

NATIVELY ELECTRONIC DOCUMENTS

What is the legal value of native electronic documents (that do not require signature by the parties)?

The majority of legislation generally recognizes the validity and probative value of documents that are natively electronic (i.e., created as electronic originals), subject to compliance requirements.

In Colombia, documents are presumed to be valid, regardless of their form. According to Law 527 of 1999, written records, including HR-related records, can be created and archived electronically as long as:

- the data remains accessible for future reference;
- the record remains in the same format as the original, or, in a format that accurately

reproduces the information from the original record;

- the data remains complete and unaltered (excluding endorsements and changes appropriate to the nature of the document); and,
- certain metadata is retained, including information that determines the record's origin and destination, along with the date and time the record was created, sent and received.



Therefore, HR-related documents (e.g. employment contracts, letters of intent, etc.) can be created directly in electronic form,

without need for a paper original.

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