

# 揭阳职业技术学院



## 教案

课程： 职业与企业公共能力（商务笔译）

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专业： 商务英语

班级： 商务英语 231 (三加证书)

学期授课计划时数： 36 课时

## Chapter 1 名片的翻译

### 一、Teaching Objectives (教学目的):

1. To make students understand the importance of translating name cards.
2. To help the students know the characteristics of different parts in translating name cards.

### 二、Teaching Focus(教学重点):

1. Students are able to get a clear picture of name cards.
2. Students are required to master the new words and phrases in this part.
3. Students should get the translating skills of business cards..

### 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法)
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

### 四、Time Distributive(时间分配)

1. Preparation and analyses of the text (3 classes)
2. Analyses of the text A and exercises (1 class)

### 五、Focuses in teaching (教学难点)

Translation of business cards

### 六、Ideological and political goals (思政目标)

By enabling students to master the translation of names and addresses on business cards, adding more Chinese elements, guide students to deeply understand and promote Chinese culture. While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews, outlooks on life, and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

### 七、Teaching Procedures (教学过程)

#### (一)、名片概述

名片(business card, 又称 name card、visit card, 或简称 card), 是现代商务活动和社会交往中必不可少的工具, 它既可作为自我介绍的重要手段, 又可长期保存以备日后通联之用。

而随着对外经济和文化交流的日益频繁，英文名片的使用率和重要性也不断提高，一张用词得体、语法规范、表达准确的英文名片是跨国交际不可取代的中介。

目前我国涉外人员使用的名片多以中英对照形式出现，以下是一张普通的商务名片：

CARD FRONT(名片正面)(略)

一张典型的名片上,一般由以下七个部分组成：

1. 姓名 (Name): 一般使用汉语拼音, 也有混合使用英文名+汉语姓的, 详见第二章;
2. 称谓(Title): 一般放在姓名后面, 可能是官阶 (Rank)、职位 (Position)、职业 (Job)、职称 (Technical Title)、荣誉称号(Honorary Title)等, 详见第五章;
3. 单位(Work Unit): 详见第四章;
4. 部门(Department): 一般跟在工作单位后面或跟称谓语组合在一起, 详见第四章;
5. 地址(Address): 包括邮编, 通常在具体地址前加引语, 英国人喜用 Address, 美国人常用 Location, 详见第三章;
6. 其它通联资料, 包括电话 (Tel)、电子信箱(Email)、网址等, 详见第六章;
7. 银行帐号(A/C No.)等, 详见第六章。
8. 经营项目 (Business Lines; Business Scope): 由于篇幅所限, 本书不作详述。

## (二)、姓名英译

### 1 英语姓名结构

英语姓名的一般结构为：教名+自取名（中名）+姓。如 George Walker Bush (中译：乔治·沃克·布什)。

George 是教名(Given Name), 按照英语民族的习俗, 一般在婴儿接受洗礼的时候, 由其牧师或父母亲朋为其取的名字, 有点像中国的小名（乳名）, 但它是要叫一辈子的。

Walker 是中名 (Middle Name), 即本人在以后另取的一个名字, 排在教名后, 在很多场合往往缩写, 如 Walker 缩成首次母 W., 或者干脆略去不写, 所以, 要不是为了与其父亲、美国第 41 任总统老布什分开, 一般情况下, 美国现任总统的名字经常会写成: George Bush (现在我们常见的形式是: George W. Bush)。

Bush 是姓(Family Name), 说明其家族渊源, 这跟中国相似。英国人在很长的一段时间里只有名而没有姓。直到 16 世纪姓氏的使用才广泛流行开来。

英语中的教名和中间名又称个人名, 一般采用圣经、希腊罗马神话、古代名人或文学名著中的人名, 以及祖先的籍贯、山川河流、鸟兽鱼虫、花卉树木等的名称。常用的男子名有:

James、John、David、Daniel、Michael, 常见的女子名为: Jane、Mary、Elizabeth、Ann、Sarah、Catherine。(详见附表)

英语中姓的词源主要有: 1) 直接借用教名, 如 Clinton。

2) 在教名上加上表示血统关系的词缀, 如后缀-s、-son、-ing; 前缀 M'-、Mc-、Mac-、Fitz- 等均表示某某之子或后代。3) 在教名前附加表示身份的词缀, 如 St.-、De-、Du-、La-、Le-。4) 反映地名、地貌或环境特征的, 如 Brook、Hill 等。5) 反映身份或职业的, 如: Carter、Smith。6) 反映个人特征的, 如: Black、Longfellow。7) 借用动植物的, 如 Bird、Rice。8) 由双姓合并而来, 如 Burne-Jones。

除了正式的教名和姓外, 英语中还常使用昵称(Nickname)来相互称呼, 特别是在一些非正式场合, 人们更喜欢用昵称取代正式教名, 便于拉近彼此距离。如 Donald 的昵称 Don, Andrew 的昵称 Andy。

### (三)、地址英译

#### 1 地址综述

名片的主要功能是通联, 所以在名片上写上详细的家庭或单位通讯地址是必不可少的。如下例: 住址: 浙江省台州市黄岩区天长路 18 号 201 室

译文: Address: Room 201, 18 Tianchang Road, Huangyan District, Taizhou City, Zhejiang Province.

对照上例, 翻译时有几点需要注意:

中文地址的排列顺序是由大到小: ×国×省×市×区×路×号, 而英文地址则刚好相反, 是由小到大: ×号×路(Road), ×区(District), ×市(City), ×省(Province), ×国。

地名专名部分(如"黄岩区"的"黄岩"部分)应使用汉语拼音, 且需连写, 如 Huangyan 不宜写成 Huang Yan。

各地址单元间要加逗号隔开。

以上给出了地点翻译的书写规则。接下去就地址内容进行详细分析。

完整的地址由: 行政区划+街区名+楼房号三部分组成。

#### 2 行政区划英译

行政区划是地址中最高一级单位, 我国幅员辽阔, 行政区划较复杂, 总体上可分成五级(括号内所注为当前国内通用译名):

1) 国家(State): 中华人民共和国(the People's Republic of China; P.R.China; P.R.C; China)

2) 省级 (Provincial Level) :省(Province)、自治区(Autonomous Region)、直辖市(Municipality directly under the Central Government, 简称 Municipality); 特别行政区 (Special Administration Region; SAR)

3) 地级 (Prefectural Level) : 地区(Prefecture)、自治州 (Autonomous Prefecture)、市 (Municipality; City); 盟 (Prefecture);

4) 县级 (County Level): 县 (County)、自治县 (Autonomous County)、市 (City)、市辖区 (District), 旗 (County)

5) 乡级 (Township Level) :乡 (Township)、民族乡(Ethnic Township)、镇(Town)、街道办事处 (Sub-district)。

应用举例:

(1)上海市崇明县中兴镇: Zhongxing Town, Chongming County, Shanghai (Municipality).

(2) 内蒙古自治区呼伦贝尔盟: Hulunbeir Prefecture, Inner Mongolia Autonomous Region.

(3) 浙江省台州市玉环县龙溪乡: Longxi Township, Yuhuan County, Taizhou Municipality, Zhejiang Province.

(4) 苏州市金阊区金门街道 Jinmen Sub-district, Jinchang District, Suzhou City.

#### (四)、单位及部门名称

##### 1 单位及部门名称英译概述

单位部门名称在英语中属于专有名词范畴,其语用特征要求专词专用,所以一个单位只能使用一种译名(词语排列及组合、缩写形式都应该统一不变),如"中国银行",英译: the Bank of China 缩写: B.O.C.,而不能作任何更改,比如按字面译成: the Chinese Bank 或 the China Bank, 都是不妥当的。

按此原则,在翻译单位名称时,应首先查阅有关资料,确定是否有普遍接受的定译,尤其是政府机构的译名,更应采用中央有关部门对外正式名称,绝不能按字面即兴翻译,以致出现一个机构数个译名的混乱状况。

按照英语语法,专有名词的词首字母应大写,但是像 of、 the、 and 等虚词一般小写,如"黄岩区人民政府",英译: the People's Government of Huangyan District.

单位名称中包含地名或人名的,应用汉语拼音,如上例中的"黄岩",应音译为 Huangyan,而不能采用意译。单位名称中包含的企业字号,使用汉语拼音是最为简便也最为保险的方法。

#### 八、Assignment (作业)

Translate the following titles

计算机/互联网/通讯

首席技术执行官

技术总监/经理

信息技术经理

信息技术主管

信息技术专员

项目经理/主管

高级软件工程师

区域销售经理

保险代理

售前/售后技术服务工程师

市场/公关/广告

市场/营销主管

企业策划人员

财务分析员

行政经理/主管/办公室主任

前台接待/总机

后勤

外贸/贸易经理/主管外贸/贸易专员/助理

报关员

## Chapter 2 商标的翻译

### 一、Teaching Objectives (教学目的):

1. To make students understand the importance of brand and trademarks translation
2. To get the students know the principles for brand names and trademarks translation.
3. To get the students know the skills and methods for brand names and trademarks translation.

### 二、Teaching Focus(教学重点):

1. Students are able to get a complete understanding of this chapter.
2. Students are required to master the new words and phrases in this chapter.
3. Students should know the skills and methods for translation do exercises after class.

### 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法)
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

### 四、Time Distributive(时间分配)

1. Presentation (30 minutes)
2. Preparation and analyses of the text (3 classes)
3. Exercises (30 mins)

### 五、Focuses in teaching (教学难点)

1. Translation of typical brands and trademarks.

### 六、Ideological and political goals (思政目标)

By enabling students to master the translation of trademarks, understanding the cultural connotation of trademarks, guide students to deeply understand and promote Chinese culture. While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews, outlooks on life, and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

### 七、Teaching Procedures (教学过程)

#### 1.Introduction:

A brand is a product name or logo that, when consumers are knowledgeable, immediately

brings to mind a specific product or service. Translation of brand names is a form of intercultural communication.

商标是一种特殊的语言符号，是商品显著特征的浓缩，是商品文化的核心部分，是企业参与国际竞争的有力武器。它既是标识，又是诱饵，最终是要招揽顾客，出售商品。商标翻译符合符号学的翻译观，是由解码到编码的过程，是两种文化的移植。好的商标翻译可以给企业带来巨大的财富；反之，糟糕的商标翻译可以让企业损失惨重，所以企业的生死存亡与商标翻译息息相关。

## 2. Problems in translating Chinese brand names

- 1) Brand names with the same conceptual meanings but partially overlapping associative meanings.
- 2) Brand names with the same conceptual meanings but different or negative in associative.
- 3) Peculiar brand names in Chinese and western cultures. Owing to the striking differences between Chinese and western cultures, some Chinese brand names have no English counterparts.

## 3. The way to solve the problem

### a) Criteria for an ideal translated brand name

- 1) Phonetic relevance 语音相关
- 2) Semantic relevance 语义相关
- 3) Graphic relevance 形象相关

### b) Translation techniques of Chinese brand names

- 1) Literal translation
- 2) Transliteration
- 3) Paraphrase
- 4) The technique of Combined translation
- 5) Adjustment

常用翻译方法：

2.2.1 音译，既根据英文或中文的读音进行翻译。同意译一样，这类翻译也侧重一个方面的文化内涵。例如：Shangri-la 香格里拉（世外桃源，与世隔绝的地方）。Jeanswest 真维斯（西部牛仔），格力 GREE（优势，杰出，赞同，认可）。托普 Top（最佳的东西，精华）。

夏普 Sharp (灵敏的, 敏锐的)。Lux 力士 (精美, 豪华, 奢华的, 上等的, 阳光), Power28 活力 28 (力量, 活力)。味全 Weichuan, 奇声 Qisheng, 安尔乐 ANERLE, 康佳 LONKA, 春兰 Chunlan, 长虹 Changhong 等。

2.2.2 意译, 即根据英文或中文的字面意思进行翻译。这类翻译立足于本国文化, 侧重一个方面的文化内涵。例如: 海鸥 Seagull, 熊猫 Panda, 双星 Double Star, 三枪 Three Gun, 白猫 White Cat, 英雄 Hero, 花花公子 Playboy, 鳄鱼 Crocodile 等。

2.2.3 音意兼顾, 形神兼备。这类商标的命名和翻译一般采用双关 (pun), 头韵 (alliteration), 裁剪 (clipping), 谐音 (homophony), 拟人 (personification), 拟声 (onomatopoeia), 夸张 (exaggeration) 等修辞手法, 结合中英文两种不同文化背景的共同点和相似点, 直接把企业产品的精神, 品质, 特点, 宗旨等思想表达出来, 达到深刻, 独特的目的, 使人们在联想中强化对产品的理解。

2.2.4 约定俗称, 以企业或商品的创办人或发明人或商品产地为商品名称, 从十九世纪一直延袭至今, 经久不衰。这类名称更侧重其纪念意义和社会价值, 译名一般采用约定俗成的形式。

## 八、Assignment (作业)

Translate the following trademarks and explain the connotation.

1. 小天鹅 (电器)
2. 红蜻蜓 (鞋业)
3. 自然美 (化妆品)
4. 自由鸟 (服饰)
5. 三鹿 (奶粉)
6. 双星 (鞋业)
7. 蜂花 (蜂花牌洗发露)
8. 蓝天 (蓝天牌牙膏)
9. 立白
10. 奇瑞 (汽车)

- 11.新科
- 12.红袖（衣服）
- 13.洁丽雅（毛巾）
- 14.联想（电脑）
- 15.元祖（食品）

### Chapter 3 标识语的翻译

#### 一、Teaching Objectives (教学目的):

1. To make students understand the importance of effective logo translation
2. To help the students know the characteristics of logo translation.
3. To get the students know the principles, skills and methods of logo translation.

#### 二、Teaching Focus(教学重点):

1. Students are able to get a clear understanding of the text.
2. Students are required to master the new words and phrases in this part.
3. Students should master the techniques in logos translation and do sufficient exercises after class.

#### 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法)
3. Functional and notional method(功能法)
4. The grammar-translation method（语法翻译法）

#### 四、Time Distributive(时间分配)

1. Presentation (20 mins)
2. Preparation and analyses of the text (3 classes)
3. Exercises (30mins)

#### 五、Focuses in teaching (教学难点)

1. Translation of the typical logos.

#### 六、Ideological and political goals（思政目标）

By enabling students to master the translation of logos, showing more Chinese elements in logos,

guide students to deeply understand and promote Chinese culture, While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews, outlooks on life, and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

## 七、 Teaching Procedures (教学过程)

### (一)、标识语的定义

标识语, 又名公示语, 社会标志语(于伟昌, 1998), 属于社会管理用语范畴, 是应用于社会公共场合的一种特殊语言现象, 涵盖范围很广, 凡在公共场合张贴或印刷的旨在为一般公众或特殊群体提供宣传和服务语言标牌或标语都可归于标识语范畴。按照功能可将标识语分为四类: 即指示性标识语、提示性标识语、限制性标识语和强制性标识语。

标识语属于“单向交际”, 其约束力或影响力不会像直面交际那样大, 但它的使用也是为了以言行事, 影响受众的行为举止, 有鲜明的目的性。根据统计, 多数标识语是对受众进行指示、提示、或对其行为加以限制或强制, 以进行规范和管理, 这也就是标识语的交际目的。

### (二)、标识语的语言特点

标识语多省略冠词、代词、助动词等, 仅使用实词、核心词汇, 以供人们在最短时间内了解最准确, 最直接的信息。从词汇方面看, 尽量减少使用复杂词汇和多种时态的动词; 从句型方面来看, 简单明了的祈使句是标识语常用的句型; 从字数方面看, 标识语的字数往往精简到最低限度。中文标识语多用动词, 主体性弱, 更加笼统, 否定表达多, 趋向于动态; 英文标识语多用名词, 主体性强, 更加具体, 趋向于静态。

如: 市内公共汽车专用 City Bus Only 免票入场 Admission Free

### (三)、标示语的翻译原则

1.简单原则 :如“前台 Reception”, “问讯处 Information”。翻译动态意义的, 提示、限制、警示性的标识语时较多使用动词、动名词和祈使句, 如“严禁吸烟 No Smoking”, “小心轻放 Handle with care”。

2.接受性原则:中文标识语里有许多“禁止”、“不要”、“勿”等字眼, 直译过来生硬又冰冷, 不符合英美国家表达习惯。相比较“不得自带酒水”译为 “Consumption of our foods only” 就比“*No self-beverage allowed*”更容易让人接受; “禁止喧哗”译为“*Please keep silent*”比“*Noise*

is strictly prohibited”更容易得到受众支持。

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3. 委婉原则 翻译公共标识语时，应该体现出它所承载的社会文明进步的信息。在翻译“无障碍”公共设施时，应避免“*Disabled Only*”这样在西方文化中易引起反感的措辞，而宜使用“*Wheelchair Accessible*”这样的通行说法，以表现对残障人士的充分尊重。公厕在国内被普遍翻译为“*W.C.*”，实际上在英语中这种说法相当于“茅厕、茅房”，十分粗俗，其正确译法应该是“*Restroom*”或“*Toilet*”。

4. 借译原则：“休息室”不能望文生义地译成“*Restroom*”，而应该是“*Common Room*”、“*Staff Room*”（尤其用在大学里）、“*Lobby*”或“*Lounge*”（多用于公共场合）。此外，“禁止掉头”译为“*No U Turn*”，“小心玻璃”表示为“*Glass*”。

#### （四）、限制性标识语

限制性标识语对相关交际对象的行为进行限制、约束，对交际对象的行为按照其交际意图进行规范，但其指令性语气较弱，留给交际对象选择服从或拒绝的余地较大，语言应用直截了当，如：“顾客止步”、“保持安静”等。限制性标识语在写作和翻译上，应遵循广告的原则，即 *keep it short and sweet*。具体来说，要满足以下几点要求：

1. 引人注目，令人难忘 美国在交通事故多发地带有这样一则标语：*There is no hospital here!* 这种提示有点像中文的歇后语，故意省去或隐去后一部分，只让人领会弦外之音，达到心领神会的效果。这则标识语就是含蓄地表达了善意提示的深层意义，犹如当头棒喝，让人十分难忘。

2. 语声铿锵，语调感人

“酒后勿驾驶”，译为 *If you drink, you can't drive.* *drink* 和 *drive* 押头韵，一气呵成，朗朗上口，给人以深刻的印象。

3. 语言洗练，言简意赅 “禁止喧哗”通常被译为“*don't make noise*”，语气很重，给人距离感，虽然是提醒单让人感觉像命令，改为“*Quiet, please.*”既轻松亲切，又简明扼要，准确凝练。

4.句法独特, 扼要有力 “珍爱生命,远离毒品”被译为“**Yes to life, No to drugs!**”, 十分精妙。Yes 和 No 的句式, 大大增强了标识语的感染力, 让人不自觉去响应这样的号召; 并且中英文都是对仗工整, 相互呼应, 语句洗练, 引人入胜。

## 八、Assignment (作业)

### Translate the following signs

- 1、Business Hours
- 2、Office Hours
- 3、Entrance
- 4、Exit
- 5、Push
- 6、Pull
- 7、Shut
- 8、On
- 9、Off
- 10、Open
- 11、Pause
- 12、Stop
- 13、Closed
- 14、Menu
- 15、Fragile
- 16、This Side Up
- 17、Introductions
- 18、One Street
- 19、Keep Right/Left
- 20、Buses Only
- 21、Wet Paint
- 22、Danger
- 23、Lost and Found
- 24、Give Way

- 25、 Safety First
  - 26、 Filling Station
  - 27、 No Smoking
  - 28、 No Photo
  - 29、 No Visitors
  - 30、 No Entry
  - 31、 No Admittance
  - 32、 No Honking
  - 33、 Parting
  - 34、 Toll Free
  - 35、 F.F.
  - 36、 Rew.
  - 37、 EMS
  - 38、 Insert Here
  - 39、 Open Here
  - 40、 Split Here
  - 41、 Mechanical Help
  - 42、 “AA” Film
  - 43、 Do Not Pass
  - 44、 No U Turn
  - 45、 U Turn Ok
  - 46、 No Cycling in the Schoo
  - 47、 SOS
  - 48、 Hands Wanted
  - 49、 Staff Only
  - 50、 No Litter
-

### 一、Teaching Objectives (教学目的):

1. To make students understand the importance of translation of company introduction.
2. To help the students know the characteristics of important sentences in company introduction.
3. To get the students know the techniques in translating company introduction.

### 二、Teaching Focus(教学重点):

4. Students are able to get a clear picture of the text.
5. Students are required to master the new words and phrases in this part.
6. Students should read some reading materials and do enough exercises .

### 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法)
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

### 四、Time Distributive(时间分配)

1. Presentation (20mins)
2. Preparation and analyses of the text (3classes)
3. Exercises (30mins)

### 五、Focuses in teaching (教学难点)

1. Translation of the difficult long sentences and some collocations.

### 六、Ideological and political goals (思政目标)

By enabling students to master the translation of company's introduction, adding more introduction of some Chinese companies, guide students to deeply understand the strength of China to make them more confident and proud of Chian. and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

### 七、Teaching Procedures (教学过程)

#### 1.公司介绍

1.1 公司介绍的概念: 有关公司法人的成立、性质、经营范围、组织机构、管理经营特色向社会予以介绍以扩大公司影响所使用的一种商务文书。

1.2 公司介绍的基本内容: 企业的历史(history), 发展现状和成就, 公司信息(corporate

information), 行政管理状况 (executives and management), 前景, 企业文化和价值观 (value ,ethics, culture, vision and philosophy) , 公司治理, (corporate governance) , 产品服务范围(products and services) 以及企业领导人致词 (president's message)。

例: Passage A:

ABC 公司成立于 XX 年, 专业生产和出口 XXX, 集产品设计、研发和生产于一体。我公司地处 XX 市, 交通便利。我司所有产品采用国际质量标准, 产品远销海外, 享誉海内外众多市场。我司现有工厂占地面积 XX 平方米, XX 多名员工。年销售额逾 XX 美金, 百分之 XX 的产品远销海外。为了保证客户满意度, 我们引入了先进的设备设施, 并在生产各个环节贯彻完善的质量检查措施。同时, 我们已通过 XX 认证。

Established in (成立年份), (公司英文名称) is a professional manufacturer and exporter that is concerned with the design, development and production of (行业产品). We are located in (公司所在城市), with convenient transportation access. All of our products comply with international quality standards and are greatly appreciated in a variety of different markets throughout the world. Covering an area of (工厂占地面积) square meters, we now have over (员工人数) employees, an annual sales figure that exceeds USD (销售额) and are currently exporting (出口比例) of our production worldwide. Our well-equipped facilities and excellent quality control throughout all stages of production enables us to guarantee total customer satisfaction. Besides, we have received (国际证书, 如 ISO9001).

## 2. 企业介绍翻译方法及技巧

### 2.1 翻译技巧

从文体上看, 公司介绍是说明书的一种, 属于商贸应用文文体; 从语篇类型上看, 它属于“信息+鼓动类”语篇, 起着宣传介绍的功能。但公司介绍有一些自己的语言特点:

(1) . 公司介绍的语言以简约为上, 要言不烦, 读起来朗朗上口, 让读者对这一企业有全面而深刻的了解。例如: “十年深耕, 成就非凡 (The Globe Union has been growing dramatically over the past ten years.)”。

(2) . 公司介绍的用语一般比较程式化。其内容主要包括经营宗旨、业务性质和范围、公司本身的背景、历史和经营成就等。

(3) . 公司介绍经常使用一些标语口号式的文字。例如,“坚持品质优先, 坚持创新发展, 坚持实在做事。”这类文字多为短语形式, 具有简短、醒目的特点, 能起到画龙点睛的作用。

### 3. 公司翻译常用的句型。

1. be established... 创建于.....

2. be founded... 创建于.....

3. be incorporated... 合并于.....

4. be involved in... 涉及...

5. be listed as the.... 被列入 (跻身于) .....

6. be located in... 位于 (坐落于) .....

7. be named one of the world's 100 most recognizable brands in a global name brand list edited by the World Brand Laboratory 被世界品牌实验室命名为世界最具影响力的 100 个品牌之一

8. be ranked...which were the top three 跻身前三甲

9. Haier has established 18 design institutes, 10 industrial complexes, 22 overseas production factories and 58,800 sales agents worldwide.

海尔已经在全球建立起了 18 个设计院、10 个工业园区、22 个海外工厂以及 58,800 个销售代理。

4. have a general assets of... annual turnover ... and annual trading value...

拥有资产总额....., 年销量....., 年贸易额.....

10. manufacture a wide range of... 生产一系列的.....

11. The core of Haier's development is "Creativity, Speed and SBU (Strategic Business Unit)".

海尔集团的发展主题是: 速度、创新以及 (战略事业单位)。

### 八、Assignment (作业)

Translate the following introduction

Brief Introduction to Sony (China) Co. L td

Set up in October, 1996 in Beijing, Sony (China) Co. Ltd. is a wholly foreign owned subsidiary that manages and coordinates Sony's activities in the Chinese market. The products Sony sells in China to name a few are: plasma/liquid crystal color television, the digital cameras, the notebook computers, the family theater system, DVD players, data projection cameras, Memory Sticks and so on. At present Sony has general asset of 5 billion US dollars in China's electronic industry, the

total investment has surpassed 800,000,000 US dollars, including six factories. Sony employs about 10,000 staff in China. The CEO of Sony Group once pledged to the board of directors that the developing Chinese market would be regarded as the most important one in the future, and hoped that China would become the growth engine in the East Asian service region and surpass the Japanese market to become inferior only to the US market.

## **Chapter 5 产品说明的翻译**

### **一、Teaching Objectives (教学目的):**

1. To make students understand the importance of translation of products instruction.
2. To help the students know the characteristics of long and typical sentences in translating products instruction.

### **二、Teaching Focus(教学重点):**

1. Students are able to get a clear picture of the text.
2. Students are required to master the typical words and phrases in this products instructions.
3. Students should read some reading materials and do exercises after class.

### **三、Teaching methodology(教学方法):**

1. Communicative method (交际法)
2. Cognitive method(认知法)
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

### **四、Time Distributive(时间分配)**

1. Presentation (10mins)
1. Preparation and analyses of the text (3classes)
2. Exercises (20mins)

### **五、Focuses in teaching (教学难点)**

1. Translation of the difficult product introduction

### **六、Ideological and political goals (思政目标)**

By enabling students to master the translation of products, adding more Chinese products, guide students to deeply understand the strength of China, and to be more proud of China and our domestic products. While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews, outlooks on life,

and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

## 七、 Teaching Procedures (教学过程)

### 1. 产品说明书的语言特征

#### (1) 客观性:

产品说明书主要面对普通消费大众, 阐述产品性能、特点等, 所以, 说明书的内容必须通俗易懂、实事求是, 对产品进行客观的描述。

例:

#### Miniature Electronic Calculator Operational Manual

#### NOMENCLATURE

Read—out: it shows hour, minute, second, AM/PM, year, month, date and day when this unit is in the regular timekeeping mode; It shows the time being measured either in stopwatch or in timer mode; It shows each entry and result, suppressing unnecessary O's(zeroes) in calculating mode.

#### 微型电子计算器使用说明书名称

读仪器: 本机处于正规计时模式时, 可显示时、分、秒、上午、下午、年、月、日和星期几; 处于跑表模式或定时模式时, 可显示所要计算的时间; 处于计算模式时, 可逐个显示输入的数据及计算结果。不必要的“零”不予显示。

#### (2) 专业性:

产品说明书是一种相当专业的应用文体, 用词专业性是一大突出特点。这种特殊文体有较固定的结构要素, 例如名称、型号、功能、特性、用途、注意事项、安装等, 因此会频繁使用一些固定的名词词组或动词词组。

以药品说明书为例, 其中含大量相对固定的专业词汇:

name of the product: 品名      specification: 规格

composition: 主要成分      expiry: 使用期限

properties: 特性      biological activity: 生物活性

1. 简明性: 产品说明书的目标读者是普通大众, 其简明性首先体现在名词化上。

例如:

Any resistance to introduction should result in advancement of an introducer sheath small

enough to be introduced without undue force.

译文：只要插入时遇到任何阻力，则应当使用较小尺寸的导引套，以便无需过度用力便可插入。

2. 呼唤性：产品说明书作为呼唤型文本，其主要功能是信息传递，使消费者了解基本的产品信息，以便正确地选择和使用产品。

例如：

NEW NIVEA VISAGE Whitening Foam instantly cleanses the skin, while supporting the whitening effect of the following NIVEA VISAGE Multiple White products. The gentle formula with White Pure Active encourages a clear, fair complexion.

译文：全新妮唯雅美白泡沫面乳令肌肤享受澄净清新地感觉，配合妮唯雅多重美白系列其他产品地使用可获得更为有效地美白效果。蕴含纯净美白因子地温和配方令肌肤澄净白皙。

### 3. 产品说明书的语言结构特点

1) 语篇结构特征：产品说明书通常由标题，正文，结尾和附录构成。

标题用来写明产品名称，生产厂家，品牌，注册商标，产品类型和产品代号。

正文主要介绍产品概况，提供产地，规格，材质，成分，特点，结构，功能，使用方法和注意事项，主要性能和技术指标，生产批号和日期，质量保证等基本信息，通常以客观性描述和说明为主。

结尾一般写明生产单位或经销单位的名称，地址，邮政编码，电话号码，传真号码和电子邮件等便于用户联系的有关信息资料。

附录一般是与产品使用及保养维修相关的资料。

2). 句法特征

(1) (情态动词)+be+形容词(或过去分词)+目的状语

例如：This mode is convenient for receiving both faxes and voice calls.

译文：此模式极适用于接收传真与接听语音呼叫。

(2) (情态动词)+be+介词短语

The new type of machine should be of simple and compact construction.

译文：新型机器必须是结构简单紧凑的。

(3) be+形容词+介词短语

It is reliable in usage, convenient in maintenance and able to work under very bad conditions.

译文：该机器操作时安全可靠，便于维修，能在恶劣条件下工作。

(4) 现在分词+名词

When replacing the film, use a roll of Sharp UX-3CR imaging film. One roll can print about 95 A4-size pages.

译文：在更换胶卷时，请使用 Sharp UX-3CR 胶卷。每个胶卷可以列印约 95 张 A4 尺寸的页面。

(5) 名词+过去分词

The stem bent. 阀杆弯曲

(6) 祈使句

Do not disassemble this machine or attempt any procedures not described in this manual.

请勿拆装本机或尝试执行本说明手册中未述及的程序。

(7) 省略句

Contraindications: None Known. 禁忌症：尚未发现。

(8) 被动句

If the machine is moved from a cold to a warm place, it is possible that condensation may form on the scanning glass, preventing proper scanning of documents for transmission. To remove the condensation, turn on the power and wait approximately two hours before using the machine.

译文：如果将传真机从温度较低的地方移至温度较高的地方，传真机的扫描上可能形成冷凝物，这会妨碍在传送文件时进行正常扫描。要清除冷凝物，请开启电源，并等候大约两个小时后再使用传真机。

(9) 不定式

To place a print cartridge, press the Power button to turn on the printer, then open the top cover.

(10)简单陈述句

This appears if you forgot to replace the handset after using it to dial and send a fax.

如果您在使用听筒拨号与发送传真后忘记将其放回原处，则此讯息会出现。

## 2.产品说明书的翻译原则和技巧

1)、汽车类说明书

2)、药品说明书

(1) 转态译法

Sandostatin maybe diluted with physiological saline.

善宁可用生理盐水稀释。(被动语态转为主动语态)

(2) 正反译法

If you do not understand the instructions on the box, ask your doctor or pharmacist for help.

如果您对说明有疑问, 请向医生咨询。(否定句译成肯定句)

(3) 断句译法

It is a bactericidal antibiotic which is resistant to most B-lactamases and is active against a wide range of Grampositive and Gramnegative organism.

它是一种抗菌素, 不但能抵抗大多数 B 内酰胺酶, 而且抵抗各种革兰氏阳性和革兰氏阴性细菌。

3). 家用电器说明书

4). 电子产品说明书

5). 化妆品说明书

(1) 增词法

Revitalizing Mask, an invigorating clay-based formula containing natural ingredients, botanical extract and special oil-absorbing ingredients, exfoliates dead surface cells to retexture and refine the skin's surface. Leaves skin totally clean, revitalized and radiant. Helps make pores appear smaller. Avoid use in the eye and mouth areas.

滋养面膜霜以白瓷土为基础配方, 配以特殊天然植物萃取成分。能吸收皮肤过多的油脂, 去除皮肤表面老化的细胞及污垢, 并恢复皮肤活力, 使皮肤干净而有光泽。并能收缩毛孔。

八、Assignment (作业)

Translate the following introduction

Today, internal sample of liquid dielectric in the oiltank is performed by ISO3170(GB/T4756-1998)<Petrol liquid product handicraft sample law>.It is impossibility to control accurately sample process. Usually the sample will not be exact.Performing personnels will feel tired as usual because of hardwork.When rain or snow, climb oiltank that is a very

dangerous job. When getting a sample at top of oil tank, easily volatile and noxious dielectric will injure someones, at one time, it will not be in favour of environment and the medium of oil tank will be polluted by other things from environment.

-

## Chapter 6 企业文稿的翻译

### 一、Teaching Objectives (教学目的):

1. To make students understand the importance of company documentation translation.
2. To help the students know long sentences structures in translation.

### 二、Teaching Focus(教学重点):

1. Students are able to get a clear picture of the text.
2. Students should know the overall structure of a company document.
3. Students are required to master the common words and phrases in translation.
4. Students should read some reading materials and do exercises after class.

### 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法)
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

### 四、Time Distributive(时间分配)

1. Presentation (20mins)
2. Preparation and analyses of the text (3 classes)
3. Exercises (20mins)

### 五、Focuses in teaching (教学难点)

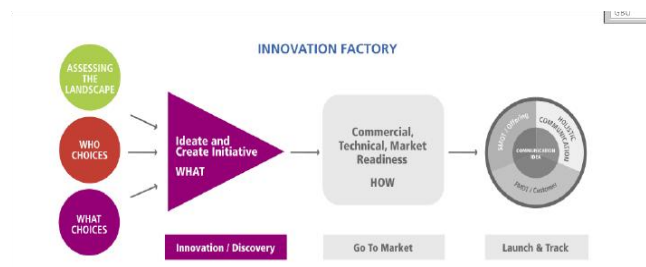
1. Translation of the difficult long sentences

### 六、Ideological and political goals (思政目标)

By enabling students to master the translation of company document, adding more Chinese elements, guide students to deeply understand and promote Chinese culture, and telling Chinese stories with full cultural confidence; While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews,

outlooks on life, and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

## 七、 Teaching Procedures (教学过程)



## 八、 Assignment (作业)

Translate the following document

General Motors Company, one of the world's largest automakers, traces its roots back to 1908. With its global headquarters in Detroit, GM employs 209,000 people in every major region of the world and does business in more than 120 countries. GM and its strategic partners produce cars and trucks in 31 countries, and sell and service these vehicles through the following brands: Buick, Cadillac, Chevrolet, GMC. Daewoo, Holden, Isuzu, Jiefang, Opel, Vauxhall and Wuling. GM's largest national market is China, followed by the United States, Brazil, the United Kingdom, Germany, Canada and Russia. GM's OnStar subsidiary is the industry leader in vehicle safety, security and information services.

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## Chapter7 广告促销的翻译

### 一、 Teaching Objectives (教学目的):

1. To make students understand the importance of advertisement promotion for a company.
2. To get the students translate the text correctly.
3. To require the students to know the characteristics of advertisement in translation.

### 二、 Teaching Focus(教学重点):

1. Students are able to get a clear picture of the text.
2. Students are required to master the common words and phrases in this part.
3. Students should read some reading materials and do exercises after class.

### 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法):
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

### 四、Time Distributive(时间分配)

1. Presentation (20 mins)
2. Preparation and analyses of the text (1 classes)
3. Exercises (20mins)

### 五、Focuses in teaching (教学难点)

1. The characteristics of advertisement in translation.

### 六、Ideological and political goals (思政目标)

By enabling students to master the translation of advertisement, adding more Chinese elements, guiding students to deeply understand and promote Chinese culture, and telling Chinese stories with full cultural confidence; While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews, outlooks on life, and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

### 七、Teaching Prodedures (教学过程)

随着我国加入世界贸易组织(WTO),越来越多的中国企业和商品有机会进入国际市场,但同时也有越来越多的外国企业及产品不断进入国内市场。在种产品市场争夺战中,最有力的武器就是商业广告,各个国家、各个企业每年都会支付一笔庞大的费用用于塑造自己的企业形象、宣传自己的各种产品。

#### (一)、商务广告的功能及类型 (阅读文中第 217 页后面两段)

广告可以按若干种方式进行分类

##### 1. 按目标对象分类

- (1) 消费者广告。如食品广告、饮料广告、香烟广告、化妆品与洁肤品广告、服饰广告、摄影器材广告、电子产品广告、汽车广告、书报杂志广告、其他日用品广告等。

- (2) 产业广告。如工业广告、农业广告、贸易广告、自由职业广告等。

(3) 服务业广告。如航空广告、金融广告、旅游广告、饭店广告、咨询广告、娱乐广告等。

## 2. 按媒体分类

主要可分为报纸广告、杂志广告、电视广告、广播广告、邮寄广告、户外广告等。

## 3. 特种广告

(1) 公司广告。如公共关系广告、企业形象广告、企业认知广告、招聘广告等。

(2) 非商业广告。如非经营机构广告、非营利的经营协会广告、政治广告等。

我们这里集中讨论商务广告的特点。

## (二)、商务广告的篇章结构

一则完整的书面商业广告一般由两大部分组成，即语言 (verbal) 部分和非语言 (non-verbal) 部分。其中语言部分又叫做广告文案，它一般包括三个组成部分，即标题 (headline, 包括副标题 sub-headline)、正文 (body text) 以及口号 (slogan); 非语言部分包括广告的商标 (trade mark)、插图 (illustration) 和照片、版面编排及字体的选择等，这部分着重于广告的“附加值”。是取得巨大广告效应的添加剂。

### 1. 标题 (headline, 包括副标题 sub-headline)、

一般广告都有标题，它位于广告中的醒目位置，通常字体较大，一般为短句或短文，其主要作用是帮助消费者一目了然地了解广告主题。但不是广告都必须有标题，有时广告其他部分能有效地完成标题的职能，这时，标题可省略。例如：Smoothness you can taste. 你能品尝到优雅 (Lark 香烟广告标题)。再如：What kind of man reads playboy? 什么样的男士要看《花花公子》? (《花花公子》杂志的广告标题)

#### (1) 直接标题

这种标题开门见山，一语道破。比如：WHY Gas give you thankful after thankful of hot water 3 TIMES FASTER. 为什么 GAS 公司以快三倍的速度向你提供一箱又一箱的热水?

#### (2) 间接标题

与直接标题相反，间接标题不直接出现有关商品的情况。读这种标题开始有些莫名其妙它的目的是引诱你继续下去，才明白厂商到底要推销何种商品。如：NOW YOU LL HAVE TO BLAME SOMEONE ELSE IF YOU ARELATE.今天你若迟到，你只好埋怨别人。

如果只看标题，真不知道是怎么回事，那么往下看吧!

Say that your dog ate your pants, Or that you had a dental emergency. But whatever you say,

don't say it was because of Northwest Airlines. It's not very likely, and the truth is, no one will believe you any more. Among the top five U. S. airlines, we have the best on-time performance for you. We know that in the dog -ate-dog world of business, sometimes there is no excuse for being late.

For U. S. reservations, call you travel agent, or call Northwest at 001-800-225-2525.

译：您找到理由说，您的狗咬破了你的裤子，或者您牙痛。无论您怎样解释，您不可以说是因为西北航空公司您才迟到，这是不可能的事！事实上没有人会相信您的话。在美国的五家大航空公司中，今年我们的准点率最佳。在竞争激烈的商海世界中，有时“差之毫厘失之千里”。

美国公民预定本公司航班，请与当地旅行社联系或直接与西北航空公司电话联系。电话：001-800-225-2323

看完上段文字，就什么都清楚了。

### (3) 综合性标题

顾名思义，这样的标题将前面两者优点综合起来，达到表意清楚、明白，并富有一定的趣味性。

TOO MUCH A GOOD THING IS A GOOD THING

The Incredibly Comfortable

GRAND MARQUIS

It's like the old Grand-Marquis-only more so, More power, More quiet. And it's more fuel efficient. More Info. ? Call 001-800-466-8888.

Mercury

令您爽意舒适的豪华马科思轿车

新型的马科思轿车与老的式样相同，但是品质更好、马力更强、噪音小、更省油。欲知详情吗？请拨 001-800-446-8888。

墨丘利公司制造

按句子的交际功能标题还可分为：

※ 陈述式标题

如：This tough Du Pont plastic helps hold laminated safety glass together under impact.

结实的杜帮塑胶能使薄型安全玻璃冲击致碎后，仍粘合在一起。

※ 疑问式标题

如：How to tell which carpet is best for you? 如何选择你认为最好的地毯？

※ 祈使式标题

如：Save \$ 15 every week. 每星期节省 15 美元。

(4) 有时大标题下还有小标题或副标题

## 2. 正文 (body text) 以及口号 (slogan)

### 1) 说明体正文

这种广告一开始就介绍该产品的性能及能给消费者带来何种利益，然后逐层说明。其特点为：直截了当、清楚明确、针对性强，往往能引起消费者的消费欲。

如：Toshiba 复印机广告：

Feel the Power of the World's First Turbo copier.

Introducing the new Toshiba 2230 Turbo. The first turbocharged copier in history.

Beneath its sleek exterior is a copying system. So remarkable it's actually patented.

With it, you can produce 22 copier a minute. Or hit the turbo button and turn out 30 copier a minute. So now you have the power to work 40% more efficiently. While using 33% less toner. And what's even more revolutionary, we've managed to do it without turbo charging the price.

To arrange for a free demonstration, just call 1—80—Go—TOSHIBA.

The world's first 2-speed copier .

译：请君感受世界首创涡轮式复印机的力量。

隆重推出有史以来第一台涡轮启动式复印机—新型 Toshiba 2230 Turbo。在精秀的机壳下，是一套业已授予专利的先进复印系统。

拥有它，你一分钟能复印 22 份材料。如果按下涡轮键，则一分钟可复印 30 份。现在你可以提高工效 40%，同时节约 33% 的增色剂。更具创新精神的是，我们并没有因为增加涡轮启动式而提高价格。

如需安排免费的示范表演，只需拨 1—800 转 Toshiba。

又如：**Four Good Reasons Why Johnson's Bay Lotion Is the**

### **Prefect "Grown- up" Body Lotion**

- (1) Thicker and richer than other lotions.
- (2) Absorbs fast. Goes to work instantly.
- (3) Unique combination of 10 skin softeners.
- (4) Leaves you feeling beautifully soft all over.

这则强生公司婴儿润肤露广告，列出了该产品的四大优点，即目标群体购买该产品的四大理由。

## 2) 描述体正文

对产品或服务进行描绘性叙说，如写得得体，会以亲切感人给人鲜明与深刻的印象。如：

EXPERIENCE THE ALLURE OF A SECLUDED COVE...BY DAYLIGHT

OR STARLIGHT DAKAK

In the ocean wildness, a tower of rock crowns a vary private cove.

A cove untouched by the world, yet replete with world luxuries, with only the murmur of waves to break the solitude.

Exotic blooms...quiet strolls... feasts of fresh – caught seafood, create an experience of pure magic.

Let Dakak in Dapitan city, north of Zamboanga, Charm you... the way Era and Maila will on board Philippine Airlines.

Dakak of the Philippines

Philippines Airlines

Shining Through

译：体验海湾是晨曦时或黄昏后恬静的神韵

在一望无垠的海洋深处，一座石塔静静地耸立在海湾之颠。这是个人烟罕至的海湾，却充满着人世间的豪华奢侈，静悄悄只有海浪在喃喃细语。

飘逸着异国情调的鲜花，默默蹒跚的游侣们，烹香甘美的海鲜盛宴.....构成魔术般的奇境享受。

塔毗卑市的塔卡令您如此痴迷，就同您登上菲律宾航班一样。

菲律宾航空公司

处处闪耀着光芒

## 3) 问答式正文

此类正文通过二人或更多的人相互对话的形式，说明产品、商品或服务项目的特点。

如： Q: Where in America can you find a better pair of Men's Twills for \$32.50?

A: Nowhere that we know of.

问： 在美国其他地方你还能花 32.50 美圆买到更好的男式斜文衣服吗？

答： 据我所知，不能。

#### 4) 证言式正文

这类广告提供权威人士或著名人士对商品的鉴定、赞扬、使用和见证等，使人深信不疑，有很强的说服力。有些证言是虚构的，一般消费者也不去调查，大都深信。

如：What is soap doing to you face? Listen to women who stopped using it.

肥皂在你的脸上产生了怎样的效果呢？听听那些不再使用肥皂的妇女们怎么说吧（这里是标题，下面是三种证言）。

You know that tight, drying feeling you get after you wash with soap? I didn't feel that with Dove. 你知道用肥皂洗浴后那又绷又紧的感觉吧？使用 Dove 我没有那种感觉。

When I stopped using soap and started using Dove., my face just wasn't dry anymore, I feel 20 years younger. 当我不再使用肥皂而开始使用 Dove 后，我的脸便不再干燥了，我觉得年轻了 20 岁。

Soap made me feel like I had a mask on. Tight and pulling. Dove is 100% better than soap.

肥皂使我觉得像戴着面具一样，又绷又紧，Dove 百分之百地比肥皂好。

#### 5) 叙述式正文

它是用故事形式写成的广告，往往可将枯燥无味的广告写得很有趣味。它往往以某人遇到困难而感到苦恼开始，以找到解决办法而圆满结束。此办法则是广告中的商品或服务。

如：Most diets fail because they're unrealistic. They expect you to eat the foods you don't like and resist the ones you do. Psychologically, forbidden foods look better than ever. You cheat. You feel guilty. You abandon the diet completely. Till the next time.

What Weight Watchers Frozen Meals offers you is 28 dishes specially made for a sensible weight loss program. 28 dishes you never in your wildest dreams thought you could eat without feeling guilty. Dishes like Lasagna...

译：大多数节食方法之所以失败，是因为不实际。总让你吃不爱吃的东西，而不许吃爱吃的。从心理学的角度讲，食物被禁食时，它会比任何时候都更有吸引力。所以你开始偷吃并且欺骗自己，然后又感到负疚。可这样你已完全放弃了节食，直到下次又重新开始。

而 Weight Watchers Frozen Meals 能提供给你 28 种佳肴，它们是专门为实用的减肥方案而制的。这 28 种佳肴可以任你选用而不再后悔，这是你梦中也难以想象的。这些佳肴包括意大利烤面.....。

#### 6) 口号 (slogan)

很多个广告都是一些被证明为非常成功的标题演变而来。因此，它一般很简明易记。其

目的是为了牢固树立企业形象和商品形象，在消费者心目中产生很深的印象。口号一般只有少数名牌才有。如：

Things go better with Coca-Cola. 饮用可口可乐，你会事事如意。

Fresh up with Seven-up. 君饮七喜，提神醒脑。

Quality never goes out of style. 质量永与款式为伴。（李威牛仔装）

Above all in refreshment. 心旷神怡的极品。（雪乐门香烟）

Become a women of the world with OLAY. OLAY 护肤油，使您美貌如人间仙女。

It changed our well water to wonderful water! 安威净水器，变井水为圣水。

With Nuprin, I can play without arthritis pain. 有了钠必啉，运动时关节不疼。

### （三）、商务广告的文体特点

#### 1. 商业广告英语的用词特点

##### （1）简明、通俗、易记

★频繁使用简单动词，特别是单音节动词，最常用动词有 be, get, buy, like, love, need, use, feel, start, come, go, take, taste, keep,

★形容词 new, good, better, best, nice, fresh, rich, real, great, extra, delicious

例如 1: Do More. Work Less

这是一则电脑广告中出现的对比型标题，该标题把 Do More.和 Work Less 进行对比式排列，强调了操作者能使用该电脑轻松地做很多事的优点。

例如 2: The Only Sound You'll Hear Is Praise.

这是一则汽车广告，以值得骄傲或赞美的语言显示产品、服务或企业的成绩和优点。

例如 3: "I couldn't believe it, until I tried it!"

"I'm impressed!" "I'm really impressed!"

"You've gotta try it."

"I love it."

译：“这种微波炉用了才能信。”

“我相信它”。“我真的相信它。”

“你试了如何？”

“不错，好极了！”

这是一则微波炉广告，出现了 gotta 口语词汇。此外，还有 You bet, My Goodness 等口语词汇。目的是使广告通俗易懂。

(2) 新奇与创意

例如 1: 200 Years. Six Generations. One Family.

这是一则酒类广告, 使用了 200 年、6 代、1 家三个数据, 突出了该种酒历史悠久的特点。

例如 2: The Orangemostest Drink in the world.

(取自饮料广告) 句中使用的 Orangemostest 一词非常特别, 容易引起人们注意, 且其结构方式 Orange + most + est 旨在引起众人的注意, 突出表示产品的高质量。

例如 3: TWOGETHER

The ultimate all inclusive one price sunkissed holiday.

译: 两人在一起度过一个丰富多彩、阳光灿烂的宝贵假日。

很明显, 这儿的 two 为 to 的变体。英语中, 还出现以下简化拼法: enuf (=enough)、rong (=wrong)、tho (=though)、thru (=through)、tonite (tonight)、U (=you)等。

(3) 强烈的针对性

例如: We know eggsactly how to tell eggs.

在这则鸡蛋广告中, eggsactly 是根据 exactly 巧构出来的词, 与后面的 eggs 相呼应, 既有强烈的针对性又达到了“幽默中见智”的效果。

2. 商业广告英语的句法特点 (阅读文中第 223 页)

(1) 使用单词或短语代替整句

例 1: Do More. Work Less (上面讲过)

例 2: My Goodness! My Guinness!

这是 Guinness 牌啤酒广告的口号, 每个词的口号特色都非常明显。My Goodness 是口号中表示惊讶的常用语, 与后面的 My Guinness 既押头韵, 又押尾韵。

(2) 大量使用简短的简单句、不完整句和省略句 (阅读文中第 224 页)

例 1: Result, Not miracles. 是结果, 不是奇迹。

3. 商业广告英语的修辞特点 (阅读文中第 225 页)

(1) 拟人

例 1: Flowers by Interflora speak from the heart.

这则 Interflora 花店的广告把鲜花拟人化为能表达真情的使者。

例 2: We are proud of the birthplace of our children, the grapes of Almaden.

这则广告把葡萄酒拟人化为在葡萄种植者和酿酒工人爱抚下生长的孩子, 使之富于人情味, 给人以无穷的亲切感。

## (2) 双关

例 1: **Make Time For Time.**

这是一则《时代》杂志为自己所做的广告标题，这则广告就是运用了同形异义，第一个意为时间，第二个则指《时代》这本杂志，这条广告的意思是要争取时间就要阅读《时代》杂志。

例 2: **Money doesn't grow at trees. But it blossoms at our branches.**

这则广告是为英国劳埃德银行所做的户外路牌广告，广告大意是：树上长不出钱来的，但它会在我们的树枝上开花结果，这里 branch 这个词有两层含义，第一层含义为字面意义，即树枝，而更深一层含义是指该银行的各个分行。这个广告的真正含义是：只要顾客把钱存到劳埃德银行，他们的钱就会不断增加。

## (3) 仿拟、 (4) 比喻

例 1: **Pick an Ace From Toshiba.**

这是东芝公司为自己的微机所做的广告标题。Ace 是扑克牌中最大的一张牌，以之隐喻东芝公司产品的高质量。

例 2: **Fly smooth as silk and enjoy award winning food and service.**

这则航空公司的广告采用了明喻的修辞手法，把安全、平稳的飞行比作丝绸一般。

## (5) 重复

例 1: **You can't Xerox a Xerox on a Xerox.**

这则施乐公司的广告，用了三个 Xerox。第一个 Xerox 是个动词，意思是“复印”。第二个 Xerox 是个名词，表示“复印件”。第三个 Xerox 是个名词，表示“施乐复印机”。广告的意思是说，Xerox 这个词是施乐公司的品牌，不能表示复印这个动作，也不能表示复印件，但实际上是对 Xerox 品牌的有力宣传。

## (6) 押韵

例 1: **Health, humour & Happiness    Gifts we'd love to give.**

健康、幽默、幸福……这就是我们的赠礼。(头韵)

## 3. Exercises

1) Forget hot taste.

Only Kool, with pure menthoad has taste of extra coolness.

Come up to Kool.

- 2) Is microwave cooking fast? ---You bet.
- 3) DRINK A PINT MILKA DAY
- 4) It's for a lifetime.
- 5) Look again. Colors that last so long. Blend so smooth. Stay so true. (That's no lie!)
- 6) Spare, shapely and sensational. One-stop dressing, at it's very best.
- 7) Taste that beats the other cold.
- 8) Bright ties, ties for the cool, and certainly the confident.
- 9) Mr Kipling makes exceedingly good cakes.
- 10) Flash. Dash, Classic splash.
- 11) Designed with a computer  
Silenced by a laser  
Built by a robot
- 12) THE CORDIA, shaped by the wind, born for the road.

1) Forget hot taste.

Only Kool, with pure menthol has taste of extra coolness.

Come up to Kool.

译：忘掉辛辣的滋味，只有 Kool，包含纯粹的薄荷，带有特别的凉爽，来支 Kool 香烟吧。

这里 Kool 与 cool 同音，商标改变普通单词字母容易注册。

2) Is microwave cooking fast? ---You bet.

这种微波炉热得快吗？----当然

You bet.是口语词汇。目的是使广告通俗易懂。

3) DRINK A PINT MILKA DAY （每天喝杯牛奶吧！）

这个有名的广告，起初有不少人并不知道是“Drink a pint milk a day.”演变来的。

4) It's for a lifetime. 你的人生伴侣。（钟表）

5) Look again. Colors that last so long. Blend so smooth. Stay so true. (That's no lie!)

请再看，经久不褪的色彩，匀称平滑的调和，形象逼真。（绝非谎言！）

6) Spare, shapely and sensational. One-stop dressing, at it's very best.

省料、匀称而且能激发情感。最佳的一步裙。

7) Taste that beats the other cold.

其他饮料无法比拟的口味。

8) Bright ties, ties for the cool, and certainly the confident.

生气勃勃的领带，献给那些沉静而且有信心的人们。

(广告使用省略句最精炼的语言使消费者对广告的要点一目了然。)

9) Mr Kipling makes exceedingly good cakes. Mr kipling (蛋糕牌子，又是对人的称呼) 烤

制出绝好的蛋糕。(双关)

10) Flash. Dash, Classic splash. 闪光、炫经典的飞溅。(尾韵)

11) Designed with a computer

Silenced by a laser

Built by a robot

电脑设计，激光消音，机器人制造。(重复)

12) THE CORDIA, shaped by the wind, born for the road.

CORDIA 汽车，流线型设计，天生地适于道路行驶。(排比)

#### (四)、商务广告的翻译的要点

1. 商务广告翻译的两大原则 (阅读文中第 229 页);

2 商务广告翻译的标准 (参阅文中第 230 页)

3. 商务广告翻译的策略 (参阅文中第 231 页)

(1) 直译 (Literal Translation)

如 1: Good teeth, good health.

这是 (高露洁) 牙膏的广告词。译成汉语为: “牙齿好, 身体就好”。无论是从内容还是形式都保留了原文简洁、押韵、对仗工整的特点。因此, 它的翻译流行甚广。

(2) 意译(meaning implication)

如 1: If you're doing business in the Philippines, It pays to set the pick of the crop! (来菲律宾从事多种事业, 保管发财)。此条广告就字面来看, If...条件句泛指商务贸易, 主句是“可获大丰收”, 实义则为一家银行劝说经商人 与其建立业务往来关系。

(3) 再创型翻译/创译、(4) 增补型翻译、(5) 浓缩型翻译、(6) 不译

除了上述几种译法外, 还有“音译 (transliteration)、绎译 (Free translation) 等”

音译 (transliteration) 如: Parker 派克 (笔)、Sony 索尼、Kodak 柯达、Nomede 乐满第 (西德的电视机)、Kent 健牌 (香烟)。

绎译 (Free translation)

绎译 (Free translation) 是择广告常规翻译方法 (音译、意译、直译等) 的一种补充,

旨在另辟蹊径，以一种非常手法理性地解决广告中的一些“老大难”。

如：有一幅街头广告中，以切开的新鲜橘子为背景的画面上写着：We live up to our word. 该口号的意思不外乎是保证质量，可如果照直译出，势必兴味索然，不防译作：“尝一尝，保证不让你失望。”

又如：我国钻石牌手表的广告语“出手不凡钻石表”被传译为“Buy a Diamond Brand-watch, if every second counts for you”,此翻译被视为译苑经典，其译法也是采用了“出笔不凡”的译译法。

### （五）、Ads Gone Bad 问题广告

千万不要以为这些是笑话！它们可是美国分类广告中的真实语言。由于这些句子语言模棱两可，可以这样理解，也可以那样理解，因此很容易引人发笑。

#### ★ 裁缝广告

We do not tear your clothing with machinery. We do it carefully by hand.

我们不使用机器撕毁您的衣服。我们会小心翼翼地用手撕。

（原意：我们不使用机器，以免撕毁您的衣服。我们会用手工小心地修补衣服。）

你们可真够狠的！不用机器撕我的衣服，非要用手一点一点、仔细地撕。你们安的什么心啊！

#### ★ 家政广告

Tired of cleaning yourself? Let me do it.

厌倦自己洗澡了吗？让我来帮你洗吧。

（原意：厌倦自己打扫房间了吗？让我来帮你做吧。）

就算我自己厌倦了洗澡，我也会自己洗。让你洗？你认为我是小孩吗？

#### ★ 宠物广告

Dog for sale: eats anything and is fond of children.

出售小狗：不挑食，喜欢吃小孩。

（原意：出售小狗：不挑食，喜欢与儿童相处。）

我的天啊！我可不想让我的孩子成为这只狗的盘中餐。

#### ★ 二手车广告

Used Car: Why go elsewhere to be cheated? Come here first!

二手车公司：为什么要去其他地方受骗？还是先来这里吧！

(原意: 二手车公司: 为什么要选择去别的地方? 当心受骗! 还是先来我们这里看看吧!)

难道非要让你们先把我骗一回, 你们二手车公司才会开心吗?

★ 招聘广告

Three-year-old teacher needed for pre-school. Experience preferred.

幼儿园招聘三岁大的老师。有经验者优先。

(原意: 幼儿园招聘照看三岁孩子的老师。有经验者优先。)

三岁大的老师? 可能是个神童吧!。

★ 公益广告

Illiterate? Write today for free help.

不识字吗? 今天就写信请求得到免费帮助吧。

(原意: 我们可以为不识字的人提供免费帮助。)

我都不认字了, 你还让我写什么啊?

八、Assignment (作业)

Translate the following advertisement

产品远销英国、美国、日本、意大利和东南亚, 深受消费者欢迎和好评

畅销全球

典雅大方

定型耐久

方便顾客

方便群众

方便商品

方便生活

各式俱全

顾客第一

顾客是我们的皇帝 s.

规格齐全

花样繁多

货色齐全.

客商第一, 信誉第一

a great variety of models

vivid and great in style  
various styles  
attractive designs; fashionable in style; novel in design; up-to-date styling  
attractive and durable  
excellent quality, evident effect, good reputation over the world, orders are welcome.  
Let our commodities go to the world.  
bright in colour  
bright luster  
to win a high admiration and is widely trusted at home and abroad.  
to be highly praised and appreciated by the consuming public  
aesthetic appearance; attractive fashion  
in many styles  
suitable for men and women of all ages in all seasons  
new varieties are introduced one after another  
to be distributed all over the world  
to be renowned both at home and abroad for exquisite workmanship, skillful knitting and elegant design  
famous for selected materials, novel designs, delightful colors and exquisite workmanship  
famous for high quality raw materials, full range of specifications and sizes, and great variety of designs and colours  
to enjoy high reputation at home and abroad  
to enjoy high reputation in the international market  
attractive appearance; handsome appearance  
quality first, consumers first  
wide varieties

## Chapter 8 招投标文本的翻译

### 一、Teaching Objectives (教学目的):

1. To make students understand the importance of translation

2. To help the students know the characteristics of long sentences in bidding documents translation.
3. To get the students know the structures of different bidding documents.

## 二、Teaching Focus(教学重点):

1. Students are able to get a clear picture of the text.
2. Students are required to master the new words and phrases in this part.
3. Students should read some reading materials and do exercises after class.

## 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法)
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

## 四、Time Distributive(时间分配)

1. Presentation (10mins)
2. Preparation and analyses of the text (1 hour)
3. Exercises (20mins)

## 五、Focuses in teaching (教学难点)

1. Translation of the difficult long sentences

## 六、Ideological and political goals (思政目标)

By enabling students to master the translation of bidding document , adding more Chinese elements, guiding students to deeply understand and promote Chinese culture, and telling Chinese stories with full cultural confidence; While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews, outlooks on life, and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

## 七、Teaching Procedures (教学过程)

1. Note your proposal must follow the details of the tender documents, must clearly address the questions provided in the Response Forms section and must show in sufficient detail your methodology, proposed solutions, specifications and cost for satisfying the contract objectives.

请注意您的标书必须遵循投标文件细节，清晰的陈述响应表格部分里提供的问题，并且必须展示您的方法论的充分细节，提出的解决办法，规范和满足合同意图的花费。

**解析:** 此句的难点在于 address, in sufficient detail 及 satisfying the contract objectives。原译在理解和表达上都出现了问题。首先, address 一词在普通的词典里通常作名词译为“地址”,作动词译为“演讲”。当然,此处做动词,故排除了译为“地址”的可能性。但作动词此处译为“演讲”仍然说不通,于是译者变通了一下,翻译为“陈述”。说“陈述”问题似乎合情合理,但我们纵观整个句子,后面提到了“回复表”,再联系前面的“questions”,即“回复表里提供的问题”,那么说“陈述”回复表里提供的问题就说不通了,因为作为投标人填回复表,是不可能去为招标人陈述他们提供的问题的。而只能是“回答”他们提供的问题,再联想到“address”一词在词典里还有一个意思,即“给...写信”,此时,我们把“给...写信”变通为“回复,回答”就再恰当不过了。其次,“in sufficient detail”在句子中很明显是做状语,而非做宾语。原译者在此出现了理解上的错误。既然做状语,通常有“in...”都译为用“...的方式”。那么我们在此可以把“in sufficient detail”译为用“足够的细节”,于是前后变为“用足够的细节展示你的方法论”。此翻译已忠实于原文,但我们读起来还不是那么符合汉语的习惯,即有点 Chinglish 的感觉。于是我们再作一个变通,把作状语的“in sufficient detail”变为“充分而详尽地”。这样,句子变为“充分而详尽地展示你的方法论”就非常通顺了。再次,原译把“cost for satisfying the contract objectives”译为“满足合同意图的花费”明显不符合汉语表达习惯。而“objectives”在词典中也没有“意图”的意思,其通常被译为“目的,目标”。既然是目标,“satisfying”自然就可译为“达到,达成”了。

所以,整句可译为: 请注意,你的标书必须遵循投标文件细则,必须清晰回答回复表部分提供的问题,并且必须充分而详细地展示你的方法论,拟使用的方案,规范以及达成合同目标产生的费用。

2. Any that are received after the noted time will be returned to sender, unopened, postage collect.

在关注时间后收到的任何投标都将被不拆开,由收件人付邮资退还给投标者。

**解析:** 此句中“unopened”译为“不拆开”完全没错,但前面的“关注时间”在表达上明显有问题。什么是“关注时间”呢?“noted”在此的意思是“标注”或“公示”的意思。此外,“不拆开”变化为“原封不动”更符合原文要表达的意思。此句可译为: 在公示的时间(即:标书提交截止日期)后收到的任何标书都将原封不动地寄给投标人,由投标人支付邮费。

3. All tenders must be received at the following address on or before the due date:

所有的标书必须在以下地址处或在截止日期前被收到：

**解析：**原译在句中忽略了“on”，因而造成了理解上的错误。此句的断句处应为“address”与“on”之间，这样句子的意思就很清楚了。即：标书投递的地址和时间。在投递的时间上又有两个时间点，由“or”连接。“on”指当日，“before”指之前。值得一提的是，有些句子如果根据原句的主动式或被动式不好翻译，则可以把主动改为汉语的被动，或把被动改为汉语的主动，正如本句中的“received”。因而本句可译为：所有标书须在截止日期当日或之前投递至以下地址。

4. Office correspondence, other than your firm's tender, must be in writing and should be sent to the following address: 办公室信件，除了你公司的投标，都必须以书面形式发送到以下地址：

**解析：**此句原译者对“other than”的理解是正确的。但其表达有问题，即：不通顺。前面提到信件和标书，后面又加了一个“都”字，让人读起来觉得似乎不只是办公室信件需要邮寄。所以这里的“other than”需要换个说法，可以译为“不是，并非”等。原句可译为：办公室通信，而非你公司标书，必须以书面形式发送到以下地址。

5. Conversations with the Procurement Specialist will be documented and distributed to all other bidders as necessary.

与采购专员的交谈将被备有文件证明发放给所有其他投标人。

**解析：**愿译者的“备有文件证明”不知从何而来，致使其在表达上出现了问题。“document”作动词时可根据其名词的意思动化，译为“做成文件/文档”的形式。此外，“as necessary”被漏译，此漏译不可原谅，因为它是一个很重要的信息，即：“有必要的情况下...才...”此句可译为：如有必要，与文档&网络专员的交谈内容将被制作成文档并发放给所有其他投标人。注：根据上下文，“Procurement Specialist”在此译为“文档&网络专员”更恰当，因为怕电子文档打不开或者打开时产生问题，故有一专人负责。但不涉及投标的任何内容。

6. To be accepted, your bid must have a validity of 120 days from the due date for the submission of tenders, even if that date is adjusted.

对于被接受的投标，将有从投标到期日开始的 120 天的有效期，即使日期被调整。

**解析：**本句需要经过一些适当的增减处理。首先，原译完全误解了“to be accepted”的含义。在英语中，“to”一词多半表示目的或将要。在此表目的，因此原译译为即成事实为误译。其

次，“even if that date is adjusted”如果译为汉语放在句末，有意犹未尽的感觉。因此需要增加一些词使之完整，说得文雅点就是林克难先生早年提出的“elegant variation”。这样，本句可译为：欲使标书被接受，标书必须具备从标书提交截止日期起 120 天的有效期。即使截止日期调整，有效期仍不变。

7. And shall receive a receipt indicating the time and date of submission

并将收到一个收条指示有提交的时间和日期。

**解析：**此句原译的问题在于表达不通顺。“indicating the time and date of submission”在句中作后置定语，译为汉语最好放在宾语的前面，以符合汉语表达习惯。因此本句可译为： 并将收到一个标有提交日期和时间的收据。

8. The Bidder shall prepare one (1) original and six (6) copies of the set of documents comprising the tender.

投标方要准备由标书组成的 1 份原始文件和 6 份复印件。

**解析：**原译差之毫厘，谬以千里。简单地跟着原文翻译而不作变化，通常是不可取的翻译办法。本句的要点在于“comprising”一词。此词有“包含”之意，还有“组成”之意。如何取舍关键看整个句子想表达的意思。从本句可以看出，1 份原件和 6 份复印件组成标书，而不是标书组成原件和复印件。因此，原译正好错误理解了这两者之间的关系。原译假如把“标书”和“组成”调换一下，则是可以接受的译文。 本句可译为： 投标方的标书要准备 1 份原件和 6 份复印件。

9. Failure to comply with any qualification requirement of Employer as noted in these tender documents.

在这些投标文件中，对于遵守雇主的任何资格要求的疏忽。

**解析：**原译把“failure”一词处理为疏忽，明显是和源语不符的。假如翻译的时候看见“failure”直接根据字面意思把它理解为“失败”，则比理解为“疏忽”要好得多。“失败”后面跟“comply with”，意思很明显，即：“未遵守”。后面的“noted”可译为“注明的”，或根据整句话的意思不作翻译也不会对原意有任何影响。因而本句可译为： 未能遵守投标文件中雇主对投标人资质的要求。

10. To facilitate interim payments and the valuation of any necessary scope variations, the Tender Price shall be broken down as required in Section 5.

为了推动中间的付款和任何必要范围内改变的价值，投标价将按照第 5 部分要求的失效。

**解析：**在所有上述原译中，翻得最离奇实属本句。此句翻译天马行空，犹如孙悟空进天宫，让人云里雾里。总结起来，原译对三个地方的理解有问题。首先是“interim payments”，原译译为“中间付款”勉强说得过去，但其实际意思是“进度款”或“中期付款”。其次，原译对“variations”的翻译已远远脱离了招标投标文件的术语范围，可以说一点都不搭边。“variations”在招投标中通常译为“变更”。再次，原译对“broken down”的翻译完全是“想当然”。直接根据其理解的“break down”的一种意思进行翻译，即：“失败，破产”。殊不知，此处的“broken down”系名词“breakdown”变换而来，而此词在招投标术语中通常译为“明细”。原译在理解上的错误，导致其表达上含混不清，没有逻辑。比如“推动,,价值”已完全违背了汉语语法规则。综上所述，原句可译为：

为了方便中期付款并对任何必要的工程量变更做评估，投标价将按照第 5 部分要求列出明细。

## 八、Assignment（作业）

Translate the following bidding document

In the tender price sheet, tenderers shall include the unit prices of the attached parts and components, special tools and instrumentations that are listed in the Technical Specifications. The price of these goods shall be included into the tender sum, and shall be deliberated at the tender evaluation.

投标邀请书

投标押金，押标金

投标文件

做标，编标

投标书

投标评估

愿意 / 不愿意参加投标

我们拟参加……的投标。

我们同意遵守以上规定的投标条款。

资格预审

询价

询价恳求，询价单

报价

报价表格

提交报价

升价，提价

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## Chapter 9 商务合同的翻译

### 一、Teaching Objectives (教学目的):

1. To make students understand the importance of contracts translation
2. To help students translate the difficult and long sentences correctly.
3. To get the students to know the characteristics of international business contact in translation.

### 二、Teaching Focus(教学重点):

1. Students are able to get a clear picture of the text.
2. Students are required to master the new words and phrases in this part.
3. Students should read some reading materials and do exercises after class.

### 三、Teaching methodology(教学方法):

1. Communicative method (交际法)
2. Cognitive method(认知法):
3. Functional and notional method(功能法)
4. The grammar-translation method (语法翻译法)

### 四、Time Distributive(时间分配)

1. Preparation and analyses of the text (20mins)
2. Analyses of the text (3 classes)
3. Exercises (20mins)

### 五、Focuses in teaching (教学难点)

1. The characteristics and translating skills of international business contact in translation.

### 六、Ideological and political goals (思政目标)

By enabling students to master the translation of contract, adding more Chinese elements, guiding students to deeply understand and promote Chinese culture, and telling Chinese stories with full cultural confidence; While helping students improve their translation skills, we also cultivate a positive and sensitive ideology, assist them in establishing correct worldviews, outlooks on life,

and values, and equip them with Chinese sentiments, international perspectives, and a high sense of social responsibility.

## 七、Teaching Prodedures (教学过程)

### (一)、商务合同的种类

合同类文件是具有法律性质的文件，主要包括合同、契约、协议和意向等，是双方当事人或单位就某一经济或商业活动过程中协商达成的协议，对当事双方具有约束力，因此也被人称为“契约文体”。这种协议可以是很正规的，也可以是非正式的、民间性质的（如租房协议）。本章讨论的合同主要指正式的涉外商务合同，即中国国内企业或其他经济组织同外国的企业、经济组织或个人之间为实现一定的经济目的、进行商品交换、融资、经济技术合作和交流等活动所依法签订的、明确双方权利义务关系的书面协议。

涉外商务合同范围广泛、种类繁多。例如：在商品交易方面，有国际货物买卖合同、成套设备进口合同、包销合同、代理合同、寄售合同、易货合同、保管合同、补偿贸易合同等。

还有在劳务服务方面，投资方面，资金融通方面等等。这些合同虽然种类繁多，但一般都遵循国际惯例且具有官方性质，因此其篇章结构与格式非常正规且具有程式化、条目化、趋向化的特点。

### (二)、涉外商务合同的结构及篇章特点（阅读文中第 188-192-页）

前面我们讲过，国际商务合同范围广泛、种类繁多，标的各异，但就其结构而言，一般由三个部分组成：前言、正文、结尾。我们再来回顾一下：

#### 首先，合同的前言（Preamble of a contract）

国际商务合同的前言部分，主要包括两个方面的内容：其一，主要载明合同当事人的名称或者姓名、国际、主营业务或者住所（The corporate or personal names of the parties to the contract and their nationalities, principal places of business or residential address）；其二，合同签订日期、地点（the dare and place of signing of the contract）。以上两项内容主要解决以下法律问题：订约人是否具有合法主体资格，合同及合同争议应适用的法律；合同履行地点；合同生效、终止、履行日期及争议时的司法管辖权等等。

[例 1] 本合同由中国 ABC 公司，\_\_\_\_\_总公司设于中国上海（以下简称卖方）与美国 XYZ 公司，\_\_\_\_\_总公司设于美国纽约州纽约市（以下简称买方）于 1998 年 3 月 29 日订立于中国上海，双方同意按下述条件买卖下列货物：

This contract is made this 29<sup>th</sup> day of March, 1998 in shanghai, China by and between ABC Corporation. China (hereinafter referred to as “Seller”), a \_\_\_\_\_ Corporation having their

principal office in Shanghai, China who agree to sell, and XYZ Corporation (hereinafter referred to as "Buyer"), a \_\_\_\_ Corporation having their principal office in New York, N.Y., USA, who agrees to buy the following goods on the terms and conditions as below:

[例 2] 合同号码: (经合字) 第 0081 号

签约日期: 1998 年 3 月 29 日

签约地点: 中国上海

卖方: 中国 ABC 公司

地址: 中国上海 \_\_\_\_ 街 \_\_\_\_ 号

公司属国: 中华人民共和国

电传:

传真:

邮编:

电子信箱:

买方: 美国 XYZ 公司

地址: 美国纽约州纽约市 \_\_\_\_ 街 \_\_\_\_ 号

公司属国: 美利坚合众国

电传:

传真:

邮编:

电子信箱:

Contract Number: JH ZI, No. 0081

Date of Execution of Contract: March, 29, 1998

Place of Execution of Contract: Shanghai, China.

Seller: ABC Corporation, China.

Address: No.\_\_\_\_, \_\_\_\_ St., Shanghai, China.

Country of Corporation: People's Republic of China.

Telex:

Fax:

Postcode:

E-mail:

Buyer: XYZ Corporation, USA

Address: No. \_\_\_ , \_\_\_ ST., New York, N.Y. USA

Country of Corporation: United States of America

Telex:

Fax:

Postcode:

E-mail:

### **其次，合同的正文（Main Body of a Contract）**

国际商务合同的正文部分是合同的实质性的条款，通常由以下内容组成：

（1）合同的类型和合同的种类、范围（The type of contract and the categories and scope of the object of the contract）

翻译这部分内容，应该注意下列问题：第一，合同的类型是指合同属于国际货物销售合同（contract for international sale of goods）、专有技术许可证合同（license/know-how contract）、成套设备技术引进合同（contract for introduction of complete plant and technology）还是其他合同（other contracts）；第二，合同标的是指合同当事人各方权利、义务所指向的对象，没有标的或标的不明确的合同是无法履行的。

（2）合同标的技术条件、质量、标准、规格、数量（The technical conditions, quality, standards, specifications and quantities of the object of the contract）

合同标的质量和数量，是确定合同标的最重要的条件。涉外商务合同要有明确、具体的数量和质量要求。

（3）合同履行的期限、地点和方式（Time limit, place and method of performance）

履行期限主要指履行合同义务的时间界线，这是确定合同是否按时履行或迟延履行标准。履行地点是指约定履行义务的地方。国际商务合同的履行地点往往涉及到不同的国家或地区，直接关系到当事人个方面所应承担的风险责任和费用。

（4）合同价格条件、支付金额、支付方式和各种附加的费用（The price terms, amount to be paid, ways of payment, and various types of additional charges）

这项内容实质上是由两部分组成,即:价格条款和支付条款。价格条款(terms of payment)往往涉及许多复杂的内容。有时,它不仅是个价格问题,而且涉及合同各方面承担的责任、分险和费用等问题。如国际货物销售合同中常用的两个价格术语:FOB(船上交货 free on board or FREE ON BOARD)和 CIF(保险运费在内价或者成本,运费加保险费 cost, insurance, freight or COST, INSURANCE, FREIGHT),当事人选择不同的价格术语,其承担的责任是截然不同的。因此,价格条款往往是双方当事人商谈的重点。支付条款也是涉外合同的中较敏感的条款,它不仅涉及到不同国家的货币、外汇制度,还涉及到结算方式等一系列复杂的问题。

(5) 合同能否转让和合同转让条件 (Whether or not the contract may be assigned or the conditions for assignment)

合同转让实质上是一种特殊的合同变更,即合同条款一方将合同中的权利或义务的全部或部分转让给合同另一方或合同以外第三方,是主体的变更。例如: P41

(6)违反合同的赔偿和其他责任(The compensation and other liabilities for breach of contract)

违反涉外合同的责任是指涉外合同的当事人不履行合同、不完全履行合同、不符合双方在合同中约定的条件时,依有关法律的规定或合同的约定应承担的经济责任,对于保证合同的履行,促使合同当事人全面履行合同中约定的义务有着重要的意义。

至于当事人,若一方违反涉外合同应承担的责任和承担责任的方式,当事人可以在合同中约定违约金 (penalty),也可以约定赔偿损失 (compensation for losses),也可以约定支付利息 (payment of interest)、中止履行合同 (suspension of the contract performance) 或解除合同 (cancellation of the contract)。

(7)合同发生争议时的解决方法(methods for resolving disputes arising under the contract)

《中华人民共和国合同法》第 128 条规定:“当事人可以通过和解或者调节解决合同争议。涉外合同的当事人可以根据仲裁机构或者其他仲裁机构申请仲裁。当事人没有订立仲裁协议或者仲裁协议无效的,可以向人民法院起诉。”(The parties may settle their contract disputes through conciliation or mediation....The parties to a contract involving foreign interests may, in accordance with an arbitration agreement, apply to Chinese arbitration organization or other arbitration organizations for arbitration. If the parties have not concluded an arbitration agreement or if the arbitration agreement is invalid, they may file a suit with a people's court)

根据以上规定,涉外合同发生争议时,其解决的方法有四种,即:和解 (conciliation)、

调解 (mediation)、仲裁 (arbitration) 和诉讼 (lawsuit)。

(8)明确风险责任, 约定保险范围(The limits of the risks to be borne by the parties in performing the object and the coverage of insurance of the object)

国际商务合同的履行, 大多数时限长, 路途远, 可能受到多种因素的干扰, 产生各种不测的事件, 如洪水、水灾、盗窃、海难、经营不善等。这类风险一旦发生, 可能造成损失, 从而产生承担风险损失的责任问题。因此, 明确风险责任, 避免引起不必要的争议, 对于国际商务合同的各方面都是十分重要的。风险往往和保险是联系在一起的, 为了使风险造成的损失及时得到经济上的补偿, 就需要办理保险, 办理保险的实质是一旦发生风险责任, 当事人可以将其转移给保险公司。

(9) 合同的有效期限, 以及可以延长合同期限和提前终止合同的条件 (A period of validity for the contract and conditions for contractual extension and contractual termination before its expiration)

对于需要较长期间连续履行的合同 (a contract which needs to be performed continuously over a long period), 当事人可以约定合同的有效期限, 并可以约定有效期限届满时, 延长合同的期限的条件或提前终止合同有效的条件。需要较长期间连续履行的合同, 主要指合资经营企业合同 (contracts for sino-foreign joint ventures)、合作经营企业合同 (contract for sino-foreign contractual joint ventures)、成套设备技术引进合同 (contracts for introduction of complete plant and technology)、国际承包工程合同 (contracts for works of civil engineering construction) 等。

[例 3]

- i. 货物名称
- ii. 规格、数量和价格
- iii. 总金额 (按美元计)
- iv. 生产国和制造商
- v. 包装: 包装必须适于海上运输、坚固、耐野蛮装运。紧压打包、外加紧箍 gu, 内层防水, 外层为优质帆布。箱子或其他外包装体积要尽量小, 并能确保货物安全。每件包装的两侧和一端须完整刷上标志和装运号码, 采用优质印色, 字大而清晰。每包均须标明“请勿用钩”。
- vi. 装运唛头

**XYZ**

0081

NEW YORK

No. I—100

**Notes:**

(XYZ—收货人名称代码, 0081—合同号, NEW YORK—目的港, No. I—100  
包装编号)

- vii. 装运期: 2003年3月下旬装运。但要以卖方2000年1月下旬以前收到可接受信用证为条件, 不允许分批装运。
- viii. 装运港;
- ix. 目的港;

10) 付条款: 凭一流银行开出的不可撤销的即期信用证付款, 信用证以卖方为受益人, 并按照货物金额100%开据。

11) 保险: 按发票金额100%投保水渍险和偷盗及提货不着险和战争险, 若发生索赔, 则在纽约以美元支付。

战争险保费按0.1%计算, 若成交后, 保费超过0.1%, 其超额部分由买方负担; 若战争险无人承保, 卖方可不保此险。

因此, 信用证必须规定: “若战争险保费超过0.1%, 受益人有权收取超过信用证金额部分的保险费, 或不投保此险。”

12) 单据: 卖方应准备以下单据提交买方:

- (1) 商业发票 \_\_\_\_\_份;
- (2) 全套清洁已装船提单, 提货人为\_\_\_\_\_;
- (3) 保险单;
- (4) 质量检验证;
- (5) 原产地证;
- (6) 装箱单;
- (7) 装船通知;
- (8) 以下其他单据: \_\_\_\_\_。

13) 过期利息:

如买方未能按期支付到期款项, 买方应付卖方从到期日算至实际支付时间, 年

利率为 \_\_\_\_ %的过期利息。一经卖方提出，买方应支付该过期利息。

14) 检验:

(1) 卖方应在装运前向检验机构申请货物质量、规格、数量、重量、包装及安全  
和卫生/保健方面要求的检验，该检验将根据 \_\_\_\_ 标准。

上述检验机构出具的检验证书将是议付时提交的必备单据之一。

检验机构为: \_\_\_\_\_。

(2) 为了确保货物要求和其他要求，买方有权利在货到最终目的地后向检验机构  
申请货物的复检验。

复检验机构为: \_\_\_\_\_

15) 违约金:

(1) 未按期交货

如果卖方由于自身原因未能按合同规定按期交付全部货物，卖方应向买方支  
付违约金。违约金将在迟延交货后每 \_\_\_\_ 天按所迟交货总价的 \_\_\_\_ %  
收取，但违约金不能超过迟交货物总价的 \_\_\_\_ %。为了便于计算违约金，  
不足 \_\_\_\_ 天的小数按 \_\_\_\_ 天计算。

(2) 未按期开立信用证

如果买方由于自身原因未能按合同规定及时开立信用证，买方应支付卖方违  
约金。违约金将在迟延开立信用证 \_\_\_\_ 天按信用在金额的 \_\_\_\_ %收取，  
但违约金不能超过买方应开立信用证总金额的 \_\_\_\_ %。为了便于计算违约  
金，不足 \_\_\_\_ 天的小数按 \_\_\_\_ 天计算。

(3) 上述迟延所引起的损失的赔偿将仅限于第 15 条第 1 款和第 15 条第 2 款中所  
示的违约金。

16) 不可抗力:

任何一方如果由于洪水、火灾、地震、雪暴、雹暴、龙卷风、战争、政策禁令或其  
他在合同执行时无法预见并不能控制、不可避免或无法克服的事件致使不能或迟延履行  
合同的全部或一部分时，该方不承担责任，但是，受不可抗力影响的一方应立即通知另  
一方，并不晚于事件发生后 15 天向另一方航空邮寄有关当局或独立的中立第三方出具  
的发生此种事件的证明书或文件。

17) 索赔:

(1) 除了第三方应负责的索赔，如发现货物的质量、规格、数量、重量、包装及

涉及安全或卫生/保险等方面和合同的规定不一致，买方应对卖方发出书面通知并有权根据第 14 条第 2 款中所述的有关检验当局出具的检验证书对卖方提出索赔。索赔应该在卸货港卸货完成后 21 天内提出。如发生不一致，卖方应立即修理或更换这些货物或者补足数量。

如果买方未在上述期限内提出索赔，则买方将视为放弃对货物数量不足或明显的质量瑕疵索赔的权利。

(2) 卖方应不晚于收到第 14 条第 2 款中所示的检验机构出具的检验证明后 7 日内答复买方的索赔，如果卖方未能在上述时限内答复，则视为已接受索赔。

18) 合同的解除：

除非双方另有约定，该合同将在下述情形之下解除：

- (1) 双方共同达成书面协议；
- (2) 如果另一方未能在合同规定的时限内履行其义务，并且在收到未违约方的通知后 7 天内消除违约或采取补救措施，在此情况下，未违约方应书面通知违约方解除合同。

19) 通知：以后双方之间所有的通知都应书写、或手交、或传真或电传、或快传邮寄，当手交时，或传真或电传发出一天后，或邮寄收妥时，将被认为是已交出，通讯地址将是本合同的前言所载的地址，即：

中国 ABC 公司

地址：中国上海 \_\_\_\_ 街 \_\_\_\_ 号

公司属国：中华人民共和国

电传：

传真：

邮编：

电子信箱：

美国 XYZ 公司

地址：美国纽约州纽约市 \_\_\_\_ 街 \_\_\_\_ 号

公司属国：美利坚合众国

电传：

传真：

邮编:

电子信箱:

20) 国际贸易术语

除非合同中另有规定, 本合同的条款将按国际商务制订的《2000年国际贸易术语解释通则》(INCOTERMS 2000) 来解释。

21) 仲裁: 一切因执行本合同引起的争议, 均应由双方友好协商解决。如协商不能解决, 则应提交仲裁, 仲裁应在被告所在国进行。如仲裁在中国, 应提交上海中国国际贸易促进委员会对外贸易仲裁委员会, 按照其仲裁规则进行仲裁。如仲裁在美国, 应提交纽约国际贸易促进委员会对外贸易仲裁委员会, 按照其仲裁规则进行仲裁。该仲裁委员会的裁决为终局性的, 对双方均有约束力, 仲裁费用, 除非仲裁委员会另有裁定, 即由败方承担。

1. Name of Commodity;

2. Specifications, Quantity and Unit Price;

3. Total Value (USD);

4. Country of Origin and Manufactures;

5. Packing;

Packing must be suitable for ocean shipment and sufficiently strong to withstand rough handling. Bales must be press packed and hopped, with adequate inside waterproof protection and the outer wrapping must comprise good quality canvas. Cases or other outside containers must be externally of the smallest cubic dimension consistent with adequate protection of the goods.

Package must bear full marks and shipping numbers stenciled in good quality stencil ink in large plain characters on two sides and one end of each package. All bales must be marked "use no hooks".

**6. Shipping Mark:**

**XYZ**

0081

New York

No. 1—100

**7. Time of shipment:**

Shipment within the last ten-day period of March, 2000, subject to acceptable Letter of Credit

reaches sellers before the last ten-day period of January, 2000, and partial shipment is not allowed.

**8. Port of Shipment;**

**9. Port of Destination;**

**10. Payment:**

By a prime banker's Irrevocable Sight Letter of Credit in Seller's favor, for 100% value of goods.

**11. Insurance:**

Insurance to cover W'A. plus T. P. N. D. and War Risk for 110% of CIF value and to provide for claims if any, payable in new York in U. s. Currency.

War Risk premium is calculated at 0.1%, if it is higher than 0.1% after the conclusion of the contract, the excess premium shall be for the Buyer's account and if War Risk insurance is not obtainable, the Seller may be exempted from providing such insurance.

Therefore, the Letter of Credit must include the following clause: "if War Risk premium is higher than 0.1%, beneficiary is authorized to draw the difference in excess of the letter of Credit amount, or to exempt from providing such insurance".

**12. Documents:**

The following documents shall be prepared by the Seller and submitted to the Buyer:

- (1) Commercial Invoice in                      Copy (ies);
- (2) Full set of clean on board ocean bills of Lading made out to                      ;
- (3) Insurance Policy;
- (4) Quality Inspection Certificate;
- (5) Certificate of Origin;
- (6) Packing List;
- (7) Notice of Shipment;
- (8) The following other Documents:

**13. Overdue Interest:**

If the Buyer fails to pay any amount when due, the Buyer shall be liable to pay to the Seller overdue interest or such unpaid amount from the due date until the actual date of payment at the rate of                      percent per annum. Such overdue interest shall be paid upon demand of the Seller.

**14. Inspection:**

(1) The Seller shall, before the time of shipment, apply to inspection organization for inspection of the quality, specification, quantity, weight, packing and requirements for safety and sanitation/hygiene of the Goods in accordance with standards.

The inspection certificate issued by the said inspection organization shall be integral part of the documents to be presented for payment.

(2) For the purpose of warranty and other claims, the Buyer shall have the right to apply to the inspection organization for the re-inspection of the Goods after the arrival of the Goods at the final destination.

Re-Inspection Organization: .

#### **15. Penalty:**

(1) Failure to Make Timely Delivery.

In the event the Seller for its own for its own sake fails to make delivery of all the goods on time as stipulated in this contract, the Seller shall pay a penalty to the Buyer. The penalty shall be charged at the rate of % of the amount of the delayed goods for every days of delay in delivering the goods, however, the penalty shall not exceed % of the total value of goods involved in the late delivery. Any fractional days less than days shall be deemed to be days for calculation of penalty.

(2) Failure to Timely Open the Letter of Credit

In the event that the Buyer for its own sake fails to open the Letter of Credit on time as stipulated in this contract, the Buyer shall pay penalty to the Seller. The penalty shall be charged at the rate of % of the amount of the Letter of Credit for every days of delay in opening the Letter of Credit, however, the penalty shall not exceed % of the total value involved in the Letter of Credit of amount. Any fractional days less than day shall be deemed to be days for the calculation of penalty.

(3) The penalty provided for in clause 15.1 and/or 15.2 shall be the sole compensation for damages caused by such delay.

#### **16. Force Majeure:**

Neither party shall be held responsible for failure or delay to perform all or any part of this

Contract due to flood, fire, earthquake, snowstorm, hailstorm, hurricane, war, government prohibition or any other events that are unforeseeable at the time of the execution of this Contract and could not be controlled, avoided or overcome by such party. However, the party whose performance is affected by the event of **Force Majeure** shall give a notice to the other party of its occurrence as soon as possible and a certificate or a document of the occurrence of the **Force Majeure** event issued by the relative authority or a neutral independent third party shall be sent to the other party by airmail not later than 15 days after its occurrence.

**17. Claims:**

(1) Except those claims for which a third party is liable, should the quality, specifications, quantity, weight, packing and requirements for safety or sanitation/hygiene of the goods be found not in conformity with the stipulations to this Contract, the buyer shall give a written notice to Seller and shall have the Inspection Certificate issued by the Inspection Organization provided in Clause 14.2 to this Contract within 21 days from the date of completion of unloading of the goods at the port of unloading. In the event of nonconformity, the Seller shall promptly repair or replace such goods or supply the quantity that is deficient.

In the event that Buyer does not make such claim within the above-mentioned time-limit, the Buyer shall forfeit its right to make a claim with respect to the quantity deficiency or the apparent quality defect.

(2) The Seller shall reply to the Buyer's claim not later than 7 days after receipt of the inspection certificate issued by the inspection organization provide in Clause 14,2 to this Contract and the claims shall be regarded as having accepted, if the Seller fails to reply within the above-mentioned time-limit.

**18. Termination:**

Except as provided elsewhere, this Contract may be terminated in either of the following case:

- (1) Through mutual written agreement by both parties;
- (2) If the other party fails to perform its obligations within the time-limit agreed upon in this Contract within 7 days following the receipt of the notice thereof from the non-breaching party.

In such case the non-breaching party shall give a written notice to the other party to terminate this Contract.

**19. Notice:**

Any notice to be given hereunder shall be written or shall be hand-delivered, transmitted by facsimile or telexed or sent by express airmail, and shall be deemed given when so hand-delivered, or if transmitted by facsimile or telex so transmitted, or if sent by mail when received, to the parties at the address specified at the preface to this Contract:

ABC Corporation, China:

Address: No.           ,           St. Shanghai, China

Telex:

Fax:

Postcode:

XYZ Corporation, U. S. A.

Address: No.           ,           St., New York, N. Y. U. S. A.

Telex:

Fax:

Postcode:

**20. Incoterms:**

Unless otherwise stipulated in this Contract, the terms and conditions of this Contract shall be interpreted in accordance with the *International Rules for the Interpretation of Trade Terms (INCOTERMS 2000)* provided by International Chamber of Commerce.

**21. Arbitration:**

All disputes arising from the performance of this Contract should be settled through friendly negotiation. Should no settlement be reached through negotiation, the case shall be submitted for arbitration in the Country where the defendant resides. If the arbitration takes place in China, the case shall be submitted to the Foreign Trade Arbitration Commission of the China Council for the Promotion of International Trade, Shanghai and the arbitration rules of this Commission shall be applied. If the arbitration takes place in the USA, the case shall be submitted to the Foreign Trade Arbitration Commission of Council for the Promotion of International Trade NY and the

arbitration rules of this arbitration organization shall be applied. The award of the arbitration shall be final and binding upon both parties. The arbitration fee shall be by the losing party unless otherwise awarded by the arbitration organization.

### **最后，合同的结尾(Final Clauses)**

合同的结尾(Final Clauses)，也称合同最后条款，写在合同的结尾部分。结尾条款主要应明确的内容有：合同使用的文字及其效力 (Languages in which the contract is to be written and its validity)。除了明确使用的文字及效力外，有时还应订立对合同进行修改或补充的内容，并明确在合同的结尾(Final Clauses)部分规定附件为本合同不可分割的组成部分。

根据《中华人民共和国合同法》第 32 条规定：“当事人采用合同书形式订立合同的，自双方当事人签字或者盖章时合同成立” (If the parties enter into a contract in written form, the contract shall go into effect when the parties sign or stamp it)。国际商务合同的成立一般是以签字为成立要件而不是以盖章为成立要件的。所以，在合同的结尾部分还应明确规定：合同在双方授权代表签字后正式生效。

#### [例 4]

1. 本合同正文一式两份，分别以中文和英文书写，两种文本具有同等效力。若对其解释产生异议，则以中文本为准。

2. 本合同的任何修改和补充，只有在双方授权的代表在书面文件上签字后才能生效，并成为本合同不可分割的组成部分。

3. 本合同将在双方授权代表签字后正式生效。

1.This Contract is made out in two originals, each copy written in Chinese and English languages, both texts being equally valid. In case of any divergence of interpretation, the Chinese text shall prevail.

2.The annexes as listed in Articles 19 to this Contract shall form an integral of this Contract.

Any amendment and/or supplement to this contract shall be valid only after the authorized representatives of both parties have signed written documents (s), forming integral part(s) of this Contract.

3.This Contract shall come into force after the signatures by the authorized representatives of both parties.

### **(三)、商务合同语篇的文体特点**

(见课本)

#### (四)、商务合同的翻译要点

翻译商务合同应当遵循准确严谨、规范通顺的原则。涉外商务合同在术语、条款、篇章结构、类型等方面的专业性越来越强。内容日趋完备精确，这要求我们在翻译商务合同时必须把准确严谨作为合同翻译的首要原则来遵守。

##### 1. 遵循准确严谨 (faithfulness and accuracy) 的翻译原则

关于“准确严谨”，不仅仅是翻译合同文件的原则问题，还是一个翻译作风问题，它要求译者在翻译文件时严于律己，具有一丝不苟的认真精神和实事求是的科学态度。“准确严谨”的合同译文应具备以下两个要素。

###### (1) 词语准确 (accuracy)

对合同文件中的一些主要词语要准确无误的翻译。

例如：在当前的国际货物买卖合同中，当事人可以通过信件、数据电文等形式达成协议，这类合同的成立，一般要签订一份“确认书”。在“确认书”中首先规定一条“兹经买卖双方同意按下列条款成交”，翻译为：The undersigned Sellers and Buyers have agree to close the following transactions according to the terms and conditions stipulated below.这个译文中的“条款”一词应译成 the terms and conditions，短语中的 conditions 不能漏掉，因为一个合同条款的达成经常包含着若干条件。

再如，合同文件中经常出现的一个条款“承担法律和经济上的责任”，一般都译为“to bear all legal and economic responsibilities arising there from.”这个条款的译文应该是“没有问题”的，但请注意：“合同是双方当事人为了一定的经济目的所签订的协议。”合同中的“承担法律责任”应改译为 financial responsibility 较妥，该条后面的分词短语 arising there from 最好也改用含情态动词的定语从句 which may arise，这样使人觉得承担上述责任是有条件的，是一种“或然性”而不是“必然性”。

###### (2) 译文完整 (completeness)

合同文件的翻译一定要保持译文的完整性，决不能只求保持原文与译文在词量上的对等。对一份合同或协议的译者来讲，只求保持原文与译文在词量上的对等，不注意译文的完整性，是对原文的不忠实，是一种失职的表现。同时，又要力戒在翻译中碰到难点，不去深入研究，而是回避矛盾只求“译完”的行为。

例 1：如果上述专有技术和技术资料中的部分或全部被出让方或第三方公布，受让方对公开部分则不再承担保密义务。

原译文： In case part of all know-how of the above mentioned technical contents have been published by Licensor or any third party, the licensee shall no longer be responsible for keeping the opened parts secret.

这一条款中“保密”应译成 keep secret and confidential 译文中漏掉一个 confidential 显得不很严谨：另外，在 In case part of all know-how of the above mentioned technical contents have been published by Licensor or any third party 之后要增译一句 Licensee obtain evidence of such publication。这样才使得这一条款完整，因为一方不承担保密义务必须有理由，对方坚持要求时，必须出示足够的证据。

例 2：从 4 月 1 日起到 10 月 20 日止这一期间内交货，但以买方信用证在 3 月 20 日前到达卖方为限。

原译文： Shipment during the period beginning on April 1 and ending on Oct. 20 subject to Buyer's Letter of Credit reaching Seller before Mar. 20.

以上条款中交货期间应包括 4 月 1 日和 10 月 20 日这两天，所以，应补译 both date inclusive; 另外，买方信用证到达日期也包括三月 20 日这一天，因此，Mar. 20 之前的介词除用 before 外还应增加 on, 译成 subject to Buyer's Letter of Credit reaching Seller on and before Mar. 20。句中的 subject to 在这里指“以……为准”，“以……为有效”，（例如：This offer is subject to our final confirmation. 本报价以我方最后确认为准）。

## 2. 遵循规范通顺（expressiveness and smoothness）的翻译原则

国际商务合同翻译的第二个标准是“规范通顺”。所谓规范通顺，就是要把理解了的东西，用规范通顺的、合乎合同语言要求的文字表达出来。

例如：乙方保证是本合同规定提供的一切专有技术和技术资料的合法所有者，并有权向甲方转让。如果发生第三方指控侵权，由乙方负责与第三方交涉，并承担法律上和经济上的全部责任。

原译文： Party B guarantees that he is the legitimate owner of the know-how and technical documentation supplied to Party A in accordance with the contract and that he has the right to transfer them to Party A. If the third party accuses party B of infringement, Party B shall take up the matter with the third party and bear all legal and economic responsibilities arising therefrom.

分析：一、Party B guarantees that he...该句的宾语从句中主语用 he 显得有些含混，应重复 Party B。

二、supplied to Party A 应在分词 supplied 后加译 by Party B,使全句完整明晰。

三、in accordance with the contract, 这句原文的含义是指“按合同中规定的条款”, 所以应改成 in accordance with stipulations of the contract 才能体现出与原文的含义的一致性; he has the right to transfer them to Party A 这句译文不大像“行话”。此外, 句中的两个代词也应换成名词, 因为在英文合同文件中, 出现过的名词尽量不用代词代替, 以免产生误解。he has the right to transfer 应译为 Party B is lawfully in a position to transfer, 这样更能强调乙方对技术和资料占有的绝对合法性。

四、if the third party accuses party B of infringement 这个句子明显有两处错误;(1) the third party 给人一种甲乙双方似乎都已知道“第三方”是谁的印象, 而实际并非如此, 所以应改为 any/a third party; (2) to accuse sb of sth 一般是指控诉某人触犯刑律, 而这句中的“指控”仅指一般的民事侵权, 故应改成 to bring a charge of infringement.

五、party B shall take up the matter with the third party, 此译文中的 take up sth. with sb. 是指“口头或书面向某人提出某事”没有能确切地译出原文中, 由乙方负责与第三方交涉本意, 故应改成 Party B shall be responsible for dealing with the third party.

六、bear all legal and economic responsibilities arising therefrom, “全部责任”指的是“由于上述”原因而发生的乙方应承担的责任, 所以“全部”应选用 full 而不用 all。另外, “承担由此引起的法律和经济责任”应译为 bear the legal and financial responsibilities which may arise therefrom.

经审校改译为:

Party B guarantees that Party B is the legitimate owner of the know-how and technical documentation supplied by Party B to Party A in accordance with the stipulations of the Contract, and that Party B is lawfully in a position to transfer the above-mentioned know-how and technical documentation to Party A. If any/a third party brings a charge of infringement, Party B shall be responsible for dealing with the third party and bear the full legal and financial responsibilities which may arise therefrom.

#### 常用词语 (Useful Words and Phrases)

terms of payment	支付条款
amount of payment	支付金额
instrument of payment	支付工具
time of payment	支付时间
place of payment	支付地点

method of payment	支付方式
pre-emptive right	优先购买权
penalty n.	违约金
compensation for losses	赔偿损失
suspension of the contract performance	中止履行合同
cancellation of contract	解除合同
mediation n.	调解
conciliation n.	和解
arbitration n.	仲裁
arbitration provision	仲裁协议
lawsuit n.	诉讼
eventuality n.	不可测事件, 意外事件
waterproof a.	防水的
War Risk premium	战争险保费
Letter of Credit	信用证
Force Majeure	不可抗力
Claim n.	索赔
Submit sth.(to sb./sth)	提交, 呈交
Clause n.	条款
Annex n.	副本

## 五、练习

1. 遵照贵公司信用证付款条件, 我们已自动以贵公司为付款人开出见票后 90 日付现之汇票, 并附下列船运文件:

对此付款, 如无其他特别规定, 收到订货之确认后, 应立即以电报开出信用证。(p290)

2. 本合同有效期间双方每年正式会晤一次, 以便讨论本合同履行期间存在的问题, 以及就技术改进与创新问题进行交流, 为加强双方的技术合作奠定基础。双方的会晤应轮流在两国举行。讨论的内容和结论应载入备忘录中, 各方参加人员仅限五人, 费用自理。

3. 遵照贵公司信用证付款条件, 我们已自动以贵公司为付款人开出见票后 90 日付现之汇票, 并附下列船运文件:

.....

对此付款，如无其他特别规定，收到订货之确认书后，应立即以电报开出信用证。

In accordance with the terms of your letter of credit, we have made free to draw upon you at ninety days sight, for the above amount, with following shipping documents attached:

...

Payment unless otherwise specifically agreed is to be made by letter of credit established telegraphically immediately upon receipt of confirmation of order.

4. 本合同有效期间双方每年正式会晤一次，以便讨论本合同履行期间存在的问题，以及就技术改进与创新问题进行交流，为加强双方的技术合作奠定基础。双方的会晤应轮流在两国举行。讨论的内容和结论应载入备忘录中，各方参加人员仅限五人，费用自理。

During the period from the date of effectiveness to the termination of the Contract, the two Party shall hold a meeting every year to discuss problems in the execution of the Contract, to exchange views on technical development and improvement and lay a foundation for further technical cooperation. The aforesaid meeting shall be held in the two countries in turn. The contents and conclusion of such discussions shall be written in memorandum. The number of attendants of each party shall be no more than five persons. Each party shall bear its own expenses.

## 八、Assignment (作业)

Translate the following contract

What is left unmentioned in contract may be added there as an appendix.

The Contract is written in quadruplicate (two for original and copy respectively) which shall become valid on the date of signature.

本合同为中英文两种文本，两种文本具有同等效力。

本合同一式两份。自双方签字（盖章）之日起生效。

本合同由买卖双方签订，根据本合同条款，买方同意购置，卖方同意出售以下产品。