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https://www.100test.com/kao_ti2020/248/2021_2022__E5_8D_95_E8_AF_81_E5_91_98_E8_c29_248677.htm 引子:鉴于现在对外交流事例逐渐增多,英文合同特别是经济合同的翻译愈显重要,若译文不准确或不严谨,势必会引起不必要的经济纠纷.故今以一英文(经济)合同写作书籍为蓝本,录入一些有益文字,希望大家共同提高英文(经济)合同的翻译和写作。合同文件是合同双方签订并必须遵守的法律文件,因此合同中的语言应体现其权威性.英文合同用语的特点之一就表现在用词上,即选择那些法律用词,以及正式用词,使合同表达的意思准确无误,达到双方对合同中使用的词无可争议的程度。一.hereby 英文释义:by means of , by reason of this 中文译词:特此,因此,兹 用法:常用于法律文件、合同、协议书等正式文件的开头语；在条款中需要强调时也可用。语法：一般置于主语后,紧邻主语. 例1：
The Employer hereby covenants to pay the Contractor in consideration of the execution and completion of the Works and the remedying of defects therein the Contract Price or such other sum as may become payable under the provisions of the Contract at the time and in the manner prescribed by the Contract. 参考译文: 业主特此立约保证在合同规定的期限内,按合同规定的方式向承包人支付合同价,或合同规定的其它应支付的款项,以作为本工程施工、竣工及修补工程中缺陷的报酬。 注释: (1)hereby: by reason of this 特此 (2)covenant: v. make a formal agreement 立约, 签订合同、条约. n. legal agreement具有法律约束的正式合同 (3)completion of the Works: 工程的竣工 (4)therein: in the Works

在本工程中 (5)the Contract Price: 合同总价,指工程的总造价
(6)such...as: 关系代词,相当于that, which (7)under: in accordance with 根据,按照 (8)the provisions of the Contract: terms and conditions of the Contract合同条款 例2 : We hereby certify to the best of our knowledge that the foregoing statement is true and correct and all available information and data have been supplied herein, and that we agree to provide documentary proof upon your request. 注释 : (1) hereby : 特此 (2) to the best of our knowledge : as far as we know据我们所知 (3) foregoing statement : above-mentioned statement上述声明 (4) herein : in this, in the statement在声明中 (5) documentary proof : 证明文件 参考译文 : 特此证明, 据我们所知, 上述声明内容真实, 正确无误, 并提供了全部现有的资料和数据, 我们同意, 应贵方要求出具证明文件。 例3 : This Contract is hereby made and concluded by and between Co. (hereinafter referred to as Party A) and Co. (hereinafter referred to as Party B) on (Date), in (Place), China, on the principle of equality and mutual benefit and through amicable consultation. 注释 : (1) hereby : 特此 (2) hereinafter referred to as Party A : 以下称甲方 (3) on the principle of equality and mutual benefit : 在平等互利基础上 (4) through amicable consultation : 通过友好协商 参考译文 : 本合同双方, 公司(以下称甲方)与 公司(以下称乙方), 在平等互利基础上, 通过友好协商, 于 年 月 日在中国(地点), 特签订本合同。 例4 : This agreement is hereby made and entered into on (Date), by and between Co. China (hereinafter referred to as Party A) and Co. (hereinafter referred to as Party B).

注释：（1）this agreement is hereby made and entered into：特此订立本协议 在法律文件中表示“订立本协议”可用以下4个动词：sign (make, conclude or enter into) this agreement, 按照同义词连用的写作特点，可用上述4个动词中的两个来表示）。（2）hereinafter referred to as Party B：以下简称乙方 参考译文：本协议特由中国公司（以下简称甲方）与公司（以下简称乙方）于年月日订立。二 hereof 英文释义: of this 中文译词:关于此点；在本文件中 用法:在表示上文已提及的“本合同的、本文件的……”时，使用该词。例如表示本合同条件、条款时，可以说“the terms, conditions and provisions hereof”，这里hereof表示“of this Contract”；又如表示本工程的任何部分，可用“any parts hereof”，这里hereof表示“of this Works”。语法：一般置于要修饰的名词的后面，与之紧邻。hereof和thereof的区别：hereof强调“of this”。例如，上面的“the terms, conditions and provisions thereof”中的thereof表示of the Contract；“any parts thereof”中的thereof表示of the Works。例1 Whether the custom of the Port is contrary to this Clause or not, the owner of the goods shall, without interruption, by day and night, including Sundays and holidays (if required by the carrier), supply and take delivery of the goods. Provided that the owner of the goods shall be liable for all losses or damages including demurrage incurred in default on the provisions hereof. 注释：（1）Whether the custom of the Port is contrary to this Clause or not：不论港口习惯是否与本款规定相反，whether... or not：不论……是否（2）the owner of the goods：货方（3）without interruption：无间断地（4）carrier：承运人（5）in default

on the provisions hereof : 违反本款规定 hereof : of this Clause 参考译文 : 不论港口习惯是否与本款规定相反, 货方都应昼夜地, 包括星期日和假日 (如承运人需要), 无间断地提供和提取货物。货方对违反本款规定所引起的所有损失或损坏, 包括滞期应负担赔偿责任。 例2 Foreign trade dealers as mentioned in this Law shall, in accordance with the provisions hereof, cover such legal entities and other organization as are engaged in foreign trade dealings. 注释 : (1) foreign trade dealers : 对外贸易经营者 (2) as mentioned in this Law : 本法所称 (3) the provisions hereof : the provisions of this Law 本法规定 (4) legal entity : 法人 (5) be engaged in foreign trade dealings : 从事对外贸易经营活动 参考译文 : 本法所称对外贸易经营者, 是指依照本法规定从事对外贸易经营活动的法人和其他组织。 例3 The establishment of a limited liability company or a company limited by shares shall comply with the conditions and provisions of this Law. A company complying with the conditions and provisions hereof may be registered as a limited liability company or a company limited by shares. Provided that if a company fails to comply with the conditions and provisions hereof, the company in question shall not be registered as a limited liability company or a company limited by shares. 注释 : (1) a limited liability company : 有限责任公司 (2) a company limited by shares : 股份有限公司 (3) provisions hereof : 本法规定 hereof: of this Law (4) may be registered as : 登记为 参考译文 : 设立有限责任公司、股份有限公司, 必须符合本法规定的条件。符合本法规定的条件的, 登记为有限责任公司或者股

份有限公司；不符合本法规定的条件的，不得登记为有限责任公司或股份有限公司。 例4 If, as a result of withdrawal or any other reasons, an arbitrator fails to perform his duties as an arbitrator, another arbitrator shall, in accordance with the provisions hereof, be 0selected or appointed. 注释：（1） as a result of withdrawal or any other reasons：回避或者其它原因 （2） arbitrator：仲裁员 （3） the provisions hereof：the provisions of this Law 本法规定 （4） be 0selected or appointed：选定或指定 参考译文：仲裁员因回避或者其它原因不能履行职责的，应当依照本法规定重新选定或指定仲裁员。 例5 In the event of conflict between the provisions on arbitration formulated and prepared prior to the effective date of this Law and the provisions of this Law, the provisions hereof shall prevail. 注释：（1） conflict：相抵触 （2） prior to the effective date of this Law：本法施行前 （3） the provisions hereof shall prevail：以本法为准 hereof：of this Law 参考译文：本法施行前制定的有关仲裁的规定与本法的规定相抵触的，以本法为准。 例6 Where, in accordance with laws, the circumstance(s) specified in Article 15 and Article 16 of this Law is /are confirmed, the organization with compensatory obligations shall pay compensation in any of the circumstance in question. Where the claimant for compensation demands the confirmation of one of the circumstances specified in Article 15 and Article 16 hereof, and the demanded organization refuses to make the confirmation, the claimant shall have the right to lodge a complaint. Where the claimant claims compensation, the claim, shall, first, be lodged to the organization for compensatory obligations. The provisions of Article

10, Article 11 and Article 12 hereof shall apply to/ in the procedures of compensation. 注释：（1） the organization with compensatory obligations：赔偿义务机关 （2） shall pay compensation：应当给予赔偿 （3） the claimant for compensation：赔偿请求人 （4） Article 15 and Article 16 hereof：本法第十五条、第十六条 hereof：of this Law （5） shall have the right to lodge a complaint：有权申诉 （6） claims compensation：要求赔偿 （7） apply to/ in：适用 More Examples: The comment applies equally here. /That argument does not apply in this case. / That applies to at least nine-tenths of the people we see about. /These remarks apply to every town in this kingdom. / The rules of safe driving apply to everyone. 参考译文：赔偿义务机关对依法确认有本法第十五条、第十六条规定的情形之一的，应当给予赔偿。赔偿请求人要求确认有本法第十五条、第十六条规定情形之一的，被要求的机关不予确认的，赔偿请求人有权申诉。赔偿请求人要求赔偿，应当先向赔偿义务机关提出。赔偿程序适用本法第十条、第十一条、第十二条的规定。 例7 If an arbitrator involved in one of circumstances specified in Item 4, Article 34 of this Law, and if it is serious, or those specified in Item 6, Article 58 hereof, the arbitrator in question shall, in accordance with the law, bear the legal liability and responsibility. The arbitration commission shall remove the name of the arbitrator in question from the list of arbitrators. 注释：（1） arbitrator：仲裁员 （2） Article 58 hereof：本法第五十八条 hereof：of this Law （3） bear the legal liability and responsibility：承担法律责任 （4） the arbitration commission：

仲裁委员会 (5) remove the name of the arbitrator in question from the list of arbitrators : 将其除名 参考译文 : 仲裁员有本法第三十四条第四项规定的情形, 情节严重的, 或者有本法第五十八条第六项规定的情形的, 应当依法承担法律责任, 仲裁委员会应当将其除名。 例8 If, pursuant to this Law, the relevant responsible authorities with the duty of approvals fail to grant approval to such an application as meets the requirements and provisions hereof, or the company registration authorities fail to register a company whose application meets the requirements hereof, the party in question may, in accordance with laws, apply for reconsideration or bring an administrative suit. 注释 : (1) the relevant responsible authorities with the duty of approvals : 履行审批职责的有关主管部门 (2) meets the requirements and provisions hereof : 符合本法条件 (3) the company registration authorities : 负责公司登记的主管部门 (4) the requirements hereof : 本法条件 hereof: of this Law (5) apply for reconsideration : 申请复议 (6) bring an administrative suit : 提起行政诉讼 参考译文 : 依照本法, 履行审批职责的有关主管部门, 对符合本法条件的申请不予批准, 或负责公司登记的主管部门不予登记, 当事人可以依法申请复议或者提起行政诉讼。 例9 This Decision shall apply to the crimes committed against Article 9, Article 10 and Article 11 hereof by the staff and workers of enterprises other than limited liability companies and companies limited by shares. 注释 : (1) the crimes committed : 犯罪行为 (2) against Article 9, Article 10 and Article 11 hereof : 犯有本决定第九条、第十条、第十一条规定 hereof: of this

Decision 参考译文： 有限责任公司、股份有限公司以外的企业职工有本决定第九条、第十条、第十一条规定的犯罪行为的，适用本决定。 例10 Companies registered and established prior to the effective date of this Law shall, in accordance with Laws, administrative regulations, local regulations and pursuant to the “ Standard Opinion on Limited Liability Companies ” or the “ Standard Opinion on Companies Limited by Shares ” issued by the relevant responsible department of the State Council, continue to exist. Those companies not completely satisfying the requirements of this Law shall, within the specified time limit, meet the requirements hereof. Specific methods for implementation of this Law will be set out in separate regulations issued by the State Council. 注释： （1） companies registered： 已登记成立的公司 （2） the “ Standard Opinion on Limited Liability Companies ”： 《有限责任公司规范意见》 （3） the “ Standard Opinion on Companies Limited by Shares ”： 《股份有限公司规范意见》 （4） the relevant responsible department of the State Council国务院有关主管部门 （5） in separate regulations issued by the State Council： 由国务院另行规定 参考译文： 本法施行前已登记成立的公司，应依照法律、行政法规、地方性法规和国务院有关主管部门制定的《有限责任公司规范意见》，和《股份有限公司规范意见》，继续保留。其中不完全具备本法规定的条件的，应当在规定的期限内达到本法规定的条件。具体实施办法，由国务院另行规定。 例11 Unfair competition mentioned in this Law refers to acts of such business operators as contravene the provisions hereof, with a result of damaging the lawful rights and

interests of other business operators, and disturbing the socio-economic order. 注释：（1）unfair competition：不正当竞争（2）business operators：经营者（3）contravene the provisions hereof：违反本法规定 the provisions hereof：本法规定 hereof：of this Law（4）the lawful rights and interests：合法权益（5）disturbing the socio-economic order：扰乱社会经济秩序 参考译文：本法所称的不正当竞争，是指经营者违反本法规定，损害其他经营者的合法权益，扰乱社会经济秩序的行为。 100Test 下载频道开通，各类考试题目直接下载。详细请访问 www.100test.com