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### NEW QUESTION 32

In which of the following section of a specification, requirements for training to use the equipment will be set out?

- A. Implementation
- B. Issue reference
- C. Performance
- D. Consultation requirements

**Answer: A**

Explanation:

Implementation is a substantive requirement which covers the following areas:

- Will there be a need to train the staff to use the equipment?
- Are there integration requirements with other systems or processes?
- How will this work?
- What are the timescales?
- Are detailed method statements required?

Consultation requirements regards to explicitness of compliance with any national or local legal requirements Reference:

LO 2, AC 2.1

### NEW QUESTION 33

Which of the following is regulated by standard ISO 14001?

- A. Information security management
- B. Environmental management
- C. Quality management systems
- D. Energy management

**Answer: B**

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## **CIPS Commercial Contracting Sample Questions (Q40-Q45):**

### **NEW QUESTION # 40**

Maximum Score: 1

Where a supplier is incentivised to deliver improvements that create added value for the buyer, this is described as what type of outcome?

- A. Lose-lose
- B. Win-lose
- **C. Win-win**
- D. Lose-win

**Answer: C**

Explanation:

Incentive mechanisms that reward suppliers for delivering improvements (such as cost reductions, quality enhancements, or innovation) create mutual benefit:

\* The buyer gets better value or reduced costs.

\* The supplier receives rewards such as bonuses, gain-share, or stronger relationships.

This is the definition of a win-win outcome (D).

Reference: CIPS L4M3 Commercial Contracting - Incentive contracts and win-win supplier relationships.

### **NEW QUESTION # 41**

In a contract, express terms and implied terms may contradict on the same issues. Under which of the following circumstances, implied terms will override express terms?

- A. No circumstances. Express terms always take precedence over implied terms
- B. Contracting parties are silent on a matter that was not included in express terms
- **C. Implied terms are created by law which prevents them to be overridden**
- D. Implied terms are created by trade customs

**Answer: C**

Explanation:

Express terms are the terms of the agreement which are expressly agreed between the parties. Ideally, they will be written down in a contract between the parties but where the contract is agreed verbally, they will be the terms discussed and agreed between the parties.

Implied terms are terms implied into the contract by the courts. They are not expressly set out in the contract but are taken to be as effective as if they were and as if they had been included from day one of the contract.

The express terms and any implied terms together create the legally binding obligations on the parties.

Express terms are explicit and will normally override implied terms unless the implied term is created by statute and the law states that it cannot be overridden.

Reference:

- Contracts: Express and Implied Terms

- CIPS study guide page 126-132

LO 3, AC 3.1

### **NEW QUESTION # 42**

Maximum Score: 1

When a company has decided to outsource part of its operation, the contract will need to include a number of key contract terms to minimise risk. Which of the following should be included?

- \* A confidentiality clause designed to protect either party
- \* A clause stating how long the service is to be outsourced
- \* A clause stating how long the employees can take for holiday
- \* A contract variation and price adjustment clause

- A. 3 and 4 only
- B. 2 and 4 only
- C. 1 and 4 only
- D. 1 and 2 only

**Answer: C**

Explanation:

Risk-minimising contract terms for outsourcing typically include:

- \* Confidentiality (1) - protects sensitive information.
- \* Variation and price adjustment (4) - allows controlled changes to scope and pricing over time.

Service duration is important but not itself a risk-control clause; employee holiday length is an HR detail, not a key risk term.

Correct answer: 1 and 4 only.

Reference: CIPS L4M3 Commercial Contracting - Key clauses in outsourcing contracts.

#### NEW QUESTION # 43

Which of the following are good examples of a Key Performance Indicator?

The total number of services provided

Reduction rate in goods or services

Complaints resolved within two days

Delivery of goods on time and in full

- A. 3 and 4 only
- B. 2 and 4 only
- C. 1 and 2 only
- D. 2 and 3 only

**Answer: A**

Explanation:

Effective KPIs should be measurable, relevant, and tied to performance. "Complaints resolved within two days" and "Delivery of goods on time and in full" are standard KPIs as they reflect quality and timeliness of service—both key to contract success. The "total number of services" and general reductions do not directly reflect performance outcomes.

Reference: CIPS L4M3 Commercial Contracting Study Guide, Chapter 4, Section 4.3.1 - Key performance indicators and their application.

#### NEW QUESTION # 44

Which of the following statements is true about model form of contract?

- A. The standard clauses of model contract forms give the offeror legal advantages over the offeree
- B. Model contract form's standard clauses often contain correct legal terminology without recourse to third party experts.
- C. Only the publishers of model forms of contract can edit the clauses of these forms
- D. When model contracts are employed, there are no requirements for legal advice and input

**Answer: B**

Explanation:

Model forms of contract are published by some industry or professional organisations such as FIDIC, ITC, CIPS,... These forms are often carefully prepared by legal professionals, with correct legal terminology. The standard clauses within these forms are based on fair and balanced risk/reward allocation between the contracting parties. The model contract forms also include standard clauses to be selected or deleted on an as required basis.

Despite being standardised to be used in any jurisdiction, legal advice may be required if the users decide to make variations to the

forms.

The correct answer should be "Model contract form's standard clauses often contain correct legal terminology without recourse to third party experts." Reference: CIPS study guide page 144-147 LO 3, AC 3.1

## NEW QUESTION # 45

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