

Entry Test Inglese Legale 2009_2010 MLombardi

Tutti gli studenti interessati a sostenere l'esame di idoneità della lingua inglese nell'anno accademico 2009-2010 sono tenuti a sostenere questo test di entrata per decidere se seguire il corso di inglese o essere dispensati dalla frequenza.

Il risultato riportato del test deve essere comunicato alla prof. MLombardi entro la data di inizio del corso 01.10.2009

La comunicazione deve avvenire esclusivamente via email all'indirizzo: maria.lombardi@iuraionica.net

Oggetto: enty test inglese 09-10

Dati da comunicare nella mail

- nome e cognome:
- matricola:
- Corso di laurea:
- Voto riportato:
- anni di studio della lingua inglese:
- certificazioni possedute:

1. Il test può essere stampato e completato a casa
2. Non è consentito alcun dizionario o altro ausilio
3. Una copia del test è disponibile nella segreteria della facoltà
4. La verifica del risultato può essere fatta autonomamente utilizzando la griglia delle risposte corrette in calce al test stesso
5. Il risultato del test va comunicato via email e non consegnato al docente
- 6. E' consigliabile la frequenza del corso per CHI consegue un risultato inferiore a 75 risposte corrette su 100**
7. Il contenuto del test è un esempio tipico del tipo di prova prevista per l'esame di idoneità (esame solo 50 domande, 30 per gli studenti di Operatore dei Servizi Giuridici)
8. CHI decide di seguire il corso può presentarsi direttamente alle lezioni previste

A1 Choose the best answer A, B, C, D. [24 marks]

1. Credit cards _____
A accept B are accepted C accepted D will accept
2. We're a bit busy at the moment. That's why we _____late in the evening.
A work B worked C are working D will work
3. Excuse me, _____ have the bill, please?
A could we B would we C are we D do we

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4. He went to the travel agency _____ a holiday in Bermuda.
A book B for booking C booked D to book
5. She drinks _____ coffee and is very nervous.
A enough B too many C too D too much
6. I think tickets to tropical destinations _____ in great demand next year.
A are going to..... B are going C will D will be
7. I've been here for a week. I came here _____
A before a week B after a week C a week later D a week ago
8. A man _____ by police last night for the hotel robbery.
A has arrested B arrested C arrest D was arrested
9. Where _____ last week?
A you went B did you went C you go D did you go
10. _____ has she been living in this house?
A When B How long C Since D What
11. I _____ haven't booked my seat on the coach, I hope there's space!
A yet B already C still D just
12. She _____ as a barrister for the past 2 years
A will work B is going to work C worked D has worked
13. I haven't been well lately. I probably _____ have a birthday party
A am going to..... B won't C will have D don't
14. Is this exam any _____ than the last one?
A more easy B easier C easier D little easy
15. To be a good lawyer, you _____ be determined, because it's very competitive.
A mustn't B could C have to D will
16. They _____ English since they were at primary school
A have been studying B study C studied D are studying
17. If the Court of Justice _____ against a case in a trial, the defendant can appeal.
A votes B will vote C is going to vote D had voted
18. In England a _____ is a lawyer who speaks in the higher courts of law
A attorney B solicitor C advocate D barrister
19. As the contract was in French, they suggested _____ it into Italian
A translating B to translate C not translating D was translated
20. The man was _____ £ 50.00 for having parked his car in a no parking area
A arrested B committed C charged D fined
21. The accused _____ not guilty in front of the judge and jury
A sentenced B committed C pleaded D asked
22. The arts of scientific research _____ be free of constraint.
A. mustn't B. shall C shall to D. must to
23. The company reserves _____ change details of its services
A. the right to B. the right of C. the right on D the right for
24. I look forward to _____ from you as soon as possible
A. hear B. have heard C. have news D. hearing

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A2 Complete the letter with the correct word (only one word)

[20 marks]

COUNTERSIGN LIABLE CIRCUMSTANCES CUSTOMER
CONTRACT REFERENCE CLAUSE REQUESTED
FORWARD CONDITIONS

With 1 _____to your fax it is clear that you agree to risk transfer and to the comments regarding the laws as described below: the company XY is 2_____for any damage whatsoever, if it is due to unforeseen 3_____ of "force majeure" as from ex-works XY in compliance with the clause in the 4_____.

Unfortunately we are not in a position to know all the paragraphs you refer to in your general 5_____of purchase. Therefore we inform you that we are not in a position to 6_____ this specific 7_____ at the end of the general conditions, particularly as the law to be applied is not specified.

Please take note that we have informed both you and the 8 _____ that the first partial delivery will be sent at the end of the following month. Therefore you are 9_____ to immediately transfer the sum of £ 5,000 English sterling.

Looking 10_____to hearing from you

Yours faithfully

A3 Choose the correct ending for each sentence [9 marks]

- | | |
|--------------------------------------------|-----------------------------------------------------------------|
| 1. I swear by Almighty God, | a. They broke into the house and took all the electrical goods. |
| 2. He was sentenced | b. you can go to the Appeal Court |
| 3. First offenders can be put | c. They got away with over £ 1 million |
| 4. She was fined | d. to life imprisonment |
| 5. He was banned | e. from driving for three months |
| 6. He was sent to prison for rape | f. on probation |
| 7. There was a bank robbery here last week | g. that the evidence I shall give is the truth |
| 8. The burglary happened during the night. | h. £ 200 |
| 9. If you are not happy with the verdict, | |
| i. after a series of sexual attacks | |

A4 Here is a brief summary of the law of contract. Complete the texts using the words in the box. [13 marks]

agreement	breach	capacity	consideration
damages	fraud	illegal	obligation
oral	performance	property	signed
terms			

What is a contract?

It is an agreement that creates a binding (1) _____ upon the parties. The essentials of a contract are as follows: mutual (2) _____; a legal _____, which in most instances need not be financial; parties who have legal (4) _____ to make a contract; absence of (5) _____ or duress; and a subject matter that is not (6) _____ or against public policy.

What form does a contract take?

In general, contracts may be either (7) _____ or written. Certain types of contracts however, in order to be enforceable, must be written and (8) _____. These include contracts involving the sale and transfer of (9) _____.

How does a contract end?

In case of a (10) _____ of contract, the injured party may go to court to sue for financial compensation (or (11) _____), or for rescission, for injunction, or for specific performance if financial compensation would not compensate for the breach. Specific (12) _____ of a contract is the right by one contracting party to have the other contracting party perform the contract according to the precise (13) _____ agreed.

B. Reading and Writing

B1 Read this short article below about shareholders' agreements, complete it with the most appropriate given words and then answer the questions on it.

Company Commercial

When a company is formed, its (i) _____ may decide to execute a shareholders' agreement. This document acts as a set of ground rules over and above the basic legislation that will govern their behaviour. It deals with the relationships between the shareholders. For example, how to handle a shareholder who wants to sell his or her shares, or whether there are any circumstances under which a shareholder's shares can be (2) _____ purchased (and the shareholder in question therefore forced out).

Other issues that a shareholders' agreement should cover include how disagreements between the shareholders should be handled, who sits on the (3) _____ of the company and what authority is given to whom for various decision-making activities.

A company which is (4) _____ owned by one person need not have such an agreement. However, as soon as more than one owner is involved a shareholders' agreement becomes essential. The spirit of such an agreement will depend on what type of company is involved. For example, a retail (5) _____ owned by three persons is likely to have a very different approach to that of a high tech (6) _____ which has many owners. When a company has hundreds of shareholders or is converted into a public company, the need for a shareholders' agreement disappears and the applicable (7) _____ takes over.

Before drafting a shareholders' agreement, careful thought must be given to the share ownership. Who will own, how many shares (and on the basis of what (8) _____ - by cash, work input etc), and how are these shares to be held? It is also advisable for the

individual shareholders to consult tax experts about (9) _____ issues. Too many (10) _____ ignore this important aspect of owning shares - only to find that when they come to sell their shares, major tax problems arise.

B1A Choose the best word to fill in each numbered gap in the text above using the most appropriate word or phrase from the choices set out below. [10 marks]

- | | | |
|-----------------------------|--------------------------|--------------------------------|
| 1. A. founders | B. shareholders | C. partners |
| 2. A. forcibly | B. compulsorily | C. inadvertently |
| 3. A. committee | B. council | C. board |
| 4. A. mainly | B. firmly | C. wholly |
| 5. A. outlet | B. emporium | C. chain |
| 6. A. venture | B. projects | C. monopoly |
| 7. A. rules | B. companies legislation | C. national trade association, |
| 8. A. input | B. consideration | C. contribution |
| 9. A. personal tax planning | B. corporate tax | C. insolvency |
| 10. A. fools | B. magnates | C. entrepreneurs |

B1B. Consider the questions below. Indicate the most closely statements which corresponds to the meaning of the article [10 marks]

(1) The purpose of a shareholders agreement is to:

- (a) agree what happens when the company is sold.
- (b) provide otherwise than in the basic legislation.
- (c) regulate the legal and business relationships between the shareholders.

(2) A shareholders' agreement is required when:

- (a) it is clear that disputes are likely to arise between the different shareholders.
- (b) a number of shareholders are involved.
- (c) (d) there is disagreement about who should sit on the board of the company.

(3) When a private limited company is converted into a public limited company:

- (a) the provisions of the shareholders' agreement are superseded by the relevant legislation governing public limited companies.
- (b) it may have hundreds of shareholders.
- (c) the shareholders should consult tax experts.

(4) The types of specific issues that should be addressed in a shareholder's agreement might include

- (a) who chairs the board meetings.
- (b) how to deal with disagreements between the shareholders.

(c) which shareholders have the right to make decisions on different matters affecting the company.

(5) It is necessary to give careful thought to various issues before drafting a shareholder's agreement, including

(a) what types of shares are issued to the majority shareholders.

(b) the way in which the ownership of shares is divided between the shareholders.

(c) what kind of contributions have been made by the various shareholders in return for their shares.

B2 Immunity law for Italian politicians [14 marks]

Summary: Italy's upper house of parliament has approved legislation which effectively grants judicial immunity to Prime Minister Silvio Berlusconi. This means that his trial in Milan on charges of bribing judges to further his business interests could be blocked indefinitely. This report from David Willey

The five leading public office holders in Italy including the prime minister, the president, the speakers of both houses of parliament and the chief justice will be able to claim immunity from prosecution under the new law which still has to be passed by the lower chamber, but as Silvio Berlusconi has a clear majority in both houses of parliament, this will be something of a formality.

Mr Berlusconi has re-introduced immunity from prosecution for leading politicians after his lawyers failed to get him off the hook in an ongoing corruption trial in Milan. The new immunity law is eventually expected to be extended to include all members of parliament. Until ten years ago a similar blanket protection from prosecution for Italian politicians was in force. This was revoked after the scandals of the clean hands bribery scandal which caused a political earthquake at the time in a country where it had become the norm for businessmen to bribe politicians, but now it is back to square one.

B2A Match the words with the definition

1 immunity from prosecution	a. to get out of a difficult situation
2 formality	b. able to escape prosecution
3 off the hook	c. continuing
4 ongoing	d. a return to the previous situation
5 blanket protection	e. something that has to take place
6 revoked	f. complete, total, protection
7 a political earthquake	g. cancelled
8 back to square one	h. a huge political upset

B2B Decide whether these statements are true or false according to the text T or F

Nome e Cognome _____
Matricola _____

1. Under the new law the speaker of the House of Deputies can claim immunity from prosecution _____
2. The new law has not been approved yet _____
3. This is the first time that prime minister, the president, the speakers of both houses of parliament are granted judicial immunity _____
4. Members of Parliament will never benefit from this new law _____
5. The new law will protect the Prime Minister as well as the President _____
6. The scandals of clean hands stopped businessmen from bribing politicians _____

RISPOSTE

A1 Please write A, B, C, D (24 marks)						
1. B	2. C	3. A	4. D			
5. D	6. D	7. D	8. D	9. D	10. B	
11. C	12. D	13. B	14. C	15. C	16. A	17. A
18. D	19. A	20. D	21. C			
22. B	23. A	24. D				

A2 Write the missing word (20 marks) ogni risposta esatta vale 2 punti			
1. REFERENCE	2. LIABLE	3. CIRCUMSTANCES	4. CONTRACT
5. CONDITIONS	6. COUNTERSIGN	7. CLAUSE	8. CUSTOMER
9. REQUESTED	10. FORWARD		

A3 Write the correct matching (9 marks)			
1. G	2. D	3. F	4. H
5. E	6. I	7. C	8. A
9. B			

A4 Write the missing word (13 marks)			
1. obligation	2. agreement	3. consideration	4. capacity
5. fraud	6. illegal	7. oral	8. signed
9. property	10. breach	11. damages	12. performance
13. terms			

B1A Write the correct letter A, B or C (10 marks)			
1. B	2. B	3. C	4. C
5. A	6. A	7. B	
8. C	9. A	10. C	

B1B Write the correct letter A, B or C (10 marks) ogni risposta esatta vale 2 punti			
1/C	2/B	3/A	4/B
5/C			

B2A Write the correct matching (8 marks)			
1/b	2/e	3/a	4/c
5/f	6/g	7/h	8/d

B3b Write the correct answer T or F (6 marks)			
1. T	2. T	3. F	4. F
5. T	6. T		