

L4M3模擬体験 & L4M3日本語練習問題



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>> L4M3模擬体験 <<

L4M3模擬体験 & 資格試験におけるリーダーオファー & CIPS CIPS Commercial Contracting

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CIPS Commercial Contracting 認定 L4M3 試験問題 (Q117-Q122):

質問 # 117

Which of the following are NOT covered by CISG? Select TWO that apply:

- A. Contract validity
- B. Liability to pay damages
- C. Remedies for breach of contracts
- D. Transfer of risks
- E. Liability of the seller for death or personal injury

正解: A、E

解説:

United Nations Convention on Contracts for the International Sale of Goods (Vienna Convention or CISG) Vienna Convention was prepared by the United Nations Commission on International Trade Law (UNCITRAL) and adopted by a diplomatic conference on 11 April 1980. The Convention was welcomed by several countries from different geographic areas, with different legal and political systems. As of 20 August

2020, the Convention has 93 Contracting States. The Convention has proved the effectiveness of an uniform text on international trade law.

What CISG covers, and what it does not

In the 6 first articles of the Convention, the authors set up the boundaries of its application.

First is about where it applies. According to UNCITRAL, the Convention applies to contracts of sale of goods between parties whose places of business are in different States and either both of those States are Contracting States or the rules of private international law lead to the law of a Contracting State. A few States have availed themselves of the authorisation in article 95 to declare that they would apply the Convention only in the former and not in the latter of these two situations. As the Convention becomes more widely adopted, the practical significance of such a declaration will diminish. Finally, the Convention may also apply as the law applicable to the contract if so chosen by the parties. In that case, the operation of the Convention will be subject to any limits on contractual stipulations set by the otherwise applicable law.

Second, the Convention has a list of goods that are not subject to its application in Article 2. Article 3 clarifies the differences between manufacturing contracts and sale contract.

Third, Article 4 and 5 clearly states what CISG does not covers, including grounds for contract invalidity and liabilities to death or injury of person caused by the goods. Finally, the Convention respects the contractual freedom of the trading parties. Trading parties may select this convention as governing law or select other instrument, such as UPIICC or domestic laws.

Reference:

- Governing law in International Contracts - Would you choose CISG or UPIICC (Part 1)
- CIPS study guide page 49-52

LO 1, AC 1.2

質問 # 118

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

正解: A

解説:

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.

質問 # 119

Royal Naval Hospital at Rockstown, Anyport manages a fleet of nine ambulance vehicles. During busy periods, it becomes very difficult to keep track of the location of each ambulance (and the nature of their journey). Continual problems lead to the proposal for a new control system (ERNS).

For this ERNS project, the procurement department has drafted a specification in which only a bullet point list of basic requirements was written down. The procurement manager understands that the specification should be developed more specifically but a cross functional team from the Hospital could not do that. A senior buyer suggests that some of Hospital's pre-qualified suppliers could support them in developing the specification.

Which of the following should be a priority approach of procurement department in developing dialogue with those suppliers about

specification development?

- A. Request for quotation from the suppliers
- B. Internal discussion
- C. One-to-one meeting with the suppliers
- D. General networking

正解: C

解説:

The procurement team has drafted basic requirements in the specification. They will need to develop it further and more specific. Developing market dialogue with supplier is a good solution. There are number of approaches which can be taken to engage with suppliers:

- General meetings: buyer meets supplier at a networking event (such as trade show) or social media. These discussions are unlikely to deliver very specific information.
- One-to-one meetings: This will be most likely to deliver direct input into specification development and supplier-specific product development information.
- Group visits
- Meet-the-buyer events
- Formal negotiations or competitive

The answer for this QUESTION should be One-to-one meeting.

Reference: CIPS study guide page 83-84

LO 2, AC 2.1

質問 # 120

Maximum Score: 1

Setting key performance indicators (KPIs) for supplier performance should ensure ...

- A. lowest price for products
- B. managed supply risks
- C. earliest delivery
- D. reduced vendor base

正解: B

解説:

KPIs are used to:

- * Monitor performance,
- * Identify underperformance, and
- * Manage supply risks by giving early warning of issues with quality, delivery, or service.

They are not primarily about reducing supplier numbers, guaranteeing lowest price, or simply earliest delivery.

Reference: CIPS L4M3 Commercial Contracting - Role of KPIs in supplier performance and risk management.

質問 # 121

A procurement officer decides to approach the supply market regarding a procurement activity that will specify the use of technology that is very new to the market. The procurement officer is taking this step before the formal tender process is started. Is this approach permitted?

- A. Yes, but only as part of early market engagement and with no commitment of contracts
- B. No, all suppliers must wait for the invitation to Tender (ITT) to be released
- C. No, it is time consuming and can delay tenders unnecessarily
- D. Yes, it is a good way to understand who will have the highest prices and start negotiations

正解: A

解説:

Early market engagement is encouraged in procurement best practices. It helps procurement teams understand new technologies, identify capable suppliers, and inform the development of effective specifications and contract terms. However, it must be non-binding and conducted fairly to ensure no supplier gains an unfair advantage.

質問 #122

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L4M3日本語練習問題:<https://www.certshiken.com/L4M3-shiken.html>

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