

103年公務人員特種考試司法人員、法務部調查局調查人員、國家安全局
國家安全情報人員、海岸巡防人員及移民行政人員考試試題

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 下列何者屬於監察院之機關？
(A)審計部 (B)公務員懲戒委員會 (C)法務部 (D)銓敘部
- 2 下列何人得申請登記為總統、副總統候選人？
(A)辦理選舉事務人員 (B)具有外國國籍者 (C)現役軍人 (D)警察
- 3 依據憲法第 59 條規定，行政院於會計年度開始幾個月前，應將下年度預算案提出於立法院？
(A) 5 個月 (B) 3 個月 (C) 2 個月 (D) 1 個月
- 4 依司法院大法官解釋，下列關於訴訟權之敘述，何者錯誤？
(A)訴訟權之保障應及時有效 (B)人民訴請法院救濟，為訴訟權保障之核心內容
(C)二級二審之訴訟制度有違訴訟權之憲法保障 (D)暫時權利保護制度旨在確保有效之訴訟權保障
- 5 依司法院大法官解釋，由下列何者核發通訊監察書，方符合憲法第 12 條有關人民秘密通訊自由之保障？
(A)檢察官 (B)內政部警政署署長 (C)軍事檢察官 (D)法官
- 6 依司法院大法官解釋，人民因犯罪送交相當處所施以強制工作，主要涉及人民下列何種自由？
(A)工作自由 (B)人身自由 (C)信仰自由 (D)居住自由
- 7 下列何種行為不涉及憲法第 8 條所規定之正當法律程序？
(A)法院的羈押決定 (B)強制工作的保安處分
(C)行政機關對於公務人員之免職處分 (D)行政執行中對於義務人之管收
- 8 依現行憲法之規定，應優先編列之經費，不包括：
(A)國防安全有關經費 (B)社會救助有關救濟性支出
(C)國民就業有關救濟性支出 (D)國民教育之經費
- 9 下列對於地方自治之敘述，何者錯誤？
(A)鄉鎮市自治受憲法明文保障 (B)中央與地方分權採均權制度
(C)地方自治受憲法之制度性保障 (D)地方事務分為自治事項與委辦事項
- 10 依集會遊行法之規定，各國使領館、代表機構及其館長官邸週邊範圍禁止集會遊行，其範圍應由何機關劃定公告？
(A)內政部 (B)外交部 (C)國防部 (D)行政院
- 11 直轄市所制定之自治條例因牴觸法律而無效時，由下列何者予以函告？
(A)行政院 (B)司法院 (C)法務部 (D)內政部
- 12 下列何者非我國憲法之基本原則？
(A)法治國 (B)共和國 (C)民主國 (D)聯邦國
- 13 法律之廢止，原則上應依何種程序為之？
(A)立法院通過，總統公布 (B)行政院院會通過，行政院發布
(C)行政院院會通過，立法院發布 (D)立法院通過，行政院院長發布
- 14 下列何人與自己無姻親關係？
(A)岳父母 (B)妹妹的先生 (C)太太的妹妹的先生 (D)妹妹的先生的父母
- 15 有關用益物權之敘述，下列何者正確？
(A)民法規定之用益物權，為地上權、農育權、不動產役權及永佃權
(B)用益物權只能於他人之土地設定
(C)地上權得為抵押權之標的
(D)用益物權之設定必為有償
- 16 下列關於未遂犯法律效果之敘述，何者錯誤？
(A)普通未遂（障礙未遂）之處罰，得按正犯之刑減輕之
(B)不能未遂，不罰
(C)迷信犯之行為，不罰
(D)中止未遂，得減輕或免除其刑
- 17 關於身分犯與正犯、共犯之敘述，依實務見解，下列何者錯誤？
(A)無構成身分之人，亦得成立該罪之正犯 (B)無加減身分之人，亦得成立該罪之正犯
(C)無構成身分之人，得減輕其刑 (D)無加減身分之人，科以通常之刑
- 18 下列關於著作財產權之損害賠償計算方式之敘述，何者錯誤？
(A)著作財產權人得請求填補其所受損害與所失利益
(B)著作財產權人得請求交付因侵害行為所得之利益
(C)著作財產權人得請求交付因侵害行為所得之全部收入，但無須扣除侵害人之成本及必要費用
(D)被害人不易證明其實際損害額時，法院得依侵害情節，在新臺幣 1 萬元以上 1 百萬元以下酌定賠償額

- 19 下列關於公司將自己股份或他公司股份收回、收買或收為質物之敘述，何者錯誤？
(A)公司得以盈餘收回自己所發行之特別股
(B)公司進行合併時，不同意之股東得請求公司以公平價格收買其股份
(C)被持有已發行有表決權之股份總數超過半數之從屬公司，不得將控制公司之股份收買或收為質物
(D)公司得以轉讓股份予員工為目的，經董事會以董事過半出席，出席董事過半數同意，收買公司股份
- 20 依性別工作平等法之規定，家庭照顧假之請假日數應如何計算？
(A)視為曠職 (B)併入病假計算 (C)併入事假計算 (D)併入特別休假計算
- 21 兩岸在 2010 年簽訂經濟合作架構協議（ECFA），後續將在六個月內啟動協商四大經濟議題，不包括下列那一項？
(A)投資協議 (B)貨品貿易協議 (C)服務貿易協議 (D)金融開放協議
- 22 根據臺灣地區與大陸地區人民關係條例施行細則，進入臺灣地區之大陸地區人民，有事實足認為有危害國家安全或社會安定之虞者，得逕行強制其出境，下列何者錯誤？
(A)曾參加或資助內亂、外患團體或其活動而隱瞞不報 (B)曾參加或資助恐怖或暴力非法組織或其活動而隱瞞不報
(C)持偽造、變造之護照、旅行證或其他相類之證書 (D)在臺灣地區外涉嫌犯罪或有犯罪習慣
- 23 在馬英九總統執政的前六年時期，大陸對臺曾採取下列何項政策？
(A)大陸接受「一個中國、各自表述」作為兩岸政治談判的基礎
(B)大陸支持臺灣成為國際民航組織的觀察員
(C)大陸支持臺灣參與跨太平洋戰略經濟夥伴關係協議
(D)大陸支持臺灣成為世界衛生大會的觀察員
- 24 大陸在 2000 年 2 月下旬發表第二份對臺政策白皮書，提出對臺灣動武的三項原則（三個「如果」），不包括下列那一項內容？
(A)如果臺灣發生內亂
(B)如果臺灣被以任何名義從中國分割出去的重大事變
(C)如果出現外國侵占臺灣
(D)如果臺灣當局無限期地拒絕通過談判和平解決兩岸統一問題
- 25 從 2005 年至 2007 年，兩岸在澳門進行協商，簡稱澳門模式。下列關於澳門模式的成效，那一項正確？
(A)達成兩岸醫療包機協議 (B)達成兩岸客貨運包機協議
(C)達成兩岸觀光客來臺協議 (D)達成兩岸金融監理機制協議
- 26 下列那一項內容，沒有在中共十八大的政治報告當中出現？
(A)鞏固和深化兩岸政治、經濟、文化與社會基礎，為兩岸和平統一創造更充分的基礎
(B)兩岸應該支持和平統一，大陸只願意與明確接受一個中國原則的臺灣政黨進行交往、對話與合作
(C)兩岸應該探討國家尚未統一特殊情況下的兩岸政治關係
(D)兩岸應該商談建立兩岸軍事安全互信機制，穩定臺海局勢
- 27 在下列那個案例，臺灣已經是國際組織會員，但是大陸加入該組織之後，要求臺灣更改原來參與該組織的名稱？
(A)亞太經濟合作會議 (B)東南亞國家中央銀行總裁聯合會
(C)世界貿易組織 (D)世界銀行
- 28 兩岸在 2010 年 6 月簽訂經濟合作架構協議（ECFA），馬英九總統在同年 7 月 1 日召開記者會，認為 ECFA 可以帶來多項效益，不包括下列那一項？
(A)讓臺灣經濟走出被邊緣化的威脅 (B)促成臺灣與美國簽署投資協議
(C)提昇臺灣對大陸的出口競爭力 (D)臺灣成為各國企業進軍大陸市場的跳板
- 29 自從 2008 年以來，兩岸在外交事務的對抗上有些緩和，甚至讓臺灣突破參與相關的國際組織，馬英九總統稱之為外交休兵。請問下列那一項是馬政府外交休兵政策的成就？
(A)臺灣以觀察員的身分參與聯合國氣候變化綱要公約
(B)國際民航組織通過決議，邀請臺灣以觀察員的身分參與
(C)世界衛生大會通過決議，邀請臺灣以觀察員的身分參與大會
(D)臺灣與日本簽署投資協議與漁業協議
- 30 2005 年 3 月，大陸通過「反分裂國家法」。下列那一項不是「反分裂國家法」的內容？
(A)和平統一可能性完全喪失，大陸考慮採取非和平手段及其他必要措施，捍衛國家主權與領土完整
(B)鼓勵與推動兩岸經濟交流與合作
(C)大陸要對臺灣採取非和平手段，大陸中央軍事委員會得以單獨採取緊急處置，不需要向全國人民代表大會常務委員會報告
(D)兩岸應該平等協商實現和平統一
- 31 Over the ensuing century, with our increased knowledge of the wild and its _____, the old city zoo began to wither and fade.
(A) fangs (B) inhabitants (C) prosperities (D) reveries
- 32 TV advertisers may be reluctant to sponsor a program that deals with _____ social issues. If they do, they may insist that the issues be portrayed delicately.
(A) controversial (B) eccentric (C) obsolete (D) superficial
- 33 Great chefs understand how to use spices such as ginger and pepper to _____ the flavor of their food.
(A) detect (B) enrich (C) implant (D) insist
- 34 There is much _____ about the use of animals in scientific studies; some believe it is necessary because it helps cure diseases, while some think it is cruel and should be stopped.
(A) controversy (B) distraction (C) negotiation (D) superstition

- 35 As a sharp and straightforward businesswoman, Mandy often speaks directly and ____ to get her points crossed.
(A) punctually (B) raucously (C) squeamishly (D) trenchantly

請依下文回答第 36 題至第 38 題：

The development of seawater agriculture has taken two directions. Some investigators have attempted to breed salt tolerance into conventional crops, such as barley and wheat. For example, Emanuel Epstein's research team at the University of California at Davis showed as early as 1979 that strains of barley propagated for generations in the presence of low levels of salt could produce small amounts of grain when irrigated by comparatively saltier seawater. Unfortunately, subsequent efforts to increase the salt tolerance of conventional crops through selective breeding and genetic engineering—in which genes for salt tolerance were added directly to the plants—have not produced good candidates for seawater irrigation. The upper salinity limit for the long-term irrigation of even the most salt-tolerant crops, such as the date palm, is still less than five part per 1,000 (ppt) —less than 15 percent of the salt content of seawater. Normal seawater is 35 ppt salt.

Our approach has been to domesticate wild, salt-tolerant plants, called halophytes, for use as food, forage, and oilseed crops. We reasoned that changing the basic physiology of a traditional crop plant from salt-sensitive to salt-tolerant would be difficult and that it might be more feasible to domesticate a wild, salt-tolerant plant. After all, our modern crops started out as wild plants. Indeed, some halophytes—such as grain from the saltgrass *Distichlis Palmeri*—were eaten for generations by native peoples, including the Cocopah, who live where the Colorado River empties into the Gulf of California.

- 36 Which of the following can be inferred from the passage?
(A) It is possible to domesticate a wild, salt-tolerant plant.
(B) It is feasible to add genes for salt tolerance to the plants.
(C) It is worthwhile to reduce the salt content of seawater from 35 ppt salt to 15 ppt salt.
(D) It is promising to change a traditional crop plant from salt-sensitive to salt-tolerant.
- 37 According to the passage, which of the following plants will grow and produce crops when irrigated by seawater with over 5 ppt salt?
(A) Barley (B) Wheat (C) *Distichlis Palmeri* (D) Date Palm
- 38 Where do you think the Cocopah live?
(A) At the origin of the Colorado River (B) At the mouth of the Colorado River
(C) Along the Colorado River (D) At the dried part of the Colorado River

請依下文回答第 39 題至第 42 題：

What makes people smart? It is a question that scientists and philosophers have thought about for centuries, prompting complex calibrations, from head measurements to brain-bending tests. Yet the drive to probe the powers—and the limits—of the human mind has been thwarted by the hard facts of life: the brain was virtually a black box, its inner secrets locked within. Now, scientists are using the latest technology to peer inside. Using machines such as the PET scanner and FMRI machines, which map the changes in the brain's blood flow, researchers at U.C. Irvine and elsewhere are producing the first images of how gifted, and not-so-gifted, minds go about the task of thinking. In one study, Professor Richard Haier of U.C. Irvine found that brighter people have lower metabolic rate probably because their brains are more efficient. However, when bright people are given harder tasks, their brains work harder than the average person's. Apparently, brain activity depends, to some extent, on the difficulty level of the task and the level of effort required.

- 39 Why is it so hard to examine the powers and limits of the human brain?
(A) The hard facts of life cannot be measured.
(B) The inner secrets of the brain have not been revealed yet.
(C) The drive to test the human brain has been encouraged.
(D) Complex calibrations are prompted.
- 40 What is the newest way for scientists nowadays to explore the human brain?
(A) Giving brain-bending tests (B) Mapping the changes surrounding the brain
(C) Giving tasks of calibration (D) Using machines like the PET scanner
- 41 Which of the following facts was found by Professor Haier?
(A) Bright people always have lower metabolic rate.
(B) The average person does not work hard when he is given hard tasks.
(C) Brighter people have higher metabolic rate when they are given harder tasks.
(D) The level of effort required is not in proportion to the difficulty level of the task.
- 42 What do the underlined words "a question" refer to?
(A) How to prompt complex calibration
(B) How to set up the limits of the mind
(C) How to measure the head with brain-bending tests
(D) How to investigate the powers and limits of the human brain

請依下文回答第 43 題至第 46 題：

New Yorkers are not notably genial neighbors. Many get to know one another solely by what manages to permeate their deadbolted doors—an odoriferous stew, the wail of a child, the hushed sighs of intimate moments.

But the boom in condos loaded with amenities, along with the construction of some high-end rental buildings, has created opportunities for neighbors to make the transition from polite elevator nods to cocktail-caliber mingling. More and more properties in the city feature community amenities like gyms, lounges, and roof decks. These, and more novel spaces—cinemas, wet bars, squash courts, outdoor rain showers, are putting lounges with a lonely television set to shame, and they are fostering a clubby college-dormitory atmosphere in several developments.

“We’re extremely social creatures, and I think people in New York suffer from an inability to really interact with people,” said Susan Meiklejohn, associate professor of urban planning at Hunter College. This is not because New Yorkers are cold, Dr. Meiklejohn said, but because the city is so dense that people avoid one another to establish buffer zones. “What level of friendliness can you possibly sustain each day if you have to say hello to everybody you meet on 34th Street?” she said. The design of many new buildings, however, are gradually making New Yorkers venture beyond tight-lipped hellos at the mailbox.

- 43 According to Dr. Meiklejohn, what accounts for New Yorkers’ lack of true interaction with others?
(A) New York is too cold. (B) New York is too crowded.
(C) New York is too expensive. (D) New York is too dangerous.
- 44 According to the passage, what is the change New Yorkers have undergone?
(A) They are building more condos and expensive rental buildings.
(B) They have learned to enjoy tight-lipped hellos and polite elevator nods.
(C) They are developing closer relationships with their neighbors.
(D) They have become used to whatever permeates their deadbolted doors.
- 45 According to the passage, which amenity has gradually become out of date for the new buildings in New York?
(A) Community gyms (B) Clubby roof decks (C) Outdoor rain showers (D) Lounges with a TV set
- 46 Which of the following can be inferred from the passage?
(A) New Yorkers are obsessed with cocktail-caliber mingling.
(B) New Yorkers change along with their living space.
(C) New Yorkers will never make genial neighbors.
(D) New Yorkers no longer need buffer zones.

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

Even in this modern, high-tech age, money is still a great cultural taboo that is rarely discussed openly in the United States, experts say. People can find advice from many self-help books on how to become rich. 47 Not until recently, with large numbers of people afflicted by what psychologists call “money disorders,” psychologists and financial planners seem to have found a way to join forces in the budding field of financial therapy, where budget planning meets psychological counseling.

While it is difficult to pinpoint the number of patients or practitioners, experts in psychology and financial planning say the number of professionals offering to treat money disorders has multiplied in the last few years. 48 For example, Dr. Brad Klontz, a financial psychologist, in his study looked at various money disorders at a treatment center, Onsite, in Nashville. 49 It costs \$2,650 and involves six days of group therapy and financial counseling to treat a wide variety of unhealthy and self-destructive behaviors that are not as extreme as pathological gambling or compulsive shopping.

Nevertheless, under the American Psychological Association’s professional code of ethics, therapist should not enter into outside relationships with clients, including business arrangements like financial planning. 50 “It could violate the ethical standards of the mental health field if a financial planner who was also trained as a therapist crossed the boundary from asset management or coaching into the realm of providing therapy,” said Dr. Klontz.

- 47 (A) Onsite is one of a number of programs and workshops devoted to money disorders.
(B) However, the fields of psychology and financial planning have been slow to link money and emotion.
(C) In addition, research studies have been conducted to examine the state and treatment of money disorders.
(D) With the field of financial therapy so new, Dr. Klontz and others tried to have their voices heard about the murky ethics.
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(D) And when people come for help around money, “it goes so much deeper than what is in their bank accounts,” said Dr. Klontz.
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