

102年公務人員特種考試外交領事人員及外交行政人員
考試、102年公務人員特種考試法務部調查局調查人員
考試、102年公務人員特種考試國家安全局國家安全情
報人員考試、102年公務人員特種考試民航人員考試、
102年公務人員特種考試經濟部專利商標審查人員考試試題

考 試 別：調查人員、國家安全情報人員

等 別：三等考試

類 科 組：各組

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 下列何者不是司法院大法官之權限？
(A)解釋憲法 (B)統一解釋法律及命令
(C)罷免總統案之審理 (D)自治法規牴觸法律發生疑義之解釋
- 2 國會應定期改選，是下列那一憲法原則的具體表現？
(A)法治原則 (B)民主原則 (C)比例原則 (D)自由原則
- 3 人事行政總處隸屬於下列何機關？
(A)行政院 (B)考試院 (C)監察院 (D)銓敘部
- 4 下列那一個機關隸屬於行政院？
(A)國家安全局 (B)公務員懲戒委員會 (C)公平交易委員會 (D)銓敘部
- 5 下列何者並非我國違憲審查制度的聲請主體？
(A)法官 (B)行政機關 (C)政黨 (D)行政機關內部單位
- 6 下列那一基本權受憲法絕對保障？
(A)內在信仰之自由 (B)藝術自由 (C)生命權 (D)隱私權
- 7 下列關於「學術自由」之敘述，何者錯誤？
(A)憲法上之講學自由規定為對於學術自由之制度性保障
(B)為保障學術自由應承認大學自治之制度
(C)大學自治制度包含學習自由之保障
(D)大學欠缺法律之授權而制定學則限制學生之學習自由，違反法律保留原則
- 8 依司法院大法官釋字第 380 號解釋之見解，有關學術自由保障之憲法上的依據為：
(A)言論自由 (B)講學自由 (C)著作自由 (D)出版自由
- 9 下列何者不屬於限制憲法第 11 條言論自由之形式？
(A)以刑罰處罰誹謗他人之行爲 (B)禁止在電腦網路散布援交訊息
(C)藥物廣告內容之審查 (D)檢查受刑人之隨身攜帶物品
- 10 下列何者是地方行政機關就其自治事項所訂定之法規類型？
(A)自治規則 (B)自治條例 (C)委辦規則 (D)自律規則
- 11 甲因協助同事申訴其雇主性別歧視之行爲，而遭雇主解僱。依性別工作平等法之規定，下列敘述何者正確？
(A)甲可向行政院勞工委員會提出申訴
(B)該雇主解僱甲之行爲，依契約自由原則，並未違法
(C)該雇主解僱甲之行爲已違法，但若雇主僅是將甲調職，則不違反性別工作平等法之規定
(D)該雇主解僱甲之行爲，已違反性別工作平等法之規定，可處新臺幣一萬元以上十萬元以下罰鍰
- 12 甲爲了參加校慶運動會的百米短跑競賽，向網路商店訂購釘鞋一雙。甲於收受後第二天，因校方張貼公告表示本次比賽禁用釘鞋。甲便向網路商店要求退貨，下列敘述何者正確？
(A)甲得於七日內要求退貨，但因網路商店並無過失，故甲須負擔運費
(B)甲得於七日內要求退貨，不須說明理由，亦不須負擔運費
(C)甲得於五日內要求退貨，但須說明商品有何具體瑕疵
(D)甲得於五日內要求退貨，但錯不在網路商店，故甲應負擔運費
- 13 下列何者爲合法之著作利用行爲？
(A)將他人文章與照片轉貼於自己部落格，供網友點閱
(B)學校電影社爲教學目的每週三向影音出租店租用光碟公開上映，供全校師生觀賞
(C)因報導時事所需，轉播某樂團之演出過程約一分鐘
(D)將他人創作之詩詞更改爲打油詩，致創作人之名譽受損
- 14 驅逐出境是對下列那一種犯罪人所設之保安處分？
(A)非法入境者 (B)外國人
(C)無國籍者 (D)中華民國國民在國外犯罪者

- 15 法人清算時，下列何者非屬清算人之職務？
(A)了結現務 (B)收取債權，清償債務 (C)決定賸餘財產之歸屬 (D)移交賸餘財產於應得者
- 16 下列何者不屬於要物契約？
(A)押租金契約 (B)租賃契約 (C)定金契約 (D)寄託契約
- 17 關於緩刑之宣告，下列敘述何者錯誤？
(A)受二年以下有期徒刑者，得宣告緩刑
(B)受緩刑宣告時，得命犯罪行為人向被害人道歉
(C)緩刑之效力既及於主刑，也及於從刑
(D)緩刑期滿，緩刑宣告未經撤銷者，其刑之宣告失其效力
- 18 甲失蹤滿七年，下列何者得聲請法院為死亡之宣告？
(A)遺產稅之徵收機關 (B)戶籍機關 (C)國庫 (D)警察機關
- 19 法律規定自公布日施行者，自何時起發生效力？
(A)法律之中央主管機關特定之日 (B)總統特定之日
(C)法律公布之日 (D)法律公布之日起算至第三日
- 20 下列法律，何者具有「母法與子法」的關係？
(A)民法總則與民法親屬 (B)刑法與貪污治罪條例
(C)國家賠償法與國家賠償法施行細則 (D)民法與民事訴訟法
- 21 2012 年 11 月中共召開「十八大」，請問在「十八大」《政治報告》中關於兩岸關係的論述，何者是首次出現在中國共產黨的《政治報告》中？
(A)擴大文化交流，增強民族認同
(B)深化經濟合作，厚植共同利益
(C)兩岸同胞同屬中華民族，是血脈相連的命運共同體
(D)兩岸雙方應恪守反對台獨，堅持九二共識的共同立場
- 22 1990 年代以來，我國政府關於兩岸經貿的政策主張提出時間的先後順序為何？①積極管理、有效開放
②擱置爭議、共創雙贏 ③積極開放、有效管理 ④戒急用忍
(A)①④②③ (B)①④③② (C)④③①② (D)④①③②
- 23 由於兩岸間的政治敏感性，我國成立「財團法人海峽交流基金會」（簡稱海基會）、大陸成立「海峽兩岸關係協會」（簡稱海協會），兩者統稱為「兩會」，成為兩岸官方互動的窗口。關於此，下列敘述何者正確？
(A)我國海基會成立時間先於大陸海協會
(B)業務執行上，海基會不需受立法院監督
(C)由於海基會代表官方，故其性質為政府組織
(D)兩會最高負責人 1993 年第一次會談的地點為香港
- 24 海峽兩岸分治六十餘年，兩岸各自歷經了數任的主政者，在不同時期分別提出不同的政策文件或主張。請問下表甲、乙、丙、丁中，何者可歸類為同一個時期的兩岸政策互動？

選項	大陸對台灣	台灣對大陸
甲	《反分裂國家法》	反攻大陸光復國土
乙	《告台灣同胞書》	「戒急用忍」
丙	一國兩制	三民主義統一中國
丁	武力血洗台灣	《國家統一綱領》

- (A)甲 (B)乙 (C)丙 (D)丁
- 25 關於中共反分裂國家法，請選出正確敘述者：①解決臺灣問題，實現祖國統一是中國的內部事務，不受任何外國勢力的干涉 ②國家和平統一後，臺灣可以實行不同於大陸的制度，完全自治 ③完成統一祖國的大業是包括臺灣同胞在內的全中國人民的神聖職責 ④國家主張通過臺灣海峽兩岸的協商，實現和平統一。
(A)①④ (B)②③ (C)①③④ (D)②③④
- 26 推動兩岸高層人士互訪，是國家統一綱領那一個階段的重點工作？
(A)近程-交流互惠 (B)短程-營造善意 (C)中程-互信合作 (D)遠程-協商統一
- 27 臺灣地區與大陸地區人民關係條例規定，政務人員、直轄市長、縣（市）長等，進入大陸地區應經申請，並經內政部會同：①國家安全局 ②外交部 ③法務部 ④行政院大陸委員會 組成之審查會審查許可，請選出審查會正確成員：
(A)①②③ (B)①②④ (C)①③④ (D)②③④
- 28 美國在那一個公報中，承諾對臺軍售質量遞減，此事曾對我國構成嚴重傷害，我方予以強力譴責，後來美國總統特別對我國提出六項保證，重申美國對臺灣的支持？
(A)八一七公報 (B)第四公報 (C)建交公報 (D)上海公報
- 29 中共處理涉台事務的最高決策機構是：
(A)中共國務院台辦 (B)中共中央對台工作領導小組
(C)中共中央書記處 (D)中共中央辦公廳
- 30 兩岸服務貿易協議於 2013 年 6 月 21 日完成簽署，關於該協議，請選出正確敘述者：①文本全文共有 4 章、24 條及 2 項附件 ②臺灣對大陸共開放 64 項行業，大陸對臺灣開放 80 項 ③大陸對臺灣開放項目包括電子商務、文創、運輸、金融、醫療、電信及觀光旅遊等業，95%超過 WTO 待遇 ④我方對大陸開放金融、醫療、電信等服務業
(A)①② (B)②③ (C)①②④ (D)②③④

- 31 The report showed that the national health insurance system would be seriously _____ if people continued abusing this under-charging system.
(A) depreciated (B) illegitimized (C) misrepresented (D) undermined
- 32 The chief global purchaser tried to _____ ideas by saying, "If you have any new technologies you think we'd be interested in, be sure to let us know."
(A) abate (B) evacuate (C) foster (D) solicit
- 33 Over the course of human history, waterways have been _____ for irrigation, urban development, navigation, and energy.
(A) elaborated (B) intimidated (C) manipulated (D) transplanted
- 34 Scientists noted that there could be diseases developing when your waist _____ 90 centimeters or more.
(A) enhances (B) measures (C) overweighs (D) reduces
- 35 This brilliant young man likes to explore the relationship between human mind and behavior; he has decided to major in _____ in college.
(A) biology (B) dermatology (C) hydrology (D) psychology
- 36 Chinese martial arts, such as *qigong* and *tai chi chuan*, are practiced by many for their reputed restorative and _____ effects, especially for chronic illnesses.
(A) boisterous (B) celestial (C) discreet (D) therapeutic
- 37 With the iPad sweeping consumers off their feet, electronic makers worldwide are aiming for a slice of the growing tablet PC pie.
(A) Because of the great success of the iPad, electronic makers worldwide are targeting the growing market of tablet PCs.
(B) With the iPad's popularity around the world, electronic makers worldwide now turn to the production of tablet PC pies.
(C) With the encouragement of the iPad's success, electronic makers worldwide now focus on designing innovative PCs.
(D) Because of the popularity of the iPad, electronic makers worldwide realize that the tablet PC pie market is growing.

請依下文回答第 38 題至第 42 題

It has long been noticed by experts on juvenile delinquency that after the mid-teens, the crime rate declines. The question is: What causes the decline to occur?

Now, there are a number of explanations for the aging-out or desistance phenomenon. Many researches point out that the aging-out process is a function of the natural history of the human life cycle. Adolescent criminality coincides with the emergence of major sources of reinforcement for delinquent behavior: money, sex, and peers who defy conventional morality. At the same time, the child is becoming more independent of parents and other adults who enforce conventional standards. The new sense of energy and strength, coupled with a lack of economic and social skills and relationships with peers who are similarly vigorous and frustrated, creates the conditions needed for a rise in criminality.

Why does the crime rate then decline? Studies indicate that small gains from petty crime lose their power to reinforce criminal behavior as a child matures and develops legitimate sources of money, sex, alcohol, and status. As adults, former delinquents develop increasingly powerful ties to conventional society, not the least of which is the acquisition of a family. Adult peers further make crime an unattractive choice by expressing opinions in opposition to risk taking and law violation ("you're acting childish"). Along with this sense of maturity comes the ability to delay gratification and forgo the immediate gains that law violation brings.

- 38 What does the underlined term "desistance phenomenon" refer to?
(A) The rise of criminality in the mid-teens. (B) The rise of criminality after the mid-teens.
(C) The decline of crime rate in the mid-teens. (D) The decline of crime rate after the mid-teens.
- 39 What is the passage mainly about?
(A) The relationship between age and crime rate. (B) The relationship between money and sex.
(C) The relationship between crime and morality. (D) The relationship between mid-teens and adults.
- 40 Which of the following is NOT among the major causes of adolescent criminality?
(A) A lack of economic and social skills.
(B) The peers who defy conventional morality.
(C) The development of legitimate sources of money and sex.
(D) The independence from adults who enforce conventional standards.
- 41 According to the passage, what does the acquisition of a family mean to an adult?
(A) It makes risk taking a more attractive choice.
(B) It strengthens one's tie to conventional society.
(C) It urges one to pursue sex, money, and immediate gratification.
(D) It renders one independent of parents who enforce conventional standards.

- 42 According to the passage, what is the main cause of the aging-out process?
(A) School education (B) Parents' discipline
(C) The natural human life cycle (D) Children's independence from adults

第 43 題至第 46 題為篇章結構，各題請依文意，從四個選項中選出最合適者，各題答案內容不重複

You have successfully passed through many phases of life, overcome many a hurdle in your long career, seen the ups and downs, and so on. 43 It should mean retiring from work, not life. It's like changing from the fast lane to the slow one where the drive is far more relaxed, scenic, and pleasurable.

44 It's just another phase in one's life. Recall the things about working you cringed at, like getting up early no matter how you felt, meeting folks you didn't want to, putting on the tie you felt would strangle you, and the like. Didn't you always wish you could take a break from it all? 45 You should take it with the same boldness you showed in the earlier phases.

46 So, a major upheaval like retirement is bound to be followed by corollaries ranging from depression, irritability to a sense of displacement, and uselessness. Forbes once said that retirement kills more people than hard work ever did. Yes, this is true if you decide to retire completely from life.

- 43 (A) Now it is the time to enter a new phase—Retirement.
(B) In earlier phases, most people have obligations to family and work.
(C) Change, for better or worse, is always accompanied by anxiety and some resistance.
(D) Once you adjust to this pace of life, you would not want to trade it for the pressure.
- 44 (A) Retirement need not sound like a death knell to those approaching it.
(B) In earlier phases, most people have obligations to family and work.
(C) Change, for better or worse, is always accompanied by anxiety and some resistance.
(D) Once you adjust to this pace of life, you would not want to trade it for the pressure.
- 45 (A) In earlier phases, most people have obligations to family and work.
(B) Initially retirement seems like a constant holiday or honeymoon phase.
(C) Well, here is the opportunity to live a life at your own pace and on your own terms.
(D) Once you adjust to this pace of life, you would not want to trade it for the pressure.
- 46 (A) Retirement need not sound like a death knell to those approaching it.
(B) Well, here is the opportunity to live a life at your own pace and on your own terms.
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第 47 題至第 50 題為篇章結構，各題請依文意，從四個選項中選出最合適者，各題答案內容不重複

Thank-you notes are highly valued and even expected by some people. 47 The note is as much an acknowledgment of the giver as of the gift. This acknowledgment can help cement an existing friendship or warm a growing relationship. 48 Corporate etiquette demands that career-minded people write notes of thanks. They write notes for gifts, invitations, and lunches. 49

How to write short but meaningful notes? The tip is to personalize the note. 50 Or you may mention what makes an experience helpful or attractive to you.

- 47 (A) You may find shortcuts to personalizing thank-you notes.
(B) In business, too, the thank-you note is a must.
(C) On a personal level, thank-you notes bond us more closely to the giver.
(D) For example, you may write about what is unique about a gift.
- 48 (A) In particular, they express gratitude to those who offer help on their way up the ladder.
(B) The paper you use does not need to be expensive, but it should be in good taste.
(C) For example, you may write about what is unique about a gift.
(D) In business, too, the thank-you note is a must.
- 49 (A) In particular, they express gratitude to those who offer help on their way up the ladder.
(B) On a personal level, thank-you notes bond us more closely to the giver.
(C) You may find shortcuts to personalizing thank-you notes.
(D) In business, too, the thank-you note is a must.
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