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ACFE Certified Fraud Examiner Sample Questions (Q127-Q132):

NEW QUESTION # 127

Which of the following statements regarding the qualifications of expert witnesses in most inquisitorial jurisdictions is CORRECT?

- A. Certification in a specific field is always enough to qualify an expert
- B. The qualification of an expert is generally based on standardized requirements
- C. Experts are generally prohibited from serving as expert witnesses in multiple cases
- D. An expert is not qualified to testify unless all parties to the litigation approve

Answer: B

Explanation:

This question tests your knowledge of Domain 1.

In the context of Overview of the Legal System, specifically relating to inquisitorial, the question asks about the qualifications of expert witnesses in most inquisitorial jurisdictions is CORRECT, CORRECT.

The correct answer is D: The qualification of an expert is generally based on standardized requirements.

This question relates to the legal system framework. Understanding the distinction between different legal systems and processes is crucial for fraud examiners. The correct answer accurately describes the relationship between different legal entities and their jurisdictions. In adversarial systems, opposing parties present their cases before a neutral judge or jury, while in inquisitorial systems, judges take a more active role in investigating cases. Expert witnesses provide specialized knowledge to help the fact finder understand complex issues. Their testimony must be relevant, reliable, and based on sufficient facts or data.

NEW QUESTION # 128

Which of the following is required for a contract, transaction, or scheme to qualify as an investment contract?

- A. The investment is in a common enterprise.
- B. The investment must be made in cash.
- C. The investment activity is managed solely by the efforts of the investor and no others.
- D. The investment must not have been made with expectations of making a profit.

Answer: A

Explanation:

This question tests your knowledge of Uncategorized.

the question asks about the core concepts in this area.

The correct answer is C: The investment is in a common enterprise..

This question tests your understanding of key fraud examination concepts and legal principles.

NEW QUESTION # 129

Which of the following is the MOST ACCURATE statement about self-regulatory organizations (SROs) in the securities industry?

- A. In most jurisdictions, SROs are prohibited from participating in the resolution of disputes related to securities transactions
- B. An SRO is a governmental entity that exercises regulatory authority over the securities industry in its jurisdiction
- C. In some jurisdictions SROs establish the standards and rules under which members of the securities industry operate
- D. An SRO generally has sole regulatory authority over the securities industry in the jurisdiction in which it operates

Answer: C

Explanation:

This question tests your knowledge of Domain 4.

In the context of Securities Fraud, specifically relating to securities, SRO, the question asks about MOST ACCURATE, self-

regulatory organizations (SROs) in the securities industry.

The correct answer is D: In some jurisdictions SROs establish the standards and rules under which members of the securities industry operate.

This question tests knowledge of securities fraud and regulation. The correct answer accurately describes the role of regulatory bodies, securities laws, or fraud schemes in this context. Securities fraud is a specialized area requiring knowledge of specific regulations and oversight mechanisms. Self-regulatory organizations (SROs) play an important role in the securities industry by establishing standards and rules for their members, but they typically operate under the oversight of government regulators rather than having sole authority.

NEW QUESTION # 130

In most civil law jurisdictions which of the following BEST describes when a party is required to begin taking steps to preserve and produce relevant evidence?

- A. When the party receives a service of process
- B. When the charging documents are filed
- C. When the court orders such steps to be taken
- D. When litigation has started

Answer: D

NEW QUESTION # 131

Company A sued Company B to recover damages for the breach of a contract. In the same proceeding Company B sought damages for an allegation that Company A fraudulently induced Company B into entering the contract. In this case what would Company B's claim against Company A be called?

- A. Counterclaim
- B. Cross-claim
- C. Collateral attack
- D. Reversal

Answer: A

Explanation:

This question tests your knowledge of Uncategorized. The question asks about the core concepts in this area.

The correct answer is D: Counterclaim.

This question tests your understanding of key fraud examination concepts and legal principles.

NEW QUESTION # 132

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