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CIPS L4M3 (CIPS Commercial Contracting) certification exam is designed to test the knowledge, skills, and expertise of professionals in the field of commercial contracting. CIPS Commercial Contracting certification is offered by the Chartered Institute of Procurement and Supply (CIPS), which is a globally recognized professional body that provides training, education, and certification in procurement and supply chain management.

CIPS Commercial Contracting course is designed for procurement and supply chain professionals who have already completed the CIPS level 4 diploma and are looking to improve their skills in the management of commercial contracts. This course is particularly suitable for those who operate in a procurement or supply management role that involves the negotiation, drafting, and management of complex contracts. The CIPS Commercial Contracting course has been carefully structured to provide procurement professionals with the skills and knowledge required to effectively execute contracts that are essential to the success of their organization.

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CIPS Commercial Contracting Sample Questions (Q205-Q210):

NEW QUESTION # 205

Is the government only source of industrial standards within a country?

- A. Yes, while ISO make standards for international trade, the government standardises other facets of their country
- B. No, the government can only adopt standards regarding security and defence
- C. Yes, the standards must be made by legislative branch of the country
- **D. No, an organisation can also generate its own internal standards**

Answer: D

Explanation:

A standard is a document that sets out requirements for a specific item, material, component, system or service, or describes in detail a particular method or procedure. Standards are established by consensus and approved by recognized standardization bodies. There are several different types of standards. Some of the most commonly-used standards set out the requirements that a particular kind of product, service or process must fulfil, in order to establish that it is 'fit for purpose'. Other types of standard relate to methods of testing, terminology and definitions, information requirements, or the compatibility of connections.

Standards provide individuals, businesses and all kinds of organizations with a common basis for mutual understanding. They are especially useful for communication, measurement, commerce and manufacturing.

Standards make trade easier by ensuring compatibility and interoperability of components, products and services. They bring benefits to businesses and consumers in terms of reducing costs, enhancing performance and improving safety.

Standards are voluntary, which means that businesses and other organizations are not legally obliged to apply them. However, in certain cases standards may facilitate compliance with legal requirements, such as those contained in European directives and regulations.

Standards can be made by a company, a standard organisation (such as ISO or BSI) or regulatory bodies.

Reference:

- CIPS study guide page 93-94

- Standards and your business

LO 2, AC 2.1

NEW QUESTION # 206

Which of the following regulates barriers to the provision of services between countries?

- A. ADA
- B. CISG
- **C. GATS**
- D. Incoterms

Answer: C

Explanation:

- The General Agreement on Trade in Services (GATS) is a treaty of the World Trade Organization (WTO) that entered into force in January 1995 as a result of the Uruguay Round negotiations. The treaty was created to extend the multilateral trading system to service sector, in the same way the General Agreement on Tariffs and Trade (GATT) provides such a system for merchandise trade.

- CISG is the Vienna Convention on Contracts for the International Sale of Goods. This is a voluntary treaty under United Nations Commission on International Trade Law (UNCITRAL). The purpose of the Vienna Convention is to set out a framework for international transactions based on a uniform approach. It establishes substantive rules that regulate the duties and obligations of both parties, including the delivery of goods, contract formation, and remedies for breach of contract.

- The Incoterms or International Commercial Terms are a series of pre-defined commercial terms published by the International Chamber of Commerce (ICC) relating to international commercial law. They are widely used in international commercial transactions or procurement processes and their use is encouraged by trade councils, courts and international lawyers. A series of three-letter

trade terms related to common contractual sales practices, the Incoterms rules are intended primarily to clearly communicate the tasks, costs, and risks associated with the global or international transportation and delivery of goods. Incoterms inform sales contracts defining respective obligations, costs, and risks involved in the delivery of goods from the seller to the buyer, but they do not themselves conclude a contract, determine the price payable, currency or credit terms, govern contract law or define where title to goods transfers.

- ADA is Anti-Dumping Agreement (Implementation of Article VI of the GATT).

LO 1, AC 1.3

NEW QUESTION # 207

Which of the following are likely to feature within an outcome-specification?

1. Dimension
2. Performance requirement
3. Input material
4. Product function

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

Answer: C

Explanation:

There are two main types of specification: performance specification and conformance specification (sometimes called prescriptive or technical specifications).

Performance specifications have following features:

- Focus on outputs
- Set out result to be achieved
- The 'what', not the 'how'
- Give supplier flexibility to present solutions that the buyer may not have considered

Reference:

LO 1, AC 1.1

NEW QUESTION # 208

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

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

Answer: A,D

Explanation:

United Nations Convention on Contracts for the International Sale of Goods (Vienna Convention or CISG) Vienna Convention was prepared by 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 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 UPICC or domestic laws.

Reference:

- Governing law in International Contracts - Would you choose CISG or UPICC (Part 1)

- CIPS study guide page 49-52

LO 1, AC 1.2

NEW QUESTION # 209

Maximum Score 1

The Bravo Engineering Company is negotiating a maintenance contract with Express Deliveries Ltd. This large logistics company uses modern robotic storage and picking warehouse machinery to identify, sort, and facilitate over 200,000 orders each day. The volatile nature of the business means that the parties should build maximum flexibility into the performance management aspects of the contract.

Which of the following would be most appropriate to set out the parties' obligations under the maintenance contract?

- A. A Service Level Agreement issued after the maintenance contract
- B. A clause that disclaims all accountability for the contract for the buyer
- **C. A formal appendix to the maintenance contract**
- D. A non-binding side-agreement to the maintenance contract

Answer: C

Explanation:

Performance obligations are best captured in a formal appendix (schedule) to the main contract, ensuring flexibility while remaining legally binding.

A non-binding or post-issued SLA would lack enforceability.

Reference: CIPS L4M3 Commercial Contracting - "Contract appendices and schedules."

NEW QUESTION # 210

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