

# 107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

等別：四等考試

類科組：各組別

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。

- 有關立法委員免受逮捕權之敘述，下列何者錯誤？  
(A)賦予立法委員免於逮捕權之目的，在於限制司法權之行使，即使立法委員拋棄此權利，亦屬無效  
(B)觸犯刑法而為現行犯之立法委員，亦受免於逮捕權之保障  
(C)若經立法院許可，立法委員仍得被逮捕  
(D)立法委員僅於會期中享有免於逮捕權
- 有關司法院之敘述，下列何者錯誤？  
(A)司法院就其掌理之事務，得向立法院提出法律案  
(B)法官依據法律獨立審判  
(C)立法院各委員會得邀請司法院秘書長到會接受質詢  
(D)司法院解釋憲法，並有統一解釋法律及命令之權
- 下列何者非憲法本文基本國策章中，有關社會安全之規定？  
(A)推行公醫制度  
(B)實施社會保險制度  
(C)制定保護勞工與農民之法律  
(D)保障扶助原住民族
- 依司法院大法官解釋，化粧品衛生管理條例要求化粧品廣告應事前申請主管機關核准，係限制人民何種基本權利？  
(A)言論自由  
(B)資訊隱私權  
(C)秘密通訊自由  
(D)結社自由
- 關於基本權利主體之敘述，下列何者錯誤？  
(A)憲法第 7 條明文將平等權之主體限於中華民國人民，屬國民權之類型  
(B)憲法第 17 條參政權之行使，應符合憲法及法律所定資格，並非人人皆得行使  
(C)憲法第 8 條保障之人身自由，即使外國人亦得主張  
(D)基本權利主體資格之認定，不以具備有完全行為能力者為限
- 依司法院大法官解釋意旨，關於訴訟權之敘述，下列何者錯誤？  
(A)一審判決無罪，二審改判有罪，限制被告不得上訴第三審之規定，違憲  
(B)未逾一定金額之財產權訴訟之判決，不得上訴第三審，並不當然違憲  
(C)公務員懲戒法規定之懲戒程序，未設上訴救濟制度，違憲  
(D)公務員懲戒案件之審議，亦有正當法律程序之適用
- 依司法院大法官解釋意旨，下列有關選舉之敘述何者錯誤？  
(A)立法委員選舉之政黨比例代表席次規定，合憲  
(B)立法委員選舉之政黨門檻規定，違憲  
(C)無政黨推薦之候選人應繳納保證金較政黨推薦候選人高，違憲  
(D)總統副總統之選舉有連署及保證金之限制規定，合憲
- 關於總統宣告解散立法院，下列敘述何者錯誤？  
(A)總統不得主動宣告解散立法院  
(B)總統宣告解散立法院之前，應諮詢行政院院長  
(C)於緊急命令生效期間，總統不得解散立法院  
(D)立法院解散後應於 60 日內選出立法委員，其任期重新起算
- 依憲法增修條文規定，下列何者不屬於監察院職權？  
(A)同意權  
(B)彈劾權  
(C)糾舉權  
(D)審計權

- 10 基於下列何項憲法原則，立法院不得因地方自治團體所屬公務員未到會備詢，即據以刪減或擱置中央機關依法對地方自治團體之補助款預算？  
(A)均權原則 (B)公益原則 (C)比例原則 (D)法治原則
- 11 股份有限公司之股東於不同意公司進行下列何種行為時，不得行使異議股東股份收買請求權，請求公司買回其股份？  
(A)公司進行合併或分割  
(B)公司讓與全部或主要部分之營業或財產  
(C)公司締結、變更或終止關於出租全部營業，委託經營或與他人經常共同經營之契約  
(D)公司進行轉投資時
- 12 依我國勞工保險條例第 58 條之 1 規定，關於老年年金給付方式，下列何者正確？  
(A)保險年資合計每滿一年，按其平均月投保薪資之百分之零點七七五計算，並加計新臺幣五千元  
(B)保險年資合計每滿二年，按其平均月投保薪資之百分之一點五五計算  
(C)依下列方式擇優發給：保險年資合計每滿一年，按其平均月投保薪資之百分之零點七七五計算，並加計新臺幣三千元；保險年資合計每滿一年，按其平均月投保薪資之百分之一點五五計算  
(D)保險年資合計每滿一年，按其平均月投保薪資之百分之一點三五計算
- 13 下列何者應附隨於有罪判決下，而不得於裁判中單獨宣告？  
(A)沒收違禁物 (B)沒收犯罪所得 (C)褫奪公權 (D)感化教育
- 14 依據家庭暴力防治法規定，有關家庭成員之規範，下列那些屬於該法之管轄範圍？①14 歲未同居男女朋友間之精神虐待 ②前夫對前妻的性侵害 ③女婿對岳母之經濟控制 ④前妻妹妹對前姊夫的肢體暴力 ⑤繼母對繼子女的精神虐待。  
(A)①②③④ (B)②③④⑤ (C)③④⑤ (D)①③④
- 15 依民法規定，重婚之雙方當事人若係因善意且無過失，信賴一方前婚姻消滅之離婚確定判決而結婚，下列敘述何者正確？  
(A)後婚姻因重婚而無效  
(B)前後婚姻可同時合法有效併存  
(C)前婚姻準用離婚之效力，無過失之前婚配偶得向他方依民法第 1056 條請求財產上和精神上的損害賠償  
(D)前婚姻準用離婚之效力，無過失之前婚配偶若陷於生活困難，得向他方依民法第 1057 條請求贍養費
- 16 依民法規定，下列有關侵權行為責任之敘述，何者錯誤？  
(A)數人共同不法侵害他人之權利，連帶負損害賠償責任  
(B)無行為能力人不法侵害他人權利者，以行為時有意思能力為限，與法定代理人連帶負賠償責任  
(C)故意以背於善良風俗之方法，加損害於他人者，負損害賠償責任  
(D)不法侵害他人致死者，對於支出殯葬費之人，應負賠償責任
- 17 因裁判分割共有土地，而取得分得部分之所有權，其效力發生時點為何？  
(A)判決後申請登記時 (B)判決後辦理登記完畢時  
(C)判決後並交付時 (D)判決確定時
- 18 關於法律適用敘述，下列何者錯誤？  
(A)除法律有特別規定者外，以適用全國各地為原則  
(B)完全禁止專為某地區之適用制定法律  
(C)我國之法律，亦有例外適用於領域外之情形  
(D)於我國領域內之人，亦有例外不適用我國法律之情形
- 19 「公務人員考試錄取人員訓練辦法」之法律性質為下列何者？  
(A)法規命令 (B)行政規則 (C)職權命令 (D)自治規則
- 20 對於甲法規所規定之事項，乙法規有特別規定。嗣後因甲法規修正，關於上開事項之法律適用，下列敘述何者正確？  
(A)優先適用甲法規 (B)優先適用乙法規  
(C)視個案情節裁量決定 (D)依目的解釋及體系解釋決定
- 21 下列那一位大陸地區領導人之兩岸政策，係以「中國夢」為號召？  
(A)鄧小平 (B)江澤民 (C)胡錦濤 (D)習近平

- 22 中國大陸之對臺政策，下列敘述何者正確？  
 (A)鄧小平提出「一國兩制」的主張  
 (B)江澤民與臺灣簽訂「海峽兩岸經濟合作架構協議」(ECFA)  
 (C)胡錦濤發表「告臺灣同胞書」  
 (D)習近平通過「反分裂國家法」
- 23 依據臺灣地區與大陸地區人民關係條例第 7 條規定，在大陸地區製作之文書，臺灣地區是否採認？  
 (A)經行政院設立或指定之機構或委託之民間團體驗證者，推定為真正  
 (B)經獨立之民間團體驗證之  
 (C)均予以推定為真正  
 (D)均不予採認
- 24 依據臺灣地區與大陸地區人民關係條例第 53 條規定，夫妻之一方為臺灣地區人民，一方為大陸地區人民者，其結婚或離婚之效力為何？  
 (A)依臺灣地區之法律  
 (B)依大陸地區之法律  
 (C)由臺灣與大陸主管機關雙方協議  
 (D)由當事人雙方協議
- 25 美國與我國斷交後，美國於 1979 年制定何種法規作為規範臺美間之法源依據？  
 (A)中美共同防禦條約  
 (B)臺灣關係法  
 (C)臺美貿易暨投資架構協定  
 (D)臺灣旅行法
- 26 大陸地區人民經許可進入臺灣地區者，除法律另有規定外，非在臺灣地區設有戶籍滿幾年，不得擔任情報機關(構)人員？  
 (A)5 年  
 (B)10 年  
 (C)15 年  
 (D)20 年
- 27 在大陸地區抗議美國繼續出售武器給臺灣之背景下，美國與大陸地區於 1982 年簽署下列何種公報？  
 (A)八一七公報  
 (B)中美建交公報  
 (C)東亞公報  
 (D)上海公報
- 28 我國那一位總統宣布終止適用「國家統一綱領」？  
 (A)李登輝  
 (B)陳水扁  
 (C)馬英九  
 (D)蔡英文
- 29 我國那一位總統主張「不統、不獨、不武」之兩岸政策？  
 (A)李登輝  
 (B)陳水扁  
 (C)馬英九  
 (D)蔡英文
- 30 統籌辦理臺灣地區與大陸地區訂定協議事項，由我國那一個機關(構)負責？  
 (A)國家安全會議  
 (B)財團法人海峽交流基金會  
 (C)海峽兩岸關係協會  
 (D)大陸委員會
- 31 The mother \_\_\_\_\_ the child to sleep almost every evening.  
 (A)limped  
 (B)infected  
 (C)lulled  
 (D)inflicted
- 32 Arriving in Orlando for a conference, Rose managed to catch a taxi to her accommodation and \_\_\_\_\_ in.  
 (A)dig  
 (B)rest  
 (C)inhabit  
 (D)settle
- 33 If Fleming hadn't discovered penicillin, a lot of people \_\_\_\_\_ from bacterial infection.  
 (A)would be dead  
 (B)would have died  
 (C)would have survived  
 (D)would be saved
- 34 With the highly \_\_\_\_\_ anti-missile system, we can effectively defend our country from any invasion.  
 (A)sophisticated  
 (B)superstitious  
 (C)informal  
 (D)conscious
- 35 Doctors say that consuming various vegetables and fruit is \_\_\_\_\_ to our health.  
 (A)artificial  
 (B)superficial  
 (C)beneficial  
 (D)commercial
- 36 Cosmetic \_\_\_\_\_ can make a person look different by changing the shape of his/her face or body.  
 (A)pottery  
 (B)surgery  
 (C)bribery  
 (D)flattery
- 37 We went to the mall to buy some \_\_\_\_\_ for our new apartment, including a refrigerator, a stove, and a dishwasher.  
 (A)facilities  
 (B)utensils  
 (C)appliances  
 (D)supplements
- 38 People who eat healthy foods and do exercise \_\_\_\_\_ have fewer health problems than people who do not.  
 (A)brilliantly  
 (B)instantly  
 (C)historically  
 (D)statistically
- 39 The sailor's light blue shirt \_\_\_\_\_ beautifully with his dark tan skin in the sun.  
 (A)confirmed  
 (B)contained  
 (C)contributed  
 (D)contrasted
- 40 Hawaii is a multicultural society, a community of different \_\_\_\_\_ groups where no one group is the majority.  
 (A)ethic  
 (B)ethnic  
 (C)moral  
 (D)mortal

請依下文回答第 41 題至第 45 題：

The deal struck between Iran and six world powers over its nuclear program should see sanctions against the country beginning to ease by next year. Iranians are hoping the 41 of travel restrictions could prompt an influx of international tourists. Travel agencies have already seen an increase in demand. With its ancient architecture, 42 landscapes and warm people, tour companies describe Iran as one of the unexplored jewels of the Middle East.

But the country's 43 since the 1979 Islamic Revolution has seen visitor numbers from the West fall. The latest 44 show only 90,000 arrivals from North America and the European Union in 2013. Former diplomat Mehrdad Khonsari said there's a lot of work to do. "The difficulties we've had in Iran have definitely hurt the tourist industry in the sense that people are afraid to go. But those people that 45 and overcame these considerations and visited Iran were never sorry," said Khonsari.

- |    |             |              |                   |                 |
|----|-------------|--------------|-------------------|-----------------|
| 41 | (A)lifting  | (B)impact    | (C)possibility    | (D)activation   |
| 42 | (A)emerging | (B)resulting | (C)demanding      | (D)breathtaking |
| 43 | (A)export   | (B)isolation | (C)transportation | (D)population   |
| 44 | (A)figures  | (B)fingers   | (C)fashions       | (D)fragments    |
| 45 | (A)voted    | (B)violated  | (C)ventured       | (D)volunteered  |

請依下文回答第 46 題至第 50 題：

Experts have traditionally seen a high level of intelligence as applicable across the board to most human activities, guaranteeing its possessor success in whatever s/he does. In the 1980s, however, Prof. Howard Gardner proposed the theory of multiple intelligences, suggesting that the mind does not possess just one kind of intelligence, but rather many distinct intelligences, including linguistic, logical-mathematical, spatial, naturalistic intelligences, among others.

A person with a high level of linguistic intelligence is endowed with a large vocabulary and the ability to express him or herself well. Gardner sees the poet as the best example of an astute user of language. In creating poems, poets make use of the full complexity of meaning and the widest range of linguistic dynamics. Naturally, people with a high level of linguistic intelligence would excel at language-related activities such as writing, teaching and persuading others.

Logical-mathematical intelligence refers to the skills often associated with scientists and mathematicians. Scientists tend to give it a more significant role than other intelligences. Gardner certainly disagrees with this point of view. He sees logical-mathematical intelligence as simply one among a set of intelligences, asserting that though it may have been exceptionally important in western societies, it has played a more modest role in other societies.

Spatial intelligence refers to the ability to visualize things in the mind accurately and precisely. This intelligence is therefore associated with artists, who are experts in visualizing and making intelligent use of forms and colors. A person with a high level of spatial intelligence may also have excellent visual memory, and perhaps even a so-called photographic memory.

Naturalistic intelligence has been quite controversial and critics generally see it as an area of interest. Gardner hypothesizes that people who have a high level of naturalistic intelligence are more sensitive to nature and to their own relationship to it. A person who is successful at growing plants or raising animals could be said to have a high level of naturalistic intelligence. Such a person could be a successful gardener or farmer, and would also make a good scientist studying the natural world.

The revolutionary theory of multiple intelligences has resulted in several criticisms. Some have questioned the criteria that qualify something as an intelligence. Others have pointed out that the existence of multiple intelligences has never been proven through scientific research. These criticisms notwithstanding, the theory of multiple intelligences has sparked fascinating debate about the value and the nature of intelligence. Its applications in the field of education have led to more diverse educational methods as teachers seek to access and develop the multiple intelligences of students.

- 46 What is this passage mainly about?  
 (A)Introducing a new theory of intelligence.  
 (B)Explaining why being intelligent is important.  
 (C)Discussing the significance of different intelligences.  
 (D)Evaluating the methods of cultivating one's intelligences.
- 47 Which of the following is NOT an intelligence mentioned in this passage?  
 (A)Spatial. (B)Linguistic. (C)Interactive. (D)Naturalistic.
- 48 Which of the following intelligences has received most criticisms?  
 (A)Spatial. (B)Naturalistic. (C)Linguistic. (D)Logical-mathematical.
- 49 Which criticism about the theory of multiple intelligences has been raised by critics?  
 (A)It is wrongly applied to education.  
 (B)It has never been proven by scientific research.  
 (C)It tells us nothing about the nature of intelligence.  
 (D)There are too many criteria for identifying intelligences.
- 50 According to this passage, which of the following statements is NOT true?  
 (A)An artist is most likely to rely on naturalistic intelligence.  
 (B)Scientists tend to consider logical-mathematical intelligence the most important.  
 (C)People with better spatial intelligence may have clearer visualization of images.  
 (D)A person with a high level of linguistic intelligence is more likely to excel at explaining ideas.