



Electronic Power of Attorney



There aren't any doubts regarding the advantages and benefits in the use of digital signature for the formalization of electronic contracts. However, part of these benefits can only be reached with the implementation of an automated approval process, based on a rigid control of powers and competence of the parties entitled.

Starting from this premise and based on its experience in solutions for Firms, Documents and Powers, **QualiSoft** has developed the **Electronic Power of Attorney**. It is a new concept, a change in paradigm and procedures. It was conceived to support the coexistence and the transition of our current world, with its documents, firms and powers, to a wholly electronic and integrated world which requires objective and real time answers from the powers and competencies from those who deal in electronic commerce.

The **Electronic Power of Attorney** allows the creation, administration and querying of powers of attorney, in a fully guided and electronic way, using the advantages of digital certification and the existing legal guarantees, speeding up the formalization process of electronic transactions, with no need for human intervention.

The **Electronic Power of Attorney** fully conforms to the context and proposition of *Cybernotary* and the Notaries from Brazil supporting, with security and agility, electronic commerce, allowing the interchange and querying of electronic powers of attorney, their representatives and powers, directly by the interested parties.

Legal Foundation

The conception of the **Electronic Power of Attorney** is based on the use of digital certificates and respect to the clauses of the New Brazilian Civil Code and to the laws and provisional measures which regulate the power of attorney and give legality to the digital signature.

Applicability

Extrapolating its basic goals, the **Electronic Power of Attorney** can also be used for the optimization of manual procedures, such as:

- ✓ Powers System, as a tool for transformation and representation of conventional powers of attorney, allowing direct and objective queries;
- ✓ Source of information for the legal representatives and those legally liable for a bank's current accounts for the Register of Clients of the Brazilian Financial System (CCS), as well as for the Certificates of Attributes;
- ✓ A tool for the simple creation and administration of powers of attorney which could be printed and signed in one's own handwriting by the approvers, on the Internet, centralizing the administration and making easy its distribution and access by the legal representatives.

Basic Goals

The **Electronic Power of Attorney** has as basic goals cost reduction, increasing security and conforming the current model to the current and future needs of electronic commerce, allowing:

- ✓ Elimination of paper and, as a consequence, reduction on the handling, digitalization and storage costs;
- ✓ Elimination of interpretation mistakes, through the implementation of a pre-established, automated and formal process for granting the powers;
- ✓ Conformity of the model to the current and future needs of electronic commerce procedures, using digital signatures for granting the powers (signature on the power of attorney) and, in the cases foreseen by law, for the testimony of a reliable third party (notaries).
- ✓ Coexistence and support to the transition from the current model (physical) to the future model (electronic).

SDK

QualiSoft has made available an *SDK* (Software Development Kit) of the **Electronic Power of Attorney**, allowing the integration and making direct queries from existing client-server or web systems.

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Main Features and Functionalities

Easy to Create

- ✓ The powers of attorney are electronically generated from pre-established models (templates) or from previously existing powers of attorney in the system (electronic or physical), directly by the approver, minimizing the creation and interpretation errors that are inherent to the current procedure;
- ✓ The electronic powers of attorney are digitally signed by its approvers, with valid digital certificates, and this procedure can be made anywhere in the world with no need for printing or recognition of signatures.

Availability

- ✓ The electronic powers of attorney remain stored and available for queries by the interested parties, and they can be viewed, exported (PKCS#7), printed, saved (text only) or forwarded to any interested party, as long as it is authorized by the approver.

Objective Answers

- ✓ The powers granted to the legal representatives (attorneys-in-fact) can be queried directly and objectively, with no need for reading or interpreting the document, and queries can be automated and integrated with corporate systems such as credit approval systems, electronic commerce, branch automation, etc. The **Electronic Power of Attorney** answers objectively the following questions:
 - ✓ Which legal representatives (attorneys-in-fact) have a specific power on a certain date, including financial limits?
 - ✓ Do the selected representatives have a specific power on a specific date and amount?
 - ✓ What are the powers of one or more selected representatives, separately or jointly?

Queries Register

- ✓ Every query, be it made via the **Electronic Power of Attorney** user interface or through the direct integration between systems, is stored and remains available for future queries and auditing. For each query made a register and a time stamp are issued, ensuring the non retroactivity and non-repudiation of the transaction.

Interoperability and Conformity

An **Electronic Power of Attorney** can be exported in the PKCS#7 format, which ensures total interoperability with the main signers and viewers available in the market.

The **Electronic Power of Attorney** is compatible with any X.509v3 digital certificates, including **e-CPF** and **e-CNPJ**, official digital documents of the Federal Revenue Office of Brazil (SRF).

The **Electronic Power of Attorney** also conforms to the Technical Procedures Manual, Volume IV, of the ITI - *National Institute of Information Technology of Brazil*, which establishes the minimum requirements for digital certification for the digital signature procedures, secrecy and authentication for the ICP-Brazil softwares.

