

## RULE REVISIONS effective 7/15/2003

~~4.05.6 The registrant shall superimpose his/her live signature ( not a rubber stamp or electronic signature ) across the face and beyond the circumference of the seal on documents listed in paragraph 4.05.5 above, along with the date on which the signature is affixed.~~

4.05.6 The signature (manual or electronic as defined below) of the registrant and date of signature shall be affixed to all documents listed in paragraph 4.05.5 above.

- (a) A manual signature is the handwritten name of the registrant applied to a document that identifies the person, serves as a means of authentication of the contents of the document, provides responsibility for the creation of the document and provides for accountability for the contents of the document.
- (b) An electronic signature is a digital authentication process attached to or logically associated with an electronic document and shall carry the same weight, authority, and effects as a manual signature. The electronic signature, which can be generated by using either public key infrastructure or signature dynamics technology, must be as follows:
  - (i) Unique to the person using it.
  - (ii) Capable of verification.
  - (iii) Under the sole control of the person using it.
  - (iv) Linked to a document in such a manner that the electronic signature is invalidated if any data in the document is changed.

**3.02.8** Architect principals, partners or directors in an architectural firm or other entity providing architectural services shall be responsible for the conduct of all non-registered employees (and non-registered associates and contracted persons) under the control of the firm regarding acts, representations and services of the non-registrants, related to the practice of architecture and while acting for, or on behalf of, the firm, if said conduct constitutes a violation of Miss. Code SS73-1-1, et seq. or the Architect's Code of Conduct.

*Commentary: It is common practice for architects to provide professional services in the setting of a firm consisting of other architects, other design professionals, and non-registered individuals such as draftspersons, marketers, clerical staff, construction administrators, interns and others. It is recognized that many such non-registered individuals perform many acts and services for the firm that constitute or support the practice of architecture, such as marketing, design, detailing, specification writing, client contact, and contract administration. In the interest of protecting the health, safety and welfare of the public, it is incumbent upon the registered professionals to maintain responsible control of the firm and its staff persons regarding their acts, duties and work product relating to the practice of architecture as defined by this act. The Board has long held that "responsible control" (previously "direct supervision") of the preparation of drawings and specifications was required in order for the architect to place his or her seal. This rule clarifies that "responsible control" of other activities of the practice is required as well, such as firm marketing and representation of qualifications, pre-design activities, etc. The architect is not expected to be responsible for conduct or acts committed by non-registrants under his employ or control when said conduct is related to activities or services performed outside of the firm (e.g. "moonlighting" by a draftsperson.)*