

BILL

No. 55

An Act to amend *The Electronic Information and Documents Act, 2000* respecting the remote witnessing of documents

(Assented to _____)

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

Short title

1 This Act may be cited as *The Miscellaneous Statutes (Remote Witnessing) Amendment Act, 2021 (No. 2)*.

SS 2000, c E-7.22, new section 10

2 Section 10 of *The Electronic Information and Documents Act, 2000* is repealed and the following substituted:

“Providing information in specific form

10(1) In this section, ‘**electronic means**’ means an electronic means of communication that includes visual aspects by which a lawyer and the person providing the document are able to adequately communicate with each other at all times during the course of their meeting.

(2) A requirement pursuant to any law for a person to provide any information or document to another person in a specified non-electronic form is satisfied if the person provides the information or document in an electronic form and the information or document is:

- (a) provided in the same or substantially the same form;
- (b) accessible by the other person; and
- (c) capable of being retained by the other person so as to be usable for subsequent reference.

(3) A document mentioned in subsection (2) that includes the words ‘while in the presence of’ or ‘before me’ or similar wording, and that is otherwise required to be provided in a non-electronic form, may be provided by electronic means if the following conditions are met:

- (a) the document is received, witnessed or commissioned by a lawyer;
- (b) the lawyer mentioned in clause (a):
 - (i) takes all reasonable steps by electronic means to verify the identity of the person providing the document and, if applicable, to confirm the authenticity of the document; and
 - (ii) complies with all requirements established by the Law Society of Saskatchewan related to the receiving, witnessing and commissioning of documents by electronic means.

(4) Every document that was executed in accordance with *The Electronic Information and Documents (Public Emergencies) Regulations* or section 3.1 of *The Electronic Information and Documents Regulations* before subsection (3) came into force is deemed to have been executed in accordance with subsection (3)".

Coming into force

3 This Act comes into force by order of the Lieutenant Governor in Council.

SECOND SESSION

Twenty-ninth Legislature

SASKATCHEWAN

B I L L

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Received and read the

First time

Second time

Third time

And passed

Honourable Gordon Wyant
