

国际贸易实务

学生用书

INTERNATIONAL TRADE PRACTICE

Student's Book

主 编 李月菊 李 洋



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总序

进入“十三五”，我国高等英语教育迎来深化改革和创新发展的关键期，商务英语专业也随之从规模发展进入内涵发展和质量提升的新常态。全国已有超过300所高校开办了商务英语本科专业，有500多所高校的英语类专业开设了商务方向或课程。2017年，教育部制定的《高等学校商务英语专业本科教学质量国家标准》（以下简称《国家标准》）也将颁布，对商务英语人才培养提出了明确要求，以满足对外开放的国家战略和需求。

为了认真贯彻落实《国家标准》，全国高等学校商务英语专业教学协作组与上海外语教育出版社密切合作，对入选“十二五”普通高等教育本科国家级规划教材的“新世纪商务英语专业本科系列教材”进行全面修订。修订后的“新世纪商务英语专业本科系列教材（第二版）”体系更加完整，涵盖英语知识与技能和商务知识与技能两个模块，很好地体现出《国家标准》对商务英语专业学生知识和能力的要求。

本系列教材中，英语知识与技能模块包含《商务英语综合教程》、《商务英语视听说教程》、《商务英语阅读教程》、《商务英语写作教程》、《商务英语论文写作》、《商务英语口译教程》、《商务英汉翻译教程》等。

商务知识与技能模块包含《国际贸易实务》和《国际商业伦理》、《国际商务合同》、《国际经济学》、《国际知识产权》、《国际营销》、《国际支付》、《国际贸易单证》等简明教程。

本系列教材具有以下四个鲜明的特色：

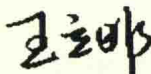
第一，完全对接《国家标准》规定的培养目标和课程体系，突出打牢英语基本功，拓宽国际视野，提升人文素养，培养商务意识和素养，着重提高英语应用能力、商务实践能力、跨文化交流能力、思辨与创新能力、自主学习能力。

第二，编写理念先进，选材新颖，充满时代感，坚持语言、文化、商务三者有机结合，充分体现国际化、人文性、复合型、应用性的特点和全人教育的理念。

第三，体系完整，覆盖商务英语专业核心课程，英语知识与技能教材突出听、说、读、写、译、跨文化交际等技能训练导向；商务知识与技能教材理论体系完整，知识讲解简明扼要，语言原汁原味，配套练习实用性和可操作性强，注重中外真实案例分析，培养思辨和创新能力。

第四,课堂任务设计多样化和立体化的特色鲜明,突出网络多媒体技术的应用,提供丰富的视频材料和教学资源,加大了英语学习的趣味性和输入的有效性。

本系列教材是全国高等学校商务英语专业教学协作组重点推荐教材,由国内商务英语教学专家编写,可供一、二年级商务英语专业本科生、英语专业商贸方向学生、财经类院校本科生以及各类经管专业本科生使用,同时也可作为大学英语ESP课程模块的商务英语教材,以及各类企业培训和社会商务英语学习者的参考书。本套教材的修订得到上海外语教育出版社领导和编辑的大力支持,在此表示衷心感谢。



全国高等学校商务英语专业教学协作组组长
对外经济贸易大学教授、博士生导师

前言

随着全球经济一体化的深入发展,中国与世界各国的经贸往来越来越多,精通外语同时具备专业技能的复合型人才深受社会欢迎。英语作为国际交往中的通用语言,在国际经贸领域发挥着日益重要的作用。为更好地培养复合型高级经贸人才,我们编写了这本英语版国际贸易实务与操作教材,奉献给商务英语专业的广大师生。本书是全国国际商务英语考试(二级)的必备之书,也可作为国际贸易等专业的英文教材,是有志于从事国际贸易实践人士的良好良师益友。

国际贸易实务是高校商务英语专业以及国际贸易等专业的重点课程,具有实践性与操作性很强的特点。在编写过程中,我们继承了传统实务教材的体例,对国际贸易过程的主要环节进行了详细讲解;同时,本书有以下特色:内容新颖、翔实,结构严谨;语言规范,概念清晰,简明易懂;专业知识、外贸技能与语言能力有机结合。

全书共分12章,以国际货物买卖合同为主线,系统全面地介绍了一笔交易自谈判磋商订立合同,到履行合同与解决争议的全过程,旨在让读者在英语语境中学习并掌握国际贸易实务的基本知识和基本技能,提高从事国际贸易的能力。

第一章介绍国际商务的常见方式,国际贸易方式、交易风险、有关当事人以及交易流程;第二章介绍国际商务合同谈判前的准备工作,谈判程序与合同的签订;第三章讲述了在国际贸易中广泛使用的《联合国国际货物销售合同公约》的相关法律内容;第四章主讲贸易术语,在销售合同中引用《2000年国际贸易术语解释通则》可以明确界定买卖双方的义务和责任,降低法律纠纷的风险;第五章介绍货物的品质描述、重量记载、包装和标记要求;第六章国际贸易支付,讨论汇票作为国际贸易支付工具的特点与使用,跟单托收与信用证这两种常用贸易支付方式的特点,介绍《托收统一规则》和《跟单信用证统一惯例(UCP600)》等内容;第七章是关于国际货物贸易的运输方式与运输单据,以海运为主;第八章研究货物保险类别以及保险合同;第九章介绍中国海关对进出口货物的监管,报关程序、关税和商品分类,以及欧盟的报关程序;第十章研究国际贸易主要单据的种类、功能及内容;第十一章讨论国际贸易纠纷的仲裁和诉讼;第十二章讨论与贸易有关的知识产权,如专利、商标、版权、工业设计等等。

针对国际贸易实务的重点及难点问题,本书提供了44个真实典型的案例分析;附有30副单证的真实样本,并对主要单证的实际运用配备了模拟练习,如对汇票、信用证、提单、保险单、发票、装箱单、报关单、原产地证书等的操作训练。

本书注重培养学生解决问题的能力 and 实际操作能力,每节内容后面都附有相关练习,及时巩固所学知识,并在每章进行相关业务内容的综合模拟训练,为学生毕业后肩负起国际贸易业务的重任奠定良好基础。

本教材由对外经济贸易大学英语学院李月菊负责总体设计与审校工作。具体编写分工是:李月菊负责第1、4、6、10章;张平负责第2、3、11、12章,李洋负责第7、8章,林晓洁负责第9章,王磊负责第5章。每章内容由学习目标、专业术语、课文、内容总结、小节练习与章节练习组成。

尽管倾心编写,由于受作者水平和学识所限,错误与疏漏在所难免,敬请专家学者不吝指教。

李月菊

2009年10月

修订说明

作为世界第二大经济体和贸易大国,中国与世界经济的融合度日益提升,社会对从事国际贸易人才的要求越来越高。为满足企业对有外贸实务专业知识又精通英语的高级复合型人才的需求,本书修订再版,供高校商务英语专业的师生使用,也可作为各类国际贸易实务专业的双语教材。

修订版保留了原书的编写体例和框架,重点对专业术语和基本概念做了系统的修订。通过大量和多样的练习,学习者能熟练掌握和运用国际贸易实务专业术语,能有效地进行商务沟通,为从事进出口业务打下良好基础。

商务谈判是国际货物买卖活动的重要组成部分,买卖合同起草不当会造成经济损失或高成本的法律纠纷。为培养和提高学生的商务谈判能力和解决实际问题的能力,我们重新撰写了第二章国际商务谈判的内容。

新版融进了国际贸易惯例的新内容,以Incoterms 2010替换了Incoterms 2000及其相关内容,并增添了使用新惯例的案例。我们还对书中相关的国际贸易规则、协定等的使用情况进行了追踪和更新,使本书更具时代感。

书中案例丰富详实且具有代表性。通过研究案例,学习者运用所学的国际贸易实务专业知识来分析和解决国际贸易实践中出现的各种纠纷和问题,从而提高从事国际贸易活动的能力。

本书语言地道,图文并茂。许多专业知识、规则和惯例都附有图表或单据等直观的说明,生动形象,简明易懂。

在编写和修订过程中,编者参考了大量同类教材和文章以及网站,在此表示感谢。对于本书,尽管我们斟酌推敲,但仍有瑕疵疏漏,望读者和同行批评指正。

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Chapter

1

Introduction to International Trade Practice



Learning Objectives

When you finish this chapter, you should be able to:

1. Identify different forms of international business: trade, licensing, and foreign direct investment.
2. Discuss risks associated with international business transactions.
3. Describe the participants and procedures of international trade.

Special Terms

international trade 国际贸易

export trading company 出口贸易公司

export control 出口管制

multinational corporation 跨国公司

subsidiary 子公司

technology transfer 技术转让

delivery risk 交割风险

credit risk 信用风险

forum 诉讼地

application and enforcement of foreign

laws 外国法律的适用与执行

importing 进口

host country 东道国

embargo 贸易禁运

foreign direct investment 对外直接投资

risk assessment 风险评估

currency exchange rate 汇率

franchising 特许经营权

non-tariff barrier 非关税壁垒

hard currency 硬通货

legal jurisdiction 法定管辖权

Many economists and business experts believe that no business can be purely domestic. The realities of the modern world make all business international. No longer can an economic or political change in one country occur without causing reverberations throughout the world's markets. A change in interest rates in one country affects investment flows and currency exchange rates in other countries. The world today is more economically interdependent than at any other time in history, which has led to the globalization of product, service, and capital markets.

This chapter introduces us to different forms of international business and risk management of international transactions, and to the parties and procedures involved in the international sale of goods.

Section 1 Forms of International Business

International business can be classified into three categories: trade, international licensing of technology and intellectual property (trademarks, patents, and copyrights), and foreign direct investment. These broad categories describe three important methods for entering a foreign market. Each method brings a different set of problems to the firm because the level of foreign penetration and entanglement in that country is different. Trade usually represents the least entanglement, and thus the least political, economic and legal risk, especially if the exporting firm is not soliciting business overseas or maintaining sales agents or inventories there. An investment in a plant and operations overseas usually represents the greatest market penetration and thus, the greatest risk to the firm.

Considerable overlap occurs among these different forms of doing business. A business plan for the production and marketing of a single product may contain elements of each form. To illustrate, a Chinese firm might purchase the rights to a trademark for use on an article of high-fashion clothing made from fabric exported from France and assembled in offshore plants in India for shipment to the United States and Europe. Here, a business strategy encompasses elements of trade, licensing, and investment. The following chapters will focus on the operation and practice of the sale of goods, or exporting-importing.

1.1 Trade

Trade consists of the import and export of goods and services. Exporting is the term generally used to refer to the process of sending goods out of a country, and importing is used to denote when goods are brought into a country. However, a more accurate definition is that exporting is the shipment of goods or the rendering of services to a foreign buyer located in a foreign country. Importing is then defined as the process of buying goods from a foreign supplier and entering them into the customs territory of a different country. Every export entails an import, and vice versa.

1.1.1 Exporting

Trade is often a firm's first step into international business. Compared to the other forms of international business (licensing and investment), trade is relatively uncomplicated. It provides the inexperienced or smaller firm with an opportunity to penetrate a new market, or at least to explore foreign market potential, without significant capital investment and the risks of becoming a full-fledged player in the foreign country.

Export functions include foreign marketing, sales and distribution, shipping, and handling international transfers of money. Firms accept varying levels of responsibility for moving goods and money and for other export functions. The more experienced exporters can take greater responsibility for themselves and are more likely to export directly to

their foreign customers. Firms that choose to accept less responsibility in dealing with foreign customers, or in making arrangements for shipping, for example, must delegate many export functions to someone else. As such, exporting is generally divided into two types: direct and indirect.

Direct Exporting

At first glance, direct exporting seems similar to selling goods to a domestic buyer. A prospective foreign customer may have seen a firm's products at a trade show, located a particular company in an industrial directory, or been recommended by another customer. A firm that receives a request for product and pricing information from a foreign customer may be able to handle it routinely and export directly to the buyer. With some assistance, a firm can overcome most hurdles, get the goods properly packaged and shipped, and receive payment as anticipated. Although many of these one-time sales are turned into long-term business success stories, many more are not. A firm hopes to develop a regular business relationship with its new foreign customers. However, the problems that can be encountered even in direct exporting are considerable.

Direct exporting is often done through foreign agents who work on commission. A foreign agent normally has authority to make commitments on behalf of the firm he or she represents. Whether the agent does or does not have legal authority to obligate the firm should be stated clearly in an agent agreement. Direct exporting also can be done by selling directly to foreign distributors. The foreign distributor is a merchant who purchases merchandise from, for example, a Chinese exporter, resells it at a profit, and generally provides after-sales support and service. The distributor usually carries an inventory of products and spare parts and maintains adequate facilities and personnel for normal servicing operations. The Chinese exporter must screen carefully all potential agents or distributors.

Indirect Exporting

Indirect exporting is used by companies seeking to minimize their involvement abroad. Lacking experience, personnel or capital, they may be unable to locate foreign buyers or are not yet ready to be handling the mechanics of a transaction on their own. There are several different types of indirect exporting. Export trading companies, commonly called ETCs, are companies that market the products of several manufacturers in foreign markets. They have extensive sales contacts overseas and experience in air and sea shipping. A manufacturer may sell its goods to an ETC. The ETC takes title to the product and exports for its own account, and for the manufacturer the transaction is essentially a domestic sale. Some special ETCs are organized and operated by producers. These types of ETCs can be organized along multiple- or single-industry lines and can represent producers of competing products.

An indirect exporting method similar to using an ETC is selling goods to an export agent or remarketer. Export agents or remarketers purchase products directly from the manufacturer, packing and marking the products according to their own specifications.