

104年公務人員特種考試司法人員、法務部調查局調查人員、國家安全局
國家安全情報人員、海岸巡防人員及移民行政人員考試試題

考試別：調查人員

等別：四等考試

類科組：調查工作組

科目：綜合法政知識與英文（包括中華民國憲法、法學緒論、兩岸關係、英文）

考試時間：1 小時

座號：_____

※注意：(一)本試題為單一選擇題，請選出一個正確或最適當的答案，複選作答者，該題不予計分。

(二)本科目共 50 題，每題 2 分，須用 2B 鉛筆 在試卡上依題號清楚劃記，於本試題上作答者，不予計分。

(三)禁止使用電子計算器。

- 1 依地方制度法之規定，地方立法機關所訂定之自律規則，除法律或自治條例另有規定外，由各該立法機關發布，並報各該上級政府為下列何種處理？
(A)核定 (B)核備 (C)備查 (D)陳述
- 2 關於憲法法庭，下列敘述何者錯誤？
(A)憲法法庭由大法官組成
(B)憲法法庭審理總統、副總統之彈劾及政黨違憲之解散事項
(C)憲法法庭審理總統、副總統之彈劾及公民投票違法事項
(D)憲法法庭之審理得行準備程序
- 3 依司法院釋字第 329 號解釋意旨，有關條約或協定之敘述，下列何者錯誤？
(A)我國與外國締結國際書面協定，經法律授權簽訂者，須送立法院審議
(B)協定內容直接涉及國家重要事項者，須送立法院審議
(C)協定內容直接涉及人民權利義務者，須送立法院審議
(D)條約附有批准條款者，須送立法院審議
- 4 憲法規定「總統依法公布法律，發布命令，須經行政院院長之副署」之意義，下列敘述何者錯誤？
(A)副署得以節制總統之權力 (B)副署使行政院能在法律命令公布前予以審查
(C)副署能體現行政院院長向總統負責之精神 (D)副署係負有義務性質之權限
- 5 關於選舉權之行使應具備之積極與消極要件，下列敘述何者錯誤？
(A)年滿 20 歲者，依法有選舉權
(B)受刑人於服刑期間，依法律規定不得行使選舉權
(C)依公職人員選舉罷免法，因歸化取得中華民國國籍者，須滿一定期間，才能成為公職候選人
(D)大陸地區人民經許可進入臺灣地區者，須在臺灣地區設有戶籍滿一定期間，才能成為一般公職候選人
- 6 依憲法增修條文及相關法律規定，下列何者非屬罷免權行使之對象？
(A)直轄市市長 (B)直轄市議會議員 (C)原住民立法委員 (D)全國不分區立法委員
- 7 私立學校法規定，主管機關於必要時得解除全體董事之職務，此種對該董事之限制，主要涉及下列何種基本權利？
(A)財產權 (B)工作權 (C)營業自由 (D)生存權
- 8 依司法院大法官解釋意旨，關於憲法第 8 條人身自由之保障，下列敘述何者正確？
(A)行政執行處非憲法第 8 條第 1 項所稱之警察機關，故不得依法院裁定執行拘提、管收
(B)對於刑事被告與非刑事被告人身自由之限制，均應踐行相同之法定程序
(C)任何人不問其國籍，凡人身自由受限制或剝奪者，均受該條規定之保障
(D)未經法院決定即對傳染病患採取強制隔離處置措施，係屬違憲
- 9 有關婚姻與家庭制度，依照司法院大法官解釋之意旨，下列敘述何者錯誤？
(A)國家為確保婚姻制度之存續與圓滿，得限制已婚者之性行為自由
(B)國家得以法律規定重婚者，後婚無效，但仍應保障雙方均為善意無過失之重婚人之信賴利益
(C)法律得基於兩岸分治之考量，對臺灣地區人民收養臺灣地區或大陸地區人民為合理之差別待遇
(D)法律為維持租稅公平，對夫妻非薪資所得採合併計算適用較高稅率，並不牴觸國家保障婚姻制度之本旨
- 10 依憲法及憲法增修條文有關軍人之規定，下列敘述何者正確？
(A)現役軍人可出任國防部部長
(B)現役軍人戰時不得受軍事審判
(C)軍人應超出黨派，故現役軍人不得參加任何政黨
(D)國家應保障軍人退役後之就業，故得為其舉辦轉任公務人員之特種考試

- 11 依地方制度法之規定，下列自治法規，何者於發布或公布前，毋須經核定程序？
(A)自治條例規定有罰則者 (B)各級地方立法機關之組織自治條例
(C)各級地方行政機關之組織自治條例 (D)各級地方行政機關訂定之委辦規則
- 12 有關於判例之敘述，下列何者正確？
(A)我國各級法院的判決都可被選為判例
(B)我國判例之適用優先於成文法
(C)判例為直接法源
(D)最高法院的裁判，經過一定的法定程序後可被選為判例
- 13 依憲法第 23 條之規定，審查公權力之作為是否侵害人民基本權利，主要以下列那兩項原則為依據？
(A)明確性原則與比例原則 (B)法律優位原則與比例原則
(C)法律保留原則與比例原則 (D)法律優位原則與法律保留原則
- 14 關於債權人受領遲延之法律效果，下列敘述何者錯誤？
(A)債務人得請求債權人賠償其提出及保管給付物之必要費用
(B)有交付動產義務之債務人，於債權人遲延後，得拋棄其占有
(C)在債權人遲延中，債務人僅就故意或重大過失，負其責任
(D)在債權人遲延中，債務人無須支付利息
- 15 依性別工作平等法之規定，有關家庭照顧假之敘述，下列何者錯誤？
(A)於受僱者之配偶有就業之情形下，當其家庭成員發生嚴重之疾病或其他重大事故需親自照顧時，得請家庭照顧假
(B)家庭照顧假請假日數併入事假計算，全年以 7 日為限
(C)家庭照顧假薪資之計算，依事假規定辦理
(D)雇主不得拒絕受僱者家庭照顧假之請求，但得視為缺勤而影響其考績
- 16 甲開車不慎撞死乙，下列何人雖非財產上之損害，亦得請求甲賠償相當之金額？
(A)乙之未婚妻 (B)乙之繼母 (C)乙之養子 (D)乙之弟弟
- 17 下列有關契約之敘述，何者錯誤？
(A)對話為要約者，若未立時承諾，則即使嗣後再為承諾，亦不生承諾之效力
(B)要約不須向特定人為之
(C)貨物標定賣價陳列者，推定為要約
(D)遲到之承諾，原則上視為新要約
- 18 A 股份有限公司擬向證券主管機關申請辦理公開發行程序，該公司應以下列何種方式為之？
(A)應經董事會特別決議 (B)應經董事會普通決議 (C)應經股東會特別決議 (D)應經股東會普通決議
- 19 關於易科罰金之敘述，下列何者錯誤？
(A)易科罰金時，得以新臺幣一千元、二千元或三千元折算一日
(B)得易科罰金而未聲請易科罰金者，得以提供社會勞動六小時折算一日，易服社會勞動
(C)受六月以下有期徒刑或拘役之宣告，不符易科罰金之規定者，即不得易服社會勞動
(D)易科罰金改易服社會勞動之履行期間，不得逾一年
- 20 A 公司為除濕機製造商，某一批產品因製程出現問題導致瑕疵，以致於產品在 B 中盤商倉庫時自燃，造成 B 倉庫毀損嚴重，且員工甲受傷。此外，部分商品已經透過經銷商 C 公司販售於市場，乙購買後餽贈好友丙，丙使用時除濕機爆炸，因而受重傷。下列敘述何者錯誤？
(A)A 公司為商品製造商，對於因此所造成之損害，應負無過失責任
(B)B 公司與甲得依消費者保護法向 A 公司主張損害賠償
(C)丙得依消費者保護法向 A 公司請求損害賠償
(D)C 公司應與 A 公司對消費者負連帶賠償責任
- 21 我國已正式爭取加入中國大陸倡議的「亞投行」，請問亞投行的正式名稱為何？
(A)亞太地區合作投資銀行 (B)亞洲地區合作投資銀行 (C)亞洲基礎設施投資銀行 (D)亞洲經濟合作投資銀行
- 22 依據臺灣地區與大陸地區人民關係條例第 57 條，父母之一方為臺灣地區人民，一方為大陸地區人民者，其與子女間之法律關係，應依據何種規定？
(A)依父母設籍地區之規定 (B)依子女設籍地區之規定 (C)依臺灣地區之規定 (D)依大陸地區之規定
- 23 中共中央對臺工作領導小組的組長，目前是由誰擔任？
(A)習近平（中國共產黨中央委員會總書記） (B)李克強（國務院總理）
(C)俞正聲（人民政治協商會議主席） (D)張志軍（國務院臺灣辦公室主任）

- 24 下列那一項協議被視為相當於兩岸的自由貿易協定（FTA）？
(A)海峽兩岸海關合作協議 (B)海峽兩岸經濟合作架構協議
(C)海峽兩岸投資保障和促進協議 (D)海峽兩岸金融合作協議
- 25 下列那一項是兩岸已簽署的協議（截至 2015 年 6 月 30 日之前）？
(A)兩岸兩會互設辦事機構 (B)海峽兩岸貨品貿易協議
(C)海峽兩岸服務貿易協議 (D)海峽兩岸避免雙重課稅及加強稅務合作協議
- 26 對於兩岸關係，歷任中共領導人所提出的主張，下列何者正確？
(A)鄧小平（1982 年）提出「兩岸一家親」
(B)江澤民（1995 年）提出「和平統一，一國兩制」
(C)胡錦濤（2008 年）提出「推動兩岸關係和平發展的六點意見」
(D)習近平（2013 年）提出「關於發展兩岸關係、推進祖國和平統一進程的八項主張」
- 27 中國大陸 2015 年 7 月 1 日通過並明訂「維護國家主權、統一和領土完整是包括港澳同胞和臺灣同胞在內的全中國人民的共同義務」的法律為何？
(A)中國共產黨章程 (B)中華人民共和國憲法 (C)反分裂國家法 (D)國家安全法
- 28 馬英九總統的兩岸政策，並不包括下列何者主張？
(A)九二共識，一中各表 (B)一個中國就是中華民國 (C)先經後政，先易後難 (D)推動兩岸政治協商
- 29 行政院大陸委員會主任委員夏立言與中國大陸國務院臺灣辦公室主任張志軍，2015 年 5 月 24 日在金門會談，這一場「夏張會」的屬性是下列何者？
(A)兩岸兩會高層會議 (B)兩岸事務首長會議 (C)兩岸官方協商會議 (D)兩岸政治協商會議
- 30 依憲法增修條文第 2 條，總統、副總統由誰直接選舉之？
(A)中華民國全體人民 (B)中華民國自由地區全體人民
(C)臺灣地區全體人民 (D)中華民國臺灣地區全體人民
- 31 John was infected with Ebola virus, and has been _____ to the ward of intensive care.
(A) assaulted (B) confined (C) hedged (D) entrusted
- 32 Most people have trouble breathing at such a high _____.
(A) altitude (B) degree (C) frequency (D) price
- 33 Many parents can relate to Robin Williams' character in "Mrs. Doubtfire," which helped families _____ the topic of divorce.
(A) attempt (B) impose (C) tackle (D) notify
- 34 Taiwan has strongly _____ Chinese obstruction at an academic conference in Portugal and said it has hurt cross-Taiwan Strait relations.
(A) astonished (B) bleached (C) condemned (D) embraced
- 35 Souvenir-buying is an _____ part of any trip, an activity we all take part in. Yet almost none of us are any good at it.
(A) essential (B) elegant (C) initial (D) organic
- 36 Although we had told them not to keep us waiting, they made no _____ to speed up deliveries.
(A) trial (B) attempt (C) concern (D) progress

請依下文回答第 37 題至第 40 題：

Smart, successful, funny, and handsome, Robin Williams 37 to have it all. And yet, today he is dead. Apparently, by his own choice. But why? What went wrong? The joy, spontaneity, and humor of Robin Williams likely 38 the daily torment he endured in his on-again-off-again struggle with depression. He made us laugh out here, but he was in pain in there. Unfortunately, I know that pain. In his death, we have lost one of the most talented and creative spirits on the planet. Still, his death by suicide should be a wake-up call for us all. It is to remind us that many of us are walking a 39 line—smiling on the outside while slowly dying on the inside. I didn't know Robin personally, so I am unable to speak with any certainty as to why he chose to end his life. But I have 40 that kind of torment and pain. For years, I, too, struggled with depression. And many days, I still do.

- 37 (A) agreed (B) entered (C) returned (D) seemed
38 (A) decorated (B) masked (C) poisoned (D) rejected
39 (A) clear (B) grey (C) fine (D) sharp
40 (A) experienced (B) avoided (C) proposed (D) operated

- 41 Aesop's fables are so familiar to many students that they tend to treat them _____ as "kids' stuff."
(A) auspiciously (B) condescendingly (C) equivocally (D) omnisciently
- 42 In the _____ age, technology isn't killing courtship. But for many young couples, it's redefining what romance looks like.
(A) archaic (B) digital (C) medieval (D) pre-natal

請依下文回答第 43 題至第 46 題：

People think turkeys are very dumb because they don't know enough to come in out of the rain. In fact, they've been known to hold their mouths open during rainstorms and drown! But that's _____ 43 _____ true of the domesticated turkey. The wild turkey is one of nature's most cunning creatures. Wild turkeys are very wary, _____ 44 _____ mothers with chicks. They are rarely seen by humans. They hide in the bushes where their natural coloring makes them just about _____ 45 _____ their natural enemies. Unlike the domesticated turkey, the wild bird is a powerful flyer. When it is frightened, the wild turkey spreads its five-to six-foot wings and flies away at up to 50 miles per hour. Even on the ground the bird is _____ 46 _____ and can run as fast as 25 miles per hour.

- 43 (A) completely (B) partly (C) hardly (D) only
- 44 (A) especially (B) despite (C) except (D) even
- 45 (A) scared of (B) attractive to (C) invisible from (D) confused with
- 46 (A) noisy (B) speedy (C) clumsy (D) handy

請依下文回答第 47 題至第 50 題：

Britain's second-largest city, Birmingham, has a new skyline — only it belongs to its Alabama namesake. Birmingham City Council distributed 720,000 leaflets that praised residents for exceeding recycling targets, carrying a message that read: "Thank You Birmingham." The message appeared stamped across a photograph of the city's skyline. But the photo was not of Birmingham, England, but of Birmingham, Alabama.

It's the second time British officials have mistakenly used images of Birmingham, Alabama. Three lawmakers who represent Birmingham at the European Parliament accidentally used a picture of the U.S. city on their Internet site in January.

"I would have thought the council would take more care," said Birmingham resident Jon Cooper. "I can't believe no one at the town hall noticed."

Britain's Birmingham is famed for its modernist Bullring shopping mall, with its distinctive metallic curved exterior, and an extensive network of canals, churches, and historical buildings. The Alabama city's skyline includes the Wachovia Tower, University of Alabama buildings, and skyscrapers.

Officials said the wrong image was selected from an Internet photo archive. "It's human error," said Birmingham City Council spokesman, Kris Kowalewski. "We accept that the wrong photo was used, but the text and detail contained in the leaflet is wholly correct."

In Alabama, the Birmingham Regional Chamber of Commerce didn't immediately respond to calls for comment.

- 47 Which of the following is the best title?
(A) Two Cities with Different Skylines (B) A Successful Recycling Program for Birmingham
(C) Birmingham City Council (D) Leaflets Showing the Wrong Birmingham
- 48 Which of the following buildings probably appeared in Britain's Birmingham leaflet?
(A) Bullring shopping mall (B) City Council (C) Parliament Building (D) Wachovia Tower
- 49 Which of the following statements is true?
(A) Birmingham is the largest city in Britain.
(B) The Birmingham photo came from an Internet archive.
(C) This was the first time images of Birmingham, Alabama, were mistakenly used.
(D) The British Birmingham has many new buildings recently and thus a new skyline.
- 50 Which of the following about the spokesman of Birmingham City Council in Britain is true?
(A) He did not respond to the report.
(B) He wasn't informed that a mistake was made.
(C) He represented Birmingham at the European Parliament.
(D) He said that the text in the leaflet was completely correct.