

QES Q&A (V1.1) December 2025

What is a Qualified Electronic Signature (QES)?

A Qualified Electronic Signature (QES) is a highly secure type of electronic signature that has been identity-verified. It proves who signed, prevents tampering with the signed document and, in law, has the equivalent effect of a handwritten, unwitnessed signature.

Is QES legally valid for executing deeds under English law?

Yes.

QES is legally recognised in England and Wales and is valid for signing deeds. A QES has the same legal effect as a handwritten signature and is the highest and most secure category of electronic signature. When used within the correct workflow (such as Veyco's portal), it is treated as equivalent to a handwritten, witnessed signature for the purposes of HMLR registration.

Where does QES fit into the typical conveyancing process?

QES sits mainly in the execution and completion stages of a conveyancing transaction, replacing traditional wet-ink signing and witnessing of deeds with a controlled electronic process.

All the usual stages still happen in the same way: instruction, client care, AML and ID checks, investigations, reporting on title, contract negotiation and agreeing the TR1 and mortgage deed (if any). QES changes how the deed is signed, not the overall structure of the transaction.

Once the TR1 (and any mortgage deed) has been agreed, the controlling conveyancer (usually the seller's conveyancer) uploads the approved deed into Veyco's Safe Harbour workflow.

Safe Harbour combines Veyco's Smart Harbour identity checks with a QES signing process that has been designed to meet HMLR's QES "safe harbour" conditions. The seller(s) then sign electronically using QES within this controlled environment.

Where the buyer also needs to sign (for example, where panel 11 imposes obligations on the buyer or the lender requires buyer execution), the buyer can be added to the same Safe Harbour workflow and sign using QES as well.

*On completion, funds are transferred and undertakings are complied with in the usual way. The fully executed QES-signed TR1 and any other deeds generated through Veyco Safe Harbour are then supplied to the buyer's conveyancer, who carries out the normal **post-completion** steps, SDLT, registration at HMLR, and reporting to the lender and client. In short, QES via Veyco Safe Harbour sits neatly in the existing conveyancing process, enhancing the execution stage without disrupting the familiar sequence of tasks.*

How does QES work within the Law Society Conveyancing Protocol?

The Law Society Conveyancing Protocol does not mandate a particular way of signing. It sets principles of good practice, acting in the client's best interests, ensuring valid execution, complying with lender and regulatory requirements, and managing risk. QES fits within this framework as a secure way of achieving those aims, rather than changing them.

When using QES, firms must still ensure execution is legally valid (including compliance with LP(MP)A 1989, company/attorney execution rules, lender requirements and HMLR PG82). Clients must be clearly advised about what they are signing, how QES works and any lender or HMLR implications. QES identity checks and audit trails supplement, but do not replace, AML and due diligence obligations. Lender and third-party instructions must still be followed, and a risk-based judgment made as to when QES is appropriate and when a more traditional or supervised signing method is needed, such as for vulnerable or high-risk clients.

Why should you adopt QES?

QES offers clear practical, legal and risk-management advantages over wet-ink and basic e-signatures. It combines strong, independent identity checks with a tamper-evident link between the signature and the deed, reducing the risk of forgery, substituted pages and later disputes about who signed and when.

Because it is backed by a qualified certificate and a detailed audit trail, QES usually provides stronger evidence in any challenge than a traditional handwritten signature with an unverified witness.

It also aligns the firm with HMLR's digital strategy by using an approved, secure workflow for certain registrable dispositions, modernising the completion process. Clients benefit from being able to sign securely from home or abroad without office visits or arranging a witness, which is particularly helpful for busy or vulnerable clients. Lenders and PI insurers generally welcome secure, auditable methods that reduce execution and fraud risk, and QES provides the clear evidential record they expect.

By removing delays associated with posting deeds, arranging in-person signings and chasing witnesses, QES can shorten transaction times and reduce administrative overhead. Adopting QES is therefore not just a technology change but a tangible improvement in risk management, efficiency and client service for conveyancers, lenders and insurers.

Why should you use Veyco as our facilitator for QES?

Veyco is designed specifically for conveyancing and built around HMLR's QES-approved workflow, which means it fits naturally into existing TR1, charge and transfer processes rather than forcing firms to adapt generic e-signing tools. It uses a Qualified Trust Service Provider, ETSI-compliant qualified certificates and identity checks that go beyond basic KYC, including Smart Harbour's forensic digital footprint analysis, document verification and biometric liveness testing. This gives legal firms a very strong evidential foundation if execution or identity is ever challenged by a client, lender, insurer or HMLR.

The platform is engineered to comply with UK eIDAS, HMLR Practice Guide 82 and the operational requirements of Notice 2, while providing a clear, exportable audit trail for every signing event. It supports lender engagement through lender confirmation letters and a controlled signing process that can be aligned with panel and title insurance requirements.

From an operational perspective, Veyco streamlines the end-to-end workflow, controlling conveyancers can upload deeds, manage signers, monitor status and obtain a complete evidential pack without having to juggle multiple systems. This reduces administration, minimises the scope for human error and support firms PI and

risk-management strategies. In short, Veyco combines legal and regulatory alignment with practical, conveyancer-focused tooling, making it a suitable facilitator for QES in day-to-day property transactions.

Who is the controlling conveyancer and what do they do?

The controlling conveyancer is the solicitor or licensed conveyancer who takes overall responsibility for managing the electronic signing of the deed. They are in charge of checking the identity of the person signing, making sure the type of electronic signature used (including QES) meets HMLR's requirements, and overseeing the whole signing process from start to finish.

They also have to keep proper records and evidence to show that the signature is valid and that the correct process was followed. In simple terms, the controlling conveyancer acts as the "gatekeeper" of the QES workflow, making sure everything is done properly, securely and in line with HMLR guidance.

In practical day-to-day use, the controlling conveyancer will usually be the seller's conveyancer. The TR1 is agreed between the parties in the usual way, then the seller's conveyancer, acting as controlling conveyancer, uploads the approved TR1 into Veyco. The seller(s) then apply their QES to the TR1 electronically within the controlled workflow. In many standard transactions there is no need for the buyer to sign the TR1 (for example, where panel 11 contains no additional provisions binding the buyer and the form does not otherwise require buyer execution). Where panel 11 includes additional obligations on the buyer, the lender or title insurer requires buyer execution, or the parties have agreed that the buyer will also execute as a deed, the buyer can likewise sign using QES within the same Veyco workflow. On completion, the seller's conveyancer provides the fully executed TR1 to the buyer's conveyancer, who then lodges it with HMLR in the usual way as part of the buyer's application for registration.

From an operational perspective, Veyco streamlines the whole process. The controlling conveyancer can upload deeds, manage signers, track progress and generate a complete evidential pack without juggling multiple systems. This reduces administration, minimises the scope for human error, and supports firms' PI and risk-management strategies. In short, Veyco combines legal and regulatory alignment with a practical, seller-led TR1 workflow that works smoothly for conveyancers, clients, lenders and insurers.

Does QES take away from the statutory requirement for a deed to be witnessed?

No.

*QES does **not** change the statutory requirement for witnessing.*

Under the Law of Property (Miscellaneous Provisions) Act 1989 (LP(MP)A 1989), an individual's deed is validly executed only if it is signed in the presence of a witness. This requirement applies regardless of whether the signature is handwritten or electronic.

*However, HMLR has introduced an operational policy under which it **accepts QES deeds for certain registrable dispositions without a witness**, provided they are signed using an approved QES workflow. This is a rule about what HMLR will register, not a change to the underlying statute. Only Parliament can change the LP(MP)A 1989.*

Does a QES satisfy the requirement to be “signed as a deed”?

Yes.

Under common law, LP(MP)A 1989, and reinforced by the Law Commission (2019), a deed is signed if the method of signature authenticates the person, and the person intends to sign. As QES is uniquely linked to the signer, identifies the signer, is created using a device under the signer's sole control, is attached to the document in a tamper-proof way and has the same legal effect as a handwritten signature under eDIAS it more than meets the “signed as a deed” requirement and is actually the strongest form of signing available.

Does a QES satisfy the requirement to be “delivered as a deed”?

Yes.

A deed is “delivered” when either the signer performs an act that shows intention to be bound (e.g., clicking “Sign and Complete”, submitting via QES platform), or the conveyancer expressly state when delivery occurs, or on execution clause specifies delivery upon dating/completion.

Which registrable dispositions can be signed using QES, and what documents will HMLR accept?

HMLR will accept QES for certain types of applications to register dealings with land, such as transfers, legal charges (mortgages) and leases of registered titles, as long as the signing takes place within an approved, controlled QES workflow. For QES to be used, the platform must meet HMLR's technical and security requirements, the controlling conveyancer must follow Practice Guide 82, and any lender involved must agree to QES being used.

In practical terms, HMLR will accept key transfer forms such as TR1, TR2, TR5 and TP1 when they are signed using QES and then submitted through the approved QES route, provided the lender (if there is one) has confirmed they are happy with this method of execution. These are exactly the kinds of documents and processes HMLR had in mind when it created the QES route.

Can QES be used for documents not being submitted to HMLR?

For individuals signing deeds not going to HMLR, a witness is normally still required.

This exception exists because HMLR explicitly permits it. Outside that guidance, no regulator or statute has created a witness exemption for QES. So, for deeds not going HMLR, the default law still applies. This means that deeds where an individual signs that are not submitted to HMLR, a witness is still required. This includes documents such as deeds of guarantee, deeds of assignment and commercial deeds between private parties would still need a witness to be validly executed.

Will the format of the TR1 change when using QES, and does this affect how it is signed?

Yes. When signing via QES, the TR1 includes several formatting updates as required by the Land Registry:

- *Panel 3 will include the statement: "date and time this document takes effect" rather than simply "date".*

- *Panel 11 will include the statement: “this transfer takes effect on the date and at the time set out in panel 3”. In practice, this will be the date on which the Controlling Solicitor dates and seals the TR1 on completion.*
- *The marginal notes in Panel 12 will be removed, as they are not applicable when using QES.*

These updates do not change the substantive requirements of the TR1, they simply ensure the form aligns with the time-stamping and execution features required for QES.

Will the lender’s mortgage deed change when signing via QES?

Yes. The mortgage deeds will be QES formatted and updated directly by each lender when signing using QES.

What is the statutory framework/guidance that supports QES?

The eIDAS Regulation (EU Regulation 910/2014) (retained in UK law post Brexit provides that a qualified electronic signature shall have the equivalent legal effect of a handwritten signature. The Electronic Communications Act 2000 states that electronic signatures are admissible in evidence and may be used to authenticate documents which reinforces their validity. In addition to the statutory framework, the Law Commission Report 2019 concluded that electronic signatures (including QES) are valid for most documents, satisfy the statutory signature requirements and can be used for signing deeds (though witnessing rules still apply).

Is there any case law that supports the use of QES?

There is no case law directly about QES, as it is so strong that the courts have not yet needed to test it. However, there is some case law surrounding electronic signatures. Neocleous v Rees [2019] EWHC 2462 (Ch) held that a typed name in an email footer is valid signature. Furthermore, Golden Ocean Group Ltd v Salgaocar Mining Industries [2012] EWCA Civ 265 confirmed that typed signatures and electronic communications can satisfy the statutory signature requirements. QES is far above these thresholds.

Can only one-party sign using QES?

Yes, in certain scenarios.

For example, there may be transactions where the buyer is not required to sign the TR1 (for instance, if there are no amendments or additional provisions in panel 11). In such cases, a TR1 signed only by the seller using QES will still satisfy HMLR's requirements for registration, provided the other conditions for the QES workflow are met.

Note Mixed signing of QES and wet signature on a document is forbidden.*

Can lenders rely on a QES for mortgage deeds?

Yes.

HMLR has publicly stated that it accepts QES for applications for registration as an electronic signature type. HMLR's Practice Guide 82 sets out how electronic signatures (including QES) may be used for registered dispositions. If the mortgage is a registrable disposition (i.e. a charge to be registered) and is submitted through the correct QES workflow and meets HMLR's requirements, this supports the lender's reliance.

How do I know if my client's lender will accept QES?

To find out if a lender will accept QES, you need to check their own requirements. That normally means looking at their entries in the CML/UK Finance Handbook, any separate panel terms, and any guidance or bulletins they issue to firms. Some lenders clearly state that they accept QES for certain documents and may even name specific platforms or workflows they are happy with. Others may still insist on wet-ink signatures or add extra conditions, such as only allowing QES in limited circumstances. You should always confirm the position in advance, before using QES for a mortgage deed, to avoid delays or the risk of breaching panel requirements.

Will the lender's title insurer accept QES?

In some cases, lenders require their title insurer to sign off on the method of execution as well as the form of security. Where that applies, the firm should follow the lender's instructions and check whether the relevant title insurer is willing to accept QES for the particular transaction and document. If there is any doubt, you should seek express confirmation from the insurer before proceeding with a QES-signed deed.

What is a lender confirmation letter and when do we need one?

A lender confirmation letter is written confirmation from a lender that it agrees to accept a mortgage deed signed using Veyco's QES workflow and that it will treat the deed as properly executed and enforceable. Conveyancers use these letters as evidence that the lender has approved the method of signing, to help demonstrate compliance with lender panel requirements and to reduce the risk of the lender later challenging the validity of the execution method. They are particularly useful where a lender's published guidance is unclear, evolving or silent on QES.

What if the client lacks capacity or someone else controls their phone?

QES does not change the solicitor's core duties to ensure that the client has mental capacity and is signing freely, without pressure or undue influence. If there is any concern that the client does not understand the transaction, is being coerced, or that a third party is effectively controlling their phone, email or documents, QES should not be used. In those situations, the firm should choose a more controlled and supervised way of signing, such as an in-person meeting or another traditional execution route, so that the lawyer can properly assess capacity, check for undue influence and protect the client.

How do lenders know the borrower understands the process?

Lenders rely on several protections. The solicitor's duties to advise the client and check understanding, the design of the QES workflow (instructions, warnings, confirmations), and the detailed audit trail produced by the platform, showing how and when the borrower signed

QES does not weaken lender protections, it typically strengthens them by producing better evidence of the signing process.

Does QES replace our AML checks?

No. QES includes robust identity verification (including biometric checks) and produces a secure audit trail, but it does not replace transaction risk assessment, source of funds/source of wealth checks, sanctions and PEP screening and any other AML obligations under the Money Laundering Regulations 2017.

It should be treated as additional evidence, not a substitute for proper AML.

Do we need to notify our PI insurer before using QES?

Maybe. In most cases, professional indemnity (PI) insurers do not object to the use of QES and may even welcome the enhanced controls it brings. However, many PI policies require firms to notify insurers when introducing a new process or technology, or when making material changes to risk management practices. The adoption of QES is exactly the sort of development that should be notified. Insurers are usually supportive where the process is secure and auditable, compliant with HMLR PG82 and other relevant guidance, and demonstrably stronger than traditional wet-ink and witness-based signing methods (which is what Veyco is designed to deliver).

Will our PI insurance cover us if we use QES?

Yes. Law firms remain fully covered by their PI insurance when using QES, provided the firm uses it appropriately and in line with its internal risk policies. Professional indemnity insurers do not exclude the use of electronic signatures, including QES. In fact, most insurers support the adoption of secure, auditable execution methods because QES generally reduces execution risk, not increases it. QES is recognised by UK law (UK eIDAS) as having the same legal effect as a handwritten signature. PI insurers treat it as a valid, lawful method of execution.

What checks prevent impersonation or fraud?

Veyco's QES workflow includes multiple layers of security that make impersonation or fraud extremely difficult, and far harder than with a witnessed wet-ink signature. These controls operate before, during and after signing. Veyco Smart Harbour identity checks go beyond traditional measures by forensically investigating the digital footprint of the person undergoing the identity check.

Does the platform comply with eIDAS / eIDAS2?

Yes. The platform is built to meet the legal rules for electronic signatures in the UK and EU (known as eIDAS and the upcoming eIDAS2). In simple terms, this means your client's digital signature is created and checked by an approved, trusted provider; it is uniquely tied to that individual; only they can apply it; and if anyone tries to change the document after it has been signed, the signature will show as broken. That is why a Qualified Electronic Signature (QES) created on the platform is treated in law as having the same effect as a traditional handwritten signature.

How is identity verified to the standard required under eIDAS?

To create a QES, the identity of the person signing has to be checked to a very high standard, similar to seeing them in person with their ID. In practice, this means their passport or driving licence is scanned and checked automatically for built-in security features, chip/NFC data and signs of tampering. The system then uses a short live video or movement checks to confirm there is a real person in front of the camera, not a recording or fake image, and that this person matches the photo on the ID. It also runs background checks, such as whether the internet connection and location details make sense and whether the person is hiding behind a VPN or proxy. A specialist, approved provider then reviews this evidence and, if they are satisfied, issues a digital certificate in that person's name. The signer must apply the signature themselves and confirm they agree to sign at that moment. Together, these steps meet the eIDAS rules designed to stop impersonation and make sure the right person is signing.

How does Veyco handle personal data and identity documents?

Veyco only collects the personal data necessary to perform identity verification, issue a qualified certificate and complete the QES signing process. This typically includes details from official identity documents (such as a passport or driving licence), biometric data used for liveness checks and any contact details required to operate the platform.

All data is processed in accordance with UK data protection law (including UK GDPR and the Data Protection Act 2018). Veyco uses secure data centres, encryption and strict access controls to ensure that personal data and identity evidence are only accessed by authorised personnel and only for legitimate purposes connected to the QES workflow. Conveyancers can rely on this to demonstrate that identity checks have been carried out in a compliant, proportionate and secure way.

Where is client data stored, and how long is it retained?

Client data used in the QES process is stored on secure servers located in approved jurisdictions (for example, the UK or EEA) that meet industry standards for security and availability. Veyco applies data minimisation and retention policies, which means personal data and identity documents are not kept longer than necessary.

Certain elements of the audit trail and identity evidence must be retained for a defined period to meet legal, regulatory and evidential requirements (for example, to support a future dispute, lender query or HMLR investigation). After the relevant retention period expires, data is securely deleted or anonymised. Firms should refer to Veyco's privacy documentation and align this with their own file retention policies.

Can clients ask for their identity data to be deleted?

Yes, clients have rights under data protection law, including the right to access, correct and, in some circumstances, request deletion of their personal data. However, these rights are not absolute.

Where identity data and audit records are needed to comply with legal obligations (for example, regulatory requirements, anti-money laundering rules, or to defend legal claims), Veyco and the firm may be required to retain certain information for a set period. In practice, this means that while some non-essential data may be deleted on request, core identity and signing evidence that is required for compliance or evidential purposes will usually be retained until the applicable retention period ends.

In what situations would the firm decide not to use QES?

QES is not right for every client or every matter. The firm should avoid using QES and instead use a more traditional or closely supervised signing method where there are doubts about the client's mental capacity or their ability to understand the transaction, or where there are signs of pressure, undue influence or someone else controlling the client's device or decisions. The same applies where the client is particularly vulnerable and would be better protected by meeting in person or signing under supervision, or where the transaction is unusually high risk, complex or sensitive and the firm's risk policy calls for tighter control over execution. QES should also not be used where the lender, title insurer or another key party will not accept it for a particular document. In all of these situations, electronic signing must not be used as a shortcut: the lawyer's professional judgment and regulatory duties always come before convenience.

What if the client does not have a smartphone, NFC or good internet access?

Some parts of the QES process work best when the client has a modern smartphone with a camera, NFC capability and a stable internet connection. If the client does not have the right device or cannot reliably get online, the firm must decide whether there is another suitable electronic route it can use, or whether it should fall back on a different signing method, such as a traditional wet-ink deed with a witness. QES should never be pushed onto clients who cannot realistically complete the process. In those cases, the firm should use its standard procedures for checking identity and arranging execution, making sure that whatever method is chosen still meets its AML, regulatory and HMLR requirements.

Can a client pause and resume the QES process if they cannot complete it in one go?

Yes, in most cases the QES workflow is designed to be flexible if the client cannot complete all steps in a single session. For example, the client may start the identity check, pause and then return later to finish biometric verification or apply their signature.

However, there may be time limits for security and fraud-prevention reasons. Identity verification links, session tokens or signing windows may expire after a set period. If that happens, the controlling conveyancer may need to re-issue a link or restart parts of the process. Firms should explain these time limits to clients in advance to avoid delays close to completion.

How does QES work for joint owners or joint borrowers?

QES can be used for multiple signers in the same transaction, including joint owners and joint borrowers. Each person goes through their own identity verification process and is issued their own qualified certificate by the Qualified Trust Service Provider (QTSP). They then apply their own QES to the deed. The platform's workflow makes sure all required signatures are captured, recorded and attached to the same document in a tamper-evident way. This gives clear, individual evidence of who signed, when they signed and in what order, which is particularly helpful where there are several parties involved in a transaction.

How do companies, LLPs, charities or personal representatives sign using QES?

Non-individuals can also sign deeds using QES, as long as the method of signing follows the relevant law and the organisation's own rules. For example, a company can execute a deed under section 44 of the Companies Act 2006 by having either two directors, or one director and the company secretary, sign using QES. No witness is needed in those cases. LLPs and other bodies can usually use QES where they follow their normal execution methods, such as signing by two members or in line with a specific execution clause in their constitution. Personal representatives and trustees can sign using QES where they are authorised to execute deeds in that role, subject to any restrictions in the will, trust deed or grant of representation. In every case, the key point is that the correct authorised individuals sign using QES in a way that mirrors how they would traditionally sign a deed.

What does the QES audit trail actually contain?

The QES audit trail is a detailed record of the entire signing process. It can include information about the identity checks carried out and their outcomes, such as document verification, biometric checks and liveness results. It records date and time stamps for key events, including identity verification, the issuing of the qualified certificate and the application of the signature. It may also hold technical data about the device and environment used for signing, such as IP address and geolocation indicators. The audit trail confirms exactly which document was signed, often using cryptographic hashes to show that the content has not been altered since signing, and it records the status of the qualified certificate used. Overall, it provides strong, objective evidence of who signed, how they were identified, what they signed and when they signed it.

In addition, Veyco provide a Smart Harbour risk report which provides an audit trail of the applicants online digital footprint.

How can we prove the validity of a QES later to a court, lender or HMLR?

A QES is designed so that it can be checked and verified long after the signing has taken place. The combination of the qualified certificate issued by a recognised QTSP, the cryptographic link between the signature and the document, the tamper-evident seal on the signed file and the detailed audit trail and identity evidence allows anyone with the right tools and access to confirm several things. They can verify that the signature belongs to the named individual, that the document has not been changed since it was signed and that the certificate used was valid and not revoked at the time of signing.

This makes QES very powerful from an evidential point of view and, in many cases, it provides stronger and more reliable proof of execution than a traditional wet-ink signature with a handwritten witness name and address.

What identity documents can clients use when completing a QES for Transfers and mortgage deeds at HM Land Registry?

HM Land Registry have officially stated that they require biometric passports to be used on all QES transfers and deeds, meaning driving licenses are presently excluded.

Where can I find the resources:

- [Electronic execution of documents – Law Commission](#)
- [Industry Working Group on the Electronic Execution of Documents - GOV.UK](#)
- [Practice guide 82: electronic signatures accepted by HM Land Registry - GOV.UK](#)
- [Notice 2 \(under rule 54C of the Land Registration Rules 2003\): Documents in electronic form purporting to effect registrable dispositions \(effective 3 April 2023\) - GOV.UK](#)

***Disclaimer:** This Q&A is provided for general information only. It is not intended to be, and should not be relied on as, legal advice or a comprehensive statement of the law. The use of Qualified Electronic Signatures (QES), Veyco, or any other process described here must always be assessed in light of the specific facts of each transaction, the requirements of HMLR, lenders, insurers and other third parties, and your firm's own risk, AML and regulatory obligations.

Nothing in this document overrides your professional judgment. You should refer to the latest legislation, case law, regulatory guidance and HMLR practice guides before making any decision about execution methods or transactional risk.