

108年公務、關務人員升官等考試、108年交通
事業郵政、公路、港務人員升資考試試題

等 級：簡任

類科(別)：各類科—公務、各類別—關務

科 目：中華民國憲法與英文

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：(50 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。

(三)本科目除專門名詞或數理公式外，應使用本國文字作答。

一、為保護兒童及少年權益，衛生福利部擬修正兒童及少年福利與權益保障法，規定無業者在場看管之自動販賣機，因無法辨認或查驗消費者是否已滿 18 歲，機內不得放置含酒精成分之食品、飲料，以及有害兒童及少年身心健康之書籍與物品，供消費者夾取與購買。甲為經營選物販賣機業者，主張其開業時並無此等禁令，現若果以此嗣後訂定之新法對其機具中原有放置之內容物相繩，將違反法令不溯及既往之法治國原則，顯屬違憲。試問：甲之主張有無理由？(25 分)

二、國家以設立股份有限公司之組織形式，提供人民信件傳遞之通訊服務，或是商港港埠規劃、建設及經營管理業務，以提升彈性及效率。試問：此等國營公司於業務範疇內對人民從事私法行為時，是否應受憲法平等原則之拘束？(25 分)

乙、測驗題部分：(50 分)

代號：2101

(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 25 題，每題 2 分，須用 2B 鉛筆在試卡上依題號清楚劃記，於本試題或申論試卷上作答者，不予計分。

- 1 To _____ your level of competency in speaking a foreign language, you need to practice it every day.
(A)drop (B)violate (C)assign (D)maintain
- 2 The body reacts to high levels of mercury, which have been linked to many _____ such as muscle pain, hair loss, birth defects, and muscle fatigue.
(A)species (B)spectrums (C)stereotypes (D)symptoms
- 3 Hundreds of monkeys are _____ free throughout the campus, approaching people and expecting to be fed.
(A)escorting (B)roaming (C)swamping (D)tailgating
- 4 Nowadays, those who possess better knowledge in technologies will have higher chance to be employed, because their _____ in the field will help companies to meet future needs.
(A)expertise (B)avoidance (C)surprise (D)disinterest

5 About ten years ago, Roger came across the ____ of his life; he was bankrupted, divorced and was diagnosed with cancer.

- (A)nadir (B)novice (C)influence (D)peace

依下文回答第 6 題至第 10 題

You may believe that you have forgotten the mother tongue you spoke as a child, but your brain hasn't. That "forgotten" first language may well influence ____6____ goes on in your brain when you speak English or Japanese today. Researchers from McGill University and the Montreal Neurological Institute describe their discovery that even brief, early ____7____ to a language influences how the brain processes sounds from a second language later in life -- even when the first language learned is ____8____ spoken. It is an important finding because it tells scientists not only how the brain becomes wired for language, but also how that hardwiring can change and ____9____ over time in response to new language environments. The researchers believe that their findings speak to the unique and ____10____ influence of early language experience on later brain organization. The information may also be important for creating educational practices geared to different types of learners.

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|----|--------------|--------------|---------------|-------------|
| 6 | (A)which | (B)what | (C)how | (D)where |
| 7 | (A)escape | (B)expulsion | (C)evaluation | (D)exposure |
| 8 | (A)no longer | (B)no sooner | (C)frequently | (D)lately |
| 9 | (A)adopt | (B)adapt | (C)adorn | (D)adore |
| 10 | (A)pending | (B)farming | (C)lasting | (D)checking |

依下文回答第 11 題至第 15 題

Communication is of basic importance within science itself. I think we would all agree that free communication is essential for progress in science, ____11____ there have been problems at the frontier with technology because in the world of commerce you cannot reveal everything you are doing. These frontier problems have been ____12____ in recent times; in many fields, my own of molecular biology ____13____, the old openness has to some extent disappeared. Some of my younger colleagues do not want to talk in public about their work, because they think that if they speak about their own "secret," somebody else will ____14____ it and make money out of it. Of course, this is only a partial view: science is also for the benefit of mankind. But the process of ____15____ knowledge from the academic world, with its tradition of openness, to the world of technology and commerce does present difficulties that have still not been resolved. In my view they are very serious problems.

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|----|-----------------|----------------|-----------------|------------------|
| 11 | (A)even though | (B)so that | (C)of course | (D)in fact |
| 12 | (A)extradited | (B)exacerbated | (C)executed | (D)exonerated |
| 13 | (A)in case | (B)on account | (C)on average | (D)in particular |
| 14 | (A)expect | (B)exploit | (C)expend | (D)explode |
| 15 | (A)transmitting | (B)transacting | (C)transcending | (D)transcribing |

依下文回答第 16 題至第 20 題

The concept of money laundering regulations goes back to ancient times and is intertwined with the development of money and banking. Money laundering is first seen with individuals hiding wealth from the government to avoid taxation or confiscation or a combination of both. Nowadays it has evolved into a complex and highly technical process of transforming profits from illegal activities into 16 “legitimate” assets without raising the suspicion of law enforcement agencies. After money has been suitably laundered or “cleaned,” it can be used in the mainstream economy for accumulation of wealth, such as acquisitions of properties, or otherwise spent.

Many governments around the world have become increasingly 17 in their efforts to combat money laundering by passing anti-money-laundering regulations. These regulations require financial institutions to have systems in place to detect and report suspected money-laundering activities. Accordingly, law enforcement agencies of many jurisdictions have set up sophisticated systems in an effort to detect suspicious transactions or activities, and many have set up international cooperative arrangements to assist each other in these 18.

However, the use of the Internet allows money launderers to easily 19 detection. The rise of online banking institutions, anonymous online payment services, peer-to-peer transfers using mobile phones, and the use of virtual currencies such as Bitcoin have made detecting the illegal transfer of money even more difficult. Money can also be laundered through online auctions and sales, gambling websites, and even virtual gaming sites, where ill-gotten money is converted into gaming currency, then transferred back into real, usable, and 20 “clean” money.

As money launderers attempt to keep one step ahead of law enforcement, international organizations and governments are continuing their team effort to find new ways to detect them.

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|----|-----------------|---------------|-----------------|----------------|
| 16 | (A)considerably | (B)seemingly | (C)physically | (D)wickedly |
| 17 | (A)compulsive | (B)formidable | (C)skeptical | (D)vigilant |
| 18 | (A)alternatives | (B)endeavors | (C)incentives | (D)options |
| 19 | (A)concede | (B)prompt | (C)skirt | (D)terminate |
| 20 | (A)abnormal | (B)inadequate | (C)irreversible | (D)untraceable |

依下文回答第 21 題至第 25 題

Culture is a word that everyone is familiar with, but its precise meaning can be elusive. A useful definition by noted social scientist Geert Hofstede is that culture consists of shared mental programs that condition individuals’ responses to their environment. There are three levels involved in the mental programing: The deepest level--human nature--is based on common biological reactions, such as sex, drive, hunger and territoriality that all members of the human race have in common, even though they come from different cultures. The middle level--culture--is based on common experiences that we share with a particular group of our fellows. Cultural values, attitudes and assumptions about proper behavior give us something in common with a definable group of others, but not with all of them. The group may be a very large one, such

as a national population, i.e. Japanese culture; or a very small one, i.e. the culture of the committee of a local parent-teacher association. The shallowest level--personality--is based on the specific genetic makeup and personal experiences that make each of us a unique individual. For example, we may be sociable or introverted, aggressive or submissive, and emotional or stable. We all have many behaviors and understandings that are quite different from those of others, even though we come from the same culture.

Culture also has the following basic characteristics. First, culture is mental programming that a group has in common that is not normally available to people outside the group. Second, the mental programming of a group is learned by its members over long periods as they interact with the environment and with each other. Third, the mental programming involved is strong. People have a hard time escaping their culture even when they want to. Fourth, culture is not random as it is a system of values, attitudes, beliefs, and meanings that are related to each other and to the context. Last, much of culture is **concealed**. Besides immediate surface behaviors, such as body language, and physical artifacts like art, culture also involves the underlying values, social structures, and ways of thinking.

- 21 What is the main purpose of the passage?
- (A) To explain what culture means.
 - (B) To describe how culture may develop.
 - (C) To explicate what values culture may have.
 - (D) To discuss what potential effects culture may exert.
- 22 Which of the following words is closest in meaning to “concealed” in the passage?
- (A) private (B) invisible (C) mystical (D) confusing
- 23 According to the passage, which of the following may NOT be true?
- (A) The middle level of mental programming is specific to groups.
 - (B) The deepest level of mental programming is universal and biological.
 - (C) The shallowest level of mental programming is shared by all individuals of the same culture.
 - (D) The surface features of individuals’ behaviors are often manifestations of mental programming.
- 24 According to the passage, which of the following is correct about the features of culture?
- (A) Culture is largely manifest.
 - (B) Culture is learned and enduring.
 - (C) Culture exerts mild influence on behavior.
 - (D) Culture is a random assortment of customs and behaviors.
- 25 According to the passage, why may it be insufficient to observe only social behaviors if one wants to fully understand cultures?
- (A) Because social behaviors are transient.
 - (B) Because social behaviors are too versatile.
 - (C) Because social behaviors are not observable.
 - (D) Because social behaviors only portray a small portion of cultures.