



HR Electronic Records – United Arab Emirates

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.



Electronic records are permitted in the United Arab Emirates under the Federal Decree-Law No. 46 of 2021 On Electronic Transactions and

Trust Service. Under the Law, documents, records and information can be retained electronically as long as certain conditions are met:

- Electronic documents should be saved in the form in which they were created, sent or received, or in a way that can be proven that the document accurately represents the information that was originally created, sent or received;
- Information should be stored in a way that allows it to be used and referred to later;
- The record retains data (if any) that enables the identification of the originator of the

electronic document, its destination, and the date and time it was sent or received.

Other relevant factors may also be considered.

Electronic records cannot be denied in legal proceedings for being in an electronic format. The value of an electronic record in a legal proceeding is assessed based on the reliability of the Law, Art. 10):

- manner of the operation(s) performed (i.e., executing, entering, generating, processing, storing, presenting or communicating);
- manner in which the integrity of the information was maintained;
- source of information, if identifiable; and, the
- manner in which the originator of the record was identified.
- other relevant factors may also be considered.

Therefore, electronic records are generally permitted in the context of human resources and can be considered as valid in legal proceedings, as long as they meet the requirements above.

In practice, Ministry of Labour inspectors often request to review hard copies of employee records during periodic spot checks to ensure compliance with the Labour Law.

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