中英對照版

同　意　書

□續予收容事件
□延長收容事件
□再延長收容事件

一、司法院針對高等行政法院地方行政訴訟庭管轄的行政訴訟續予、延長及再延長收容聲請事件，已建置「收容事件線上審理系統」，在「司法院電子訴訟文書（含線上起訴）服務平台」（網址：https://efiling.judicial.gov.tw，下稱司法院平台）提供書狀傳送服務，因此，這類收容聲請事件可以依照電子簽章法的規定，使用電子文件及電子簽章。

二、本件續予（或延長/再延長）收容聲請事件，有關聲請狀、委任書、期日通知、送達證書、筆錄、結文、收容裁定等訴訟文書，依照法律規定，應該使用書面，或是應該簽名、蓋章。由於聲請人內政部移民署已經同意使用電子文件及電子簽章，並指定司法院平台為收受電子文件的資訊系統，所以法院及聲請人內政部移民署會使用電子文件及電子簽章。

三、**受收容人○○○已經觀看「收容事件線上審理系統簡介」影片**（再延長收容事件的程序與延長收容事件相同），**且收到「收容事件線上審理系統簡介」書面，充分瞭解系統內容及法律效果，受收容人○○○關於期日通知、送達證書、筆錄等訴訟文書，同意使用電子文件及電子簽章，法院將以電子文件製作上開訴訟文書，並由受收容人○○○以手寫簽名板簽名（電子簽章），不再製作紙本，也不用實體簽名。**

四、依行政訴訟法第237條之15、入出國及移民法第38條之4規定，法院所為續予、延長及再延長收容裁定，受收容人○○○同意法院使用電子文件，法院將囑託收容處所長官送達裁定影本。

此致

○○高等行政法院地方行政訴訟庭

同意人即受收容人：
國　　籍：
生　　日：
□護照號碼：
□旅行證件號碼：
□其他身分證明文件號碼：

中　　華　　民　　國　　〇〇　年　　〇〇　月　　〇〇 日

【參考法條】

電子簽章法第4條第1、2項

經相對人同意者，得以電子文件為表示方法。

依法令規定應以書面為之者，如其內容可完整呈現，並可於日後取出供查驗者，經相對人同意，得以電子文件為之。

電子簽章法第9條第1項

依法令規定應簽名或蓋章者，經相對人同意，得以電子簽章為之。

行政訴訟法第237條之15第2項

前項正本以電子文件為之者，應以囑託收容處所長官列印裁定影本交付之方式為送達。

入出國及移民法第38條之4第6項

第四項再延長收容之聲請，準用行政訴訟法第二編第四章關於延長收容聲請事件程序之規定。

Consent Form

□ Continued detention cases
□ Extended detention cases
□ Further Extended detention cases

1. For continued, extended, and further extended detention applications of the administrative litigation cases under the jurisdiction of District Administrative Litigation Division of High Administrative Court, Judicial Yuan has established the "Online Hearing System for Detention Cases" and provides the document delivery service via the "Judicial Yuan E-Filing (including online indictment) Platform" (https://efiling.judicial.gov.tw; hereinafter referred to as E-Filing Platform). Therefore, these types of detention applications may make use of electronic documents and electronic signatures in accordance with the Electronic Signature Act.
2. The litigation documents of this continued (or extended/further extended) detention case, such as writ petition, power of attorney, date notification, proof of service, transcript, oath, or detention ruling, shall be presented in the written form or shall be signed or stamped in accordance with the pertinent regulations. Since the applicant, National Immigration Agency, Ministry of Interior Affairs, has agreed to make use of electronic documents and electronic signatures and has designated Judicial Yuan as the information system platform to receive electronic documents, the courts and National Immigration Agency will also make use of electronic documents and electronic signatures.
3. **The detainee◯◯◯has viewed the video "Introduction of Online Hearing System of Detention Cases," (the procedure for the further**

extended detention cases is the same as the extended detention cases), has received the document of "Introduction of Online Hearing System of Detention Cases," and has fully understood the content of the system and its legal validity. The detainee,◯◯◯, agrees to make use of the electronic document and electronic signature in the litigation documents, such as date notification, proof of service, and transcripts. The court will prepare the aforementioned litigation documents via the electronic format, and the detainee,◯◯◯, will sign on a tablet (in the form of an electronic signature). The hard copy documents are no longer prepared and a physical signature is no longer required.

4. In accordance with Article 237-15 of the Administrative Litigation Act and Article 38-4 of the Immigration Act, the detainee◯◯◯ agrees that a ruling to continue the detention or to extend the detention period rendered by the administrative court to be delivered in an electronic form. The court should entrust the officer of the detention centers to deliver the printed copy of the ruling.

to

District Administrative Litigation Division of◯◯High Administrative Court Consenter and the detainee:

Nationality:

Date of Birth:

□Passport number:

□Travel document number:

□Other identification number:

Year Month Day

【Reference Laws】

Paragraph 1 and 2, Article 4 of Electronic Signatures Act

With the consent of the other party, an electronic record can be employed as a declaration of intent.

In the instance in which a law or regulation requires that information be provided in writing, if the content of the information can be presented in its integrity and remains accessible for subsequent references, with the consent of the other party, the requirement can be met with the provision of an electronic record.

Paragraph 1, Article 9 of Electronic Signatures Act

In the instance that a law or regulation requires a signature or a seal, with the consent of the other party, the requirement is met through the use of an electronic signature.

Paragraph 2, Article 237-15 of the Administrative Litigation Act

In the instance that the original copy of a ruling prescribed in the previous paragraph, the court should entrust the officer of the detention centers to deliver the printed copy of the ruling.

Paragraph 6, Article 38-4 of Immigration Act

The procedural regulations with respect to the petition for extended detention under Chapter IV, Part II of the Administrative Litigation Act is applicable to the petition for further extended detention in Paragraph 4.