

高等院校国际经贸类教材系列

进出口贸易实务

王学惠 编著

英文版



格致出版社
上海人民出版社

高等院校国际经贸类教材系列

F740.4
=W246



郑州大学

04020019522P

进出口贸易实务

王学惠 编著

英文版



F740.4
=W246



格致出版社
上海人民出版社

图书在版编目(CIP)数据

进出口贸易实务:英文/王学惠编著. —上海:格致出版社:上海人民出版社, 2012
高等院校国际经贸类教材系列
ISBN 978-7-5432-2090-4

I. ①进… II. ①王… III. ①进出口贸易-贸易实务-高等学校-教材-英文 IV. ①F740.4

中国版本图书馆 CIP 数据核字(2012)第 076971 号

责任编辑 谷 雨
封面设计 钱宇辰

高等院校国际经贸类教材系列
进出口贸易实务(英文版)
王学惠 编著

出版 世纪出版集团 格致出版社
www.ewen.cc www.hibooks.cn
上海人民出版社

(200001 上海福建中路193号24层)



编辑部热线 021-63914988
市场部热线 021-63914081

发行 世纪出版集团发行中心
印刷 苏州望电印刷有限公司
开本 787×1092 毫米 1/16
印张 21.25
插页 1
字数 384,000
版次 2012 年 9 月第 1 版
印次 2012 年 9 月第 1 次印刷
ISBN 978-7-5432-2090-4/F·534
定价 45.00 元

内容简介

本书为读者展现了进出口贸易中涉及的各主要交易环节，包括合同条款的订立、电子商务在进出口业务中的具体运用、识别和防范各类常见的欺诈，以及与进出口贸易有关的各种相关国际条约、惯例或规则等。

本书以独到的视角对进出口贸易实务进行了全面客观的描述，并通过真实案例帮助读者分析问题，加深对全书内容的理解。作者搜集了大量真实的单据和国内外宝贵资料，还原了进出口贸易的本来面目。为方便读者尤其是初学者深入了解进出口合同履行中的各主要流程，后续章节重点围绕合同条款进行详细介绍。

作者简介

王学惠 安徽农业大学经济与管理学院教师。主要研究方向：国际贸易实务，信用证业务及相关惯例。

先后发表第一作者论文近30篇，其中有近20篇收录于国际刊物。主编的教材有《国际贸易实务》（英文版）和《国际结算》（第1版），副主编的教材有《国际贸易实务新编》。

前言

本书对进出口贸易实务的各主要环节、合同条款和合同履行进行了全面客观的描述,并通过真实案例帮助读者分析问题和加深对章节内容的理解。作者搜集了大量的真实单据和国内外宝贵资料,向读者还原了进出口贸易的本来面目。为方便读者尤其是初学者深入了解进出口合同履行中的各主要流程,本书的后续章节重点围绕合同条款进行详细介绍。考虑到电子商务在国际贸易中的广泛运用以及电子商务活动中欺诈行为的在所难免,本书还专门介绍了进出口业务中的电子商务和常见的欺诈形式及其防范措施,力求为读者奉献一本较实用的、近实务的英文教材。除辅以大量直观图片和必要的链接外,对其中的重点和难点以图例的方式对比分析,有助于读者消化所学知识,如在介绍运输条款时,为便于读者理解 UCP600 第 31 条对部分装运的规定,书中列举了 3 套图例,使读者从直观上更能理解国际惯例的规定;又如为解释 ISBP 对转运的规定,通过图例对比方便了读者的理解。

与同类教材相比,本书的主要特点是:

1. 语言通俗。每章的总结和部分必要内容采用了第一人称和第二人称进行叙述,使读者阅读时倍感亲切。

2. 体例新颖。每章内容都有相应的总结,便于读者归纳整理所学的各章内容,对于重要的概念或术语以中文进行了翻译,帮助初学者学习新术语。此外,由于篇幅有限,本书无法对所涉及的内容一一进行细致介绍,因此每章安排了推荐的阅读内容,以便读者在理解了本书的每章内容后能通过其他推荐教材和网络资源进行必要的补充,夯实所学知识并运用于实践中。

3. 真实可靠。为还原进出口业务的本来面目,书中的单据均取自真实贸易合同项下,只对其中公司名称等涉及商业隐私的地方作了适当处理,使读者能够更直观地了解各类单据在具体贸易业务中的实际运用;货物品名和品质的举例取自阿里巴巴网站上的文字说明。

4. 进出口兼顾。在对业务流程的介绍中,给予进口业务和出口业务相同的关注,避免了同类教材普遍重出口、轻进口的缺陷。而且在介绍进出口流程时兼顾到目前我国外贸公司常用的支付方式和贸易术语,并配合大量真实单据还原各流程的本来面目。

同时对电子口岸、出口退税系统和进出口外汇管理最新政策都有介绍,弥补了同类教材对这些必不可少的环节缺乏足够介绍的不足。

5. 资料新颖。本书引用了2011年1月1日正式实施的国际商会 Incoterms® 2010,解释了国际贸易中的各种贸易术语;在介绍银行保函业务时也引用了国际商会最新修订并于2010年7月1日实施的 URDG758;通过跨境贸易人民币结算来规避汇率波动带来的风险也在第5章汇率风险管理中有所介绍。

6. 内容全面。本书全面介绍了进出口业务中所涉及的多个必需环节,如电子口岸,外汇局;此外,一些与进出口业务密切相关的国际组织、机构或国际惯例也在本书中有详细介绍,如 ICC, SWIFT, ISO, GSI, IATA, UNCTAD, CMI, Lloyd's, IUA, LMA, URDG758, UCP, ISBP 等等;一些实务中的常见做法,如电放提单和电放保函都在本书中有所介绍;合同条款中常被忽略的保留所有权条款也在第9章中专门介绍。

7. 大胆创新。本书没有过多介绍合同磋商的形式,考虑到现代通讯的迅捷,对询盘、发盘、还盘和接受只作了常识性介绍;去除了一些不常见的条款,如 OCP;国际货运保险方面只重点介绍了海洋运输保险,且以目前最具影响力的2009年协会货物条款为主线,辅以介绍1981年的 CIC 条款,摒弃了传统教材中重点突出 CIC 条款的做法;本书还专门介绍了国际贸易中常见的欺诈形式并对相关防范措施作了针对性的描述,弥补了其他同类教材对此几乎没有涉猎的不足。本书所引用的案例均取自真实业务中,可信度大大增强。

通过种种努力,期待这本书能够获得读者广泛认可。虽然从本书写作到出版期间历经了无数困难,但只要读者能从中学习到进出口业务的实用知识并有助于今后的工作,那么笔者再多的付出也值得。

作者

Contents

Chapter 1	Introduction to Import and Export Trade	1
1.1	Characteristics of Import and Export Trade	1
1.2	How to Get Started in Import and Export Trade	2
1.3	Tips on Getting Started an Import or Export Business	3
1.4	How to Write a Good Developing Letter	4
1.5	Structure of the Book	6
1.6	Summary	7
Chapter 2	Negotiation and Signing of Import and Export Contracts	9
2.1	Forms and Procedures of Negotiation	9
2.2	Negotiation of Main Clauses	12
2.3	Negotiation of General Clauses	14
2.4	Signing of Written Contracts	15
2.5	Forms of Written Contracts	16
2.6	Tips to Keep in Mind	26
2.7	Summary	26
Chapter 3	Performance of Import and Export Contracts	29
3.1	Performance of Import Contracts	29
3.2	Performance of Export Contracts	52
3.3	Summary	68
Chapter 4	Subject Matter of Contracts	70
4.1	Name and Quality of Goods	70
4.2	Quantity of Goods	79

4.3	Packaging of Goods	83
4.4	Summary	96
Chapter 5 International Price		99
5.1	Denotation of International Price	99
5.2	Trade Terms and International Trade Practices	100
5.3	Costing for Import and Export	121
5.4	Commission and Discount	129
5.5	Foreign Exchange Risk Management	131
5.6	Price Clauses in Contracts	133
5.7	Summary	134
Chapter 6 International Cargo Transportation		136
6.1	Marine/Ocean Cargo Transportation	136
6.2	Air Transportation	148
6.3	Multimodal Transportation	152
6.4	Other Modes of Transportation	154
6.5	Container Transportation	156
6.6	Transportation Clauses in Contracts	159
6.7	Transport Documents	165
6.8	Summary	176
Chapter 7 International Marine Cargo Insurance		179
7.1	Fundamental Principles of Marine Insurance	181
7.2	Main Coverage	183
7.3	Types of Insurance under ICC, 2009	188
7.4	Types of Marine Cargo Insurance under PICC, 2009	195
7.5	Insurance Practice	198
7.6	Insurance Clauses in Contracts	206
7.7	Summary	207
Chapter 8 International Payment		209
8.1	Instruments	209

8.2	Traditional Methods of International Payment	220
8.3	Other Methods of International Payment or Banking Services	248
8.4	Summary	258

Chapter 9 General Clauses in Contracts 262

9.1	Inspection	262
9.2	Disputes and Claims	273
9.3	Force Majeure	278
9.4	Retention of Title	281
9.5	Arbitration and Mediation	282
9.6	Summary	292

Chapter 10 E-commerce in Import and Export Trade of Goods 296

10.1	Importance of E-commerce	296
10.2	Purposes of Making Use of the Internet	297
10.3	Benefits of E-commerce	298
10.4	How to Start E-commerce	299
10.5	Types of E-markets	301
10.6	Electronic Payment Mechanisms	304
10.7	Risks in E-commerce	307
10.8	Summary	309

Chapter 11 Common Fraud Schemes and Management 311

11.1	What is Fraud?	311
11.2	Types of Common Fraud in International Trade and Management	312
11.3	Summary	323
Appendix 1	Sea Waybill	325
Appendix 2	Multimodal Transport B/L	326
Appendix 3	Forwarder's Cargo Receipt	327

References 328

后记 330

Chapter 1 Introduction to Import and Export Trade

Learning Objectives

In this chapter, you will:

- Understand the main characteristics of import and export trade;
- Learn how to start in import and export trade;
- Understand the importance of online resources to start an international business;
- Understand the structure of the book.

With the development of integration of the world economy, one cannot neglect the importance of international trade to promote national economic growth. And the growth of international trade is satisfied specifically by thousands of import and export transactions. This chapter will tell you the characteristics as well as basic tips you need to understand before getting started in import and export trade.

1.1 Characteristics of Import and Export Trade

This book focuses on import and export trade of goods, which refers to the activity between the buyers and the sellers in the purchase, sale and or exchange of commodities or goods in overseas markets.

The main characteristics of such economic activity are as follows:

- The activity is more complicated than domestic trade due to different trade

policies, measures, relevant laws or foreign exchange controls.

- The activity is more unstable than domestic trade due to political, economical and other factors.
- The buyer and the seller will bear more risks in performance of transactions.
- The buyer and the seller will face more procedures in performance of transactions.

1.2 How to Get Started in Import and Export Trade

- **Target market research.** Find out who you will sell your products to and develop a plan on how to market to them. The best thing to do is to do some market research in order to find out if there is a demand for your products in the marketplace. Then research your market to make sure that your business has the opportunity to be profitable. These researches include things like consumer trends, current markets (local, national and international), industry knowledge, competition and future growth.
- **International business plan.** Behind most import and export success stories is a plan. An international business plan is an essential tool to properly evaluate all the factors that would affect a company's ability to go international. An effective plan should include import or export analysis, implementation plan, import or export strategy, financing, pricing, logistics and distribution and forecast, etc.
- **Pricing determining.** Any export-import business can only be successful if the goods provided have the cost advantage. Pricing can either make or break business. You don't have to be so generous as to give away your products or services; you also shouldn't be so greedy that you push away potential customers. That is why the right pricing is the key. If you will manufacture products, then you should consider the labor, materials, overhead, and the profit when selling products. Providing the goods on the same cost will not serve any purpose.
- **Understanding of process.** Different paths are taken by an import business and another set of different paths are taken by an export business. Therefore, you should familiarize yourself with the process, such as import or export license, declaration at the customs, inspection, transportation, arbitration, payment,

export/import regulations and Terms of trade.

- **E-commerce resources and website tools.** There are many useful online resources you can choose for better starting up of your business. Before making use of them, you need to establish your own website to attract relevant targeted traffic. Search engine optimization ensures that your website ranks well on all major search engines like Yahoo, Google and MSN and that more targeted visitors land on your website. You may also join in some B2B websites (<http://www.exportbureau.com>, <http://www.ec21.com>, <http://www.made-in-china.com>, etc.) to introduce your products, firm's information and website, etc. You may also make use of some famous industry websites. Some yellow pages can also help you find potential customers^①.

1.3 Tips on Getting Started an Import or Export Business

- Learn as much as possible about import/export business and international trade.
- Decide what type of products you want to import or export and determine how you will buy or sell the products.
- Set up a business checking account, decide upon a name, set up an office.
- Start slowly by making small deals first.
- Begin to expand by making more and larger deals.
- Make sure that every mandatory procedure has been accomplished. For example, your registration number from taxation department or other procedures.
- Find out about licensing requirements for import or export.
- Participate in the local Boards of Trades (or Chambers of Commerce if there is no local Board of Trade) for more practical experience or information.
- The laws in every region or country vary in international business. Thus you need to have a general idea of those different laws and practices.
- Write a good developing letter for starting your business. The detailed techniques will be discussed in Section 1.4.

① www.europages.com, www.superpages.com, www.yellowpages.com, au, etc.



International Chamber of Commerce[®]

The world business organization[®]

ICC

ICC is the voice of world business championing the global economy as a force for economic growth, job creation and prosperity.

Because national economies are now so closely interwoven, government decisions have far stronger international repercussions than in the past.

ICC—the world's only truly global business organization responds by being more assertive in expressing business views.

ICC activities cover a broad spectrum, from arbitration and dispute resolution to making the case for open trade and the market economy system, business self-regulation, fighting corruption or combating commercial crime.

ICC has direct access to national governments all over the world through its national committees. The organization's Paris-based international secretariat feeds business views into intergovernmental organizations on issues that directly affect business operations.

(Source: <http://www.iccwbo.org/id93/index.html>)

1.4 How to Write a Good Developing Letter

- Pre-select the group of potential new customers you're going to address the letter to. You can do a market research of the destination country through the help of the chamber of commerce of your country.
- Whenever possible, obtain the name of the purchasing manager (if it is to sell a product), and address the letter personally to his/her attention.
- Should it be possible, write the letter in the country's local language.

- It is preferably to send a letter than an e-mail. A letter allows the receiver to read it more carefully, especially if accompanied with an attractive brochure; an e-mail message, because of its immediacy and the high number of messages received, may not even be opened by the receiver.
- The drafting of the letter should not be very long, since the aim is to arouse curiosity and initial interest of the receiver, not to sell the product.
- Start the text with a brief introduction of your company, inviting the recipient to obtain in-depth information about your products in the brochure that you have attached or through your website.
- Next, you may mention that your manufacturing process allows you to increase production and that your company has established new market entry goals in the new customer country, clearly showing that export is a core activity for your company, and that your decision is to remain in the new market for a long time.
- You may state that your company is willing to reach distribution agreements in the new market, or you are just willing to sell your products directly to the consumer.
- Put yourself in his/her shoes for any questions or concerns he/she may have and leave your name, title and contact information. The letter should not occupy more than one folio.
- Enclose a brochure with information about your company, emphasizing the aspects that are most important, e.g. experience, quality of your products, market position, production capacity, references to current customers.
- Include in the letter the address of your company's site on the internet, inviting the recipient to visit for more information and/or contact directly with your company, and include name of contact person and contact details.
- Keep a record of sent letters to control the replies. If possible, one week later, make a phone call or send an e-mail to the recipient to confirm if he/she has received the letter and to make clear if they need any additional information. ①

① Source: <http://www.ebsi.ie>

1.5 Structure of the Book

This book is intended to enable you to become a better, more successful participant in international transactions. It is written for college students who want to have a general idea about import and export trade and for those who are going to start their international business as a career. The full text melds theory and practice to balance conceptual understanding and knowledge of day-to-day realities.

This book is structured to explain step by step the basic procedures in import and export trade. Chapter 1 introduces the characteristics of import and export trade and tells you how to get started in international business successfully. Chapter 2 describes the negotiation of main and general clauses in import and export contracts. Chapter 3 tells you how to perform import and export contracts under different modes of payment. Chapter 4 explains the subject matter of contracts including name and quality of goods, quantity and packaging of goods. Chapter 5 demonstrates with formulas how to make cost accounting for import and export price, and introduces trade terms and relevant practices. Chapter 6 introduces different modes of transportation in international trade and important transport documents. Chapter 7 explains theory of international cargo insurance and focuses on marine cargo insurance practice. Chapter 8 presents different international instruments for payment and main modes of international payment. It also explains some other banking services such as letter of guarantee and standby letter of credit. Chapter 9 focuses on general clauses of contracts such as inspection, disputes, claims, force majeure, retention of title, arbitration and mediation. Chapter 10 presents the importance of E-commerce and basic knowledge in this respect. Chapter 11 shows common fraud schemes in international business and tells you how to manage those risks.

The beginning of each chapter shows you the learning objectives. Next are the main contents to be learnt. After finishing the main contents, you will find a summary of the whole chapter. You may also find a list of key terms and concepts with Chinese translation. At the end of each chapter, questions for discussion and

recommended readings are provided to help you enrich your knowledge.

We hope that upon finishing the book, you will not only have completed an academic subject but also be well versed in each procedure of import and export trade and relevant issues.

1.6 Summary

In this chapter, you have learnt the differences between domestic trade and foreign trade, i.e. import and export trade. You know that there are more risks and procedures as well as different applicable laws or regulations in foreign transactions. There are also many other factors, such as foreign exchange rate, economic or political factors which bring about unstableness in import and export trade.

You have also learnt on how to start import and export trade in foreign markets. You need to do research work on your target markets as well as target customers. Some important tips have also been given to you for a good start. You also need to write a good developing letter to attract potential customers for a new business, and try to make full use of online resources.

Key Terms and Concepts

1. foreign exchange controls: 外汇管制
2. target market research: 目标市场调查
3. import or export license: 进口或出口许可证
4. declaration at the customs: 出口报关
5. targeted traffic: 目标流量
6. International Chamber of Commerce (ICC): 国际商会

Questions for Discussion

1. What are the main characteristics of import and export trade?
2. How to get started an international business?
3. How can you find target customers?
4. How to carry out a successful international market research?

Recommended Readings

1. Michael R. Czinkota, Ilkka A. Ronkainen, Michael H. Moffett, *International Business* 5th edition, China

Machine Press, 2003.

2. The Convention on Contracts for the International Sales of Goods (CISG).
3. Uniform Commercial Code (UCC).
4. Contract Law of the People's Republic of China
5. <http://www.ft.com/home/uk>
6. <http://www.mofcom.gov.cn/>
7. <http://www.iccwbo.org/>
8. <http://www.alibaba.com/>
9. <http://ibdaily.mofcom.gov.cn/>