

GOVERNMENT OF PUERTO RICO  
PUERTO RICO CORPORATION FOR PUBLIC BROADCASTING

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Approved: Verónica Ferraiuoli Hornedo

Secretary of State

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Government of Puerto Rico

**REGULATION ON DIGITAL SIGNATURES, ELECTRONIC SIGNATURES,  
ELECTRONIC TRANSACTIONS, AND PROCEDURES OF THE PUERTO RICO  
CORPORATION FOR PUBLIC BROADCASTING**

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**ARTICLE I - TITLE**

This Regulation shall be known as the "Regulation on Digital Signatures, Electronic Signatures, Electronic Transactions, and Electronic Procedures of the Puerto Rico Corporation for Public Broadcasting."

**ARTICLE II - LEGAL BASIS**

This Regulation is adopted and enacted under the authority granted by Law No. 216 of September 12, 1996, as amended, known as the "Law of the Puerto Rico Corporation for Public Broadcasting"; Law No. 230 of July 23, 1974, as amended, known as the "Government Accounting Law of Puerto Rico"; Law No. 38 of June 30, 2017, as amended, known as the "Uniform Administrative Procedure Law of the Government of Puerto Rico"; Law No. 148 of August 8, 2006, as amended, known as the "Electronic Transactions Law"; Law No. 151 of June 22, 2004, as amended, known as the "Electronic Government Law"; and Law No. 103 of May 25, 2006, as amended, known as the "2006 Tax Reform Law."

**ARTICLE III - PURPOSE & SCOPE**

The Puerto Rico Corporation for Public Broadcasting (hereinafter, the "Corporation") seeks to implement several platforms, programs, electronic systems, or software through which both the President of the Corporation, the employees and officials, and authorized personnel of the Corporation can electronically sign all official, fiscal, administrative, and other authorized documents generated by the Corporation. This will expedite the process of granting contracts, purchase and service orders, appointments, and other administrative procedures authorized by the President. Furthermore, these electronic or digital signatures will have the same legal effect as handwritten or wet signatures in our legal system.

It is important to highlight that, among other things, the advantages of the electronic or digital signature system include the ability to maintain effective internal control over the management and administrative processes of the Corporation. Ultimately, this Regulation will significantly reduce operational costs, office material expenses, and expenses related to photocopying machine maintenance, among other savings.

Moreover, the use of electronic signatures provides the benefit of ensuring the integrity and authenticity of government electronic transactions, which in turn ensures their reliability. All of this aligns with the public policy of the state to foster Puerto Rico's participation in the new commercial order and to streamline and provide services to citizens in the most effective manner possible.

Additionally, the Corporation will implement a tool that will allow suppliers, vendors, and contractors to register their invoices for goods and services rendered. With this system, the

Corporation's Finance Office will import the financial data into the accounting system and make it available for the payment process. Consistent with public policy and applicable provisions established in Law No. 230 of July 23, 1974, as amended, known as the "Government Accounting Law of Puerto Rico," and as amended by Law No. 133 of August 27, 2020, the use of electronic documents in invoicing, processing, and payment of obligations of the Government of Puerto Rico will be permitted.

#### **ARTICLE IV – DEFINITIONS**

The following terms will have the meaning specified below:

1. **Authorization for Electronic Payment to Suppliers and Contractors:** Refers to the form issued and completed by the supplier or contractor to authorize the Corporation to pay invoices through an electronic transfer to the supplier or contractor's bank account.
2. **Contract:** Refers to the legal obligation that arises from the agreement between the parties, in accordance with this Law and other applicable laws.
3. **Contractor:** Refers to any natural or legal person who provides services through an agreement or contract for the Corporation.
4. **Document:** Refers to information recorded on a tangible medium or stored on an electronic medium, which can be retrieved in a perceivable manner.
5. **Electronic Document:** Refers to a file created, generated, sent, communicated, received, or stored by any electronic means.
6. **Electronic:** Refers to any technology with electrical, digital, magnetic, wireless, optical, electromagnetic, or similar functionality.
7. **Digital Signature:** Refers to a type of electronic signature represented as a set of data, sounds, symbols, or processes in electronic form, created by a private key using asymmetric techniques to ensure the integrity of the data message through a verification code, as well as the link between the holder of the digital signature and the transmitted data message. In the conversion of a message with a digital signature, the person who has the message or the original communication and the signatory's public key can determine with accuracy whether: (1) the conversion was made using the private key corresponding to the signatory's public key; (2) the message or communication has been altered since the conversion.
8. **Electronic Signature:** Refers to the entirety of data in electronic form that is affixed to a message, document, or electronic transaction, or attached or logically associated with such message, document, or transaction, which can be used to identify the signer and indicate that they approve the information contained in the message, document, or transaction.

9. **Information:** Refers to data, text, images, sounds, codes, computer programs, databases, software applications, and any other similar information.
10. **Person:** Refers to an individual, corporation, trust, partnership, limited liability company, association, government entity, public corporation, or any other legal or commercial entity.
11. **Personal Identification Verification Interoperability (PIV-I):** Refers to an identity credential regulated by the Federal Government granted to non-federal entities to create a trustworthy and interoperable digital identity, with interoperability meaning the ability to be used in multiple entities and transactions. It contains federal digital signatures that are issued only by approved Certification Agencies under the federal government.
12. **Security Procedure:** Refers to the procedure used to verify that the electronic signature, file, or act corresponds to a particular person, or to detect changes or errors in the information contained in an Electronic Document. It also includes any procedure that requires the use of algorithms or other identification methods, such as codes, passwords, identification numbers, encryption processes, calls, or other recognition methods.
13. **Computer Program (“software”):** Refers to a group of instructions to be used directly or indirectly in an Information Processing System to achieve a specific result.
14. **SSAE 18 SOC 2:** Audit Report developed by the American Institute of Certified Public Accountants (AICPA) that evaluates information controls in an organization based on the AICPA Trust Services Criteria and Principles: security, integrity, availability, confidentiality, and privacy.
15. **SSAE 18 SOC 3:** Refers to the abbreviated version of the SOC 2 Type 2 audit report, for users who want assurance about an organization’s controls but do not need all the details included in the SOC 2 report.
16. **Information Processing System:** Refers to the electronic system used to create, generate, send, receive, store, display, or process information.
17. **Transaction:** Refers to the act or set of acts between two or more persons related to government, commercial, or business matters.
18. **Automated Transaction:** Refers to a transaction carried out, in whole or in part, by electronic means or through Electronic Documents, in which the acts or Documents of at least one of the parties are not reviewed by any person in the ordinary course of granting a contract, acting under an existing contract, or fulfilling an obligation required by the transaction.

## ARTICLE V - GENERAL DISPOSITIONS

1. This regulation applies to all transactions generated as part of the Corporation’s activities, and employees and officials from the following offices will use electronic signatures for

the Corporation's operational transactions:

- i. Board of Directors
- ii. President's Office
- iii. Administration Office
- iv. Finance Office
- v. Procurement Office
- vi. Operations Office
- vii. Human Resources Office
- viii. Marketing and External Relations
- ix. Engineering Office
- x. Information Systems Office
- xi. Programming Office
- xii. Radio Office

1. The Corporation will implement a system to electronically endorse a document to give it legal validity.
2. Article 6 of Law No. 75 of July 25, 2019, known as the "Puerto Rico Innovation and Technology Service Act" ("PRITS"), empowers PRITS to implement, develop, and coordinate the Government's public policy on innovation, information, and technology. In accordance with the provisions established by PRITS, the Corporation will comply with the following standards for the use of electronic and digital signatures:

A. Electronic Signatures:

- i. "Bridge Letter" of the SSAE18 SOC2/SOC3 Report.
- ii. SSAE18 SOC2/SOC3 reports, ISO27001 or equivalent.
- iii. The Corporation may contract, for one (1) year, a company offering electronic signatures that contains a controls letter issued by a Certified Information Systems Auditor (CISA) or Certified Public Accountant (CPA) certifying the implemented information controls. To continue the contract after one year, the company must comply with one of the previously mentioned items.
- iv. If the Corporation creates its own electronic signature, it will comply with information controls in accordance with SSAE18 SOC2/SOC3 and established guidelines.

B. Digital Signature:

1. The digital signature must be issued by a Certification Agency that:

- i. Has the WebTrust for Certification Authorities Audit Report; or

- ii. Is from suppliers, providers, and contractors authorized by the federal government and the FBPKI/PIV-I Program.
- 2. If the Corporation decides to implement digital signatures for internal use, it must comply with the controls stipulated in SSAE18 SOC3 or PIV-C.
- 3. For transactions with the federal government, the federal digital signature will be used.
- 4. The FBPKI/PIV-I digital signatures are considered to be of the highest security, as they feature multifactor authentication and Non-Repudiation Key Usage.

## **ARTICLE VI – REGISTRATION OF SUPPLIERS, PROVIDERS, AND CONTRACTORS OF THE CORPORATION**

- 1. The Corporation establishes that the primary method of payment is by electronic transfer to the supplier or contractor's bank account. The exception to this rule, or if a supplier or contractor requests to receive payments by check, must be authorized by the authorized representative of the President of the Corporation.
- 2. Every Supplier, Contractor, or legal entity that obtains a contract with the Corporation must register in the Corporation's available system to receive disbursements via electronic transfer. Additionally, they must complete the Authorization for Electronic Payment to Suppliers, Providers, and Contractors.

## **ARTICLE VII – ELECTRONIC SIGNATURES**

- 1. The Corporation has established as public policy the implementation of digital signatures for internal use. The Administration Office will comply with the controls stipulated in SSAE18 SOC3 or PIV-C, which must be certified by the Corporation's Vice President. The Corporation will ensure that the platforms or computer programs implemented allow for the identification of the signer, validate consent, and verify the signature. It is important that the document and the electronic signature are correlated to ensure that they are linked and/or joined.
- 2. Electronic or digital signatures may be used in regulations, memoranda, circular letters, appointments, changes to appointments, payment receipts, and all documents related to the administrative and fiscal operations of the Corporation.
- 3. The platforms or computer programs used by the Corporation must generate a file containing the details of the electronic evidence for each transaction, such as the email addresses of the applicant and signer, information about the device used for the transaction, IP address, and others. This document will serve as a record of the transaction, as applicable.

4. If a digital signature is used for transactions or documents signed by only one person, a minimum authentication mechanism will be implemented; that is, multifactor authentication.

## **ARTICLE VIII – DELIVERY OF DOCUMENTS BY ELECTRONIC MEANS**

1. Documents processed through platforms or computer programs implemented by the Corporation for electronic endorsements, which utilize and guarantee the institutional identity for this process, are considered documents with digital signatures. The electronic transmission of all official documents related to the Corporation's administrative and fiscal operations is authorized.
2. The Vice President of the Corporation, together with the Director of the Information Systems Office, will select, authorize, and implement the appropriate and specific methods for digital and electronic signatures, including the user authentication process.
3. The Contracts Office will incorporate a new standard consent clause in all contracts awarded by the Corporation:

"The parties agree that this document may be signed electronically. The parties agree that the electronic signatures appearing on this document are as valid as if it were signed by hand for the purposes of validity, enforceability, consent, applicability, and admissibility."

4. All contractors must receive a copy of the signed document once the transaction is completed. This requirement may be met by downloading a copy of the document in electronic format that ensures the integrity of the document.
5. If a signer decides not to use an electronic signature, the Corporation will provide instructions on how to manually sign the contract or document. All signers must receive a copy of the signed document once the transaction is completed. This requirement may be met by downloading a copy of the document, preferably in PDF format or any other electronic format that ensures the integrity of the document.
6. The electronic transmission of all official documents related to the administrative and fiscal operations of the Corporation is authorized, replacing written delivery by postal mail or personal delivery. However, suppliers, vendors, and contractors have the right to request that documents be sent to them by postal mail or in person, at no additional cost.
7. The Corporation will accept documents, work reports, and presentations, including but not limited to invoices, reimbursement invoices, and any other documents in digital, electronic, or "pdf" format. The Vice President will establish the electronic means through which suppliers, vendors, and contractors will submit invoices, work reports, documents, and others.

## **ARTICLE IX - SEVERABILITY**

If any article, section, part, paragraph, or clause of this regulation is declared null by a court of competent jurisdiction, the judgment rendered will not affect or invalidate the remainder of this regulation, and its effect will be limited to the article, section, part, paragraph, or clause thus declared.

#### **ARTICLE X - SAVING CLAUSE**

Any matter not covered by this regulation will be resolved by the Corporation in accordance with relevant laws, regulations, and executive orders; and in areas not provided for, it will be governed by the principles of sound public administration and the principles of fairness and good faith. If any part, section, or paragraph of this regulation is declared null by a court with competent jurisdiction, such determination or judgment rendered will not affect the validity of the remaining provisions.

#### **ARTICLE XI - REPEAL**

Any previous administrative orders, memoranda, circular letters, written communications, or instructions that are incompatible with the provisions of this regulation are hereby repealed.

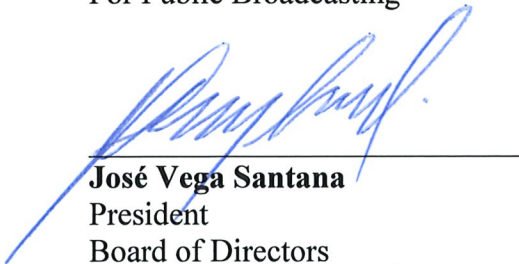
#### **ARTICLE XII – EFFECTIVENESS**

This regulation will enter into force 30 days after its submission to the Department of State, in accordance with Section 2.8 of the Uniform Administrative Procedure Act of the Government of Puerto Rico.

Approved in San Juan, Puerto Rico, on 15 of August 2024.



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Puerto Rico Corporation  
For Public Broadcasting



**José Vega Santana**  
President  
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Puerto Rico Corporation  
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**Omar Moreno Rivera**  
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