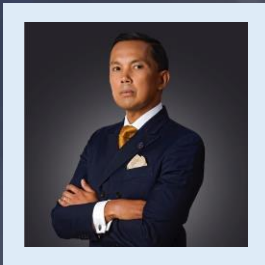


**Foster Innovation
and Trust**

THANK YOU.



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