

2021 年 AIBA 認定貿易アドバイザー試験サンプル問題（貿易英語）

第 1 問 次の英文は英文国際契約の一部である。問 1.から問 10.について、文法・前後関係を総合的に勘案し、適切なものをひとつ選び、解答用紙にその番号を記入しなさい。

なお、契約当事者は、XX 及び YY と称している。 (配点 20 点)

Article ---. Representations and Warranties

1. XX represents and warrants that XX has full right, power and authority to enter

(ア) this Agreement and to perform and discharge its duties and obligations under this Agreement and that the execution, delivery and performance of this Agreement shall not violate, result (イ) the breach of or cause a default under any (ウ) material contract or agreement to which it is a party. XX also represents and warrants that, to its best knowledge, it has complied to the date of this Agreement with all applicable federal and state regulatory requirements with respect to the manufacture and sale of the Products, and that each set of the Products shipped by XX to YY shall, to XX's best knowledge, comply with all applicable federal and state regulatory requirements, as (エ) at the time of the delivery, with respect to the manufacture and sale of such Products and XX shall notify YY prior to shipment of any Products to YY (オ) any violation thereof or noncompliance therewith. XX represents that it shall timely file a 510(k) pre-market notification with the Food and Drug Administration for each type of Product to be marketed hereafter, and shall report to YY of information regarding that notification.

2. XX represents and warrants that, to its best knowledge, there have been no product liability claims, actions, (カ) threatened litigations or litigations by any third party against XX in connection with the manufacture, use and sale of the Products.

3. XX represents and warrants that all Products to be shipped by XX to YY hereunder shall comply with specifications and performance standards established and published by XX from time to time with respect to such Products and shall be free (キ) all material defects in design, material and workmanship which would adversely (ク) the safety, utility or performance of the Products in accordance with their respective specifications and performance standards. XX shall supply YY (ケ) the most current specifications and performance standards for a Product at the time YY places an order for such Product.

4. Except with respect to the specific representations and warranties made by XX hereunder, all Products shall be sold by XX without any (コ) implied warranty of merchantability or fitness for a particular purpose or other implied warranty.

問 1. 空欄（ア）に入る語句として適切なものはどれか選びなさい。

- 1 to
- 2 into
- 3 with
- 4 on

問 2. 空欄（イ）に入る語句として適切なものはどれか選びなさい。

- 1 from
- 2 out
- 3 in
- 4 to

問 3. 下線部（ウ）の語句の意味として適切なものはどれか選びなさい。

- 1 具体的な
- 2 重要な
- 3 材料の
- 4 個別の

問 4. 空欄（エ）に入る語句として適切なものはどれか選びなさい。

- 1 for effect
- 2 at effect
- 3 to that effect
- 4 in effect

問 5. 空欄（オ）に入る語句として適切なものはどれか選びなさい。

- 1 with
- 2 of
- 3 to
- 4 in

問 6. 下線部（カ）の語句の意味として適切なものはどれか選びなさい。

- 1 背信に対する訴訟
- 2 急迫不正の訴訟
- 3 訴訟のおそれ
- 4 訴訟の強要

問 7. 空欄 (キ) に入る語句として適切なものはどれか選びなさい。

- 1 from
- 2 of
- 3 in
- 4 about

問 8. 空欄 (ク) に入る語句として適切なものはどれか選びなさい。

- 1 influence
- 2 eliminate
- 3 defect
- 4 affect

問 9. 空欄 (ケ) の入る語句として適切なものはどれか選びなさい。

- 1 for
- 2 to
- 3 with
- 4 of

問 10. 下線部 (コ) の意味として適切なものはどれか選びなさい。

- 1 連帯の保証
- 2 黙示の保証
- 3 明示の保証
- 4 内示の保証

第 2 問 次の説明文に、それぞれ該当する語句として適切なものを一つ選び、解答用紙にその番号を記入しなさい。 (配点 10 点)

問 1 . The convention facilitates international trade by removing legal barriers among state parties (known as "Contracting States") and providing uniform rules that govern most aspects of a commercial transactions, such as contract formation, the means of delivery, parties' obligations, and remedies for breach of contract. Unless expressly excluded by the contract, the convention is automatically incorporated into the domestic laws of Contracting States and applies directly to a transaction of goods between their nationals.

- 1 UNIDROIT
- 2 CISG
- 3 UNCITRAL
- 4 The New York Convention

問 2 . This is the use of both offensive and defensive policy tools—from trade negotiations to technology controls—to advance a country’s commercial and strategic interests, taking many different forms, including both positive and negative sanctions. Negative sanctions are actual or threatened punishments, whereas positive sanctions are actual or promised rewards.

- 1 Omnidirectional Diplomacy
- 2 Isolation Policy
- 3 Beggar-my-Neighbor Policy
- 4 Economic Statecraft

問 3 . This technique is a type of corporate reorganization, in which a company creates a new subsidiary and subsequently IPOs it, while retaining management control. Only part of the shares is offered to the public, so the parent company retains an equity stake in the subsidiary. Typically, up to 20% of subsidiary shares is offered to the public.

- 1 Leveraged Buyout
- 2 Squeeze out
- 3 Equity Carve-out
- 4 Takeover Bid

問 4 . Under the Incoterms 2020 rules, the rule means the seller is responsible for all charges and risks in transit until the goods reach their destination, at which point the risk transfers to buyer. Cost and risk transfers from seller to buyer simultaneously at the point the goods are available for unloading. The buyer is responsible for all costs and risks associated with unloading the goods and clearing customs to import the goods into the named country of destination. The buyer selects a customs broker and is responsible for entry fees, duties, taxes, inspection fees and storage fees if goods are not released in a timely manner.

- 1 CIP

- 2 DDU
- 3 DPU
- 4 DAP

問 5 . For every product traded under a free trade agreement, there is a rule that must be met to show the product originates in the free trade area and qualifies for preferential tariff treatment. Each rule describes the nature or value of processing that must be carried out on any non-originating materials so that the final product meets the origin requirements. You should check the rule agreed by the free trade agreement. Once a product has gained originating status, it is considered 100% originating. This means that if that product is further used in the production of a further product, its full value is considered originating and no account is taken of non-originating materials within it.

- 1 Product-Specific Rule
- 2 Direct Transport Rule
- 3 De Minimis Rule
- 4 Verification Process

<解答>

第1問

問1. 2

問2. 3

問3. 2

問4. 4

問5. 2

問6. 3

問7. 1

問8. 4

問9. 3

問10. 2

第2問

問1. 2

問2. 4

問3. 3

問4. 4

問5. 1