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| 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)**

Which one of the following is the correct legal definition of a contract?

**A.** An agreement between two or more parties to create legal obligations between them.

**B.** An official agreement, which finishes an argument between two or more parties.

**C.** A binding agreement between two or more persons or parties.

 ANSWER: A

Most contracts are signed and sealed by the parties involved.

**A**. False

**B.** True

ANSWER: A

Most contracts are made both verbally and in writing.

**A**. False

**B.** True

ANSWER: A

Which one of the following is NOT the essential element of a contract?

**A.** the understanding of basic substances and terms by the parties

 **B**. an offer made by one party should be accepted by the other

**C.** the price in money, goods or some other reward, paid by one party in exchange for another party agreeing to do something

**D.** the intention to create legal relations

ANSWER: A

The terms of a contract may be not clearly stated in the contract.

**A.** True

**B.** False

ANSWER: A

In case there is a breach of contract by one party of their contractual liability, the other party may sue for\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**A.** specific performance

**B.** compensation

**C.** injunction

ANSWER: A

How many internationally recognized rules are there in Incoterms 2020?

**A.** 11

**B.** 10

**C.** 9

ANSWER: A

In case Seller is asked to deliver the goods to the buyer at a place of delivery which is usually the seller’s place of business like a warehouse or factory and within the agreed time specified in the contract. The incoterm used in this case shall be

**A.** EXW

**B.** FCA

**C.** CPT

ANSWER: A

In case Seller clears the goods for export and delivers them when they are on board the vessel at the port of shipment. Seller bears the cost of freight and insurance to the named port of destination. The incoterm used in this case shall be

**A.** CIF

**B.** CFR

**C.** FOB

ANSWER: A

What does FOB stand for?

**A.** Free on Board

**B**. Fee on Board

**C.** Free Shipping on Board

ANSWER: A

What does DAP stand for?

**A.** Deliver at Place

**B.** Dangerous Products

**C.** Deliver and Production

ANSWER: A

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

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

ANSWER: A

What is the first part of a contract called?

**A.** preamble

**B.** Pricing

**C.** incoterm

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

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.

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.

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

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

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

ANSWER: A

**PHẦN TỰ LUẬN (4 điểm)**

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

**Date: 20/11/2021, place of signing contract: 23 Tran Hung Dao, District 1, Ho Chi Minh City, Vietnam.**

**Seller: SeaCorn Company, principal office: New York, USA.**

**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**