



SAREN Introduces Biometric and Electronic Systems in Venezuela's Notaries and Registries

By Holland & Knight

The Venezuelan Autonomous Service of Registries and Notaries (SAREN), on Oct. 17, 2024, through Administrative Provision No. 525 published in the *Official Gazette* No. 42,987, introduced biometric and electronic systems for processing, registering and executing documents in notary and registry offices. Effective immediately, this provision marks a pivotal shift toward digital modernization in Venezuelan legal processes.

Objective of the Provision

The purpose of this provision is to regulate the use of electronic means to enhance the accuracy and efficiency of the identity verification process of parties appearing before notaries and registrars, as outlined in Article 1. Through biometric analysis of users' identifying elements, the new system seeks to expedite notarial procedures and improve security.

Forensic IT and Data Security

As stipulated in Article 4, SAREN will ensure that all electronic tools used for fingerprint biometric verification comply with forensic information technology (IT) standards, allowing for precise identification, data analysis and secure processing. Articles 5 and 6 further require that the electronic systems implemented will adhere to principles of confidentiality, privacy and data availability, aiming to protect user information through robust data security protocols.

Biometric and Electronic Signature Procedures

Under Article 10, primary, mercantile, public registries and notaries will introduce fingerprint biometrics alongside photographic records and electronic signatures for users to help enhance the authentication process. Article 11 mandates the interconnection between SAREN and the Administrative Service for Identification, Migration and Immigration (SAIME) for biometric fingerprint comparison against the national identification database to help ensure reliability in user identification prior to finalizing notarial acts.

Objections and Remediation Process

In cases of discrepancies or errors in biometric verification, Articles 17-20 establish a remediation process, wherein notarial or registry staff will verify the identity and authorize the document execution. If the discrepancy persists, the user's ID card will be reviewed to confirm or deny the user's identity. If identity confirmation is unsuccessful, the registrar or notary may issue a justified refusal to proceed, notifying the interested party per the Organic Law of Administrative Procedures.



Digital Handwritten Signature and Progressive Implementation

Article 21 provides for digital handwritten signatures executed directly on electronic devices, with full legal equivalency to traditional signatures, to ensure freedom of contract and legal security. Physical (wet) signatures will be required only in exceptional cases, as specified in Article 22. The progressive implementation of this biometric system, as detailed in the First Transitional Provision, will begin in the capital region and gradually expand nationwide.

For those requiring assistance with compliance under this new framework in Venezuela, support services are available from our office in Colombia.

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