
From: official information
Sent: Friday, 5 March 2021 14:48
To: [REDACTED]
Cc: official information
Subject: RE: LGOIMA 21059 - [REDACTED] - Electronic Signature Policy for Building Consents

Kia Ora [REDACTED],

Thank you for your response.

I refer to your information request as follows:

Please confirm what form of electronic signatures council officially accepts as acceptable. We submit numerous documents to council which are signed electronically as part of building consent and compliance procedures, however we occasionally have documents rejected because they don't have a hand written signature?

Hamilton City Council is able to provide the following response:

Our process for assessing compliance documents submitted as part of a Building Consent is to check the legitimacy and accuracy of the documents received. If we have reasonable doubt to question the legitimacy then we would reject it and seek further clarification and/or an updated version to be submitted. Please note we cannot reject it solely because it was signed electronically. If you have any specific concerns then please send these through to Cory Lang our Building Unit Manager for further investigation. You can contact him at Cory.Lang@hcc.govt.nz

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind regards,

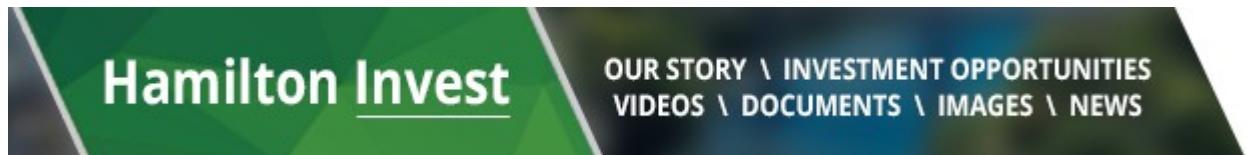
Tatiyana Taunoa

Official Information Team | Legal Services & Risk

Email: officialinformation@hcc.govt.nz

Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: [REDACTED] >
Sent: Monday, 22 February 2021 9:34 a.m.
To: official information <officialinformation@hcc.govt.nz>
Subject: Re: LGOIMA 20386 - re electronic signature policy for building consents

Michelle,

Thanks for the feedback, and the clarification around applicable laws etc.

Please confirm what form of electronic signatures council officially accepts as acceptable. We submit numerous documents to council which are signed electronically as part of building consent and compliance procedures, however we occasionally have documents rejected because they don't have a hand written signature?

Many thanks

On Wed, 10 Feb 2021 at 08:30, official information <officialinformation@hcc.govt.nz> wrote:

Kia ora

I refer to your information request as follows:

The Electronic Transactions Act 2002 refers. In terms of this act recipients of electronic information have to agree to accepting legally binding information in electronic format. "organisation receiving the information must have agreed to receiving it in that form." Please confirm if HCC including the planning and building consent department has agreed to accepting electronic signatures, and the specific format of what is and not acceptable?

Hamilton City Council is able to provide the following response.

The Electronic Transactions Act 2002 was repealed in 2017. It was replaced with the Contract and Commercial Law Act 2017, which consolidated and modernised several different acts relating to contract law. Under the CCLA an electronic signature, in relation to information in electronic form, means a method used to identify a person and to indicate that person's approval of that information. As a very high-level summary - if Council is satisfied that an electronic signature adequately identifies the signatory, adequately indicates the signatory's approval of the information to which the signature relates; and is as reliable as we need given the circumstances then it can be accepted. There are other provisions around what is presumed to be a reliable electronic signature in the CCLA.

Council currently accepts Resource Consent applications electronically. Information on the process can be found at [Apply for, change or cancel a resource consent - Hamilton City Council](#) The application form can be found at: https://www.hamilton.govt.nz/_layouts/download.aspx?SourceUrl=/ourservices/planningguidanceandresourceconsents/Documents/Form%209%20-%20Resource%20Consent%20Application%20Form.pdf A signature is not required for Resource Consents where submitted electronically using an editable PDF, or documents may be printed signed, scanned and emailed to Council.

Council currently accepts Building Consent applications electronically. However the portal that is currently used to process these requires a RealMe log in as part of the process.

You have the right to seek an investigation and review by the Ombudsman of this decision. Information about how to make a complaint is available at www.ombudsman.parliament.nz or freephone 0800 802 602.

Kind regards,

Michelle

Official Information Team
Email: officialinformation@hcc.govt.nz

From: official information <officialinformation@hcc.govt.nz>
Sent: Monday, 21 December 2020 3:01 pm
To: [REDACTED]
Cc: official information <officialinformation@hcc.govt.nz>
Subject: LGOIMA 20386 - re electronic signature policy for building consents

Kia ora [REDACTED]

I write to acknowledge your information request of 21 December 2020 as below.

Please be advised that your request has been passed on to the relevant team within Council and you will be informed of the outcome.

The Local Government Official Information and Meetings Act 1987 requires that we advise you of our decision on whether the Council will provide the requested information or not "as soon as reasonably practicable", no later than 20 working days after the day we received your request.

For the purpose of calculating working days to respond to Official Information requests, the Council adheres to the Ombudsman's [response calculator](#), which classifies the following date ranges as non-working days:

- Summer holidays (25 December to 15 January)

- Day after New Year's Day (2 January 2021)

We will respond to you no later than 10 February 2020.

Regards,

Ian Loiterton

A/ Official Information Officer

Email: ian.loiterton@hcc.govt.nz



Hamilton City Council | Private Bag 3010 | Hamilton 3240 | www.hamilton.govt.nz

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From: Hamilton City Council <do.not.reply@hcc.govt.nz>
Sent: Monday, 21 December 2020 8:25 AM
To: official information <officialinformation@hcc.govt.nz>
Subject: HCC Website - Official Information Request ref: HCC-QF-201221-63KAT-CMG

HCC Website - Official Information Request

Reference: HCC-QF-201221-63KAT-CMG

Attachment: not attached

Name: [REDACTED]

Email address: [REDACTED]

Phone number: [REDACTED]

Detailed Description of Request

The Electronic Transactions Act 2002 refers. In terms of this act recipients of electronic information have to a "agree" to accepting legally binding information in electronic format.
"organisation receiving the information must have agreed to receiving it in that form."

Please confirm if HCC including the planning and building consent department has agreed to accepting electronic signatures, and the specific format of what is and not acceptable?

Organisation: Private

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Thanks

