CONCEPT

Electronic Contracts and E-Signature Law: Online Formation, Evidence and Platform Terms

24 – 28 May 2027
London - Central London four-star



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Introduction:

Electronic contracts now carry most customer, supplier and licensing relationships, yet many organisations cannot prove who accepted which version of their online terms, which signature level a transaction needed or whether their electronic records will be accepted as evidence. This Core Concept course gives in-house legal, contract and compliance teams a working method for electronic contracts and e-signature law: legal recognition of electronic transactions, online contract formation, signature tiers, platform terms, payments liability and electronic evidence. Participants produce an Online Terms Pack and E-Contracting Control Checklist for a case digital business.

Course Objectives:

- Assess whether an electronic transaction meets the functional equivalence tests for writing, signature, original and record retention
- Design click-wrap and sign-in acceptance journeys that give reasonable notice and capture express assent to online terms
- Select the electronic signature tier and trust service suited to the risk and evidential needs of each transaction type
- Draft platform terms of use, SaaS subscription terms and software licence clauses that allocate data, uptime and liability risk
- Allocate liability for unauthorised electronic payments and preserve electronic records so they carry weight as evidence
- Produce an Online Terms Pack and E-Contracting Control Checklist for a digital business

Target Audience:

- In-house legal staff who advise on online agreements, signature methods and digital disputes
- Contract management leads who run electronic signing workflows and hold executed agreements
- Compliance functions responsible for consumer protection, record retention and payments controls in digital channels
- Digital product and platform managers who own sign-up journeys, terms of use and customer acceptance flows
- Legal operations and contract administration leads who select and govern e-signature and contract lifecycle tools

Course Outline:

Day 1: Legal Recognition of Electronic Transactions

- Model-Law Principles: Non-Discrimination, Technology Neutrality and Functional Equivalence
- Functional Equivalence Tests for Writing, Signature, Original and Retention
- Data Messages: Attribution, Acknowledgement of Receipt and Time and Place of Dispatch
- Excluded Transactions and Paper-Only Formalities Mapping Worksheet
- Current-State Audit of the Organisation's Electronic Contracting Channels

Day 2: Online Contract Formation and Electronic Signature Architecture

- Offer, Invitation to Treat and Acceptance on Websites and Mobile Apps
- Click-Wrap, Browse-Wrap and Sign-In-Wrap Assent Models Compared
- Automated Message Systems, Input Errors and Correction Mechanisms
- Simple, Advanced and Qualified Electronic Signature Tiers
- PKI Certificates, Trust Service Providers, Timestamps and Validation Reports

Day 3: Drafting Platform Terms, SaaS Agreements and Software Licences

- Platform Terms of Use Architecture: Acceptable Use, Suspension and Unilateral Variation Clauses
- SaaS Subscription Terms: Service Level Credits, Data Ownership and Exit Assistance
- Software Licence Grants: Scope, Seats, Audit Rights and Open-Source Components
- Online Consumer Protection: Pre-Contract Information, Cooling-Off Rights and Unfair Terms Screening
- Privacy Notice and Cookie Consent Alignment with the Terms Acceptance Flow

Day 4: Electronic Payments, Evidence, Jurisdiction and Emerging Risks

- Electronic Payment and E-Banking Liability Allocation for Unauthorised Transactions
- Admissibility and Evidential Weight of Electronic Records and Audit Trails
- Record Integrity Controls: Hash Values, Version Logs and Acceptance Evidence Retention
- Cross-Border Online Contracts: Governing Law, Forum Clauses and Online Dispute Resolution
- Smart Contracts and Electronic Transferable Records: Legal Characterisation and Limits

Day 5: Case Digital Business and the E-Contracting Control Checklist

- Subscription Platform Case: Acceptance Journey Review and Evidence Gap Findings
- Online Terms Pack Drafting: Terms of Use, Subscription Terms and Licence Schedule
- Signature Tier Decision Matrix for the Case Business Transaction Types
- E-Contracting Control Checklist Build: Formation, Signature, Records and Payments
- Legal Review Panel: Terms Pack Challenge and Remediation Priorities

Skills You Will Gain:

- Electronic Transaction Validity Analysis
- Online Assent Design
- Signature Tier Selection
- Platform Terms Drafting
- SaaS and Licence Negotiation
- Digital Consumer Terms Screening
- Electronic Evidence Preservation
- Cross-Border Online Dispute Planning

Why Attend This Course:

- Return with an Online Terms Pack and E-Contracting Control Checklist that can be applied to your own digital channels
- Prove who accepted which version of your terms, and when, if an online agreement is challenged
- Stop overpaying for high-assurance signatures where a simpler tier is enough, and stop under-signing high-risk deals
- Compare online contracting practice with peers from banking, technology, retail, telecoms and public services

Conclusion:

Electronic contracts are only as strong as the acceptance journey, signature method and records behind them. The course moves from legal recognition of electronic transactions and the functional equivalence tests, through online contract formation and signature tiers, to drafting platform terms, SaaS agreements and software licences, and then to payments liability, electronic evidence, cross-border issues and smart contracts. The final day applies this to a case digital business and produces an Online Terms Pack and E-Contracting Control Checklist ready for legal review. The course covers general principles and is not legal advice.