

GUOJIJINGJIMAOWI BIAOZHUN FALUWENSHU FANBEN

司法部  
重点科研  
项目

主编 宋雷

法律文书自助丛书

# 国际经济贸易 标准法律文书 范本

(中英文对照)

最新修订本

中国民主法制出版社

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## 修 订 说 明

《国际经济贸易英汉法律标准文书格式文本》(原书名)是司法部“八·五”重点科研项目“国际经济贸易英汉法律文书研究”历时多年的研究成果。本书于1997年出版后,得到了社会的广泛认可,深得读者喜爱。为了适应新形势的需要以及中国即将加入WTO,对本书进行全面修订大有必要。经过一年多时间的研究,本书修订再次面世,希望能为你的工作带来较多便利。

法律文书的制作是法律实践活动必不可少的环节,由于国际经贸活动必须在国际法律框架体制内予以开展,因而从事国际经贸活动以及其相关人员必然会接触到大量的涉外法律文书,这就要求他们必须熟悉一些有关知识,否则便很难顺利开展,随着我国对外改革开放政策的不断深入贯彻以及我国即将加入WTO情势之所迫,掌握并能较好运用英汉法律文书知识已成为当务之急。鉴于目前国内尚无一本较全面、系统且相对权威的有关英汉法律文书的书籍,所造成的空白急需填补,本书的构思及编写正是出于此种目的。

本书共分十五章,收录各种文书200多例,所涉及的内容十分广泛,包括对外经贸合同、进出口贸易、招标投标、引进和利用外资、在国外设立公司、金融、仓储运输、海关、税收、商品检验、保险、公证、仲裁、诉讼、律师业务等范畴和领域。

本书的特点是:1)实用。本书按国际经贸活动的基本顺序进行构想编排,从经贸业务开始、发展、直到完成,其间所涉及到的主要法律文书基本上均有收集,其中还包括如有争议,索赔不果,而提请国际仲裁或提起涉外诉讼等情况下所需的主要英文法律文书,以及涉外律师事务所常用的一些法律文书。本书文字力求准确、简洁,体例编排合理,操作性强,可供制作文书时参考或作为法律英语学习所用;2)规范、权威。本书所收录的英文法律文书大都是国外司法机关或法典中最典型最具代表性的文书格式文本,而所收录的中文法律文书格式也是我国各个机关管理部门最具典型代表性的文书格式。在编写过

程中,我们还专门聘请了中外法律专家作为顾问并协助校对和修改,从而在一定程度上保证了本书的质量;3)编排新颖。为方便使用,本书采用了一段英文一段中文对照式的编排,从而有利于读者写作或学习时进行查对或参考;4)本书还对少数疑难之处作有注释,以帮助读者理解。

英汉法律及经贸文书格式所涉及的学科领域和部门太多太广,所需的英文和法律知识也极为广泛和高深。本书作者尽管在各方面作了较大规模的探索,且力求做到全面、准确,但由于涉及的问题十分复杂,覆盖的领域过于广泛,故难免有不少疏漏和错误。在此,恳切希望广大读者给予批评指正。

在本书的编写过程中,曾得到许多有关人士的大力帮助。在此,谨向对本书编写作出大量贡献的杨明臣、张仕权、曹树峰、王海南、汪祖兴、杨德萌、王本文、秦洁、加拿大 York 大学 Osgoode 法学院的 Prof. Angus, Mr. Marco, Miss Corina, Mr. Nicholas 以及美国学者 Prof. Vince Cohen 等表示最诚挚的谢意。

宋 雷

于重庆西南政法大学

2000 年 10 月

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