

科目：法學英文

系所組：財經法律學系碩士班

請選擇最合適的一個答案：

1. dissenting opinion (A) 不同意見 (B) 少數意見 (C) 協同意見 (D) 完全贊同意見 (E) 多數意見
2. martial law (A) 猶太法 (B) 戒嚴法 (C) 海商法 (D) 海軍陸戰隊法 (E) 婚姻法
3. precedent (A) 總統 (B) 贈與之物 (C) 管轄地 (D) 先例 (E) 再審
4. joint and several liability (A) 共同侵權責任 (B) 共同合夥責任 (C) 共同債務不履責任 (D) 連帶責任 (E) 共同免除責任
5. veto power (A) 投票權 (B) 再審權 (C) 同意權 (D) 否決權 (E) 制裁權
6. A law that sets an upper limit on the interest rate that can be charged on certain types of loans is usually called \_\_\_\_\_.  
(A) criminal law (B) financial law (C) tort law (D) usury law (E) commercial law
7. \_\_\_\_\_ occurs where one party threatens to do a wrongful act unless the other party enters into a contract.  
(A) Force majeure (B) Mediation (C) Settlement (D) Gross negligence (E) Duress
8. A person who agrees to pay the debt if the primary debtor does not is called \_\_\_\_\_.  
(A) creditor (B) depositor (C) distributor (D) debtor (E) guarantor
9. \_\_\_\_\_ is available if there has been a material breach of contract, fraud or mistake.  
(A) Endorsement (B) Rescission (C) Class action (D) Gross negligence (E) Duress
10. \_\_\_\_\_ is a court order that prohibits a person from doing a certain act.  
(A) Injunction (B) Performance (C) Litigation (D) Discretion (E) Mediation
11. A \_\_\_\_\_ corporation has many shareholders and securities traded on national stock exchanges.  
(A) close (B) private (C) government (D) public (E) real
12. A decision by the board of directors that approves a transaction is called \_\_\_\_\_.  
(A) merger (B) performance (C) restitution (D) decree (E) resolution
13. Payment of a drawer's properly drawn check by the drawee bank is called to \_\_\_\_\_ a check.  
(A) honor (B) write (C) draw (D) deposit (E) retribute
14. A person who receives a gift is called \_\_\_\_\_.  
(A) donor (B) donee (C) franchisor (D) franchisee (E) dealer
15. A way to acquire title to property that is a result of another's death is called \_\_\_\_\_.  
(A) a purchase (B) a stock (C) a confusion (D) an exchange (E) a will
16. \_\_\_\_\_ ordinances are adopted by municipalities and local governments to regulate land use within their boundaries.

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(A) Zoning (B) Landlord (C) Health (D) Public (E) Construction

17. The part of the government that consists of Congress is called \_\_\_\_ branch.

(A) control (B) examination (C) executive (D) legislative (E) judicial

18. Choice of \_\_\_\_ clause in an international contract designates which nation's court has jurisdiction to hear a case arising out of the contract.

(A) law (B) forum (C) party (D) resolution (E) attorney

19. The obligation we all owe each other not to cause any unreasonable harm or risk of harm is called duty of \_\_\_\_.

(A) goodwill (B) promise (C) care (D) dealing (E) express warranty

20. A patent holder may recover damages and other remedies against a patent \_\_\_\_.

(A) franchisor (B) franchisee (C) vendor (D) applicant (E) infringer

21. Withdrawal of an offer by the offeror to terminate the offer is called \_\_\_\_.

(A) rejection (B) counteroffer (C) revocation (D) acceptance (E) consideration

22. Taking a personal property from another person by use of fear or force is called \_\_\_\_.

(A) larceny (B) burglary (C) theft (D) robbery (E) arson

23. Oral defamation of character is called \_\_\_\_.

(A) larceny (B) slander (C) battery (D) assault (E) trespass

24. A contract entered into by way of exchange of promises of the parties is called \_\_\_\_ contract.

(A) a quasi (B) an executed (C) an executory (D) an unilateral (E) a bilateral

25. The property that is subject to the security interest is called \_\_\_\_.

(A) personal (B) real (C) intangible (D) collateral (E) tangible

26. When conducting the business operations of a company directors have a duty to exercise \_\_\_\_.

(A) due respect (B) due diligence (C) due process (D) due care

27. A company is a juristic person, which is organized and incorporated for the purpose of making \_\_\_\_.

(A) progress (B) profit (C) property (D) protest

28. No company may be \_\_\_\_\_ unless it has registered with the central competent authority.

(A) incorporated (B) intended (C) initiated (D) invented

29. A company shall, at the end of each fiscal year, submit to its shareholders for their approval or to the \_\_\_\_\_ for ratification the annual business report, the financial statements, and the surplus earnings distribution or loss make-up proposal.

(A) stakeholders (B) creditors (C) shareholders' meeting (D) employees

30. A managerial personnel shall be empowered to manage the operation of the company and to sign relevant business documents for the company, subject to the scope of his/her duties and power as specified in the \_\_\_\_\_ or his/her employment contract.

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- (A) articles of confederation (B) articles of incorporation (C) accounts (D) annual report
31. Any restriction imposed by a company on the duty and power of managerial officers is not valid as \_\_\_\_\_ against a bona fide third person.  
(A) donation (B) degree (C) defence (D) declaration
32. No enterprise shall make false or \_\_\_\_\_ representations as to price, quantity, quality, content, production process, production date, valid period, method of use, purpose of use, place of origin, manufacturer, place of manufacturing, processor, or place of processing on goods or in advertisements.  
(A) missing (B) misleading (C) meaningful (D) mortgage
33. A monopolistic enterprise faces no \_\_\_\_\_ or has a dominant position to enable it to exclude competition in a relevant market.  
(A) consent (B) cooperation (C) consideration (D) competition
34. Check the memorandum of association to identify the company's \_\_\_\_\_.  
(A) proxy (B) extraordinary general meeting (C) share capital (D) ordinary resolution
35. A court may award damages more than actual damages if the violation is intentional; provided that no award shall \_\_\_\_\_ three times of the amount of damages that is proven.  
(A) excessive (B) superior (C) success (D) exceed
36. No \_\_\_\_\_ for damages shall be allowed unless the right is exercised within two years after the claimant knows the act and the person liable for the damages.  
(A) competition (B) claim (C) company (D) contract
37. Shall any person upon which an administrative fine is assessed refuse to pay such fine, the matter shall be referred to the court for compulsory \_\_\_\_\_.  
(A) economy (B) efficiency (C) equality (D) execution
38. In order to safeguard the interests of \_\_\_\_\_, a deposit insurance organization may be formed by the government or by one or more banks.  
(A) depositors (B) lenders (C) borrowers (D) insurers
39. A bank shall keep \_\_\_\_\_ all related information on deposits, loans or remittances of its customers unless otherwise provided for by law.  
(A) compulsory (B) commercial (C) counterfeit (D) confidential
40. At the end of each business year, each bank shall prepare and submit its \_\_\_\_\_ report and business report, financial statements, determination as to distribution of profits or make up of losses and other items designated by the competent authority.  
(A) advance (B) average (C) annual (D) quarterly
41. When there is concern that a bank is unable to pay its debts when due or there might be detriment to the depositors' interests due to obvious deterioration in the bank's business or financial status, the competent authority shall assign officials to take receivership over the bank, order such a bank to \_\_\_\_\_ and wind up business, or take other necessary measures.  
(A) suspend (B) safety (C) savings (D) security

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42. If the losses of a bank exceed one third (1/3) of the bank's \_\_\_\_\_, the bank's directors or supervisors shall immediately report such information to the central competent authority.  
(A) control (B) costs (C) capital (D) credit
43. The principal function of \_\_\_\_\_ banks is to accept checking deposits, demand deposits, time deposits, and extend short-term and medium-term loans.  
(A) commercial (B) savings (C) investment (D) foreign
44. A foreign bank, which establishes a \_\_\_\_\_ office within the territory of the Republic of China, must obtain approval from the competent authority, and be recognized and registered in accordance with the Company Law.  
(A) breach (B) branch (C) bankruptcy (D) buyer
45. The Sarbanes-Oxley Act of 2002 establishes the Public Company Oversight Board to regulate public accounting firms that \_\_\_\_\_ publicly traded companies.  
(A) audit (B) amend (C) assign (D) approve
46. A prospectus is an explanatory written statement that an issuer provides to the general public for the purpose of offering or selling \_\_\_\_\_.  
(A) signatures (B) statutes (C) subsidiaries (D) securities
47. Any person who \_\_\_\_\_, either individually or jointly with other persons, more than ten percent of the total issued shares of a public company shall file a statement with the competent authority within ten days after such acquisition, stating the purpose and the sources of funds for the purchase of shares and any other matters required to be disclosed by the competent authority; such persons shall file timely amendment when there are changes in the matters reported.  
(A) acquisition (B) acquires (C) acquirer (D) acquiring
48. Parties to any dispute arising under this agreement shall resolve their disputes by \_\_\_\_\_.  
(A) arbitration (B) asset (C) acquisition (D) supervision
49. Securities issued by an issuer shall not be \_\_\_\_\_ on the centralized securities exchange market of a stock exchange without first obtaining the necessary approval for public listing.  
(A) treaty (B) tort (C) trust (D) traded
50. A registered trademark shall confer on the proprietor \_\_\_\_\_ rights therein for a period of ten years from the date of publication for registration.  
(A) equal (B) equity (C) exclusive (D) export

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