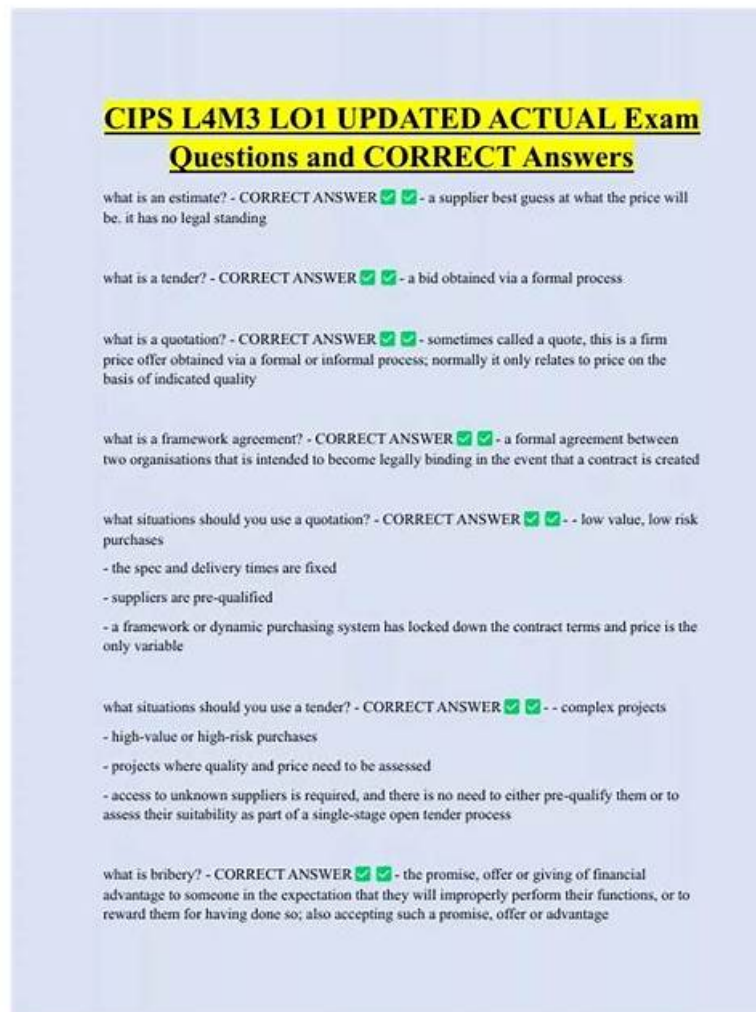


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CIPS Commercial Contracting Sample Questions (Q89-Q94):

NEW QUESTION # 89

Which of the following is regulated by standard ISO 14001?

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

Answer: A

Explanation:

ISO has about 22,000 international standards covering a vast range of aspects of product or service quality. Below are some of the most common ISO standards:

- ISO 9001: Quality management system
- ISO 27001: Information security management
- ISO 5001: Energy management
- ISO 14001: Environmental management

Reference:

- ISO 14001:2015 Environmental management systems - Requirements with guidance for use
- CIPS study guide page 86
- LO 2, AC 2.1

NEW QUESTION # 90

Which of the following is always an advantage of using fixed price arrangement in a contract for buying organisation?

- A. Suitable for contracts that last 5 years or more
- B. Supplier always receives a fixed margin
- C. Buyer can harness falling market price
- D. Buyer can allocate budget with certainty

Answer: D

Explanation:

Advantages of using fixed pricing arrangement are as below:

- Budget/income certainty - prices are fixed up front and should not change
- The impact of changes to the supplier's cost base is not fed through to the purchaser. If costs diminish, the supplier will benefit from this, and if costs rise, the purchaser will benefit Reference: CIPS study guide page 172-176 LO 3, AC 3.3

NEW QUESTION # 91

ABC Ltd is a UK based company. It plans to enter into a contract with XYZ Ltd which is based in Singapore. Which of the following are the mandatory elements for the contract between ABC Ltd and XYZ Ltd to be legally binding? Select THREE that apply.

- A. There must be an offer and an acceptance
- B. An amount of money must be paid upfront
- C. All parties must have capacity to contract
- D. The invitation to tender must be sent by the agreed deadline
- E. There must be an invitation to treat
- F. The two parties must have intention to be bound

Answer: A,F

Explanation:

The formation of the contract is where the contractual journey begins; if no contract is formed, neither of the parties can be under any obligations. Therefore, it is very important to have an understanding of each part of a contract's formation.

In order for a legally binding agreement to be formed, there are four basic requirements to be met:

2.1 Offer

2.2 Acceptance
2.3 Certainty & Intention to Create Legal Relations
2.4 Consideration & Promissory Estoppel

Reference:

- CIPS study guide page 28-42
- Formation of the contract

LO 1, AC 1.2

NEW QUESTION # 92

Which of the following best defines an 'express' term in general contract arrangements?

- A. It is the term that is added to the contract by the law or based upon the facts of the case.
- B. It is not necessarily discussed by the parties, but nonetheless forms part of the contract
- C. It is a standard set of terms and conditions published by CIPS
- **D. It is clearly agreed between the parties, and is virtually always written down in the contract**

Answer: D

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.

Reference:

- Contracts: Express and Implied Terms
- CIPS study guide 126-132

LO 3, AC 3.1

NEW QUESTION # 93

Social and environmental criteria are often incorporated into which of the following type of specification?

- A. Conformance specification
- **B. Output specification**
- C. Technical specification
- D. Design specification

Answer: B

Explanation:

Developing and using generic specifications is as important in the sustainable procurement process as it is in the traditional procurement process. During this stage, human/labour rights and environmental performance criteria should be translated into specifications that meet specific requirements of the specified outcome, desired by the procurement action.

The specification stage is key to all types of contract. Building in environmental and social considerations at this early stage, provides a clear indication to suppliers that sustainability is important to the UN organization.

Consider available alternatives which are less environmentally and socially damaging. Consider all the phases of a product's life cycle (e.g. production, transportation, maintenance, disposal, etc) when determining its cost and environmental impact. Assess the overall environmental and social integrity of suppliers by looking at their policies and practices.

Specifications which are output-based rather than input-based can increase supplier innovation, reduce waste and minimise harmful social and environmental impacts.

Reference:

- Sustainable Procurement
- CIPS study guide page 95-99

LO 2, AC 2.1

NEW QUESTION # 94

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