

107年公務人員特種考試警察人員、一般警察人員考試及
107年特種考試交通事業鐵路人員考試試題

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 下列有關憲法中「領土」規定之敘述，何者錯誤？
(A)憲法有關領土之規定，並未採取明確列舉的方式
(B)大法官解釋認為固有疆域範圍之界定，不受司法審查
(C)依憲法增修條文規定，總統得提出領土變更案
(D)依憲法增修條文規定，領土變更案之通過應經公民複決
- 2 依憲法增修條文第 10 條，對於原住民族地位之特別規定，下列何者並非其內容？
(A)保障原住民族之政治參與
(B)積極維護發展原住民族語言
(C)維護傳統家庭制度
(D)扶助社會福利事業
- 3 依憲法規定，下列敘述何者錯誤？
(A)公用事業以公營為原則
(B)金融機構以公營為原則
(C)有獨占性之企業以公營為原則
(D)對外貿易應受國家之獎勵、指導與保護
- 4 憲法基本國策章中關於國防之敘述，下列何者錯誤？
(A)現役軍人不得兼任文官
(B)軍政與軍令一元化
(C)國防組織以法律定之
(D)軍隊國家化
- 5 下列何者並非憲法第 8 條人身自由之保障內容？
(A)法律保留
(B)正當法律程序
(C)提審制度
(D)人民不受軍事審判
- 6 依司法院釋字第 702 號解釋意旨，當時有效之教師法第 14 條以「行為不檢有損師道，經有關機關查證屬實」為要件，作為停聘解聘或不續聘教師之依據，且在法律效果上，一律終身禁止再任教職之規定，違反憲法所要求之那一原則？
(A)法律保留原則
(B)授權明確性原則
(C)比例原則
(D)平等原則
- 7 「為達公益之目的，在可採取之措施有兩個以上選擇可能性時，應選擇對人民基本權侵害最小者。」此為何種原則？
(A)適當性原則
(B)必要性原則
(C)衡平性原則
(D)重要性原則
- 8 依司法院大法官解釋，下列規定何者與憲法平等原則無違？
(A)中央警察大學招生簡章以有無色盲作為入學資格之標準
(B)社會秩序維護法規定意圖得利與人姦宿者處罰鍰
(C)民法親屬編未容許相同性別二人結婚
(D)身心障礙者保護法禁止非視障者從事按摩業之規定
- 9 下列何者非屬「象徵性」言論？
(A)在行政院前焚燒國旗
(B)於立法院前靜坐
(C)向政府首長丟雞蛋
(D)在商品包裝標示其成分
- 10 下列何者並非大法官解釋曾明白提及之特別權力關係對象？
(A)公務員
(B)受羈押被告
(C)軍人
(D)受收容之外國人
- 11 依司法院釋字第 747 號解釋，下列敘述何者錯誤？
(A)財產權旨在保障個人財產之存續狀態
(B)國家如徵收土地所有權，人民得請求合理補償
(C)土地之地下遭公路穿越，尚未達於不能為相當使用之程度者，土地所有權人不得請求徵收地上權
(D)國家徵收地上權，人民亦得請求合理補償

- 12 有關憲法規定之平等投票原則，下列敘述何者錯誤？
(A)每位選民應有相同投票數 (B)每一選票應有相同價值
(C)每位國民均應為選民 (D)每一選民均應依法定程序投票
- 13 依司法院大法官解釋及現行制度之意旨，有關立法委員之選舉，下列敘述何者錯誤？
(A)政黨比例代表制及政黨門檻規定，其目的在避免小黨林立，影響國會議事運作之效率
(B)選舉方法不得變動選舉權、平等權之核心內涵
(C)百分之五之政黨門檻規定，違反平等原則
(D)立委選舉採取政黨比例代表制與區域代表相輔之混合設計，並未牴觸國民主權原則
- 14 關於總統之憲法上刑事豁免權，下列敘述何者正確？
(A)在職期間得暫時免於他人刑事案件為證人之義務
(B)檢察官不得於總統在職期間對之為刑事偵查及證據保全
(C)在職期間得暫時免除作為被告受刑事之起訴與審判
(D)在職期間得免於司法搜索
- 15 關於總統之憲法上人事權，下列敘述何者錯誤？
(A)任命行政院院長 (B)提名立法院院長 (C)提名司法院院長 (D)提名審計長
- 16 有關不信任案之敘述，下列何者錯誤？
(A)立法院得經全體立法委員三分之一以上連署，對行政院院長提出不信任案
(B)不信任案如未獲通過，一年內不得對同一行政院院長再提不信任案
(C)不信任案不得於為其他特定事項召開之立法院臨時會提出
(D)立法委員對於不信任案之表決，應以記名投票之方式為之
- 17 依憲法增修條文之規定，關於行政院院長之權力，下列敘述何者正確？
(A)行政院院長有主動解散立法院之權
(B)副總統缺位時，由行政院院長代行其職權
(C)行政院院長有副署總統所發布任命監察院院長命令之權
(D)總統、副總統均缺位時，由行政院院長代行其職權
- 18 關於立法院文件調閱權之行使，下列敘述何者錯誤？
(A)立法院得設調閱委員會調閱文件
(B)立法院向有關機關調閱文件原本，應經院會決議
(C)調閱專案小組之設立，應於立法院會期中為之
(D)除法院與監察院外，其他機關不得拒絕調閱之要求
- 19 下列何者並非立法院召開臨時會之事由？
(A)總統之咨請 (B)立法委員四分之一以上之請求
(C)審查覆議案 (D)議決行政院院長之彈劾案
- 20 憲法第 62 條規定，立法院為國家最高立法機關，下列敘述何者錯誤？
(A)立法院即民主國家之國會
(B)立法院為地方議會之上級監督機關
(C)立法院代表人民行使立法權，即「國民主權」原則之落實
(D)立法院制定之法律，其效力高於由行政機關所發布之法規命令
- 21 下列有關大法官之敘述，何者錯誤？
(A)大法官為憲法第 80 條之法官
(B)大法官為唯一有權宣告法律違憲之機關
(C)大法官受憲法第 81 條關於法官「非依法律不得減俸」規定之保障
(D)大法官受憲法第 81 條有關法官終身職待遇規定之保障

- 22 下列何者非司法院大法官之職權？
(A)審理政黨違憲解散 (B)統一解釋法律及命令
(C)審理總統、副總統彈劾案 (D)審理立法委員罷免案
- 23 下列何者為審判權之特質？
(A)主動調查 (B)不告不理 (C)通案解決糾紛 (D)絕對公開之審理程序
- 24 依憲法增修條文規定，考試委員如何產生？
(A)由考試院院長提名，經總統同意任命之 (B)由總統提名，經立法院同意任命之
(C)由總統提名，經監察院同意任命之 (D)由考試院院長遴聘之
- 25 下列何者並非地方自治團體之權力？
(A)司法權 (B)人事權 (C)組織權 (D)立法權
- 26 Since prosecutors failed to prove that the defendants had committed the crimes they were charged with, they were found “_____” of all charges.
(A)not guilty (B)no intension (C)not innocence (D)no willness
- 27 Ignoring typhoon alarm, the captain made the determination to go ahead with the route as planned, unfortunately, the vessel _____ during the crossing and he and 10 other people perished.
(A)capsized (B)experienced (C)dragged (D)aspired
- 28 The ferry sent a distress call from its location about 20 kilometers offshore, notifying the authorities that the ship was _____ badly to one side and taking on water.
(A)listing (B)standing (C)strangling (D)landing
- 29 This vessel was seriously damaged in the course of an ordinary _____ for which the defendant’s ship was responsible.
(A)voyage (B)visage (C)mirage (D)exposure
- 30 Laws can always be reinforced by law enforcement agents such as police and court officers in the last _____.
(A)journey (B)justice (C)rally (D)resort
- 31 A new radar _____ system which monitors Taiwan’s northern territory waters was commissioned last December.
(A)corporation (B)supervision (C)infringement (D)surveillance
- 32 Those foreign staffs were _____ either on the grounds of illegal status or having committed a crime.
(A)exported (B)deported (C)extorted (D)distorted
- 33 This device was a high-end maritime receiver that is capable of picking up ship transmissions while continuously _____ a preset frequency range.
(A)scanning (B)contaminating (C)condescending (D)approving
- 34 Information regarding the safety of vessels was difficult to obtain during the 1960s due to the _____ of navigational and communication equipment.
(A)dispute (B)prosperity (C)limitation (D)implication
- 35 Tear gas and expandable baton are _____ weapons of Taiwan Coast Guard boarding team in law enforcement operations.
(A)non-lethal (B)low firepower (C)mortal (D)fatal
- 36 During investigation and surveillance, seasoned detectives usually have their own To-Do List, including (1) to obtain any documentary evidence, (2) to check the criminal histories or (3) to link _____ to other crimes by modus operandi analysis.
(A)suspects (B)netizens (C)pilots (D)netheads

- 37 The Coast Guard has the authority to _____ recreational and uninspected passenger vessels from crossing a bar in rough conditions by regulations.
(A)restrict (B)pretend (C)clamp (D)delight
- 38 On the bridge the watch officer and _____ personnel should work as a team to ensure safe navigation especially in narrow channel.
(A)lookout (B)time-out (C)washout (D)takeout
- 39 Large marine protected areas (MPAs) closed to fishing are one component of the solution to the problem of _____. MPAs can preserve biodiversity and promote recovery of many species.
(A)overfishing (B)stock-fishing (C)silverfish (D)offload
- 40 Human-induced overexploitation, ocean acidification and pollution _____ the integrity of marine ecosystems.
(A)threaten (B)promote (C)increase (D)integrate
- 41 The illegal immigrants' ship was blown on to the rocks and wrecked following disablement in a _____.
(A)contention (B)insufficiency (C)collision (D)allegation
- 42 _____ manipulation of a vessel is defined as operation which disregards the safety or rights of others or endangers the person or property of others.
(A)Careful (B)Reckless (C)Mindful (D)Incidental
- 43 A gas leak on the deck of an unmanned cargo led to the _____ of 70 passengers.
(A)evacuation (B)nomination (C)redemption (D)evaluation
- 44 The marine police agents are responsible for the _____ of illegal drug smugglers.
(A)interrogation (B)indulgence (C)interchange (D)infringement
- 45 The marine police discovered that human _____ on the sea continues to rise at a staggering rate.
(A)trafficking (B)traffic (C)ticketing (D)tariff

請依下文回答第 46 題至第 50 題：

R.O.C. Coast Guard is a federal law enforcement agency whose primary mission is similar to that of any major crimes unit, namely, conducting investigations of actual, 46 or suspected 'general' criminal activity, and performing search and rescue operations. Importantly, it also engages in maritime-related law enforcement, including but not limited to, preventing illegal migrant or drug smuggling, 47 Taiwan's jurisdiction waters, assisting in enforcing port and maritime regulations, and safeguarding marine resource. In particular, the last mission is usually not widely known by the general public. For instance, R.O.C. Coast Guard clamps down on illegal trawling to protect fishery resources; in some serious cases, they may even 48 vessels and/or restrain their operation when the regulations of fisheries authorities are violated. Last but not least, R.O.C. Coast Guard also plays a significant-but often overlooked-role in maintaining the 49 of Taiwan's boundary of administration; it provides a more diplomatic soft power than the country's naval warfare force and exerts a substantial influence on Taiwan's foreign policy. Its ongoing and regular 50 nearby the highly disputed *Diaoyu* Islands is a case in point.

- 46 (A)dismissed (B)alleged (C)preserved (D)transformed
- 47 (A)extracting (B)disseminating (C)patrolling (D)trespassing
- 48 (A)extrapolate (B)smuggle (C)authorize (D)confiscate
- 49 (A)extradition (B)commitment (C)admission (D)integrity
- 50 (A)expedition (B)logistics (C)detour (D)convergence