Ontario Association of Landscape Architects

POLICY FOR USE OF DIGITAL SEAL IN PROFESSIONAL PRACTICE

1. DEFINITIONS

By-Laws means the By-Laws of the OALA.

Digital Seal (also referred to as a digital stamp): means the imprint or image digitally affixed onto electronic documents which:

- confirms the identity of the OALA member who affixed the Digital Seal.
- confirms that the OALA member who affixed the Digital Seal is an OALA member with seal (as opposed to an OALA member with certificate only).
- confirms the OALA member is in good standing with the OALA; and
- serves as evidence that the OALA member who affixed the Digital Seal is a landscape architect in Ontario and that the document so sealed was prepared in its entirety under the personal supervision and direction of the member who affixed the Digital Seal.

Members with seal who choose to affix a Digital Seal onto electronic documents shall comply with Section 5 of this policy.

Digital Signature means the imprint or image of a Member's signature digitally affixed to electronic documents which is cryptographically asserted and controlled by OALA and confirms:

- the identity of the Member who signed the document using a Digital Signature.
- the date the Digital Signature was affixed to the document.
- that the Member who affixed the Digital Signature is in good standing with the OALA; and
- serves as evidence that the OALA member who affixed the Digital Signature is a landscape architect in Ontario.

Members who choose to affix a Digital Signature onto electronic documents shall comply with Section 6 of this policy.

Document includes but is not limited to, landscape plans, drawings, cost estimates, certification letter, any documents produced by a Landscape Architect requiring a seal.

Electronic Impression of a Seal means a visual reproduction of a Physical or Digital Seal resulting from scanning an imprint of a Physical or Digital Seal. For clarity, the Electronic Impression of a Physical or Digital Seal may also contain the visual image of the original or Digital Signature of a Member (where the Member chose to also sign the document beside the Physical or Digital Seal).

Member means either an OALA member with seal or an OALA member with certificate only (as applicable).

Certificate Authority means the provider that administers the technology that safeguards the long-term reliability of and ensures the integrity and authenticity of official digital signatures and documents for

transactions between a wide variety of professionals, business partners, clients, municipalities, and government agencies.

OALA means the Ontario Association of Landscape Architects.

OALA member with seal means an individual who can legally use the title Landscape Architect in Ontario and who has completed requirements for licensure in Ontario as prescribed in Section 6.1 of OALA By-laws and described in Section 7.2 of the OALA Handbook and including all of sections of the Landscape Architectural Registration Exam.

OALA member with certificate only means an individual who can legally use the title Landscape Architect in Ontario and who has completed requirements for licensure in Ontario as prescribed in Section 6.1 of OALA By-laws and described in Section 7.2 of the OALA Handbook but has only completed three sections of the Landscape Architectural Registration Exam.

Physical Seal means an ink seal, which is not digital, but which performs the exact function of a Digital Seal.

Seal means either a Physical Seal or a Digital Seal as applicable.

2. PURPOSE OF POLICY

The purpose of this policy is to set out OALA's professional standards on:

- the use of a Digital Seal by OALA members with custody of a seal.
- the use of a Digital Signature by OALA members with custody of a seal and for those members with certificate only.
- interpretation of Section 8 of the By-Laws regarding use of Seal and Section 5.4 of the OALA Code of Ethics and Standards of Professional Practice; and the technology and process utilized, to sign, seal, and deliver documents, digitally, pursuant to the *By-Laws* and *The Ontario Association of Landscape Architects Act (PR37, 1984).*

***PLEASE NOTE*:** This policy updates and supersedes the OALA's former 1992 Policy on the use of digital signatures (the "**1992 Digital Signature Policy**") as well as all prior versions of the 1992 Digital Signature Policy which pre-date the 1992 Digital Signature Policy.

3. APPLICATION OF POLICY

This policy applies to original documents produced in electronic format **only.** Members seeking guidance on how to seal and/or sign and produce original documents in hard-copy format should refer to the OALA's *Policy for Use of Physical Seal in Professional Practice*.

Ontario Association of Landscape Architects

4. RELEVANT LEGISLATION

The *Electronic Commerce Act*[1] (the "**Act**"), which is currently in force in Ontario, provides that electronic documents cannot be denied validity or enforceability solely by reason of the fact that they are in electronic format. As a result,

Act allows for electronic production and delivery of landscape architectural instruments of service (which includes drawings and any other documents that may be sealed by a landscape architect).

5. USE OF A DIGITAL SEAL

Obtaining a Digital Seal

- The Digital Seal is purchased as an annual subscription. To purchase the annual subscription, you must sign up for the seal through the OALA portal on the **Certificate Authority** website. Information on the Digital Seal is outlined on the OALA website under OALA Digital Seal: https://www.oala.ca/membership/oala-digital-seal/ or contact the OALA Registrar for further information about how to obtain a Digital Seal.

Compliance with Appendix "A"

- All Digital Seals must comply with the Image Properties set out in Appendix "A" of this policy.

When to use a Digital Seal

- A Digital Seal may be affixed by a Member with seal on final copies of documents.

Where a Digital Seal Need Not Be Applied

- The Digital Seal need not be applied to individual documents if they are bound into reports that have been dated and had the seal affixed thereto.

Where a Digital Seal Shall Not Be Applied

- The Digital Seal shall not be applied to preliminary or draft documents, drawings, specifications, reports and other work unless required by a regulatory agency. These works should be clearly marked "PRELIMINARY", "DRAFT", and/or "NOT FOR CONSTRUCTION".

Use of Digital Seal in Revised Documents

All sealed documents are considered to be final documents. However, occasionally such documents need to be edited, altered, or amended. To ensure that Landscape Architects are not unknowingly accepting

[1] 2000, S.O. 2000, c. 17

responsibility for work they did not do, it is important that documents, once sealed, are not altered without undergoing an appropriate revision process. Any digitally sealed documents that are altered will show all details of the changes in the notes. The digital seal certificate authority system inputs this information.

- **Revisions to a Member's Own Work.**

  Where a Member with seal makes revisions to their own original documents (to which they originally affixed a Seal) such revisions should be noted on the document in the revisions tracking title block on the document. Details and date stamps of all changes will be automatically logged in the digital notes.

- **Revisions to Another Member's Work is Not Permitted.**

  The use of a seal serves as evidence that the OALA member who affixed the Digital Seal is a landscape architect in Ontario and that the document so sealed was prepared in its entirety under the personal supervision and direction of the member who affixed the Digital Seal. If a Landscape Architect is hired to complete or continue the work started by another Landscape Architect, they must follow the Code of Ethics and Standards of Professional Practice section 5.4.9.

Electronic Impression of a Seal

- **Physical Seal.** The OALA does not recommend that Electronic Impressions of Physical Seals be used for the purpose of authenticating original documents because these could be confused with original Digital Seals or Digital Signatures. At this time, use of Electronic Impressions of a Physical Seal are not prohibited but OALA Council will review this option on an annual basis.

- **Member created and not verifiable Digital Seal.** The OALA cautions members that Electronic Impressions of a Digital Seal that are created electronically by the member are not secure, and any document bearing an Electronic Impression of a Digital Seal created by the member is vulnerable to being seamlessly modified and used by others without the original drafting Member's knowledge or authorization.

6. USE OF A DIGITAL SIGNATURE

Obtaining a Digital Signature

- Members must purchase a licence to obtain their OALA Digital Signature through Certificate Authority. This digital signature is controlled through the use of a secure password. [To apply for a digital certificate, visit Certificate Authority through the OALA Website link: https://www.oala.ca/membership/oala-digital-seal/ **or** contact the OALA Registrar for further information about how to obtain a Digital Signature.]

Ontario Association of Landscape Architects

Compliance with Appendix "A"

- All Digital Signatures, whether affixed by a Member with seal or a Member with certificate only, must comply with the Image Properties or Alternative Requirements set out in Appendix "A" of this policy.

Use of Digital Signature by Member with Seal

- The Digital Signature of a Member with seal is required to be affixed onto documents bearing a Digital Seal.

- A Digital Signature may be affixed by a Member with Seal on any documents as is considered appropriate by the signing Member with seal.

- The Digital Signature of a Member with Seal confirms that the document was signed by a Member with Seal and that the content of the document has not changed since it was signed. Details of signature including member details, date and time are accessible to anyone reviewing the documents. The validity of the Digital Signature may be confirmed using the verification option available to the public on the Certificate Authority's website.

Use of Digital Signature by Member with Certificate Only

- A Digital Signature may be affixed by a Member with certificate only on any documents as is considered appropriate by the signing Member with certificate only and as complies with the OALA's Code of Ethics and Standards of Professional Practice.

7. Security of Digital Seal and Digital Signature

- Members shall ensure that their Digital Signature and/or Digital Seal (as applicable) remains under their control to prevent unauthorized use and to maintain trust in the OALA Digital Seal and Digital Signature. Authority to use one's Digital Signature shall not be delegated to anyone nor shall the personal security codes enabling use of the Digital Signature be shared.

Ontario Association of Landscape Architects

APPENDIX "A"

Image Template to Use for a Digital Seal for Members with Seal:

IMAGE PROPERTIES

Total Size: 1.5" x 1.5"

Member Number: Arial – 13 point

OALA Logo: 5/8"

Member Name:
Arial Narrow U/L Case Letters – 10 point

Ontario Association of Landscape Architects:
Arial – 8 point

The Member with Seal's Digital Signature should also be affixed to the document bearing the Digital Seal.
Note: Certificate Authority provides a Digital Signature template free of charge to Members with Seal who have obtained a Digital Seal.

Image Template to Use for OALA Full Members with Certificate Only (without Seal):

Note: Members with Certificate Only may choose to comply with **either** the Image Properties or the Alternative Requirements as set out below when affixing a Digital Signature onto a drawing, document, or other correspondence.

IMAGE PROPERTIES

Member Number: Arial – 13 point

Member Name:
Arial Narrow U/L Case Letters – 10 point

Ontario Association of Landscape Architects: Arial – 8 point

NOTE: Full Members with Certificate only may only use a signature.

Use of the OALA Logo or any other visual image in a Digital Signature is prohibited as it may lead a client to misinterpret the Digital Signature as a Digital Seal, or, that the document was signed by a Member with Seal.

NOTE: THE OALA LOGO MAY NOT BE USED

ALTERNATIVE REQUIREMENTS

Where a member with certificate only affixes their Digital Signature onto a document, that document must also bear an image of the Member's signature.