

103 年公務人員特種考試警察人員考試
三等考試水上警察人員類別重新考試試題

等 別：三等考試
類 別：水上警察人員
科 目：中華民國憲法與水上警察專業英文

考試時間：2 小時

座號：_____

※注意：禁止使用電子計算器。

甲、申論題部分：(25 分)

- (一)不必抄題，作答時請將試題題號及答案依照順序寫在申論試卷上，於本試題上作答者，不予計分。
(二)請以藍、黑色鋼筆或原子筆在申論試卷上作答。

一、請將以下英文翻譯成中文：

- (一)Search and rescue (SAR) is one of the Maritime Police's oldest missions. Warding off the loss of life, personal injury, and property damage by helping boaters in distress has always been a top Maritime Police priority. (7 分)
(二)Illegal immigration can cost taxpayers billions of dollars each year in social services. In addition to relieving this financial burden on our citizens, the Maritime Police's efforts help to support legal migration systems. (8 分)

二、請將以下中文翻譯成英文：

我們倡議通過立法，除非身穿制服並在執勤，所有人禁止在公共場合攜帶槍枝或其他致命武器。(10 分)

乙、測驗題部分：(75 分)

代號：2512

- (一)本測驗試題為單一選擇題，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)共 60 題，每題 1.25 分，須用 2B 鉛筆在試卡上依題號清楚劃記，於本試題或申論試卷上作答者，不予計分。

- 1 下列何者不是立法院的職權？
(A)每年集會時，得聽取總統國情報告
(B)議決法律案、預算案、條約案等及國家其他重要事項
(C)對於司法院院長彈劾案之提出
(D)提案變更中華民國領土
- 2 立法院對行政院院長不信任案之投票，應採取下列何種方式？
(A)不記名投票 (B)通訊投票 (C)祕密投票 (D)記名投票
- 3 提案係提出法案於立法院，使其成為討論議決之客體，依據我國憲法及司法院大法官解釋，下列何者無提案權？
(A)總統府 (B)立法委員 (C)行政院 (D)司法院
- 4 下列何者並非總統府所設置的組織？
(A)國史館 (B)國父陵園管理委員會 (C)中央研究院 (D)科技部
- 5 行政院院長辭職或出缺時，應如何處理？
(A)由行政院副院長繼任 (B)由行政院副院長暫行代理
(C)由內政部部长代理 (D)由行政院秘書長暫行代理
- 6 依憲法規定，行政院之決算應向下列何者提出？
(A)立法院 (B)司法院 (C)監察院 (D)主計處
- 7 有關總統、副總統職位異動之敘述，下列何者錯誤？
(A)副總統缺位時，總統應於 3 個月內提名候選人，由立法院補選，繼任至原任期屆滿為止
(B)罷免案經投票後，中央選舉委員會應於投票完畢 7 日內公告罷免投票結果。罷免案通過者，被罷免人應自公告之日起 30 日內，解除職務
(C)總統、副總統就職未滿 1 年者，不得罷免
(D)總統、副總統均缺位時，由行政院院長代行其職權，並依憲法增修條文第 2 條第 1 項之規定補選
- 8 「戶警分立實施方案」使原辦理戶政業務之警察，可於 5 年內留任原職或回任警職，依司法院大法官解釋，下列敘述何者正確？
(A)該方案並未充分考量當事人之意願、權益及重新調整其工作環境所必要之期限
(B)該方案係屬對相關公務員之權利限制過度之規定
(C)相對於回復戶警分立制度之重要性與必要性，警察人員所受之不利影響，仍屬輕微
(D)當事人就職缺之期待所受之不利影響，已逾越期待可能性之範圍，不符法治國家比例原則之要求
- 9 人民不因其身分貧富皆一律享有選舉權者，稱之為：
(A)普通原則 (B)平等原則 (C)自由原則 (D)直接原則
- 10 依司法院大法官解釋，以下何者涉及憲法第 15 條財產權之保障？
(A)賭博罪之處罰 (B)強制人民按捺指紋 (C)騎樓禁止設攤營業 (D)大學生之退學處分

- 11 總統、副總統選舉，選舉人於規定之投票時間內到達投票所，惟因排隊者眾，投票時間屆至時，尚未及完成投票。下列敘述何者正確？
(A)該選舉人不得投票 (B)該選舉人仍可投票
(C)如其尚未領取選票，不得領取 (D)如其尚未圈投，不得圈投
- 12 下列何者不屬於依法納稅之內容？
(A)租稅法律主義 (B)租稅公平原則 (C)構成財產權之限制 (D)稅款指定用途
- 13 下列何者不屬於憲法第 23 條所允許限制基本權利之方式？
(A)基於法律規定 (B)遵守比例原則 (C)以行政規則限制 (D)遵守法律明確性原則
- 14 下列何者屬於行政補償之範圍？
(A)人民所有的既成道路提供公眾通行而受有損失 (B)公務員執行職務不法侵害人民權利
(C)公務員不服內部管理措施 (D)宗教團體參與災難救助
- 15 下列何者不屬於傳統特別權力關係之適用範圍？
(A)國家與公務員之關係 (B)公立學校與學生之關係
(C)受刑人與監獄之關係 (D)公營事業與其勞工之關係
- 16 依據憲法增修條文第 3 條第 3 項之規定，下列何者不屬於得以法律為準則性規定之國家機關事項？
(A)處罰權限 (B)職權 (C)總員額 (D)設立程序
- 17 法律授權之目的、內容及範圍應明確，否則行政機關不得訂定法規命令限制人民權利自由，是屬於：
(A)民主原則 (B)比例原則 (C)法律優位原則 (D)法律保留原則
- 18 涉及人身自由之規定，依司法院大法官解釋，下列何者係屬違憲？
(A)要求犯組織犯罪條例者強制工作
(B)以自由刑處罰犯麻醉藥品條例者
(C)對於經合法通知，無正當理由而不到場者，即加以拘提管收
(D)對侵害商標權處刑罰
- 19 司法院釋字第 623 號解釋認為，電子訊號、電腦網路與其他媒體之資訊取得方式尚有不同，如衡酌科技之發展可嚴格區分其閱聽對象，應由主管機關建立何種制度，以符比例原則之要求？
(A)分層負責制度 (B)分級管理制度 (C)權力分立制度 (D)行政中立制度
- 20 依據集會遊行法規定，下列何機關原則上不屬於集會遊行之禁制區？
(A)行政院 (B)司法院 (C)考試院 (D)監察院
- 21 下列何者非屬「表現自由」之範疇？
(A)集會自由 (B)言論自由 (C)著作自由 (D)服公職權利
- 22 我國憲法中之基本權利不包括下列何種性質之權利？
(A)動物權 (B)國民權 (C)公民權 (D)人權
- 23 依據司法院大法官解釋，下列有關人身自由限制之敘述，何者正確？
(A)有關人身自由限制之事項，不屬憲法保留層次
(B)法律若已就人身之處置為明文之規定者，得以法律具體明確授權委由主管機關執行之
(C)法律若已就人身之處置為明文之規定者，主管機關得不待法律授權而為執行
(D)法律若已就人身之處置為明文之規定者，主管機關得依法律概括授權發布有關非細節性與非技術性事項之規定
- 24 人民被法院以外之任何機關逮捕拘禁時，其本人或他人得向逮捕拘禁地之下列何法院聲請提審？
(A)地方法院 (B)高等法院 (C)最高法院 (D)司法院大法官
- 25 人民使用電子信箱不受國家及他人任意侵擾，係屬下列何種權利？
(A)祕密通訊自由 (B)言論自由 (C)集會自由 (D)宗教自由
- 26 憲法學理中所謂「基本權利對第三人之效力」，主要是指憲法上人民權利之規定在下列那一種法律領域所能發揮的作用力？
(A)刑法 (B)行政罰法 (C)民法 (D)行政程序法
- 27 憲法所稱之法律，係指：
(A)經立法院通過，行政院公布之法律
(B)經立法院通過，公布之法律
(C)經立法院或地方立法機關通過，行政院公布之法律
(D)經立法院通過，總統公布之法律
- 28 依憲法增修條文明文規定，國家對於僑居國外國民，應特別保障其：
(A)就學 (B)就業 (C)就醫 (D)政治參與
- 29 依地方制度法規定，縣（市）議會議員由縣（市）民依法選舉之，任期幾年，連選得連任？
(A)2 年 (B)3 年 (C)4 年 (D)6 年
- 30 公務員行使公權力，違法侵害人民自由或權利時，受損害人應先向下列何者請求國家賠償？
(A)公務員本人 (B)公務員所屬機關 (C)普通法院 (D)行政法院
- 31 下列何者不得制定自治條例？
(A)臺灣省 (B)臺北市 (C)桃園縣 (D)基隆市
- 32 依據憲法增修條文第 9 條規定，省、縣地方制度應以何種規範定之？
(A)法律 (B)自治規則 (C)自治條例 (D)行政命令
- 33 依據憲法增修條文第 1 條規定，立法院若提出領土變更案，經至少公告多久時間，應於 3 個月內公民投票複決？
(A)3 個月 (B)6 個月 (C)9 個月 (D)1 年
- 34 糾舉權與彈劾權之相同點為何？
(A)均由監察委員行使之 (B)糾舉與彈劾之提案人數
(C)糾舉與彈劾之審查程序 (D)糾舉與彈劾之法律效果

- 35 下列何者非屬審計部之職掌？
(A)關於公職人員財產申報事項 (B)監督政府所屬全國各機關預算之執行
(C)考核政府所屬全國各機關財務效能 (D)核定各機關人員對於財務上之責任
- 36 憲法上所保障之權利，遭受不法侵害，經依法定程序提起訴訟，對於確定終局裁判所適用之法律或命令發生有牴觸憲法之疑義者，得向司法院聲請解釋憲法。此之聲請主體，除人民、法人外，尚有何者？
(A)縣議會 (B)立法院 (C)法院 (D)政黨
- 37 法官於審理案件有合理確信其所擬適用之法律有牴觸憲法疑義時，應如何處理？
(A)拒絕適用該法律
(B)停止審判，以法官之名義向司法院聲請釋憲
(C)停止審判，轉請所屬法院院長向司法院聲請釋憲
(D)停止審判，轉請最高審級法院向司法院聲請釋憲
- 38 依司法院大法官解釋，下列敘述何者錯誤？
(A)法官之身分保障，旨在維護審判獨立
(B)足以影響法官身分之人事行政行為，須依據法律始得為之
(C)庭長為憲法第 81 條保障之身分對象
(D)審判長係合議審判時為統一指揮訴訟程序所設之機制
- 39 有關我國國會制度之敘述，下列何者錯誤？
(A)監察院依我國現制已非屬國會
(B)立法院係全國最高之立法機關
(C)立法院得主動以絕對多數決議自行解散重新改選
(D)依我國現制僅立法院為國會
- 40 司法院釋字第 530 號解釋強調：「為期符合司法院為最高審判機關之制憲本旨」，4 個機關組織法必須予以檢討修正，下列何者非屬之？
(A)法院組織法 (B)最高法院組織法 (C)行政法院組織法 (D)公務員懲戒委員會組織法
- 41 Keep sharp lookout for sightings of vessel in distress and report. The purpose of this lookout is _____.
(A)to find the vessel in distress (B)to sight danger to navigation
(C)to make out small fishing boats (D)to discover pirate boats
- 42 Nets with buoys in this area. Navigate with caution.
(A)Attention should be drawn to the fairway buoys.
(B)Attention should be drawn to navigational aids.
(C)Attention should be drawn to the fishing boats in this area.
(D)Attention should be drawn to the fishing nets in this area.
- 43 You must drop back from vessel ahead of you.
(A)You must drop dangerous cargo from the vessel.
(B)You must drop anchor away from the vessel ahead of you.
(C)You should shorten the distance from vessel ahead of you.
(D)You should increase the distance from vessel ahead of you.
- 44 Inform coast radio station about name of vessel with survivors.
(A)Report the call sign of the vessel in distress.
(B)Report the call sign of the vessel not under command.
(C)Report the name of the vessel that has survivors on board.
(D)Report the call sign of the vessel that took part in the rescue.
- 45 When the ship causes oil pollution to the port, she will be _____.
(A)fined (B)paid (C)deducted (D)levied
- 46 Under Washington's so-called "wet foot, dry foot policy," Cuban migrants who make it onto U.S. soil are allowed to remain in the United States under a special immigration exception, while those _____ at sea are turned back.
(A)interdict (B)intercept (C)intercepted (D)interested
- 47 Which of the following are NOT man-made pollutants in the ocean ?
(A)Pesticides (B)Marine algae (C)Herbicides (D)Detergents
- 48 Which of the following words does NOT refer to a crime ?
(A)Kidnapping (B)Counterfeiting (C)Arson (D)Snorkeling
- 49 A woman acquires a phony passport. After she enters the country illegally, she is _____ by the Freedonia police and put into jail.
(A)apprehended (B)comprehended (C)complicated (D)appreciated
- 50 The border between the two countries is a 3 km wide river which is _____ with hungry sharks.
(A)infested (B)ingesting (C)digested (D)infringed

- 51 Which of the following is NOT a drug name ?
(A)Heroin (B)Marijuana (C)Cholesterol (D)Cocaine
- 52 In certain regions, ocean currents _____ trillions of decomposing plastic items and other trash into gigantic, swirling garbage patches.
(A)oral (B)oval (C)coral (D)corral
- 53 Several merchant ships are arriving at the scene of a distress incident. One of them must assume the duties of the Coordinator Surface Search (CSS) . Which of the following statements is TRUE ?
(A)A tank vessel should never be assigned CSS duties unless only tank vessels are present.
(B)CSS duties are always assumed by passenger vessels, dry cargo vessels, or tankers in that order of precedence.
(C)The CSS must be established by a mutual agreement between the ships concerned.
(D)The first vessel to arrive at the distress incident is designated as the CSS.
- 54 Messages from RCC : The helicopter will arrive in the position of the vessel in distress within one hour.
(A)“ETA vessel in distress in one hour.” (B)“ETA distress position within one hour.”
(C)“ETA distress position in one hour from now.” (D)“ETA vessel in distress within one hour from now.”
- 55 A power-driven vessel which, because of her draught in relation on the available depth and width of navigable water, is severely restricted in her ability to deviate from the course she is following. This refers to _____.
(A)a vessel unrestricted in her ability to manoeuvre (B)a vessel not under command
(C)a vessel engaged in fishing (D)a vessel constrained by her draught

請依下文回答第 56 題至第 60 題：

No sooner had Moscow banned dairy, meat, vegetables and fruit from most Western countries in response to sanctions over Ukraine, than Belarus, a former Soviet republic better known for black bread and potato pancakes, became a “producer” of top-quality cheese.

Two chefs at Moscow restaurants described buying genuine Parmigiano-Reggiano, produced only in a few northern Italian provinces. It came in original Italian packaging, stuck with crude stickers saying “made in Belarus.”

The ban on most Western food imports has been hard to swallow for those who run the pizza joints, sushi bars and French-style brasseries that have opened up across Russia since the fall of the Soviet Union, especially in the capital Moscow.

Chefs are searching for new suppliers, buying delicacies from smugglers, rewriting recipes and overhauling menus.

Several chefs at high-end restaurants in Moscow, most of which source 85-90 percent of their produce from abroad, were convinced there’s always a way to find what they need. Belarus provides an obvious loophole. Minsk has imposed no ban on imports from the EU and has a customs union agreement with Moscow, which means products can be brought into Belarus legally and shipped to Russia with no border checks. Belarus has become a source not only of Italian cheese but of fruit and vegetables, all bearing fake Belarus labels.

- 56 According to the passage, under a ban on Italian Parmesan cheese, a new source for fine Parmigiano-Reggiano is _____.
(A)Belarus (B)Russia (C)Ukraine (D)France
- 57 This passage implies that Parmigiano-Reggiano is _____.
(A)a kind of top-quality cheese (B)a potato pancake
(C)a pumpkin pie (D)a French-style brasserie
- 58 As was used in this passage, overhauling menus means _____.
(A)to give up using menus (B)to increase the number of menus
(C)to reprint the same menus (D)to make extensive revisions on the menus
- 59 We can conclude from this passage that _____.
(A)it is impossible for Russians to eat western food from the EU after the food ban in Moscow.
(B)products such as cheese or fruit from EU brought into Belarus are illegal.
(C)smuggling products through routes like Belarus is a common practice in Moscow.
(D)chefs in Moscow do not have a source of Italian cheese.
- 60 According to the passage, which of the following statements is true ?
(A)Moscow banned food from most Western countries due to the spread of the Ebola virus (依波拉病毒) .
(B)Belarus is a country that has been sanctioned.
(C)After the ban of western food in Russia, the factory of Parmigiano-Reggiano moved to Russia.
(D)Russians have their ways to find Italian cheese after the food ban in Moscow.