

## BUSINESS ENGLISH

These units are intended for German-speaking students who wish to improve their command of Business English. They are the result of my teaching at various universities, consultancies or companies. All units are freely available for study but copyright.

Abbreviations used are: **e.g.** = *exempli gratia* (Latin), for example, for instance, and **i.e.** = *id est* (Latin), that is, that means. German translations are usually in brackets.

Solutions for the translation exercise of Unit 3

- 1 We transferred the amount of €250 yesterday.
- 2 The holding has filed for bankruptcy today.
- 3 Our competitor has taken over two foreign companies about a month ago..
- 4 The quarterly report needs to be finished by the end of next week.
- 5 We need to (re) negotiate the repayment with our creditors.

#### **Unit 4: English for Law, or Legal English, and the Language of Contracts**

**Legal English** (Rechtsenglisch) can be very important in the business environment, mainly to settle conflicts or secure rights and subsequently profit generated from sales, or when setting up contracts. There are various expressions for the people involved in this part of business, with the term **lawyer** (Rechtsanwalt) probably the most common. Other words for this profession are **QC** (Queen's Counsellor), **solicitor**, **barrister**, **attorney** or **attorney-in-law**, **state prosecutor** (Staatsanwalt), and **judge** or **justice** (Richter).

The place where these people work is the **court** (also called **court of law**) or **courthouse** (Gericht) and the **courtroom** (Gerichtssaal). We distinguish between **civil law** (Zivilrecht) and **criminal law** (Strafrecht). In civil law one person or company **takes legal action** (Klage erheben) against another person or company. The person doing this is the **plaintiff** (Kläger, also called **complainant**), the other person the **defendant** (Angeklagter, also called **suspect** = Verdächtiger). The defendant is being **sued** (vor Gericht gebracht, angeklagt) by somebody, or **accused** of (beschuldigt) a **crime** (Verbrechen), **felony** or **offense** (Straftat, Vergehen), or being **taken to court**. In case of murder (also

called **capital case** or **capital offense**), or **serious bodily harm** (schwere Körperverletzung), the police and **investigating authorities** (Untersuchungsbehörden = the state) will be represented by a prosecutor, these are **criminal law cases** (Strafgerichtsfälle).

We also have the word **complaint** (Beschwerde), as in *to launch a complaint* (eine Beschwerde einreichen) which is also used in normal business life, so *A customer launched a complaint about a faulty product.* – *Ein Kunde reichte eine Beschwerde über ein fehlerhaftes Produkt ein.*

In court a defendant may have to undergo **cross examination** (Kreuzverhör) or may make or read a **statement** (Aussage machen). Both sides in a court case may call up a **witness** (Zeuge) or an **eye-witness** (Augenzeuge) to provide evidence for their case or argument. Sometimes the court will ask for an **expert's opinion** (Gutachten).

During the trial the defendant may have a lawyer or sometimes a defense team to represent his/her interests, the plaintiff will also be represented by a lawyer. In case of a **criminal case** (Strafgerichtsverfahren) the state prosecutor will represent the civil authorities or the state. These cases are often **trial-by-jury** cases (Schwurgericht), where a group of **jurors** (Geschworene) may have to reach a **verdict** (Urteil, sometimes also called **judgment**) of **guilty** (schuldig) or **not guilty** (unschuldig, another term for this is **innocent**). An impressive way to experience such a trial is the movie *Twelve Angry Men* (*Die zwölf Geschworenen*) which is freely available for watching on the Internet. The movie is based on the short novel of the same title by Reginald Rose, published by Penguin.

At the end of the trial the judge has to decide on the outcome by **pronouncing a verdict** (Urteil verkünden), and a subsequent punishment or **sentence** (Strafmaß) if the accused has been found guilty. The accused can be sentenced to a **fine** (Strafgebühr) or a prison sentence, or can be asked to pay **damages** (Schadenersatz) or **compensation** (Entschädigung). If the defendant disagrees with the judge's decision he can take the case to a **Court of Appeal** (Berufungsgericht) and **launch an appeal** (Berufung einlegen). The highest national court is called **High Court** (UK) or **Supreme Court** (USA), other types are the **Constitutional Court** (Verfassungsgericht) or **Administrative Court** (Verwaltungsgericht). A lower court can be called a **magistrate's court** (Land-, Amtsgericht).

## The Language of Contracts

Contracts are usually **set up between** (aufgesetzt zwischen) and **signed by** (unterzeichnet) two or more **parties** (Parteien), both of which have usually been negotiating this contract for quite a while. If it is a really fair contract for everybody involved we talk about a **win-win** situation.

There are various types of contracts, such as a **maintenance or service contract** (Wartungsvertrag), a **supplier contract** (Lieferantenvertrag), a **sales contract or agreement** (Verkaufsvertrag), or a **marriage contract** (Ehevertrag, also called **prenuptial agreement**). Other words for a contract are **agreement** (Übereinstimmung), **covenant or treaty** (Bündnis) or **lease** (Mietvertrag). If you sign a lease for a house or **flat** (Wohnung) you are the **tenant** (Mieter) and the property owner is the **landlord or landlady** (Vermieter, -in).

The contract may begin with a phrase such as this one:

Between company XYZ, **hereafter called A** (hiernach genannt A), and company XYZ, hereafter called B, the following points are agreed on.

This is then followed by the detailed parts, **paragraphs** (Absätze) or **clauses** (Abschnitte, Punkte) of the contract.

A contract must be signed – so you put your **signature** (Unterschrift) at the end - and can be **cancelled** (gekündigt) or **terminated** (beendet) by any of the parties involved, sometimes even **at short notice** (kurzfristig) or **with immediate effect** (mit sofortiger Wirkung). The party providing services or goods to the other party is called the **contractor** (Vertragsnehmer). A contract may have a **legal validity** (rechtliche Gültigkeit) and will contain the **T&C** (**Terms and Conditions** = AGB, Allgemeine Geschäftsbedingungen) of the parties or companies involved. The party initiating the process is the **principal or contracting authority** (Vertragsgeber, beauftragende Behörde).

If you are representing somebody you may act **on behalf of, by order of, or under the authority of** (im Auftrag von) an authority or company. We also talk of the **placing of an order** (Auftragserteilung), **processing of a contract or order** (Vertrags- oder Auftragsabwicklung), and the **procurement or award of a contract** (Vertragsvergabe). Finally we have the **place of jurisdiction and fulfillment for all disputes** (Gerichtsort, -stand, Erfüllungsort), which is often mentioned at the end of a contract.

### Translation Exercise

- 1 Beide Parteien haben den Wartungsvertrag heute morgen unterschrieben.
- 2 Der Richter wird morgen das Urteil verkünden.
- 3 Die Firma wird uns wegen der kaputten Rohre vor Gericht bringen.
- 4 Der Staatsanwalt hat mehrere Zeugen für den Betrugsfall.
- 5 Einige Führungskräfte wurden von der Polizei verhört.