

106年公務人員特種考試警察人員、一般警察人員考試及106年特種考試交通事業鐵路人員、退除役軍人轉任公務人員考試試題

考試別：警察人員考試

等別：四等考試

類科別：水上警察人員輪機組、水上警察人員航海組

科目：中華民國憲法與水上警察專業英文

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)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 依司法院大法官解釋意旨，關於我國憲法地方自治之本質，下列敘述何者正確？
(A)地方自治權為固有權 (B)地方自治為憲法保障之制度
(C)地方自治係為實現國家權力而存在 (D)地方自治係為處理中央與地方之共通事項而設
- 2 依憲法規定及司法院大法官解釋意旨，關於審計權之敘述，下列何者正確？
(A)審計長應於行政院提出決算後 3 個月內，依法完成審核並提出報告於監察院
(B)審計長應隨執政黨更迭或政策變更而進退
(C)審計長由總統提名，經監察院同意任命之
(D)審計部得於省（市）設審計處，依法辦理各該省（市）政府及其所屬機關財務之審計
- 3 下列何者非屬於司法權之行使？
(A)公務員懲戒委員會對公務員之懲戒 (B)律師懲戒委員會對律師之懲戒
(C)會計師懲戒委員會對會計師之懲戒 (D)軍事審判機關對特定犯罪之處罰
- 4 關於司法機關，下列敘述何者錯誤？
(A)憲法明文規定最高法院為最高審判機關
(B)司法院為國家最高司法機關
(C)現行實務運作下，最高司法審判機關與最高司法行政機關是分離的
(D)依制憲者意旨，司法院職司審判、釋憲、司法行政與司法政策擬定
- 5 依憲法第 66 條規定，立法院副院長如何產生？
(A)人民直選 (B)總統直接任命 (C)立法院院長指定 (D)立法委員互選
- 6 依憲法第 69 條規定，當立法院受下列何者之咨請時，得開臨時會？
(A)總統 (B)行政院院長 (C)立法院院長 (D)司法院院長
- 7 立法院立法委員自第七屆起，於每屆任滿前至遲幾個月內選出之？
(A)四個月 (B)三個月 (C)二個月 (D)一個月
- 8 依憲法增修條文第 4 條規定，立法院經總統解散後，在新選出之立法委員就職前，立法院應如何運作？
(A)由原立法委員繼續行使職權 (B)視同休會
(C)由監察院代行其職權 (D)由總統召集五院院長會議取代
- 9 下列有關立法院之敘述，何者錯誤？
(A)立法院之委員會得邀請政府人員與社會上有關係人員到會備詢
(B)立法院開會時，關係院院長及各部會首長得列席陳述意見
(C)立法院對於行政院所提之預算案，不得為增加支出之提議
(D)在立法院會期中，立法委員僅限於現行犯，才得以對之逮捕或拘禁
- 10 依憲法規定及司法院大法官解釋，關於「總統除犯內亂或外患罪外，非經罷免或解職，不受刑事上之訴究」之總統刑事豁免權，下列敘述何者錯誤？
(A)副總統並無此刑事豁免之特權
(B)總統刑事豁免權為一種暫時性之程序障礙，而非總統就其犯罪行為享有實體之免責權
(C)現職總統依法競選連任期間，仍享有刑事豁免權
(D)所謂「不受刑事上之訴究」，係指審判程序而言，不包括偵查、起訴

- 11 依據司法院大法官釋字第 717 號解釋，降低公保養老給付優惠存款金額之規定，係：
- (A)違憲，違反信賴保護原則
 - (B)違憲，違反法律保留原則
 - (C)合憲，法規變動雖涉及信賴保護原則，但未牴觸比例原則
 - (D)合憲，法規變動雖涉及信賴保護原則，但未牴觸平等原則
- 12 有關秘密通訊自由之敘述，下列何者錯誤？
- (A)秘密通訊自由乃憲法保障隱私權之具體態樣之一
 - (B)國家對秘密通訊自由之限制必須踐行合理正當之程序，例如由檢察官核發通訊監察書
 - (C)秘密通訊自由保障人民就通訊之有無、對象、時間、方式及內容等事項，有不受國家及他人任意侵擾
 - (D)國家限制秘密通訊自由之手段，除應有法律依據外，限制之要件應具體、明確，不得逾越必要之範圍
- 13 下列何種制度非屬基本權之「制度性保障」？
- (A)公務人員服公職制度
 - (B)大學自治制度
 - (C)私有財產制度
 - (D)審計制度
- 14 依司法院大法官解釋意旨，下列何種基本權利之保障，係屬於憲法保留事項？
- (A)憲法第 8 條之人身自由
 - (B)憲法第 11 條之言論自由
 - (C)憲法第 15 條之工作權
 - (D)憲法第 22 條之權利
- 15 依司法院大法官解釋之意旨，商標專用權受何種基本權利之保障？
- (A)言論自由
 - (B)工作權
 - (C)生存權
 - (D)財產權
- 16 依司法院大法官解釋之見解，有關憲法第 15 條人民生存權之保障，下列敘述何者正確？
- (A)法律對於生存權保障所為之差別待遇，應受較嚴格之審查，故公務人員退休法規定退休金權利不得扣押，勞動基準法有關退休金之制度則未規定，已牴觸憲法第 7 條平等原則
 - (B)納稅義務人或其配偶需要長期照護所須支付之醫藥費，得依所得稅法予以減除，屬於保障人民生存權之措施
 - (C)所得稅法有關扶養義務人扶養無謀生能力者得享有免稅額之規定，係減免扶養義務人而非無謀生能力者之稅負，不屬於國家保障人民生存權之措施
 - (D)耕地三七五減租條例規定地主收回耕地導致承租人無法維持生活時，必須給予生活費補償，不屬於國家保障人民生存權之措施
- 17 關於結社權，下列敘述何者錯誤？
- (A)大法官不得參加政黨
 - (B)公務人員可組成公務人員協會
 - (C)大學教師可組成教師工會
 - (D)獨立機關之成員一律不得參加政黨
- 18 我國憲法機關何者有統一解釋法律之權？
- (A)司法院
 - (B)行政院
 - (C)考試院
 - (D)立法院
- 19 依憲法增修條文第 12 條規定，修憲案經合法提出並公告後，若我國自由地區選舉人總數為一千四百萬，參與複決投票者為一千二百萬，則應至少有多少同意票，修憲案方為通過？
- (A)六百萬票
 - (B)六百萬零一票
 - (C)七百萬票
 - (D)七百萬零一票
- 20 下列何者不是憲法有關教育文化的基本國策內容？
- (A)國家應優先獎勵私人教育機關興學
 - (B)國家應保護有關歷史、文化、藝術之古蹟、古物
 - (C)國家應實施基本教育，未受基本教育國民應給予補習教育並推行社會教育
 - (D)國家應保障藝術工作者之生活，並應依國民經濟之發展，隨時提高其待遇
- 21 有關軍人權益之保障，依司法院大法官解釋之意旨，下列敘述何者正確？
- (A)國家辦理退除役官兵轉任公務人員考試，應考人包括士官及軍官，惟及格人員之分發以軍官為限，有違平等原則
 - (B)行政院國軍退除役官兵輔導委員會將國有農場無償借給有眷榮民耕作，榮民死亡後，僅因女兒出嫁者，即規定應收回，與平等原則無違
 - (C)國軍老舊眷村改建條例規定，原眷戶及其配偶均死亡者，其子女享有優先承受承購之權利。與一般國民比較，此一規定不發生平等原則之問題
 - (D)政府為使國家財政永續經營，就陸海空軍退除役官兵保險退伍給付之優惠存款額度設定上限，尚不違反信賴保護原則

- 22 依憲法增修條文第 10 條規定，國家對於下列何種救濟性支出應優先編列？
(A)福利服務 (B)社會保險 (C)國民就業 (D)醫療保健
- 23 依憲法增修條文前言之規定內容，係基於下列何種目的，增修本憲法條文？
(A)為因應兩岸合作之需要 (B)為因應國家統一前之需要
(C)為因應加入聯合國之需要 (D)為因應國家緊急狀態之需要
- 24 依憲法本文之規定，行政院設院長一人及副院長幾人？
(A)一人 (B)二人 (C)三人 (D)不設副院長
- 25 依司法院大法官解釋，下列關於宗教自由之敘述，何者錯誤？
(A)個人內心的宗教觀自由為宗教自由最核心部分
(B)不得因為宗教原因而拒絕服兵役
(C)人民有宗教結社之自由
(D)國家應鼓勵特定優良宗教，並補助其宗教活動
- 26 The Coast Guard Administration, Executive Yuan, is ____ to ensuring national maritime security, Taiwan's safety in the high seas and coastal areas, protecting the country's oceanic resources, and safeguarding the rights and interests of the people.
(A)committed (B)scheduled (C)pressed (D)diluted
- 27 The Taiping Island humanitarian rescue exercise on Nov. 29, 2016, conducted as part of President Tsai's policy to ____ Taiping Island into a base for the provision of humanitarian aid and logistical support in the South China Sea.
(A)transport (B)transmit (C)transcend (D)transform
- 28 The driving ____ for water movement can change with environmental conditions and with location in the planet.
(A)formula (B)fellow (C)force (D)fleet
- 29 In many maritime regions of the world, illegal fishing has massively contributed to the ____ of fish stocks, especially in developing countries' coastal waters.
(A)boom (B)index (C)authority (D)depletion
- 30 Anyone engaged in the shipping dangerous goods by sea shall abide by ____.
(A)IMDG Code (B)STCW (C)IEC Code (D)IGC Code
- 31 When a maritime accident occurs, Taiwan Coast Guard promptly activates rescue efforts to prevent ____ of the situation.
(A)deterioration (B)compensation (C)competency (D)deficiency
- 32 Our government initiated an aggressive program against illegal activities which increased the number of investigation, _____ and fines for violations of fishing regulations occurring within the TCGA-administered waters.
(A)expulsions (B)exculpation (C)exclusions (D)expiration
- 33 The TCGA was recently _____ Taiwanese fishing boats into the disputed waters including the Exclusive Economic Zones, which are claimed by Taiwan, Japan, and Philippine.
(A)sending (B)requiring (C)expediting (D)escorting
- 34 To reduce the effects of _____, it is recommended that vessel hulls have an effective anti-fouling treatment applied.
(A)excavation (B)ecology (C)consultation (D)biofouling
- 35 To prevent all dangers of navigation, the limitation of the vessels proves to be a point of _____ to avoid immediate danger.
(A)departure (B)deviation (C)consolidation (D)compromise
- 36 According to the International Code of Signals (ICS), each flag represents a letter, signals or numbers and can spell out a word or message. What is the signal of single-flag " L " ?
(A)You are taking in, or discharging, or carrying dangerous goods.
(B)You should stop your vessel instantly.
(C)I wish to communicate with you.
(D)I am disabled; communicate with me.

- 37 When radiotelephony is used for the communication between vessels or stations, duty officers should comply with the " ICS Letter Spelling Table " to pronounce each letter clearly. If you are the duty officer, how do you spell " ETA " ?
- (A)Estimated Time of Approach (B)Expected Time of Approval
(C)Echo Tango Alfa (D)Eagle Tango Apple
- 38 According to " ICS Figure Spelling Table ", how do you spell " 6 " ?
- (A)PAPASIX (B)PANDASIX (C)SETTESIX (D)SOXISIX
- 39 When two power-driven vessels are meeting on reciprocal or nearly reciprocal courses so as to involve risk of collision, each shall alter her course to _____ so that each shall pass on the port side of the other.
- (A)starboard (B)right (C)abeam (D)astern
- 40 Fore Peak Tank is the extreme forward lower tank usually used for _____ or storage of cargo in a ship.
- (A)collision (B)discharging (C)trimming (D)loading
- 41 Neither the carrier nor the ship shall be responsible for loss or damage of cargo, arising or resulting from arrest or _____ of the TCGS, or seizure under legal process.
- (A)restraint (B)restriction (C)repatriation (D)retaliation
- 42 One of the most important missions of the TCGA is its _____ over the disputed Taiping Island within the Spratly Islands in the South China Sea.
- (A)jurisdiction (B)commission (C)sovereignty (D)intermediation
- 43 One of the extraordinary functions of TCGA is to perform intelligence-gathering mission, and while executing the function, the TCGA is subjected to the supervisory and _____ from the National Security Bureau.
- (A)arbitration (B)coordination (C)cooperation (D)persecution
- 44 The TCGA is committed to ensuring national maritime security, the most important missions are including and not limited to: the investigation and _____ of smuggling operations and illegal vessels or people entering or exiting the country, search and rescue, and intelligence gathering.
- (A)torture (B)seizure (C)arrest (D)apprehend
- 45 In carrying out boarding and inspection, the authorized inspection vessel and inspectors shall make their best _____ to communicate with the master of the fishing vessels.
- (A)admission (B)efforts (C)agony (D)election
- 46 The TCGA takes part in numerous missions such as search and rescue, extradition of _____, and anti-smuggling operations.
- (A)abductor (B)conductor (C)inductee (D)stowaway
- 47 When John was attacked, Officer Lin was _____ the nearby neighborhood so that he came to the rescue in time.
- (A)patrolling (B)strolling (C)sightseeing (D)admonishing
- 48 The new search & rescue (SAR) Patrol Boat is a _____ mode vessel, as the crew does not live onboard, but is based out of a shore station.
- (A)crew (B)light (C)shore (D)station
- 49 ROC, under the name Chinese Taipei, is a member of Western and Central _____ Fisheries Commission (WCPFC), therefore authorized to execute high sea boarding and inspection by flying the WCPFC inspection flag.
- (A)Pacific (B)Patrol (C)Pendulum (D)Punitive
- 50 The Maritime Patrol Directorate General is _____ the Coast Guard Administration (CGA).
- (A)affiliated with (B)composed of (C)released from (D)superordinate to