|  |  |
| --- | --- |
| TRƯỜNG ĐẠI HỌC VĂN LANG | **ĐỀ THI KẾT THÚC HỌC PHẦN** |
| **KHOA NGOẠI NGỮ** | Học kỳ: 1  | Năm học: | **2021 - 2022** |
| Mã học phần: 7NA0380 Tên học phần: Tiếng Anh hợp đồng và luật thương mại (English for Contract and Business Law)  |
| Mã nhóm lớp HP: | 211\_7NA0380\_01 |
| Thời gian làm bài: | 60 (phút) |
| Hình thức thi: | **Trắc nghiệm kết hợp tự luận** |
| **Cách thức nộp bài phần tự luận (Giảng viên ghi rõ):** ***Gợi ý:***- SV gõ trực tiếp trên khung trả lời của hệ thống thi; |

**PHẦN TRẮC NGHIỆM (6 điểm, mỗi câu 0.3 điểm)**

In case Seller clears the goods for export and delivers them to the carrier or another person stipulated by the seller at a named place of shipment. Seller is responsible for the international transportation costs associated with delivering goods to the named foreign place of destination. The incoterm used in case shall be

**A.** CPT

**B.** DAP

**C.** DDP

**D.** CPT

ANSWER: A

Which one of the following is NOT an element of Standardized Contractual Language?

**A.** Expressions

**B.** Marks

**C.** Preamble

**D.** Paying

ANSWER: A

 Which one of the following is NOT a type of identification mark?

**A.** Indication mark

**B.** Country of Origin mark

**C.** Destination mark

**D**. mark

ANSWER: A

Which one of the following is the most common mode of payment?

**A.** Letter of credit

**B.** Collection

**C.** Prompt payment

**D.** Remittance

ANSWER: A

A provision in a legal contract that generally provides a promise specifying that something is true or will happen is a (an)\_\_\_\_\_\_\_\_

**A**. warranty clause

**B.** concluding clause

**C.** default clause

**D.** preface clause

ANSWER: A

A provision in a legal contract stating what will happen if either party in a contract fails to hold up their end of the agreement is a (an)\_\_\_\_\_\_\_\_\_\_\_

**A.** default clause

**B.** concluding clause

**C.** escape clause

**D.** arbitration clause

ANSWER: A

The party that is subject to an event when one of the parties in a contract fails to hold up their end of the agreement is a

**A.** Defaulting party

**B.** Breaching party

**C.** Damaged party

**D.** Escape party

ANSWER: A

If a legal agreement or decision binds someone, it forces them to do something or to keep a promise. This means they are legally bound to that agreement or decision.

**A.** True

**B.** False

ANSWER: A

What is the first part of a contract called?

**A.** preamble

**B.** Pricing

**C.** Introduction

**D**. incoterm

ANSWER: A

 “keep dry”, and “handle with care” are \_\_\_\_\_\_\_

**A.** caution mark

**B.** warning mark

**C**. destination mark

**D.** shipping mark

ANSWER: A

Which is NOT a mode for payment?

**A.** acceptance

**B.** remittance

**C.** progressive payment

**D.** letter of credit

ANSWER: A

Destination mark and the country of origin mark are the same.

 **A.** False

 **B.** True

ANSWER: A

Which is True about Validity of Contracts?

**A.** the fact of having legal force, or being legally acceptable

**B.** the language of the contract

**C.** the clauses about the rights and obligations to a third party

**D.** a provision that states what will happen if either party in a contract defaults or fails to hold up their end of the agreement.

ANSWER: A

The similarity of arbitration and jurisdiction clauses is that they are both dispute settlement provisions.

**A.** True

**B.** False

ANSWER: A

What does “termination of a contract” mean?

**A.** to end the contract prior to it being fully performed by the parties

**B.** to end the contract if the objectives cannot be reached due to force majeure

**C**. when a party fails to pay the price in the contract

**D.** the amount of money that a party has to pay in the situation of breach of the contract.

ANSWER: A

 Read the following part of a contract and choose the correct answer.

“Time of shipment: Shipment with one month and partial shipment forbidden

 Port of shipment: Dalian, China

 Port of Destination: Tokyo, Japan”

Which is True about the condition?

**A.** The seller has to ship all the goods once.

**B.** The goods will be shipped many times

**C.** The goods will be shipped to China from Japan.

**D.** Shipment will last 2 months

ANSWER: A

Read the following part of a contract: “All disputes in connection with this contract or the execution thereof shall be settled friendly through negotiation.”

Which is True about the condition?

**A.** In case there is an argument between the parties, they should discuss in peace to solve the problem.

**B.** In case there is an argument between the parties, party A must pay the damage.

**C.** In case there is an argument between the parties, one party can sue the other.

**D.** The two parties cannot settle the dispute, so they need a judge.

ANSWER: A

Which of the following is included in the preamble of a contract?

**A.** Names and addresses of the two parties

**B**. Insurance

**C.** Signatures

**D.** Pricing

ANSWER: A

Read the following part of a contract: “Packing: To be packed in strong new wooden cases, suitable for long-distance ocean transportation and to change of climate, well protected against moisture and shocks.”

Which is True about the condition?

**A**. The goods must be carefully packed and keep dry

**B.** The goods can be transported by air

**C.** The goods are made of wood and strong

**D.** The goods cannot be transported by sea

ANSWER: A

Read the following part of a contract: “The seller shall be liable for any damage of the commodity and expenses incurred on account of improper packing and for any rust attributable to inadequate or improper protective measures taken by the Seller in regarding to the packing”

Which is True about the condition?

**A.** The seller is responsible for packing and paying for any damage during shipment

**B.** The buyer is responsible for any damage during shipment

**C.** The seller can send inadequate goods

**D.** The buyer will not pay for the shipping but the damage

ANSWER: A

**PHẦN TỰ LUẬN (4 điểm)**

**Write the preamble of a sale contract using the following information:**

**Date: 21/12/2021, place of signing contract: 35 Nguyen Hue Street, Ward 5, District 1, Ho Chi Minh City, Vietnam.**

**Seller: KC Food Company, principal office: Beijing, China**

**Buyer: Nam Viet Company, principal office: Ho Chi Minh City, Vietnam.**

*Ngày biên soạn: 20/10/2021*

**Giảng viên biên soạn đề thi:** **Cao Thị Xuân Tú**

*Ngày kiểm duyệt: 24/10/2021*

**Phó trưởng Bộ môn kiểm duyệt đề thi: Lê Quang Thảo**