

ENGLISH DIALOGUES FOR FOREIGN ECONOMIC RELATIONS AND TRADE

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Lesson Four

(1) Advertising

Account

Executive: I think you'll find that advertising and promotion are important parts of export marketing.

President: I know. That's why I want to become familiar with the media in the country in which I plan to sell.

Account

Executive: Yes. You should. Well, you probably know that trade papers and directories are useful in making your product known. Radio and television are important media. And cinema advertising is popular in some countries. We call these the mass media.

President: How about outdoor advertising, such as billboards and posters?

Account

Executive: Yes, they're in common use also.

President: I suppose booklets, leaflets, letters, and catalogues are used for direct mail advertising.

Account

Executive: Right. You must build up a mailing list of possible customers for direct mail advertising.

President: I'm planning to. What can you tell me about the methods you'll use? What about showing the customers what the product looks like?

Account

Executive: That's a good idea. The methods we'll use to display the product will depend both on what the product is and how much you want to spend on advertising.

President: What should be the size of my advertising budget?

Account

Executive: That depends on how much your competitors spend, on the market potential, as well as on the media you plan to use.

President: Well, could you suggest a percentage?

Account

Executive: Not very easily. An advertising budget may vary from 5 percent to 25 or 30 percent of total sales.

President: I see. Well, I have to give that some thought.

(2) Arbitration

Arbitrator: Settlement of disagreements through arbitration is that the relevant parties who have a dispute are to meet together and settle it amicably without litigation. This saves both time and money.

Businessman: I'm sure it does. And it must also create good will.

Arbitrator: Yes, that's true. The idea is that a disagreement about a business contract should be turned over to a commercial arbitration tribunal.

Businessman: Do businessmen of all countries agree to this practice?

Arbitrator: Most countries provide for the use of an international commercial arbitration tribunal, through a reciprocal arrangement.

Businessman: I suppose there are always some sellers and buyers who attempt to avoid their obligations.

Arbitrator: Yes, unfortunately. That's why every trade agreement, sales contract, agency agreement, order form, or distribution arrangement should have an arbitration clause.

Businessman: And are all parties to a contract with such a clause permitted to go to these tribunals?

Arbitrator: Yes. But then they have to accept whatever award is made.

Businessman: Can the courts force an award to be made?

Arbitrator: Yes. But courts usually limit their reviews to the carrying out of certain statutory requirements. These include notifying the persons involved of the award and calling attention to the time limits for making the award.

Businessman: I'd think trade discipline would cause most people to avoid disputes.

Arbitrator: Certainly. But we still get quite a few cases involving merchandise which does not meet specifications.

Businessman: And I suppose there are some misunderstandings over terminology.

Arbitrator: Yes, occasionally. And there might be disputes on misrepresentation and market prices. Right now we're handling a claim for late shipment and inferior quality of the goods supplied.

(附参考译文)

外经贸英语对话

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第四课

(一) 广 告

- 会计主管：我想你会感到，广告宣传和促销工作是出口营销方面的重要组成部分。
- 总 裁：我知道这一点。这就是为什么我要熟悉一下我计划推销产品到那个国家的宣传媒介的情况。
- 会计主管：是呀，你应该熟悉一下。你也许知道商报和行名录是使你的产品成为家喻户晓的有用工具。无线电和电视广播是重要的宣传媒介。在一些国家里、电影广告很普及，我们称这些为大众化传播工具。
- 总 裁：做些户外广告，如广告牌和招贴，你认为怎么样？
- 会计主管：是的，这些也通常使用的。
- 总 裁：我想，小册子、单页宣传品、书信和产品目录可用作直接邮寄的广告资料。
- 会计主管：是的。你应该编列一份寄送名单，以便直接给他们邮寄广告资料。
- 总 裁：我正打算这样做。你能否告诉我一些关于你将要采用的宣传方法。我可否让客户看看我的产品是什么样子？
- 会计主管：这是一个好主意。我们展示产品所使用的方法将取决于产品的种类和广告费多少。
- 总 裁：我的广告预计金额应该多大呢？
- 会计主管：那要根据你的竞争者所花的广告费和潜在市场情况以及你打算使用的广告媒介来决定。
- 总 裁：你能否建议一个百分比？
- 会计主管：那不是很容易。广告费的预算可从总销售额的 5% 到 25% 或 30% 内变动。
- 总 裁：我明白了。我必须予以仔细考虑。

(二) 裁 仲

- 仲 裁 人：通过仲裁解决争端就是发生争执的各方坐在一起友好地解决争端而不提出诉讼，这样做既省时间又省钱。
- 商 人：肯定是这样。而且也定能创造一种友好气氛。
- 仲 裁 人：是的，的确是这样。我的想法是，对商业合同产生分歧应提交给商业仲裁庭处理。
- 商 人：所有国家的商人都同意这一做法吗？
- 仲 裁 人：大多数国家是通过互惠协议，规定使用国际商业仲裁庭的。 (下转第 39 页)

情况下，跨国公司往往通过控制市场而在东道国建立起强有力的地位。当跨国公司处于产品的单一买主的地位时，它们往往促使各供应国在市场上展开竞争，从而使东道国政府处于软弱的地位。

5. 提供援助，促使当地企业发展

战后很长时期以来，对外国政府或企业的援助总是由各国政府或国际组织（如世界银行）所提供的。但七十年代以来，不少跨国公司通过援助计划，促进东道国企业的发展，以获取利益。如美国费厄斯通公司在利比里亚发起了一项援助橡胶种植者的计划，向利比里亚人免费提供橡胶树苗；免费提供技术服务和防治病虫害服务；为当地橡胶种

植园制订种植和管理规划；并以无息贷款条件向种植园提供设备和补给品，以至提供运输工具；最后，由公司收购橡胶园的产品。该公司通过帮助当地企业，增加了橡胶的供应，并从政府促进橡胶生产的活动中获得了既得利益。

总之，七十年代以来，随着世界上许多国家加强对跨国公司的限制措施，跨国公司的所有权策略和经营策略发生了一些新的变化，其目的在于消除或缓和东道国政府的限制，加强母公司对海外企业的控制。我们应当重视和研究这些新的情况，因势利导，采取有效措施，以利于引进外资工作的顺利开展。

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商人：我想，总会有一些卖主和买主企图废止他们的合约。

仲裁人：是的，很遗憾。这就是为什么每份贸易协定、销售合同、代理合同、定货单、或经销协议，都应有仲裁条款。

商人：附有这种仲裁条款的订约各方都可以诉诸仲裁庭吗？

仲裁人：可以的。但在另一方面，他们必须接受（仲裁庭的）任何裁决。

商人：仲裁庭能强行作出裁决吗？

仲裁人：能，但是仲裁庭通常将自己的复查范围限于执行某些法律规定，包括把裁决通知有关人员并提请注意作出裁决的期限。

商人：我认为商业道德会使大多数人避免产生分歧。

仲裁人：当然啰。不过我们仍然碰到不少涉及商品不合规格的案件。

商人：我猜想是由于对商业术语有些误解（而引起的）。

仲裁人：是的，偶而会这样。弄虚作假和市场价格问题也会引起纠纷。我们现在正在处理一件因延期装运和到货品质不良的索赔案件。