

## ELECTRONIC ARCHIVING OF PAPER ORIGINALS

### Legal Framework for Electronic Archiving

Although some countries require certain types of documents to be kept and archived in their original paper form, for most categories of documents, including HR-related records, there is no such requirement, and it is generally acceptable to use electronic versions of paper records (i.e., scanned copies of paper originals)



during most government agencies' inspections and audits or in court proceedings.

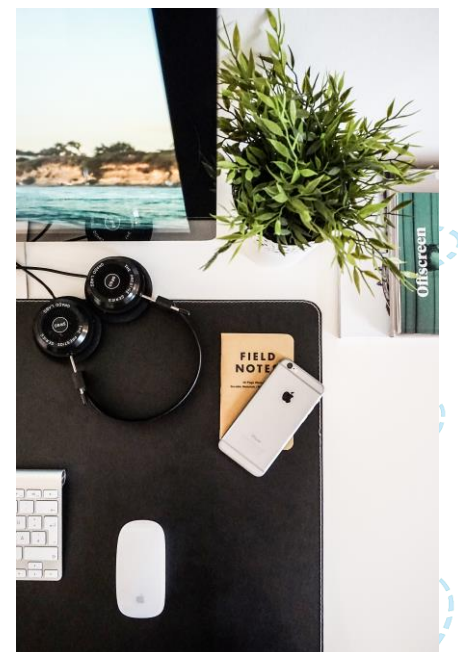
The evidential or probative value of electronic versions of paper records may be more easily challenged before a court than it would be for the originals. This is mainly because the original records could be tampered with or changed before being scanned, and, unless proper technology has been used (e.g., encryption and timestamping), it may not be easy to detect such

changes from a scanned copy. In specific situations, it may be good practice for employers to retain archives of paper originals in the event such originals would be requested by a specific investigator, auditor, judge or authority.

### Are electronic scanned copies of paper originals legally valid?

Under Singapore's Electronic Transactions Act 2010, electronic scanned copies of original records are allowed if:

- it retains the original content in a way that remains accessible for future reference;
- the format of the scanned electronic record accurately represents the way in which the information was originally generated, sent or received;
- it enables the identification of the origin and destination of the record, as well as the date/time it was sent/received; and,
- it complies with any other retention requirements for that type of record.



## Are there any legal requirements for electronic archiving systems (EAS)?

Records can be retained electronically through electronic archiving systems if they meet the requirements listed above. There is the possibility of getting records certified through a certification partner, but this is not generally required in the context of employment.



**HR Best Practices:** Any disputes relating to scanned electronic copies of paper originals will come down to a question of proof. The full electronic archiving era is approaching, but for now it is not possible to guarantee that all paper documents can be destroyed. Indeed, the acceptance of digital copies remains subject to the discretion of the judge.

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