

東吳大學 104 學年度博士班招生考試試題

第 1 頁，共 2 頁

系級	法律學系博士班	考試時間	100 分鐘
科目	法學英文	本科總分	100 分

一、 名詞解釋：請以不超過 100 字之簡短中文解釋下列名詞，每題 5 分 (60%)

1. Conspiracy
2. Forum Non-conveniens
3. Preliminary injunction
4. Contributory negligence
5. Indemnity
6. Embezzlement
7. Most favored nation
8. Presumption of innocence
9. Hung jury
10. Indictment
11. Statute of Frauds
12. Right of first refusal

二、 英翻中：請自下列題目中選擇二題作答(作答題數勿超過二題)，每題 20%

1. The Asian Infrastructure Investment Bank (AIIB) is an international financial institution proposed by the government of China. The purpose of the multilateral development bank is to provide finance to infrastructure projects in the Asia region. AIIB is regarded by some as a rival for the IMF, the World Bank and the Asian Development Bank (ADB), which are regarded as dominated by developed countries like the United States. .

2. To spur the development of Taiwan's e-commerce markets, the government is preparing to amend the Company Act to relax or create regulations governing relevant corporations' stock rights, such as by adding regulations concerning closed corporations' shareholding. These changes would better suit e-commerce's dynamic and flexible operation as well as make it easier for startups or small companies to raise capital.

3. The Executive Yuan completed a review of a capital gains tax proposal targeting sellers in the Taiwan property market that will demand tax rates of up to 45%. The tax reform measure marks a significant change from the present practice in which sellers are taxed based on their capital gains from the actual sales amount rather than the current government-assessed property value, which is merely a fraction of the selling price.

[背面尚有試題]

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第 2 頁，共 2 頁

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4. South Korea was one of only three Asian countries to still criminalize adultery, alongside Taiwan and the Philippines. All European nations have decriminalized adultery and, while it is not considered a criminal offence in most Western parts, it may still have legal consequences, especially in divorce proceedings. Campaigners argue that adultery laws are outdated, sexist and an infringement of human rights as the courts should not be regulating consensual adult behavior that occurs in private.