

110年公務人員特種考試關務人員、身心障礙人員考試及  
110年國軍上校以上軍官轉任公務人員考試試題

考試別：國軍上校以上軍官轉任公務人員考試

等別：上校轉任考試

類科：各類科

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。

軍官甲執行訓練任務時，放任所屬下屬向旁邊民人購買冷飲，並導致部隊演訓未能按時完成。直屬長官乙知悉事實後，遂依陸海空軍懲罰法第15條第1項規定給予甲申誡二次之處分。甲不服，向上級機關提出申訴，惟申訴機關仍維持原決定。甲申訴經駁回後，本案即告確定。試問：

一、在公務人員保障法之情形，公務人員是否因影響其權益之不當公權力措施，於申訴、再申訴後，不得續向法院請求撤銷，而違反憲法訴訟權保障？(25分)

二、甲針對陸海空軍懲罰法中，對於受申誡處分者不得提起司法救濟之規定，應如何向大法官聲請解釋？(25分)

乙、測驗題部分：(50分)

代號：2801

(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。

- In the teeming urban slums at time of plagues, \_\_\_\_\_ airs thick with deadly contaminants swirled about spreading infection.  
(A) malevolent (B) ambivalent (C) prevalent (D) insolent
- A few regular hours of walking each week is the \_\_\_\_\_ to declare that walking reduces the risk of cancer and heart disease, strengthens bones, and balances cholesterol.  
(A) query (B) period (C) finale (D) premise
- Palermo Protocol calls for countries to \_\_\_\_\_ human trafficking, punish offenders and provide shelter and support to victims.  
(A) criminalize (B) announce (C) judge (D) sentence
- \_\_\_\_\_ aid is an important resource for students who want to attend college but do not have enough money.  
(A) Credential (B) Financial (C) Potential (D) Sequential
- With thousands of universities around the world to choose from, everyone pursuing postgraduate studies can find programs that are \_\_\_\_\_ for their needs.  
(A) defensible (B) portable (C) suitable (D) vulnerable

請依下文回答第 6 題至第 10 題

Like it or not, the prospect of being able to use mobile phones on aeroplanes is inching ever closer. Last week Ryanair announced that it would 6 its entire fleet of Boeing 737s with small base stations, called picocells, provided by OnAir, a technology company backed by Airbus. The picocells will use satellite links to allow mobile phones to be used during flight without 7 ground-based aviation networks. Taking a cut of the resulting revenues will help Ryanair to keep its ticket prices down, according to the firm's boss.

But it is uncertain just how popular, and hence how 8, in-flight calling will be. The technical obstacles have been overcome and regulatory approval is expected soon—at least in Europe. Regulators are expected to issue guidelines in the next few weeks defining which frequencies can be used and national aviation authorities will start 9 airlines' installations early next year.

Mobile phones must still surmount social obstacles, however. Will people flock to airlines that offer in-flight calling, or avoid them? And how much will callers be prepared to pay? OnAir, its rival AeroMobile and other firms have conducted a series of surveys in an attempt to find out.

One survey of young mobile-phone users, carried out last year by IDC and SMS.ac, a mobile portal, found that 64% of young people favoured in-flight texting, and only 11% liked the idea of making calls. And 82% of 10 agreed with the statement "I don't want people talking on their phones during flights." The results are not surprising to many, actually.

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|----|--------------------|----------------------|-----------------|---------------------|
| 6  | (A) dismantle      | (B) endorse          | (C) equip       | (D) nullify         |
| 7  | (A) departing from | (B) interfering with | (C) flying over | (D) separating from |
| 8  | (A) lucent         | (B) lucrative        | (C) lubricated  | (D) luscious        |
| 9  | (A) certifying     | (B) eliminating      | (C) innovating  | (D) retrieving      |
| 10 | (A) opponents      | (B) respondents      | (C) suppliants  | (D) transponders    |

請依下文回答第 11 題至第 15 題

If you're visiting London, the famed St. Paul's Cathedral is a landmark you must see. England's leading church was built in 604 to honor St. Paul, an apostle who played a major role in spreading the message of Christianity. Over the years, the cathedral has become a national symbol of strength and the ability to 11 adversity—and for good reason. In 942, the Vikings burnt it to the ground. It was rebuilt, but then it was damaged once again during the Great Fire of London of 1666. 12, architect Sir Christopher Wren spent 35 years rebuilding it, with the 13 of making it as awe-inspiring as any royal palace in England. And, true to his word, when construction was completed in 1710, it was more glorious than ever.

The major attraction for the two million tourists that visit St. Paul's annually is its iconic dome. In total, the 14 structure weighs 64,000 tons and is comprised of three smaller domes: an inner dome, an outer dome, and a brick cone. From the floor, tourists can observe classic murals, painted by Sir James Thomhill, which 15 key events in the life of St. Paul. Next, they can climb the 528 steps to the Golden Gallery. In addition to magnificent sculptures and paintings, visitors will also be treated to incomparable panoramic views of the city. Besides being a tourist attraction, St. Paul's Cathedral hosts several important religious ceremonies throughout the year.

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|----|---------------|---------------|---------------|----------------|
| 11 | (A) compile   | (B) encounter | (C) overcome  | (D) trigger    |
| 12 | (A) Afterward | (B) Backward  | (C) Forward   | (D) Onward     |
| 13 | (A) extension | (B) intention | (C) detection | (D) prevention |
| 14 | (A) diverse   | (B) drastic   | (C) massive   | (D) minute     |
| 15 | (A) detain    | (B) depict    | (C) distract  | (D) distort    |

請依下文回答第 16 題至第 20 題

The death toll from the devastating earthquake in Ecuador has risen to 654, officials said. The quake, the worst in nearly seven decades, injured at least 12,500 people and left another 58 people 16 along the country's Pacific coast. "These have been sad days for the homeland," said a visibly moved President Rafael Correa during his regular Saturday TV broadcast. "The country is in crisis."

Thousands of soldiers and police have been 17 throughout Ecuador to provide emergency relief, including temporary 18 and food. 19, scores of aid workers from dozens of nations, including Spain, Peru, Cuba, Bolivia and Venezuela have arrived to assist in the relief efforts. Officials said 113 people have been rescued alive from buildings damaged by the quake eight days ago. The United Nations on Friday 20 for \$72.7 million to provide aid to 350,000 people over the next three months — about half the number it estimates are in need of help.

- |    |               |                 |              |                   |
|----|---------------|-----------------|--------------|-------------------|
| 16 | (A) flowing   | (B) blowing     | (C) escaping | (D) missing       |
| 17 | (A) dismissed | (B) defeated    | (C) deployed | (D) employed      |
| 18 | (A) shelters  | (B) addresses   | (C) resorts  | (D) neighborhoods |
| 19 | (A) However   | (B) In addition | (C) Thus     | (D) Instead       |
| 20 | (A) signed    | (B) appealed    | (C) yearned  | (D) substituted   |

請依下文回答第 21 題至第 25 題

Amazon is a Fortune 500 e-commerce company based in Seattle, Wash. It has the distinction of being one of the first large companies to sell goods over the Internet. In 1994, Jeff Bezos founded Amazon, which launched the following year. If you're of a particular age, you likely remember that Amazon started out as an online bookstore and then quickly diversified by adding other items, including DVDs, music, video games, electronics, and clothing. In 1999, just five years after he started Amazon, Jeff Bezos was named Time magazine's "Person of the Year." He received this honor largely because of the company's success in popularizing online shopping.

Amazon.com considers itself a completely customer-centric company. In fact, it has described itself as "customer-obsessed." The company really believes that if it doesn't listen to customers, it will fail. Amazon has stated that it wants to take advantage of any opportunity that presents itself to the company during a time of unprecedented technological revolution.

Amazon not only believes in putting customers first but also in ownership from its team. "Ownership matters when you're building a great company," the company has said. "Owners think long-term, plead passionately for their projects and ideas, and are empowered to respectfully challenge decisions."

As of early 2017, Amazon had nearly 269,000 employees worldwide. It is known for its technical innovations and boasts that its engineers handle complex challenges in large-scale computing. Software development engineers, technical program managers, test engineers and user interface experts work in small teams throughout the company to build an e-commerce platform that's used by customers, sellers, merchants and external developers.

- 21 According to the passage, why was Jeff Bezos named the “Person of the Year”?
- (A) He is the richest person in 1999 due to his online service.
  - (B) He has made an enormous fortune during the past 5 years.
  - (C) His company has achieved its goal of large-scale online shopping.
  - (D) His company has successfully sold more than one million books online.
- 22 What is Amazon known for in 2017?
- (A) Creating a new AI robot.
  - (B) Having its technical innovation.
  - (C) Selling millions of items.
  - (D) Having experts work for engineering.
- 23 What of the following decisions would Amazon probably make?
- (A) Do an extensive survey to know more about customer’s preferences.
  - (B) Launch a number of new campaigns to sell more books and CDs online.
  - (C) Start to invest IT industry and produce its own brand Amazon computer.
  - (D) Focus on diversified goods such as DVDs, video games, electronics, and clothing.
- 24 Which of the followings is not included in the e-commerce computing team in the passage?
- (A) Test engineers.
  - (B) Marketing experts.
  - (C) Software development engineers.
  - (D) Technical program managers.
- 25 Where does this passage most probably come from?
- (A) A sports magazine.
  - (B) A food blog.
  - (C) A business newspaper.
  - (D) A psychology book.