

考試科目	國際經濟法	系所別	國際經濟法學系 國際經濟法組	考試時間	2月7日(五) 第二節
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- 一、為了解決空氣污染以及氣候變遷等環境問題，我國持續針對電動機車的購買提供優惠獎勵措施，今（2020年）年的購車補助金額雖然有減少，但針對使用國產電池的車輛，補助金額反而由兩千元提高至三千元，請由 WTO 相關協定之適法性分析此一獎勵政策？（20%）
- 二、請問反傾銷協定下的「歸零」爭議所指為何？近年來，WTO 下涉及此議題的案例法對此一作法的主要裁決為何？（25%）
- 三、我國持續努力推動加入 CPTPP 等區域貿易協定的政策，需要特別留意哪些 WTO 下的相關規定？（10%）此外，現今許多區域貿易協定納入所謂 WTO-plus 或是 WTO-extra 的規定，請問此兩類型的規定所指為何？我國於推動加入區域貿易協定時是否需要將此股風潮納入考量？（15%）
- 四、在美國持續杯葛 WTO 上訴機構成員選任的狀況下，目前上訴機構僅剩下一名成員，請問此一現況對於 WTO 現正進行中的各個爭端案件、以及對 WTO 整體的爭端解決機制將產生何種影響？（20%）
- 五、請試譯以下條文（10%）

1. In the event of conflict between a provision of the General Agreement on Tariffs and Trade 1994 and a provision of another agreement in Annex 1A to the Agreement Establishing the World Trade Organization (referred to in the agreements in Annex 1A as the "WTO Agreement"), the provision of the other agreement shall prevail to the extent of the conflict. (3%)
2. Members shall ensure that enforcement procedures as specified in this Part are available under their law so as to permit effective action against any act of infringement of intellectual property rights covered by this Agreement, including expeditious remedies to prevent infringements and remedies which constitute a deterrent to further infringements. These procedures shall be applied in such a manner as to avoid the creation of barriers to legitimate trade and to provide for safeguards against their abuse. (3%)
3. Where authorization is required for the supply of a service on which a specific commitment has been made, the competent authorities of a Member shall, within a reasonable period of time after the submission of an application considered complete under domestic laws and regulations, inform the applicant of the decision concerning the application. At the request of the applicant, the competent authorities of the Member shall provide, without undue delay, information concerning the status of the application. (4%)

備

註

- 一、作答於試題上者，不予計分。
- 二、試題請隨卷繳交。