

114年特種考試地方政府公務人員及 離島地區公務人員考試試題

考試別：地方政府公務人員考試

等別：三等考試

類科：各類科（除公職社會工作師、公職獸醫師、公職建築師外）

科目：法學知識與英文（包括中華民國憲法、法學緒論、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答案。

(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。

- 有關憲法增修條文位階，下列敘述何者正確？
 - (A)憲法增修條文與憲法本文之位階相同
 - (B)依據後法優於前法原則，憲法增修條文之位階高於憲法本文
 - (C)依據特別法優於普通法原則，憲法增修條文之位階高於憲法本文
 - (D)依據憲法保留原則，憲法本文之位階高於憲法增修條文
- 依憲法規定，各級政府為扶助學行俱優無力升學之學生，負有下列何種義務？
 - (A)應給予免繳納學雜費之優惠
 - (B)應廣設獎學金名額
 - (C)應給予大學入學之名額保障
 - (D)應給予大學入學考試之成績計算優惠
- 下列何者並非憲法財產權之保障範圍？
 - (A)名譽人格
 - (B)商標專用權
 - (C)營業自由
 - (D)公務員考績獎金
- 被羈押之刑事被告受法院公平審判之權利，不涉及下列何種權利或原則？
 - (A)正當法律程序原則
 - (B)言論自由
 - (C)人身自由
 - (D)防禦權
- 兵役法規定僅男子有服兵役之義務，依大法官解釋該規定合憲，下列何者並非其理由？
 - (A)非為助長、促進或限制宗教而設
 - (B)軍隊員額限制
 - (C)基於男女生理差異之考量
 - (D)基於男女之社會生活功能角色不同
- 依司法院憲法解釋及憲法法庭裁判，有關憲法上之人格權，下列敘述何者錯誤？
 - (A)人格權為維護個人主體性及人格自由發展所不可或缺
 - (B)人格權與人性尊嚴的維護關係密切
 - (C)人格權的保障包含未來世代之人格發展
 - (D)人格權受憲法第 22 條之保障
- 如立法院制定之法律，被憲法法庭宣告違憲失效，立法院因而刪除大法官之司法專業加給，是否違憲？
 - (A)不違憲，因為立法院有審議預算的權力，得刪減預算
 - (B)違憲，因為憲法第 81 條規定法官非依法律不得減俸，立法院亦應遵守此一憲法義務
 - (C)不違憲，因為大法官並非法官，不得領取司法專業加給
 - (D)不違憲，因為權力分立之基本原則，各權力機關得彼此制衡
- 依憲法及憲法增修條文規定，關於考試院之組織與職權，下列敘述何者正確？
 - (A)考試院設院長、副院長各一人，由總統直接任命；其餘考試委員，則由總統提名，經立法院同意任命之
 - (B)考試院關於所掌事項而須提出法律案時，應向行政院提報，並經由行政院轉呈向立法院提出
 - (C)考試委員之任命，須符合立法院各政黨所占席次之比例，以求職權行使之公正性
 - (D)公務人員之選拔，應實行公開競爭之考試制度，非經考試及格者，不得任用
- 依據憲法訴訟法規定，關於聲請憲法法庭判決，下列敘述何者正確？
 - (A)法官個人得就法律牴觸憲法，聲請法規範憲法審查
 - (B)法院得就法律牴觸憲法，聲請法規範憲法審查
 - (C)法院得就行政命令牴觸憲法，聲請法規範憲法審查
 - (D)法院得就判例牴觸憲法，聲請法規範憲法審查

- 10 依司法院大法官解釋及憲法法庭裁判意旨，有關進口肉品及其產製品殘留乙型受體素之安全容許量標準的訂定與執行，下列敘述何者正確？
 (A)肉品中是否容許乙型受體素，涉及地方政府維護人民食品安全的事務，地方享有優先立法權
 (B)食品安全衛生之管制標準，屬憲法第 108 條第 1 項第 3 款規定「商業」及第 18 款規定「公共衛生」所定之中央立法事項
 (C)有關進口肉品及其產製品是否容許殘留乙型受體素，應依國際標準決定
 (D)地方自治團體基於對居民健康的維護義務，得就肉品及其產製品殘留乙型受體素之安全容許量，自訂比中央更嚴格的標準
- 11 對於政務人員，可實施下列何種懲戒？
 (A)休職 (B)降級 (C)記過 (D)申誡
- 12 依司法院大法官解釋，就「行為不檢有損師道者，經有關機關查證屬實」不得聘任為教師之規定，下列敘述何者正確？
 (A)此一規定須由各級學校之教師評審委員會於個案中加以認定及判斷，違反明確性原則
 (B)教育實務上所累積之案例，有助於補強此一規定之明確性
 (C)此一規定未明定違法行為之類型，與法律保留原則有違
 (D)受規範之教師無法預見其行為是否違法，故此一規定違反法律明確性原則
- 13 依據性別平等工作法之規定，下列有關禁止性別歧視之敘述，何者正確？
 (A)雇主若於勞動契約中規定受僱者有結婚、懷孕之情形時，即應行離職，則該約定雖為無效，然該勞動契約之終止依然具有效力
 (B)雇主對求職者之招募、甄試與分發不得因性別或性傾向而有差別待遇，且無任何例外
 (C)雇主對於受僱者之退休及資遣，雖不可因性別而有差別待遇，然可因其性傾向而加以解僱，此為契約自由原則
 (D)雇主對於受僱者薪資之給付，雖不得因性別而有差別待遇，然可基於年資或績效之理由，給予不同之薪資
- 14 警察張三逮捕現行犯李四後，發現其為舊識。移送至警局後，張三念在老友一場，遞給李四一隻迴紋針，便利其脫逃，但李四功力不足，未能開啟手銬及門鎖。下列敘述何者正確？
 (A)張三的行為構成刑法第 163 條公務員縱放人犯未遂罪，因其已著手縱放職務上依法逮捕或拘禁之人
 (B)張三的行為構成刑法第 163 條公務員縱放人犯未遂罪，因其發現李四係舊識，卻未移交他人處理
 (C)張三的行為不構成刑法第 163 條之犯罪，因該罪不罰過失
 (D)張三的行為不構成刑法第 163 條之犯罪，因李四並非受羈押之人
- 15 共有人就共有物之管理，下列敘述何者錯誤？
 (A)除契約另有約定外，共有物之管理，得以共有人過半數及其應有部分合計過半數之同意行之
 (B)除契約另有約定外，共有物之管理，得以共有人之應有部分合計逾三分之二同意行之
 (C)共有物之簡易修繕，應以共有人過半數及其應有部分合計過半數之同意行之
 (D)訂定共有物之分管契約，應得到全體共有人同意
- 16 關於工資之給付，下列敘述何者錯誤？
 (A)工資應全額直接給付勞工，雇主不得代扣任何費用
 (B)雇主不按期給付工資者，主管機關得限期令其給付
 (C)除當事人有特別約定或按月預付者外，工資應定期發給
 (D)基於習慣或業務性質，工資得於勞動契約內訂明一部以實物給付之
- 17 關於共和國原則，下列敘述何者錯誤？
 (A)憲法第 1 條即開宗明義揭示此原則
 (B)排除任何壟斷性、世襲性與獨占性的權力統治
 (C)共和之特徵在於國家元首透過選舉產生，且有一定任期
 (D)英國有女王、日本有天皇，均係世襲，是專制共和政體
- 18 下列何者並非中央法規標準法第 21 條所定之法規廢止事由？
 (A)機關裁併，有關法規無保留之必要者
 (B)法規因有關法規之廢止或修正致失其依據，而無單獨施行之必要者
 (C)同一事項已定有新法規，並公布或發布施行者
 (D)法規受憲法法庭宣告違憲而立即失效者
- 19 會客室門口懸掛告示牌規定，「禁止帶狗進入」。對該條規定，應採取反對解釋，認為熊與狗不同，該告示僅禁止帶狗進入，則熊自不在禁止之列；抑或是採取類推適用，熊與狗同為動物，因此亦在規範禁止之列。此際，解釋方式選擇之考量重點應為下列何者？
 (A)民主原則 (B)信賴保護 (C)規範目的 (D)私法自治

- 20 我國著作權法關於著作人認定之規定，下列敘述何者正確？
 (A) 2 人以上共同完成之著作，其各人之創作，無論是否可分離利用者，視為共同著作
 (B) 受雇人於職務上完成之著作，若勞務契約約定以雇用人為著作人者，從其約定
 (C) 使用他人所研發之人工智慧軟體創作音樂，無論使用者是否有具原創性參與創作，均以該人工智慧研發者為著作人
 (D) 出資聘請他人完成之著作，若契約約定以出資人為著作人者，仍以該受聘人為著作人
- 21 Guilt continued to _____ him long after the incident, leaving him unable to sleep at night.
 (A) pacify (B) wrack (C) enhance (D) advance
- 22 Tom made a _____ comment about Sarah's appearance, which caused her to leave in tears.
 (A) nasty (B) supurb (C) brilliant (D) praiseworthy
- 23 Please only include relevant information in your report to make it _____.
 (A) wordy (B) lengthy (C) concise (D) typical
- 24 He saved part of his weekly _____ to buy a video game at the end of the month.
 (A) refusal (B) allowance (C) inhibition (D) withholding
- 25 To _____ excessive tourism, the city is going to limit group sizes and introduce tourist taxes.
 (A) conceive (B) counter (C) content (D) convene
- 26 Tears filled her eyes so quickly that the words on the page began to _____, turning sharp letters into fuzzy, unreadable shapes.
 (A) glow (B) blur (C) shine (D) appear
- 27 The child _____ in pain after falling off the swing, and his loud wails drew everyone's attention in the park.
 (A) howled (B) gossiped (C) murmured (D) whispered
- 28 This sophisticated manager is known for her incredible talent in _____ the conflict among team members.
 (A) resolving (B) revolving (C) reserving (D) resigning
- 29 The company's new CEO has been greatly applauded for his success in _____ a dramatic transformation to advance the entire industry.
 (A) triggering (B) prohibiting (C) stagnating (D) downplaying
- 30 The team had to work within a strict budget, which posed a significant _____ on their ability to expand the project further.
 (A) boost (B) constraint (C) extension (D) opportunity
- 31 The scientist's groundbreaking research provided a new _____ for understanding the universe.
 (A) paradigm (B) omission (C) anomaly (D) convenience
- 32 Being laid off turned out to be a blessing in _____ because within a month I got a much better job.
 (A) tears (B) terms (C) dispute (D) disguise
- 33 The _____ boy kept changing his mind about which ice cream flavor to choose.
 (A) indecisive (B) inclusive (C) unwavering (D) unfailing
- 34 The manager of the company spoke vaguely to _____ any mention of the recent layoffs.
 (A) evade (B) promote (C) prompt (D) enhance
- 35 The devastating flood has caused a severe _____ of food supplies, leaving many families in urgent need of basic necessities.
 (A) surplus (B) scarcity (C) shipment (D) arrangement

請依下文回答第 36 題至第 40 題：

As misinformation is rampant on social media, telling facts from fiction is a crucial skill. Mike Caulfield, a digital literacy expert, developed the SIFT methodology to improve fact-checking strategies. SIFT 36 "Stop, Investigate, Find, and Trace." When you hear, see, or read something that triggers a strong 37 response, such as angry, shocked, or self-righteous, you should stop sharing the information and investigate the source that publishes the information. Next, find more trusted sources 38 the same information or disputing it. Readers should also be aware that re-reporting may omit certain facts to support biased perspectives. The final step, 39, is to trace and read the claims in the original context in which they were presented.

Taking these steps before deciding whether to share a claim might feel 40. Yet it may not only save you the embarrassment but help ensure you're not spreading misinformation.

- 36 (A) comes across (B) looks into (C) stands for (D) breaks down
 37 (A) analytical (B) emotional (C) physical (D) symmetrical
 38 (A) corroborating (B) deducting (C) fabricating (D) perpetrating
 39 (A) however (B) reversely (C) instead (D) therefore
 40 (A) buoyant (B) onerous (C) infatuated (D) haughty

請依下文回答第 41 題至第 45 題：

2024 Peace Prize exhibition tells the powerful story of Nihon Hidankyo, the Japanese organization for survivors of the atomic bombs in 1945, and their work for a nuclear weapon-free world. The exhibition provides a moving 41 into the destruction caused by the bombs dropped over Hiroshima and Nagasaki in 1945. Through photographs and testimonies from the survivors, the audience 42 an understanding of the Peace Prize winner's message: Nuclear weapons must never be used again! The renowned French Magnum photographer Antoine d'Agata 43 the survivors from Hiroshima and Nagasaki, who are called *hibakusha* in Japanese. He has captured the determined gazes of these elderly individuals, and the images stand in 44 contrast to archival photos of the destruction from 1945. For this year's exhibition, the Nobel Peace Center has also collaborated 45 the world-famous Japanese architect Kengo Kuma, who has created a special installation with 1000 cedarwood objects from Hiroshima. Each object represents a hibakusha. The audience can pick up the figures, listen to their stories, and reflected on the ongoing struggle for a nuclear weapon-free world.

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|----|----------------|-------------------|----------------|----------------|
| 41 | (A) confusion | (B) insight | (C) ignorance | (D) naivety |
| 42 | (A) wastes | (B) surrenders | (C) gains | (D) misses |
| 43 | (A) portrays | (B) has portrayed | (C) portraying | (D) to portray |
| 44 | (A) reasonable | (B) positive | (C) good | (D) stark |
| 45 | (A) in | (B) with | (C) from | (D) over |

請依下文回答第 46 題至第 50 題：

When we were kids, dream jobs shimmered with imagination—astronauts soaring through galaxies, rock stars jamming on world stages, dinosaur trainers wrangling prehistoric pals (yes, totally legit), and professional ice cream tasters sampling scoops all day long. Those were the glory days of wild ambition, untouched by reality. Then adulthood snuck in with spreadsheets, deadlines, and way **too much coffee**. But here's the twist: those glittery dreams never really disappear—they just flicker quietly in the background, waiting for a chance to shine again.

Some people still chase those dreams with flair. Travel vloggers, for instance, turn the world into their office—sipping coconut water in Bali, editing videos from a hammock, and surviving on patchy Wi-Fi. Game designers build entire universes where they make the rules (like outlawing pineapple on pizza—finally!). And let's not forget the pet influencers—folks who turn their stylish cats and dogs into fashion icons with more followers than a small country.

Then there are the voice actors who bring characters to life in their pajamas, and food critics whose job is to eat and judge pasta. That's not just work—it's a public service! Others dream of running cozy book cafés or opening quirky shops. These jobs may not come with corner offices or corporate perks, but they offer something much richer: joy, freedom, and creativity.

In a world that often pushes practicality, it's refreshing to remember that dream jobs still exist—and they're more diverse than ever. Whether you're five or fifty, there's magic in pursuing what lights you up inside. So, let's keep stepping toward those shimmering careers. They might not always be easy, but one glittery step at a time, they just might lead you somewhere wonderful.

- 46 What is this passage mainly about?
- | | |
|--|---|
| (A) People should forget childish dreams. | (B) Dream jobs are worth pursuing at any age. |
| (C) Traditional jobs are better than dream jobs. | (D) It's important to know the job market trends. |
- 47 What is the tone of the passage?
- | | |
|-------------------------------|---------------------------------|
| (A) Sad and regretful. | (B) Sarcastic and bitter. |
| (C) Serious and professional. | (D) Light-hearted and humorous. |
- 48 What is the purpose of the phrase "too much coffee" in the first paragraph?
- | | |
|--|---|
| (A) To show that the writer enjoys drinking coffee. | (B) To suggest that adults need coffee to stay awake. |
| (C) To amusingly show how stressful adult life can be. | (D) To promote habits that support a healthy work life. |
- 49 Why does the author mention banning pineapple on pizza?
- | | |
|---|--|
| (A) To discuss food culture. | (B) To compliment weird food choices. |
| (C) To show game designers' creativity. | (D) To discriminate common food arguments. |
- 50 According to the passage, which of the following is true about dream jobs?
- | | |
|---|---|
| (A) They have the potential to offer joy and freedom. | (B) They require less imagination and creativity. |
| (C) They guarantee stable and safe revenue. | (D) They are disappearing in modern times. |