國立雲林科技大學 102 學年度	系所：應外系
碩士班暨碩士在職專班招生考試試題	科目：商業文書翻譯

一、The followings may appear on some legal documents. You are demanded to translate into lucid Chinese (10% for each question)

1. §45. OPTION CONTRACT CREATED BY PART PERFORMANCE OR TENDER

(1) Where an offer invites an offeree to accept by rendering a performance and does not invite a promissory acceptance, an option contract is created when the offeree tenders or begins the invited performance or tenders a beginning of it.

(2) The offeror's duty of performance under any option contract so created is conditional on completion or tender of the invited performance in accordance with the terms of the offer.

2. Implied beneficiaries of covenants

If a covenant in a subdivision deed is silent as to who holds its benefit, any neighbor in the subdivision will be entitled to enforce the covenant if a general scheme or plan is found to have existed at the time he purchased his lot.

3. Waiver of covenant

Even if the lease has a valid covenant against assignment, the covenant may be held waived if the landlord knows of the assignment and does not object. This often occurs when the landlord knowingly accept rent from the assignee.

4. Transferor without notice or knowledge

A transferor (such as a bank) that has neither actual notice nor knowledge of the bankruptcy case is protected from liability concerning a good faith post-petition transfer.

5. Avoidance by debtor

If the trustee can avoid a transfer of property or recover a setoff but does not attempt to pursue it, the debtor may avoid the transfer or may recover the setoff to the extent that she could have exempted the property.

一、Please translate the following paragraphs into English (10% for each question):

1. 公司不得為他公司無限責任股東或合夥事業之合夥人；如為他公司有限
責任股東時，其所有投資總額，除以投資為專業或公司章程另有規定，不得超過
本公司實收股本百分之四十。

2. 公司業務，依法律或基於法律授權所定之命令，須經政府許可者，於領得
許可文件後，方得申請公司登記。

3. 經理人之職權，除章程規定外，並得依契約之訂定。
經理人在公司章程或契約規定授權範圍內，有為公司管理事務及簽名之權

4. 工資之給付，應以法定通用貨幣為之。但基於習慣或業務性質，得於勞動契
約內訂明一部以實物給付之。工資之一部以實物給付時，其實物之作價
應公平合理，並適合勞工及其家屬之需要。

5. 勞工繼續工作四小時，至少應有三十分鐘之休息。但實行輪班制或其工作
有連續性或緊急性者，雇主得在工作時間內，另行調配其休息時間。

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I. Definition of the terms. Please match proper explanations for each term (2 points for each item)

A. Concept mapping	B. Computer-assisted language learning	C. Reciprocal teaching	D. Corpus	E. Competence
F. Metalinguistic awareness	G. Blended learning	H. Information processing	I. Performance	J. Language awareness
K. Concordancer	L. Computer-supported collaborative learning	M. Intercultural communication	N. Self-regulated learning	O. Acquisition

1._____ It is combined instructional modalities and methods both face-to-face and online instruction, decreasing the distance and increasing the interaction between teachers and students and among students themselves.

2._____ It is a strategy that help learners organize information through visual aids for showing the relationships among concepts.

3. _____ A learner actually uses language for listening, speaking, reading and writing.

4. _____It is supported by technology which can enhance interactions among students and the teacher, collaboratively sharing and distribution of knowledge in a meaning-making process.

5._____ It is is that learners actively manage and direct complicated learning activities in which they are required to learn independently and decrease teachers' support.

6._____ It includes the idea that the human brain has a very large capacity to store information for the long term, but a more limited capacity for information that requires our attention. With repeated experience and practice, things which at first required attention become automatic.

7._____ A type of index arrangement which is used to search for the occurrences of a given word or phrase in a context through a computer program.

8._____ It enables the teacher to fade from a central role and builds in a structure that tutors or students take turns leading a dialogue and teach their peers.

9. _____It refers to the symbolic exchange process whereby individuals from two (or more) different cultural communities for negotiation and knowledge sharing in an interactive situation.

10. _____ It refers to learners' development of an enhanced consciousness in the forms and functions of language.

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II. **Please choose ONE option for each test item (單選題) (3 points for each item)**

1. For students who study English as a Foreign Language (EFL), writing is no longer an individual task but rather supported by peer feedback for improving their texts. Peer feedback for text improvement becomes emerging for improving writing skills and enhancing language in use. Which statements are correct for peer feedback below?

   a. Learners may provide peers with global suggestions and comments rather than surface level errors for text improvement.

   b. Learners have enough writing knowledge for grammar in use and text structure of a specific genre for revising peers' texts.

   c. Learners have abundant opportunities revise the peers' same texts many times and observe their text revisions.

   d. The teacher can monitor students' text revision process and provide further scaffoldings via peer feedback.

   e. Learners can increase their language awareness of reader-based perspectives and practice language in use in a meaningful context.

2. Imagine a researcher determines a research topic about "Using mobile technology to enhance under-prepared college students' reading comprehension and motivation". What research questions are NOT suitable for the research topic?

   a. How under-prepared college students make reading progress through using mobile technology?

   b. How under-prepared college students use mobile technology to enhance their reading comprehension and motivation?

   c. What under-prepared college students' perceptions for using mobile technology to enhance their reading comprehension and motivation?

   d. Does the use of mobile technology correlate to under-prepared college students' reading proficiency?

   e. To what extent do under-prepared college students use mobile technology in reading task?

3. Learner autonomy is "the ability to take charge of one's own learning into their practice" (Holec, 1981, p. 3). Which teaching principles are NOT adopted to increase students' learner autonomy in your class if you are a Taiwanese English teacher?

   a. Designing multiple tasks to discipline problem solving competence

   b. Setting up learning goals for students

   c. Teaching learning strategies to help students acquire comprehensible input

   d. Using authentic materials to enhance students' language in use

   e. Reflecting on learning process

4. The scaffold of learning strategies can enhance students in learning listening, speaking, reading and writing. Cognitive strategies refers to specific learning tasks and direct manipulation of learning material itself, while metacognitive strategies refers to planning for learning and thinking about the learning process. Based on the two definitions, which test items involve cognitive and metacognitive strategies.

   a. Note taking and Keyword
   b. Directed attention and Advance organizers
   c. Contextualization and Self-evaluation
   d. Translation and Transfer
   e. Selective attention and Self-monitoring

5. As mentioned second language acquisition, motivation is one of crucial elements to attract educators and researchers' attention. There are three perspectives, behavioral, cognitive and constructive perspectives are involved to elaborate motivation. Which statements are NOT corrective to describe motivation?

   a. In constructivist view, motivation refers to individual forces in control.
   b. In cognitive perspective, human needs (e.g., exploration and manipulation) drives motivation.
   c. In constructivist view, motivation takes place on social context as well as individual personal choice.
   d. In cognitive perspective, motivation highlights the individual's decisions.
   e. In behavioral perspective, motivation is anticipation of reward and positive reinforcement.

III. Please choose MORE THAN one choice (複選題) (3 points for each item)

1. Critical thinking is an important skill for Taiwanese students to develop alternative pathways for learning a foreign language, especially for reading and writing. There is a teaching scenario which a Taiwanese teacher teaches an English text for senior high students. Which thinking skills are involved by the English teacher?

   In the beginning of teaching an English text, an English teacher enthusiastically introduces one of great film directors—Ang Lee. Before reading the text, the teacher asks the students "What do you know about Ang Lee?" and receives multiple responses. During reading the text, the teacher explains important conceptions and asks prompt questions for checking the students' comprehension. After reading the text, the teacher then asks the students to draw a picture for grasping the gist and connecting the main idea of each paragraph. The teacher also designs a task "If Ang Lee have difficulties on financial support, what solutions you can take?" and divides students into several groups for discussion.

Each group should figure out proper solutions and explain why for other groups.

a. Problem-solving

b. Questioning

c. Self-regulated learning

d. Concept mapping

e. Self-monitoring

2. Proposed by Vygotksy (1978), social theories of learning indicate that knowledge is constructed through interactions with others. Social interaction is essential for developing an individual's acquisition of knowledge. Which teaching approaches or conceptions are NOT social theories of learning?

   a. Communicative language teaching

   b. Task-based instruction

   c. Whole language approach

   d. Reciprocal teaching

   e. Content-based Instruction

3. For EFL students, the differences occur between first language (L1) and second language (L2) on language transfer. Which statements are NOT correct?

   a. Behaviourist theory emphasizes mimicry and memorization. Learners learned dialogues and sentence patterns by heart, for example, audiolingual approach.

   b. Cognitive psychologists indicate learners can build up their knowledge through paying attention to any aspect of the language that they are trying to understand or produce. There is no limit to how much information a learner can pay attention to.

   c. In connectionism, connectionists propose that learners gradually build up their knowledge of language through exposure of the linguistic features they eventually hear, and they then develop a mental network of "connection" for sounding out between these elements.

   d. In sociocultural perspective, learning occurs when an individual interacts with an interlocutor to elicit zone of proximal development (ZPD). In other words, a learner is capable of performing at a higher level because there is a monitoring from an interlocutor.

   e. Long (1983) argues that modified interaction is the necessary medchanism for making language comprehensible. Learners should interact with others, working together to acquire mutual comprehension for learning second language.

4. For college students in the technological and vocational education system (TVES), most of them have difficulties in reading a large amount of academic English textbooks. A number of studies indicate there is a strong relationship between

vocabulary and reading comprehension (Laufer, 1997; Nation, 1990; Nation & Coady, 1988).Many studies also propose Taiwanese students encounter reading difficulties in terms of their insufficient vocabulary. In other words, limited vocabulary size may become one of big challenges for TVES college students. To enhance TVES college students' vocabulary size, what vocabulary strategies are appropriate to teach them?

   a. Web-based concordancer

   b. Extensive reading

   c. Rereading

   d. Guessing the meaning of a word from context

   e. Making inferences

5. Grammar teaching has been argued much time in English teaching. Which new teaching approaches that you will adopt to teach students grammar knowledge in a meaningful context?

   a. Teachers present several grammatical rules at a time, and learners practice examples each one before going on to another.

   b. Teachers only use communicative language teaching (CLT) to teach grammatical rules through conversations and sentence patterns.

   c. Teachers teach grammatical rules in a meaningful context, using authentic materials to enhance language in use.

   d. Teachers first model grammatical rules and then ask students to detect and correct grammatical errors from English texts.

   e. Teachers adopt structure-based approach to accumulate students' grammatical knowledge.

IV. Essay Questions (25 points for each item)

   A. Computer-supported collaborative learning (CSCL) is a pedagogical approach wherein learning takes place through social interaction using a computer or through the Internet. Please describe the underpinning theories of CSCL and design a task in support of theoretically based teaching approaches for your targeted learners.

   B. Please discuss the major differences between the traditional assessments and authentic assessments in language classrooms. Please provide three examples of authentic assessments for Taiwanese students and discuss why they can be used to support their learning.