

104年公務人員特種考試警察人員、一般警察人員考試及104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

等 別：四等警察人員考試

類 科 別：行政警察人員

科 目：中華民國憲法與警察專業英文

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 關於憲法概念及特徵，下列敘述何者錯誤？
(A)憲法具有最高之法規範效力
(B)成文憲法之變動，僅有重新制憲之唯一可能性
(C)基本權之保障及權力分立之設計，為現代立憲主義憲法之重要判準
(D)國家為憲法之主要規範對象
- 2 政府採購法規定得標廠商於履約期間必須僱用一定比例之原住民，僱用不足者應繳納代金。司法院釋字第 719 號解釋認為此一規定並未違憲，本號解釋並未引據下列何種規範？
(A)憲法第 5 條各民族一律平等
(B)原住民族基本法第 1 條促進原住民族發展，建立共存共榮之族群關係
(C)聯合國原住民族權利宣言第 21 條各國應採取有效措施，確保原住民族之經濟得到持續改善
(D)國際勞工組織原住民和部落人民公約第 20 條各國應確保原住民族勞動者在受僱上受到有效保障
- 3 下列何稅為憲法明定應徵收者？
(A)所得稅 (B)房屋稅 (C)土地增值稅 (D)契稅
- 4 依據憲法之規定，獨佔性企業之經營原則為何？
(A)以公營為原則 (B)以國民經營為原則
(C)以公民營合力經營為原則 (D)以公民營自由競爭為原則
- 5 下列何者為憲法第 170 條所稱之法律？
(A)地方稅法通則 (B)非都市土地使用管制規則
(C)就業促進津貼實施辦法 (D)臺北市都市更新自治條例
- 6 為消弭人民對某政務官健康警訊疑慮，行政院公布該官員之就醫病歷。此舉可能侵害到該官員之何種基本權？
(A)服公職權 (B)資訊隱私權 (C)平等權 (D)人身自由
- 7 人民因犯罪嫌疑被逮捕拘禁時，本人得聲請該管法院，將之從逮捕機關移送法院審問之程序，稱為：
(A)拘提 (B)管收 (C)提審 (D)糾舉
- 8 依司法院大法官之解釋，下列何者非屬宗教自由之保障範圍？
(A)內在信仰之自由 (B)宗教行為之自由 (C)宗教營業之自由 (D)宗教結社之自由
- 9 依司法院大法官之解釋，下列何者非屬居住及遷徙自由之保障範圍？
(A)旅行 (B)遊行 (C)出境 (D)入境
- 10 依司法院大法官之解釋，下列何者不受結社自由之保障？
(A)主張共產主義者 (B)主張分裂國土者 (C)從事組織犯罪者 (D)強制加入職業團體者
- 11 下列何者非屬服公職權之保障範圍？
(A)晉敘陞遷權 (B)俸給權 (C)身分保障權 (D)轉任權

- 12 下列何者不屬於憲法保障人民訴訟權之內涵？
(A)三級三審之審級救濟權 (B)聽審權
(C)適時救濟請求權 (D)公平審判請求權
- 13 依司法院釋字第 720 號解釋意旨，羈押被告係涉及下列何種基本權之限制？
(A)人身自由 (B)隱私權 (C)居住自由 (D)生存權
- 14 依司法院釋字第 719 號解釋，人民營業之自由，係下列何種憲法基本權所保障之內涵？
(A)生存權 (B)工作權及財產權 (C)遷徙自由 (D)訴願權及訴訟權
- 15 依司法院釋字第 716 號解釋意旨，買賣交易之契約自由係源自於憲法所保障之何種基本權？
(A)憲法第 15 條之生存權 (B)憲法第 15 條之工作權
(C)憲法第 15 條之財產權及第 22 條之概括基本權 (D)憲法第 15 條之生存權及第 16 條之訴訟權
- 16 憲法第 133 條規定，被選舉人得由原選舉區依法罷免之。依憲法及公職人員選舉罷免法之規定，下列敘述何者錯誤？
(A)直轄市長得由該直轄市之選舉人罷免之
(B)區域立法委員得由原選舉區之選舉人罷免之
(C)不分區立法委員以全國為選舉區，得由該選舉區之選舉人罷免之
(D)平地原住民立法委員以平地原住民為選舉區，得由該選舉區之選舉人罷免之
- 17 立法院依憲法及憲法增修條文規定所提之議案，下列何者無須經中華民國自由地區全體選舉人投票決定？
(A)總統彈劾案 (B)總統罷免案
(C)領土變更案 (D)監察院與立法院合併之修憲案
- 18 憲法增修條文第 4 條有關立法委員選舉制度之規定，下列敘述何者正確？
(A)每一縣（市）無論其人口多寡，至少選出立法委員 1 人
(B)政黨得票率達百分之三以上者，始得參加政黨比例代表之席次分配
(C)政黨當選名單中，任一性別不得低於三分之一
(D)立法委員任期為 3 年
- 19 依司法院釋字第 627 號解釋意旨，下列何者非屬總統享有之特權？
(A)刑事豁免權
(B)言論免責權
(C)決定國家機密不予公開之權力
(D)就國家機密事項於刑事訴訟程序之拒絕證言權
- 20 關於公務員懲戒制度之說明，下列何者錯誤？
(A)公務員懲戒委員會非屬司法機關 (B)不服公務員懲戒議決，不得提出上訴
(C)懲戒處分影響人民服公職權利 (D)懲戒處分之審議應符合正當法律程序
- 21 憲法第 53 條規定，行政院為國家最高行政機關。此規定之目的係為維護下列何種原則？
(A)法律保留原則 (B)法律優位原則 (C)比例原則 (D)行政一體原則
- 22 總統於立法院解散後發布緊急命令，若新任立法委員尚未選舉產生，應由何者召集遭解散之立法院追認緊急命令？
(A)總統 (B)立法院院長 (C)立法院自行集會 (D)行政院院長
- 23 依憲法規定，立法院不得對何種事項進行議決？
(A)法律案 (B)預算案 (C)決算案 (D)媾和案

- 24 依憲法第 81 條規定，為保障法官，將法官轉為非法官職務，應以下列何種規範定之？
(A)法律 (B)職權命令 (C)行政規則 (D)職務命令
- 25 監察院審計長應於行政院提出決算後至遲幾個月內完成審核？
(A)1 個月內 (B)2 個月內 (C)3 個月內 (D)4 個月內
- 26 With a search _____, police officers may search a residence without its owner's consent.
(A)warrant (B)guarantee (C)certificate (D)contract
- 27 Unfortunately, the police were unable to gather enough evidence during their _____ of the serial murders.
(A)accumulation (B)invasion (C)investigation (D)communication
- 28 A juvenile _____ in the United States is a person who is typically under the age of 17 and commits an act that otherwise would have been charged as a crime if they were adults.
(A)teenager (B)junior (C)delinquent (D)freshman
- 29 Today, ID fraud is a major concern for police around the world. Many young people use _____ ID to access adult venues, such as concerts and nightclubs.
(A)counterfeit (B)multiple (C)double (D)official
- 30 Mary's _____ against her husband's conviction is being considered because she has presented some new solid evidence to the judge.
(A)offer (B)complaint (C)appeal (D)confession
- 31 Jane is a victim of _____ and sexual violence, because ever since her mother fled from their house years ago she has been living alone with her alcoholic father.
(A)emotional (B)domestic (C)disputed (D)depressive
- 32 _____ the driving habits of the two groups of drivers, the researcher hopes to find out ways to enhance road safety.
(A)Comparing with (B)In comparison (C)As compare (D)By comparing
- 33 This community is now under police _____ because many residents of this area strongly demand it after serial murders occurred over the past few days.
(A)speculation (B)vision (C)observation (D)surveillance
- 34 Jennifer was convicted of the murder of her mother and sister according to Sam's _____ that he made to the jury.
(A)convention (B)interrogation (C)testimony (D)pledge
- 35 The Hong Kong Police try to prevent crime by persuading members of the public to do more to _____ themselves and their property.
(A)process (B)prepare (C)protect (D)promote
- 36 Mr. Jackson stated the reason why he left the brush company where he worked as a salesman because he thought the brush would not _____ beyond a month.
(A)last (B)bear (C)go (D)count
- 37 Avoiding phone _____ is very important for people not to be cheated.
(A)interviews (B)fakes (C)bills (D)scams
- 38 To stay physically healthy, most people know the importance of having a balanced _____.
(A)diet (B)date (C)weight (D)vision
- 39 According to experts, a person's lifestyle can be a major factor in their _____, both physical and mental.
(A)vantage (B)beneficiary (C)exposition (D)well-being

- 40 In Europe, many charity organizations receive more money from government _____ than from public donations.
(A)grants (B)admissions (C)certificates (D)permits
- 41 A number of universities in England were established in the 19th and early 20th centuries _____ the industrial revolution and they trained highly skilled people for industry.
(A)because (B)indebted to (C)as a result of (D)with a view to
- 42 Mr. Jones has to be _____ all the time over his rare species of rose grown in the glass house, lest it should be stolen.
(A)allergic (B)on guard (C)primitive (D)in sight
- 43 At seeing the garden, Mr. Hooper has no sooner said what a small garden it is, _____ an airplane is heard taking off.
(A)then (B)than (C)yet (D)thereby
- 44 Jeff's five-year-old son had always enjoyed going to museums, particularly those where he could _____ buttons to make things work.
(A)arrange (B)weigh (C)press (D)lodge
- 45 Women who have jobs report that they feel overworked by household chores _____ their professional duties.
(A)according to (B)in contrast to (C)in addition to (D)in regard to
- 46 Susan's gun was _____ after it was detected by the security officer at the customs at Taoyuan International Airport.
(A)smuggled (B)exported (C)confiscated (D)purchased

請依下文回答第 47 題至第 50 題：

Of all the websites, one that has attracted attention recently is myspace.com. Most of this attention has come from the media and tells every reason why the website should be shut down. The threat of Internet predators is indeed a tough reality, but shutting down the site is not the answer. If myspace.com were shut down, another site would quickly take its place. Therefore, the right way is to teach teens how to use the site safely and educate them about who may be predators and how to avoid them. The key to 47 safe on the Internet is to make sure that your profile is secure. The simplest way is to change the privacy setting on your profile to "private", which protects your information 48 only the people on your friend list can view it. Although this is 49, it is not perfect. Predators can find ways to view your profile if they really want to, 50 through hacking in or figuring out their way onto your friend list. Thus, you should never post too much personal information. Some people actually post their home and school addresses, date of birth, and so on, often letting predators know exactly where they should go and when.

- 47 (A)stay (B)be stayed (C)stayed (D)staying
- 48 (A)as to (B)no matter (C)so that (D)because
- 49 (A)elegant (B)interesting (C)effective (D)impressive
- 50 (A)if (B)whether (C)however (D)whatever