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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 (Q182-Q187):

#### NEW QUESTION # 182

In what way might a contract clause be used to stop the supplier from making unwarranted price increases during the term of the contract?

- A. The buyer inserts a contract clause that stipulates the invoice payment dates
- **B. The buyer inserts a price adjustment clause in the contract**
- C. The buyer deletes any contract clauses that may refer to price increases
- D. The buyer deletes any contract clauses that may refer to stage payments

**Answer: B**

Explanation:

A price adjustment clause, also known as a price variation or indexation clause, provides a structured method for managing potential changes in price over the contract's duration. This clause ensures that any price increase must be based on predefined and agreed-upon criteria, such as inflation rates or cost indices. This prevents arbitrary or unexpected price increases from the supplier. Reference: CIPS L4M3 Commercial Contracting Study Guide, Chapter 4, Section 4.2.1 - Pricing schedules and contractual provisions relating to pricing.

#### NEW QUESTION # 183

Which of the following contracts would be best suited to a 'variable pricing' arrangement?

- A. A contract for the supply of 100 printing machines to be delivered next month
- B. A contract for the supply of lubricating oil for immediate delivery
- **C. A contract for road building estimated to take five years to complete**
- D. A contract for window cleaning during the next three months

**Answer: C**

Explanation:

Variable pricing is suitable to situations when the cost of certain elements of the product fluctuate unpredictably. For road building, asphalt fluctuates regularly. Furthermore, 5 years are long period, then variable pricing is the most appropriate method to achieve value for money and control budget.

A contract for window cleaning during the next three months is a short-term service contract, fixed price is the most suitable method.

A contract for the supply of lubricating oil for immediate delivery is an one-off contract, only fixed price is applicable.

A contract for the supply of 100 printing machines to be delivered next month is also an one-off contract.

Reference: CIPS study guide page 172-183

LO 3, AC 3.3

#### NEW QUESTION # 184

Maximum Score 1

Which of the following are key performance indicators (KPIs) that could be used to monitor the safety of a workplace?

- \* The number of non-routine maintenance call-outs per month
- \* The number of orders and deliveries for personal protective equipment (PPE)
- \* The number of reported accidents and incidents per month
- \* A calculation of the number of injuries sustained per number of hours worked

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

**Answer: D**

Explanation:

Health and safety KPIs normally measure actual safety outcomes:

\* Accidents and incidents (3) # key lagging indicator.

\* Injury rate per hours worked (4) # standard metric (e.g. LTIFR). Ordering PPE or maintenance calls don't directly reflect safety performance.

Reference: CIPS L4M3 Commercial Contracting - "KPIs and performance monitoring."

### NEW QUESTION # 185

Misrepresentation can be defined as a false statement of material fact made by one of the contracting parties which was intended to (and did) induce the other party to make the contract. What remedies are available in this instance to the innocent party?

- A. Contract is not voidable but damages can still be claimed
- B. Contract is voidable and must be amended and performed
- C. Contract is not voidable and it is too late to take any action
- **D. Contract is voidable and damages can be claimed**

**Answer: D**

Explanation:

If a party is induced to enter a contract based on a misrepresentation, the contract becomes voidable at the option of the misled party. This means the misled party can either rescind (cancel) the contract or affirm it and seek damages. The nature of the misrepresentation (fraudulent, negligent, or innocent) affects the availability of damages.

Reference: CIPS L4M3 Commercial Contracting Study Guide, Chapter 1, Section 1.3.1 - Remedies for breach of contract and misrepresentation.

### NEW QUESTION # 186

Which of the following is the best definition of consideration in contract law?

- A. The act of thinking carefully about one thing
- B. Formal discussion between people who are trying to reach an agreement
- **C. One thing given in exchange**
- D. Full statement about something to provide

**Answer: C**

Explanation:

A simple definition of consideration is as follows - an exchange between the parties which results in a benefit to one party, and a detriment to the other. The case of *Currie v Misa* (1874) LR 10 Ex 153 provides an apt description of this:

"A valuable consideration, in the sense of the law, may consist either in some right, interest, profit, or benefit accruing to the one party, or some forbearance, detriment, loss, or responsibility, given, suffered, or undertaken by the other." A practical example of this can be found by examining a simple contract. Party A offers £500 to Party B, who in exchange will fit his car with a new engine. Party A receives the benefit of his car being fixed, whilst Party B incurs the detriment of having to take time, effort, and perhaps expenses to fix the car.

Reference:

- Consideration & Promissory Estoppel

- CIPS study guide page 36-40

LO 1, AC 1.2

### NEW QUESTION # 187

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