公職王歷屆試題 (100 稅務、關務人員特考)

## 100 公務人員特種考試稅務人員考試試題

- 等 别:四等税務人員考試
- 類(科)別:各類科
- 科 目:法學知識與英文(包括中華民國憲法、法學緒論、英文)
- (D) 1. 憲法規定,任何黨派以及個人不得以下列何者為政爭之工具? (A)公民複決 (B)集會遊行 (C)發動罷免 (D)武裝力量 (A) 2. 依憲法第141條規定, 關於中華民國之外交, 針對條約及聯合國憲章, 應以何種態度面 對? (A)尊重 (B)放棄 (C)臣服 (D)抗拒 (C) 3. 依司法院大法官釋字第499號解釋之見解,有關修憲之敘述,下列何者正確? (A) 修憲倚賴高度法律專業,故一般國民無須關心與參與 (B)修憲須折衝協調,故應秘密進行,以利結果產生 (C)修憲乃最直接體現國民主權之行為,應公開透明 (D)修憲主要係由政黨實力決定,不須理性溝通 (C) 4. 教育主管機關依職權發布命令,規定電動玩具業不得容許未滿18歲之兒童及少年進入其營 業場所,依司法院大法官釋字第514號解釋,主要係違反何項憲法原則而違憲? (A)人身自由 (B)平等原則 (C)法律保留原則 (D)依法納稅原則 (D) 5. 依憲法第23條之規定,人民之自由權利,非基於保障公共利益所「必要」者外,不得以法 律限制之,其所稱之「必要」,係何種原則的展現? (A)誠信原則 (B)民主原則 (C)平等原則 (D)比例原則 (B) 6. 人民對於國家的行政處分不服,例如對於環保機關所為之裁罰不服,向原處分機關或其上 級機關所提起者,以供行政內部自我省察者的救濟手段,是為: (A)請願 (B)訴願 (C)行政訴訟 (D)陳情 (C) 7. 強迫水庫集水區內之人民遷村,係對人民之何種權利為限制? (A)人身自由 (B)工作權 (C)居住遷徙自由 (D)言論自由 (B) 8. 下列何者違反平等權之規定? (A)只有男性國民始負服兵役之義務 (B)妻須以夫之住所為住所 (C)國家應維護婦女之人格尊嚴,保障婦女之人身安全 (D)國家應積極維護發展原住民族語言及文化 (B) 9. 憲法第8條內「非由法院依法定程序,不得審問處罰」之規定是屬於: (A)法律優位事項 (B)憲法保留事項 (C)法律保留事項,但可授權行政命令規定 (D)行政命令事項 (D) 10. 有關憲法第2條第4項國家安全大政方針的敘述,下列何者錯誤? (A)決定國家安全大政方針係屬總統職權 (B)總統得設國家安全會議及國家安全局 (C)國家安全局隸屬於國家安全會議 (D)國家安全會議及國家安全局的組織由總統以命令訂之 (B) 11. 依憲法增修條文第3條之規定,下列何者非屬行政院對立法院負責的事項? (A)立法院得對行政院院長提出不信任案 (B)行政院院長之任命須經立法院同意 (C)行政院有向立法院提出施政方針及施政報告之責 (D)行政院對立法院決議之法律案、預算案與條約案,得經總統核可移請立法院覆議 (C) 12. 依憲法增修條文規定,對於總統、副總統之彈劾案,由下列何機關提起? (A)司法院 (B)監察院 (C)立法院 (D)考試院

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- (C) 13. 依憲法第80條規定,法官須超出下列何者以外,依據法律獨立審判?
   (A)種族
   (B)宗教
   (C)黨派
   (D)階級
- (B) 14. 依據憲法增修條文第9條規定,省的功能為何?
  (A)省承總統之命,監督縣自治事項
  (B)省承行政院之命,監督縣自治事項
  (C)省承總統之命,監督直轄市自治事項
  (D)省承行政院之命,監督直轄市自治事項
- (B) 15. 我國憲法列舉中央與地方雙方管轄的事項,若有未列舉事項發生時,依據憲法第111條, 其事務有全國一致之性質者屬於中央,有全省一致之性質者屬於省,有一縣之性質者屬於 縣;遇有爭議時,則:
   (A)由行政院解決
   (B)由立法院解決

(C)由總統召集協商解決 (D)由司法院大法官解決

- (C) 16. 請問以下何者敘述,較符合我國民法於1996年修正有關父母對於未成年子女權利之行使的 規定?
  - (A)由父親單獨行使,改為父母雙方共同行使,重大事項權利之行使意思不一致時,得請求 法院依子女最佳利益酌定之
  - (B)由父親單獨行使,改為父母雙方共同行使,重大事項權利之行使意思不一致時,得請求 法院依父母最佳利益酌定之
  - (C)由父母雙方共同行使、意思不一致時由父行使,改為由父母雙方共同行使,重大事項權利之行使意思不一致時,得請求法院依子女最佳利益酌定之
  - (D)由父母雙方共同行使、意思不一致時由父行使,改為由父母雙方共同行使,重大事項權利之行使意思不一致時,得請求法院依父母最佳利益酌定之
- (C) 17. 有關自治條例是否違憲之審查,下列敘述何者錯誤?
   (A)直轄市自治條例與法律是否牴觸,由行政院宣告之
   (B)縣(市)自治條例與法律牴觸者,由中央各該主管機關宣告之
   (C)委辦規則與法律發生牴觸者,由該地方自治團體上級機關宣告之
   (D)自治團體自治條例有無牴觸法律發生疑義時,得聲請司法院解釋之
- (D) 18. 依據憲法增修條文之規定,立法委員之選舉自第七屆起,下列何項係依政黨名單投票選舉之?
  - (A)自由地區直轄市所選出之立法委員
  - (B)自由地區平地原住民所選出之立法委員
  - (C)自由地區山地原住民所選出之立法委員
  - (D)自僑居國外國民所選出之立法委員
- (C) 19. 地方制度法第29條規定有關委辦規則的事項,下列何者錯誤?
   (A)地方政府為辦理上級機關委辦事項所為之規定
   (B)地方政府可依其法定職權為之
   (C)地方政府可基於法律或自治條例之授權為之
   (D)名稱準用自治規則之規定
- (A) 20. 當監察院對於未依法申報財產之政務官科處罰鍰時,此時監察院所為之行為係:
   (A)行政行為
   (B)私法行為
   (C)立法行為
   (D)司法行為
- (B) 21. 下列關於意思表示的敘述,何者正確?
   (A)因被詐欺或被脅迫而為意思表示者,表意人之撤銷權,自意思表示後,經過1年而消滅
   (B)表意人於發出通知後死亡者,其意思表示,不因之失其效力
   (C)對話人為意思表示者,其意思表示,以通知達到相對人時,發生效力
   (D)非對話而為意思表示者,其意思表示,以通知發出時,發生效力
- (C) 22. 有關遺產繼承之敘述,下列何者正確?
   (A)胎兒一律不得繼承
   (B)被繼承人之兄弟姊妹之繼承順序優先於被繼承人之父母

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		(C)被繼承人之子女之繼承順序優先於被繼承人之父母
		(D)被繼承人之配偶之繼承順序同被繼承人之父母
(A)	23.	關於共犯的限制從屬性原則,以下敘述何者正確?
		(A)共犯的成立,是以存在一個故意且違法的正犯主行為作為前提要件
		(B)共犯的成立,是以存在一個具有罪責的正犯主行為作為前提要件
		①共犯的成立,必須在主觀要件上加以限制
		(D)共犯的成立,必須在客觀要件上加以限制
(D)	24	下列何種情形,我國著作權法並未將其視為侵害著作權?
( <b>D</b> )	27.	(A)以侵害著作人名譽之方法利用其著作
		(B)輸入未經著作財產權人授權重製之重製物
		©以侵害電腦程式著作財產權之重製物作為營業之使用
	07	(D)未經著作財產權人同意,為供中央或地方機關之利用而輸入著作之重製物
(D)	25.	
		(A)公司讓與全部或主要部分之營業或財產
		(B)公司進行分割
		(C)公司變更章程
		(D)公司選舉董事監察人
(A)	26.	有關全民健康保險安全準備之運用方式,下列那一項不屬之?
		(A)投資國外優質私人基金 (B)投資於公債
		(C)存放於公營銀行 (D)特約醫院整修貸款
(D)	27.	下列何者依消費者保護法規定,於符合一定要件下,不用負無過失責任?
		(A)輸入商品之企業經營者 (B)製造商品之企業經營者
		(C)設計商品之企業經營者 (D)從事經銷之企業經營者
(A)	28.	下列關於我國刑法上的緊急避難之敘述,何者錯誤?
		(A)因避免自己或他人一切權利之緊急危難而出於不得已之行為
		(B)應考慮法益衡量
		(C)可向非侵害之第三人主張
		(D)避難行為過當者,仍得減輕或免除其刑
(D)	29.	家庭暴力防治法對於家庭暴力處理之程序有不少特殊的規定,以下敘述何者錯誤?
		(A)保護令事件之審理不公開
		(B)檢察官進行拘提家庭暴力犯罪嫌疑人時,可不用拘票
		(C)法院為定管轄權,應以秘密方式訊問,將該筆錄及相關資料密封,並禁止閱覽
		(D)保護令事件得進行調解或和解
(D)	20	下列何者原則上適用性別工作平等法?
( <b>D</b> )	00.	(A)公務人員、教育人員,不包括軍職人員
		(B)教育人員、軍職人員,不包括公務人員
		(C)公務人員、軍職人員,不包括教育人員
(	01	(D)公務人員、教育人員以及軍職人員均包括
(A)	31.	To make the company the workers for the injuries as a result of work, the
		union decided to undertake a series of vigorous campaigns.
		(A)compensate (B)complicate (C)contradict (D)contemplate
(D)	32.	The flowers I picked last week have . They are no longer fresh and beautiful.
		(A)paralyzed (B)wrinkled (C)prospered (D)withered
(C)	33.	The computer program is . It can carry out a conversation with you.
		(A) initiative (B) talkative (C) interactive (D) perceptive
(A)	34.	After the couple broke up, they went their ways and never contacted each other
		again.
		(A)separate (B)single (C)unique (D)instant

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小时一	王歷屆試題 (100 稅務、關務人員特考)
(D) 35.	I am wondering the cold front will arrive in two days.
	(A)which (B)when (C)what (D)whether
(B) <i>36</i> .	
	housing, infrastructure, and forests.
	(A)presumption (B)catastrophe (C)magnitude (D)monopoly
(D) <i>37</i> .	Colleagues and families gathered at the cemetery to pay to the firefighters
	killed in the explosion.
	(A)modesty (B)assistance (C)virtue (D)tribute
(C) 38.	
	trouble.
	(A)selfish (B)graceful (C)grateful (D)obstinate
(D) <i>39</i> .	John spent all of his money starting a new business; the result is that he
	can't pay his bills and is now .
	(A)satisfied (B)affordable (C)prosperous (D)bankrupt
(D) 40.	The better we are acquainted with foreign cultures, we can make friends with
	foreigners.
	(A) the easier (B) the easily
	(C) the much easier (D) the more easily
(A) <i>41</i> .	Manager: What was that terrible noise?
	Secretary: I'm sorry. I just dropped a stack of files.
	Manager:
	Secretary: No, I' m fine.
	Manager: I'm glad you're not hurt.
	(A)Are you hurt? (B)How did you drop it?
	(C)What a big sound it was! (D)Didn't you see the file folders?
	Technology is everywhere in our everyday lives. Take potato crisps <u>42</u> . Potato
	crisps are produced in huge factories which have got special machines. About
	4,000 kilos of potatoes are needed to make 1,000 kilos of crisps. This is how
	crisps are made: First, the potatoes are washed well and peeled in a large
	machine. $43$ , workers remove any bad potatoes by hand. After that, another
	machine with very sharp blades cuts the potatoes into very thin slices. The
	potato slices are washed again, and then they are fried in oil. The $44$ that
	are used are huge. Each of them can fry about 2,000 kilos of crisps in an
	hour! When they are ready, the crisps are packed in bags and the weight of
	each bag is checked by a computer. $45$ , the bags are put into boxes and sent
(C) 10	to the shops. So, next time you enjoy a bag of crisps, <u>46</u> technology for it!
(C) 42.	
(A) 43.	(A)Then (B)Before (C)Hence (D)Instead
(B) 44.	
(C) 45.	
(D) 46.	
	A simple change to the design of the gallon milk jug, adopted by the retail
	giants Wal-Mart and Costco, seems made for the times. The jugs are cheaper to
	ship and better for the environment, the milk is fresher when it arrives in
	stores, and it costs less. However, the jugs have no real spout, and their
	unorthodox shape makes consumers feel like novices at the simple task of pouring a glass of milk "I hato it. It spills everywhere" said a customer
	pouring a glass of milk. "I hate it. It spills everywhere," said a customer. Though the greener milk jug isn't widely welcomed retailers are undeterred
	Though the greener milk jug isn't widely welcomed, retailers are undeterred

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because it has advantages from their perspective. In an era of soaring global demand and higher costs for energy and materials, virtually every aspect of the economy needs to be reexamined and many products must be redesigned for greater efficiency. The redesign of the gallon milk jug is a typical example of this change. In the past, the bottling and shipping of milk jugs were inefficient and labor-intensive. Workers used a long hook to drag plastic crates loaded with milk jugs onto a conveyor belt. The crates were essential to prevent old-fashioned milk jugs from stacking atop one another but took a lot of room. With the new jugs, the crates are gone and the shipping can cut labor by half.

The whole operation is so much more efficient that milk coming out of a cow in the morning winds up at a store by that afternoon, compared with the next morning by the old method. The question now is whether customers will go along. A shopper named Jodi Kauffman gave the jugs a glance. "Maybe," she said.

- (C) 47. What is the main idea of this passage? (A)What is environment-friendly is also user-friendly. (B)What brings benefit to the earth is always worth buying. (C)Greener products do not necessarily gain instant popularity. (D)Environment-friendly products offer us the choice of cost-cutting.
- (B) 48. What is the biggest problem of the new gallon milk jug? (A)It is time-consuming to transfer the new jug from one place to another. (B)It is not easy to pour milk from the jug properly because of its design. (C)It is impossible to keep the milk fresh enough in the new jug. (D)It causes harm and damage to the natural environment.
- (D) 49. Which of the following items is absolutely required to ship the old-fashioned milk jugs? (B)A sharp stick.
  - (A)A long tube.
  - (C)A flexible band.
- (A) 50. What can be inferred from this passage?
  - (A)The retailers will keep selling the new gallon jugs.
  - (B)The retailers will be unable to make profit from the new gallon jugs.
  - (C)The customers will call for a worldwide boycott of the new gallon jugs.
  - (D)The customers will take lessons to learn how to use the new gallon jugs.

(D)A large container.