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WRITTEN TRANSLATION PRACTICE

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ПРАКТИКУМ ПИСЬМОВОГО ПЕРЕКЛАДУ

Навчальний посібник

для студентів спеціальності «Філологія»

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/М.С.Маланюк, О.С. Пальчевська, Н.Л.Іванишин.

Навчальний посібник містить тексти та вправи для перекладу у різних галузях і охоплює п'ять розділів. Система вправ, спрямована на вдосконалення навичок письмового перекладу. Тексти та вправи побудовані на матеріалі оригінальної професійної літератури. Додатково запропонований глосарій термінів та скорочення. Посібник призначений для студентів філологічних та перекладацьких факультетів закладів вищої освіти денної та дистанційної форм навчання, студентів університетів, що спеціалізуються у галузі менеджменту, права, банківської справи, фахівців,

які прагнуть вдосконалити власні навички та вміння перекладу технічної літератури й зацікавлені в удосконаленні своєї перекладацької компетентності, науковців, аспірантів.

ПЕРЕДМОВА

На часі перекладацька діяльність є одним із найважливіших чинників. Галузевий переклад для майбутніх фахівців-перекладачів є однією з пріоритетних дисциплін. Переклад автентичних матеріалів у різних сферах ґрунтується на наявності значної кількості фахової лексики, яку складно перекласти. Вдалою спробою поповнити навчально-методичне забезпечення підготовки майбутніх перекладачів є навчальний посібник «Written translation practice».

Посібник забезпечує формування стійких перекладацьких навичок та вмінь, необхідних для здійснення професійного письмового перекладу з англійської мови українською та з української англійською. Він надає можливість здобувачам вищої освіти оволодіти основними видами перекладацької діяльності у різних галузях. Метою посібника є вдосконалення навичок письмового перекладу, створення активного лексикону-мінімуму з відповідної термінології. Матеріали посібника відібрано з автентичних джерел навчального, довідкового та інформативного характеру.

PART 1. LAW

Unit 1.

1. ***Read and translate the following text.***

Text 1. What is Law?

Law is a rule of conduct commanding what is right and prohibiting what is wrong. Law has also been defined as the body of principles and rules which the courts apply in the decision of controversies. Justice Oliver Wendell Holmes said: “Law is a statement of the circumstances in which the public force will be brought to bear through courts”. Law is simply what the courts will or will not order in any particular case. Law is a scheme for controlling the conduct of people; it deals with social interests.

The essence of law, its origin cannot be understood if law is considered in isolation from economic and social conditions. It is society through the state that creates law, but law in its turn exercises influence on the socio-economic system. Law is certain to operate as an important factor in consolidating the existing social relations and in some cases in promoting the establishment of new relations whenever the necessary material conditions come into being. The more complex the economic mechanism of a society organized as a state, the stronger is the influence it exerts in many concrete directions.

In a developed state the sphere in which the law operates proves to be quite extensive. It embraces all the spheres of production, distribution and exchange. Law fixes the forms of administration and the constitutional system, determines the legal status of citizens and the activity of the state mechanism (state law, administrative law). It fixes the existing property relations and operates as a

regulator of the measure and forms of distribution of labour and its products among the members of society (civil law, labour law). Finally, the law lays down the measures for combating encroachment on the state system, the existing order of social relations, together with the forms in which this is done (criminal law, procedural law, corrective labour law).

1. What is the definition of law?
2. How was law created?
3. What role does the law play in the existing social relations?
4. In what spheres does the law operate in a developed state?
5. What spheres does the law embrace?
6. What does it fix?
7. How does the law help the state to combat criminal encroachments?

Render in Ukrainian the following free word combination

Public force, essence of law, law embrace, criminal law, procedural law, corrective labour law, state law, administrative law, civil law, labour law.

Unit 2.

1. ***Read and translate the following text.***

Text 2. English Legal System

English law and the English judicial system was made by judges and Parliaments who had the same economic, political and moral outlook as the ruling class they had represented. One remarkable feature of the English legal system is that an important part of the law has never been considered, debated or approved by any Parliament. Many of the laws of England are contained in the reports of

cases decided by judges. They constitute an authoritative “precedent” for all judges to follow. At the present time the English judicial system is basically pyramidal in organization. At the top of the pyramid is one final appellate tribunal, the House of Lords. Beneath it is the Court of Appeal, the intermediate appellate court, which hears both criminal and civil appeals.

Beneath these appellate courts are two separate systems of trial courts, one for criminal cases, and the other for civil cases. The separation of civil and criminal courts is largely a legal fiction; the same judges presiding over both courts. On the civil side are the High Court, a court of general jurisdiction, and the County Courts, which have only limited jurisdiction. On the criminal side is the Crown Court, also a court of general jurisdiction, and the Magistrates Courts having only limited jurisdiction. The High Courts justices and County Court judges are all barristers. The justices of the High Court and the County Judges are officious judges of the Crown Court, as well a few lawyers who hold temporary appointments. Outside of London and a few other large cities, the magistrates are laymen, who sit only occasionally to try cases. In the largest cities, there are full-time stipendiary magistrates, who must have legal training.

1. Whose interests does the English judicial system reflect?
2. What is a remarkable feature of the English legal system?
3. How many levels are there in the English judicial system?
4. What cases does the Court of Appeal hear?
5. What is the Supreme Court in Great Britain?
6. What trial courts are there in England?
7. Must all the judges have legal training?
8. Who presides over two trial courts?

Render in Ukrainian the following free word combination

the House of Lords, the Court of Appeal, trial court, the High Court, the County Court, the Crown Court, the Magistrates' Court

Render in English the following free word combination

палата лордів, апеляційний суд, суд першої інстанції, Високий суд, суд графства (Великобританії), місцевий суд (США), кримінальній суд присяжних Великобританії, мирський суд, згідно з займаною посадою

Text 3. Types of Laws

Municipal law, i.e. state law, as opposed to international law, is commonly divided into categories. The chief of these categories is the distinction between public law on the one hand and private law on the other.

Public law consists of those fields of law which are primarily concerned with the state itself. Thus constitutional law, which regulates the functioning of the organs of the central government, and the relationship of the individual to them, is a branch of public law. Criminal law is also "public" law because crimes are wrongs which the state is concerned to prevent; and so is most of the law created by modern statutes designed to promote social security, for these statutes cast special duties upon the state.

Private law is that part of the law which is primarily concerned with the rights and duties of individuals. Thus the branches of the law that govern private obligations such as the law of contract and of torts - are all aspects of private law. So too is the law of property, which determines the nature and extent of the rights which people may enjoy over land and other property, and the law of succession which governs the devolution of property upon death, and in certain other events.

These are only examples of sub-divisions of public and private law; many others might be given. Both the main division and the subdivisions are, to some extent, arbitrary and they are made primarily for the purpose of convenient exposition.

1. What are chief categories of municipal law?
2. What does constitutional law regulate?
3. What laws does public law consist of?
4. What is private law concerned with?
5. What does the law of property determine?
6. What is public law concerned with?
7. What does the law of succession govern?

Text 4. Lawyers and Their Duties

As members of the legal profession, lawyers usually play a major role in the application of rules of law and legal principles. Liberty and justice are abstractions that can only be realized when individuals operate a system in such a manner as to achieve them. The law can only work through individuals; it is not self-enforcing. Although courts and juries constitute the decision makers in our judicial system, lawyers play an integral role in our legal system. The practice of law is a profession. It involves a dedication to society in which the service performed is more important than any remuneration received for the service.

A lawyer's first duty is the administration of justice. As an officer of the court, he or she should see that proceedings are conducted in a dignified and orderly manner and that issues are tried on their merits only. The practice of law is not a game or mere battle of wits, but a means to promote justice. The lawyer's duties to each client require the highest degree of fidelity, loyalty, and integrity. To engage in the practice of law is not a natural or constitutional right but a privilege conferred because one knows the law and possesses good moral character. The latter is a proper conception of the nature and duties of the office of attorney and also of the ethics of the profession.

Absolute honesty and integrity are minimum standards for the profession. Sometimes the conduct of some lawyers has not met the high professional standards of the profession. The code of ethical standards for lawyers undergoes periodic review and updating in order that the profession may effectively serve the public interest. A lawyer serves in essentially three capacities – counsellor, advocate, and public servant. As a counsellor, a lawyer by the very nature of the profession knows his or her client's most important secrets and affairs. A lawyer is often actively involved in the personal decisions of clients, ranging from their business affairs and family matters such as divorce to their alleged violations of the

criminal law. These relationships dictate that a lawyer meets the highest standards of professional and ethical conduct.

As an advocate, lawyer is not only a “fighter” in court but also a negotiator of compromise. Lawyers spend most of their efforts seeking solutions to difference between adversaries. Advocacy is practised not only before courts and juries but also before opposing counsel and with one’s own client as well. As public servants, lawyers serve in all capacities and at all levels of organized society. It is obvious that if a lawyer is to give competent advice and adequate representation, he or she must know to the fullest possible extent all the facts involved in any legal problem presented by the client.

Kinds of Lawyers. There are two kinds of lawyers: solicitors and barristers. People who need the professional assistance of a lawyer go to solicitors to act as advocates in the higher courts, so if any civil or criminal matter is to go before a crown court a client’s solicitor must hire a barrister to act as advocate in the court. A barrister who takes on a job of advocacy of a client is said to accept a “brief”, and to act as “counsel”. These two words are part of the vast special vocabulary of the law, part of which is Latin, part-old French. The barristers form the “senior” part of the legal profession, and have kept many ancient traditions. Every barrister belongs to one of four institutions called by the curious name “Inns of Court”.

1. What is a major role of lawyers?
2. What does it mean that lawyers’ duty is the administration of justice?
3. What are the means to promote justice?
4. What are required qualities of a lawyer?
5. What capacities does a lawyer serve in?
6. What does the capacity of an advocate involve?
7. What kinds of lawyers do you know?

Text 5. The European Communities

Although it is convenient to speak of the European Community, there are in fact three distinct communities, each with its own constitution in the form of the treaty which established it. These are:

1. European Coal and Steel Community (ECSC). This was established by the Treaty of Paris 1951 for the purpose of managing a common market in coal and steel.
2. European Atomic Energy Community (Euratom). This was set up by the second Treaty of Rome 1957 for the purpose of developing a common market in nuclear energy and distributing the power produced.
3. European Economic Community (EEC). This was set up by the first Treaty of Rome 1957. Unlike the other two specialist communities, the EEC has wider and more general objectives. Its immediate aim is the integration of the economics of the participating states; the long-term aim is political integration.

The six original signatories to the Treaties of Paris and Rome were France Germany, Italy, Belgium, the Netherlands and Luxembourg. The United Kingdom, Ireland, and Denmark joined in 1973, Greece in 1981, and Spain and Portugal in 1986. By accession, these countries surrendered sovereign powers to the new Communities and accepted the supremacy of Community law over their national systems of law if a conflict should arise. While it is theoretically possible for a country to regain this loss of sovereignty by withdrawing from the Communities, this will become more unlikely with the passage of time when their economies will become more and more enmeshed and difficult to separate.

The Communities are legal persons with the normal characteristics and power attaching to legal persons, for example holding property, entering into contracts, and employing servants. Since they are sovereign legal persons they also

have the power under international law of entering into treaties and exchanging envoys with other countries.

The European Communities and their institutions must be distinguished from those of the Council of Europe, a wider and much looser organization of 21 Parliamentary states of Western Europe. This Council was set up in 1940 and its most important act was the adoption, in 1950, of the European Convention on Human Rights, based on a similar earlier Declaration of the United Nations. A Commission was set up to investigate alleged breaches and a Court to rule upon them.

1. What three communities do you know?
2. What is the main goal of EEC?
3. What countries were the first to make Treaties of Paris and Rome?
4. What powers have the Communities as legal persons got?
5. What is the difference between the European Communities and the Council of Europe?
6. What was the Council most important event?
7. What are the objectives of the Commission and the Court?

Text 6. Community Institutions

There are four main institutions responsible for discharging the functions of the Communities - the Commission, the Council of Ministers, the Parliament, and the Court of Justice. There was originally a separate Commission and Council for each Community but it was soon realized that this was unsatisfactory. The need to co-ordinate policy in fields that overlapped led to the Merger Treaty 1965. In consequence there has been a single Commission and a single Council since 1969.

This is the executive body of the Communities and consists of 17 Commissioners appointed by mutual agreement of the Governments. There must be not more than two from any country and the present practice is for the five larger countries - France, Germany, Italy, Spain, and the United Kingdom - to

appoint two each and the seven smaller countries one each. One of the Commissioners is appointed President and there are five Vice-Presidents.

The Commissioners are chosen on the grounds of general competence. They must act with complete independence in the interests of the Communities and not take instructions from their own national Governments. Their term of office is a renewable period of four years but they may resign or be retired compulsorily for misconduct by the Court of Justice before the expiration of this period. A vote of censure carried by a two-thirds majority in the Parliament will bring about the compulsory retirement of the whole Commission.

While the Commission acts collectively, individual Commissioners specialize in the functions allotted to them - agriculture, transport, social affairs, regional policy, etc. Each Commissioner has a private staff (cabinet) under a chef de cabinet of the same nationality.

There are departments responsible for exercising the various functions of the Commission, each headed by a Director-General of a nationality different from the Commissioner who has overriding responsibility. In the appointment of staff generally, an attempt is made to secure equitable representation from the member states.

The Commission is responsible for the formulation of Community policy after consultation with interested parties, having regard to the overriding objectives of the three Communities and the need to coordinate their policies. It has wide legislative functions. It initiates and drafts most Community legislation, and puts its proposals before the Council for enactment. In some instances the Commission has the power to enact the legislation itself either under the Treaties or by delegation from the Council, in particular with regard to agriculture.

The Commission also has executive functions to ensure the enforcement of Council decisions. Allegations that a member state or a commercial undertaking is not fulfilling its Community obligations are investigated and, if necessary, brought

before the Court of Justice. The Commission represents the Communities in negotiations with non-member states and administers certain budgets and funds. In general, it acts as the day-to-day executive of the Communities.

The Commission even has functions, which are semi-judicial in nature. Thus it has the task of investigating alleged breaches of the anti-monopoly and restrictive practices provisions of the EEC Treaty. It is then the Commission, which decides whether there has been any infringement, and proposes appropriate measures to remedy the breach.

1. What institutions are responsible for discharging the functions of the Communities?
2. How many members are there in the executive body of the Communities? How are they chosen?
3. What are the requirements to the Commissioners?
4. What are departments responsible for?
5. What is Commission responsible for?
6. What does the executive function of the Commission include?

Text 7. The Council and its Functions.

The Council, which represents the sovereignty of the member states, is composed of one representative from each of the states. This is normally the Foreign Minister, but another minister, for example the Minister of Agriculture, may attend if the matter under discussion justifies this. Assistance, particularly with preliminary discussions, is given by a Committee of Permanent Representatives made up of the ambassadors to the Communities, and this Committee has come to exercise considerable power.

The Council is formally the legislative body for the Communities but in most cases it may only act on proposals put forward by the Commission. A system

of weighted voting is provided for under which the larger countries have more votes, and most decisions require more than a simple majority to take effect. After the 1966 Luxembourg Agreement unanimity in voting became common practice, even though only strictly required in a limited number of cases such as the admission of new member states.

The Parliament (formerly called the Assembly) represents the peoples of the member states. Until June 1979 the members were nominated by their national parliaments but they are now directly elected by voting in the member states. There are at present 518 members (of whom 81 are from the United Kingdom), who sit in political rather than national groups.

It is not a parliament in the normal meaning of that term. It has no legislative powers and is largely an advisory or consultative body. It is a forum where Community problems can be discussed and there is a power to put questions to the Council and the Commission. Consultative functions are largely exercised through 12 standing committees dealing with specialist topics.

There is, however, the power to remove the Commission by a vote of censure passed by a two-thirds majority. There are also limited powers over the Communities budget.

The Single European Act introduces a new "cooperation procedure" designed to give what will then be known as the Parliament a greater role in the legislative process. In the case of certain specified proposals from the Commission, for example to eliminate discrimination on grounds of nationality and to establish free movement of workers and services, the Parliament will have the right to reject or amend. The Commission must then re-examine the proposal before putting it before the Council. The final decision rests with the Council, although unanimity is then required. Although this increase in the powers of the Parliament is relatively small it could lead to further future changes leading to greater democratic control over the Communities.

1. Who is the Council composed of?
2. What is the Committee of Permanent Representatives' duty?
3. When is unanimity in voting required?
4. How are members of the Parliament chosen?
5. What powers and duties has the Parliament got?
6. What introduces a new "cooperation procedure?"
7. In what cases must the Commission re-examine its proposal?

Text 8. The European Court of Justice

The European Court of Justice, which sits in Luxembourg, holds the judicial power of the Communities with the function of ensuring that the law is observed in the interpretation and implementation of the Treaties. It is a court of first instance whose decisions must be accepted by the national courts and against which there is no right of appeal . While the business of the court is normally disposed of in plenary session before all the judges, it is possible for certain preliminary and other matters to be dealt with by a division or chamber of three judges.

There are at present 13 judges, at least one being appointed by each member state, and the judges in turn elect the President of the Court. Judges must be persons whose independence is beyond doubt and who are either qualified to hold high judicial office in their own country or are legal experts of recognized competence. In practice the Bench is made up of a mixture of professional judges, academic lawyers, and public servants, unlike the English courts where the judges must all have been practising barristers. Privileges and immunities are granted to help ensure independence and impartiality, and a judge may only be removed from office by a unanimous decision of the other judges.

Compared with English procedure, much greater emphasis is placed upon written submissions or pleadings than upon oral argument. The Bench also plays a more active or inquisitorial part in the hearing: preliminary proceedings are

conducted by a judge - the reporting judge - and the Court itself may summon and examine witnesses. The Court will be assisted by one of six advocates-general who must be qualified in the same way as the judges and whose function is to give an independent view of each case, particularly by way of a reasoned submission at the close of the proceedings. Following continental practice again, the Court will give a single judgment and dissenting opinions are not expressed. The language in which proceedings are conducted will vary from one case to another. This will normally be chosen by the plaintiff, except where the defendant is a member state then it will be the language of that state. There is no machinery for enforcing judgments. Where this is necessary it must be done by the member states through their national courts.

1. What is the duty of the European Court of Justice?
2. Is there a right of appeal against the European Court of Justice?
3. Who elects the President of the Court?
4. What are the requirements to judges?
5. Who can work in the European Court?
6. What is the procedure to remove a judge from his office?
7. Who chooses the language of the proceeding and what does it depend on?

Text 9.

The jurisdiction of the Court derived from the Treaties, includes the following:

1. Actions may be brought against member states either by other member states or by the Commission on the grounds that Treaty obligations are not being fulfilled. The Court's judgment will then be of a declaratory nature and compliance with the judgment depends upon the good faith of the member state.

2. Actions may also be brought against Community institutions by other institutions (for example, the Commission against the Council), by member states or by private individuals or corporate bodies who are directly concerned. In this way the act of an institution may be challenged on the grounds of lack of competence, infringement of a procedural requirement, infringement of the Treaties or for misuse of power, when a power has been used for a purpose other than that for which it was conferred. The Court may pronounce on the legality or otherwise of the act in question and, if necessary, either annul it by declaring it to be void or, in certain instances, substitute its own decision for that of the institution. If appropriate, compensation may be awarded.
3. The Court has jurisdiction to settle disputes between the Communities and their employees arising from the latter's contracts of employment. It may also deal with the non-contractual liability of Community institutions for damage caused by their servants in the performance of their duties. It is provided that this shall be done in accordance with the general principles common to the laws of the member states. The Court may also hear appeals against penalties imposed by the Commission.
4. Finally, the Court has a consultative function to give preliminary rulings on the interpretation of the Treaties or of any acts of Community institutions. Any court or tribunal in a member state may ask for such a ruling. If the court is one from whose decision there is no appeal, such a ruling must be sought. It is arguable whether, in the case of this country, this court is the Court of Appeal or the House of Lords since there is no appeal as of right to the House of Lords.

In an attempt to relieve the burden upon the Court and reduce delays, a Court of First Instance was established in 1989 under the provisions of the Single European Act. This Court has 12 judges appointed by the member states and three of five of these will sit together to hear cases. Jurisdiction is limited to disputes between the Community and its servants and to applications for judicial review in

respect of certain actions of the Council or the Commission. There is a right of appeal to the European Court on a point of law.

The Court of Justice must be distinguished from the European Court of Human Rights, which sits in Strasbourg, and from the International Court of Justice, which sits in The Hague as an organ of the United Nations and offers a means of settling disputes between states.

1. Who can bring actions against member states and in what cases?
2. What are the grounds the actions may be challenged on?
3. What disputes has the Court jurisdiction to settle?
4. What does a consultative function of the Court mean?
5. What was the purpose of establishing the Court of First Instance?
6. How many judges are there in the Court of First Instance?
7. What is the difference between the Court of Justice and International Court of Justice?

Text 10. Sources of Community Law.

Membership of the Communities means the incorporation of Community law into a state's internal legal system. This law must be accepted without question and applied in the national courts. Moreover, in the event of a conflict between Community law and national law, Community law shall take precedence. It is necessary to consider the sources from which Community law is derived.

The primary sources of Community law are the three foundation Treaties of Paris and Rome with their supplementary schedules and appendices. To these have been added subsequent treaties such as the Treaty of Merger 1965 and the Brussels Treaty of Accession 1972. It is likely that further treaties or conventions will be ratified by the member states in the future, either of a general nature dealing with the Communities as a whole or on specific topics such as patents and companies.

Also included are treaties, such as trade agreements, concluded between the Communities and states in the outside world.

The Single European Act 1986 is an example of this further development. It amends the Treaty of Rome in order to remedy certain defects in the Communities and to strengthen economic and social cohesion between the member states. Some of the changes have been outlined above: following ratification by all the member states it came into force on 1 July 1987. The United Kingdom gave legal effect to the Act by the European Communities (Amendment) Act 1986.

The main treaties are "self-executing" in the sense that ratification by a member state means that the provisions automatically become the law of that state. The state does not have the right to decide whether or not to implement the treaty by its own legislation. Thus the courts in the United Kingdom must accept and apply Article 85 of the EEC Treaty which prohibits specified restrictive practices agreements between commercial undertakings.

The Treaties set out in broad terms the objects to be achieved and leave off the detailed means of achieving them to the Council and the Commission. To this end, the Council and Commission have law-making powers which they may exercise from time to time in accordance with the procedure laid down by the Treaties. The rules of law emanating from these administrative acts constitute secondary sources of law. They may take one of the following forms:

1. Regulations are of general application, binding in their entirety and directly applicable in all member states without the need for further legislation. The object is to obtain uniformity of law throughout the Communities.

2. Directives also have a general scope but are simply addressed to member states. The directive will require some or all of the states to make such changes in their own law as are necessary to bring it into line with the Community requirements set out in the directive. It is for each state to

decide the manner and the form of the changes necessary in its own law, so long as the end result is achieved. The principal use of directives is to bring the laws of member states on certain topics into line with those of the other states in the Communities.

Decisions of the Council or Commission are binding in their entirety upon those to whom they are addressed. The decision may sometimes be addressed only to a single firm or group of companies. Unlike regulations, they do not have general legislative effect. They do, however, take effect: it is not left to member states to implement them.

Recommendations and opinions merely express the views of the Council and the Commission on Community policies. They are persuasive only and not binding and, therefore, cannot strictly be regarded as sources of Community law.

The powers and jurisdiction of the Court of Justice to ensure the observance of Community law have already been outlined. In so doing it is necessary for the Court to interpret statutory provisions and from this rules of "law" may emerge. In accordance with the normal continental approach the Court has no law-making powers and there is no doctrine of binding precedent.

1. What does membership of the Communities mean?
2. What are the primary sources of Community Law?
3. What are the topics for further treaties to be ratified?
4. What does it mean that a treaty is ‘self-executing’?
5. What is the aim of the general application of the regulations?
6. What is the difference between regulations and decisions?
7. Why can’t the recommendations and opinions be regarded as sources of Community law?

ЛЕКСИЧНИЙ МІНІМУМ ТЕРМІНІВ

A	
abolish	- скасовувати, усувати, відмінити
abolishion	- усунення, ліквідація
accept jurisdiction	- признати юрисдикцію
according to law	- згідно з законом
act of law	- юридичний акт
ad hoe judges	- спеціальні судді
administer	- управляти, керувати справами
administration	- керування справами, адміністрація
administration justice	- відправлення правосуддя
administrative jurisdiction	- адміністративна юрисдикція
administrator	- особа, яка виконує офіційні обов язки
advice	- порада, консультація
advisory jurisdiction	- консультативна юрисдикція
advocate	- (1) адвокат, прихильник, оборонець; - (2) захищати, відстоювати (якісь заходи, погляди)
advocate (barrister, lawyer)	- адвокат
aggregate of proofs	- сукупність доказів
ally	- (1) союзник - (2) вступати в союз, єднатися
amend	- виправляти, вносити поправки
appeal from judgment	- оскарження вироку
appellate	- апеляційний
appellate court	- апеляційний суд (в США)
appellate jurisdiction	- апеляційна юрисдикція
applicant	- прохач, претендент, кандидат
apply	- звертатися з проханням
arbitrament	- арбітражне рішення
arbitrator	- арбітр
arrest of judgment	- відстрочка визначення міри покарання

assume jurisdiction	- визнавати компетентним
attorney (am.)	- адвокат
B	
bail	- застава, порука
bail out	- брати на поруки
ban	- заборона
be in custody	- знаходитись під арештом
be subject to the jurisdiction of one s own country	- під юрисдикцією своєї країни
be under the jurisdiction of flag state	- підкорятися юрисдикції держави
become law	- вступити в силу як закон
body of independent judges	- колегія незалежних суддів
body of law	- зібрання законів
breach of law	- порушення закону
break the law	- порушувати закон
bring to justice	- притягати до судової відповідальності
by authority of law	- в силу закону
C	
capital crime	- злочин, що карається вищою мірою
censure	- (1) осудження, осуд; - (2) осуджувати, гонити
city court	- міський суд
civil code	- цивільний кодекс
civil jurisdiction	- громадська юрисдикція
claim jurisdiction	- претендувати на юрисдикцію
code	- кодекс, звід законів, код
coercive	- примусовий
come within jurisdiction	- підпадати під юрисдикцію
commercial law	- торгове право
commitment	- зобов язання, взяття під варту
common law	- загальне право

common law court	- суд загального права
competence of a judge	- компетенція судді
compulsory measures	- примусові міри
concealment	- приховування, прикривання
conditions provided by law	- умови, передбачені законодавством
consideration	- розгляд, обговорення
consular jurisdiction	- консульська юрисдикція
contest jurisdiction of court	- оспорювати компетенцію суду
convict	- визнавати винним
convicted	- засуджений
conviction	- засудження, визнання винним
copyright	- авторське право
country court	- місцевий суддя, суддя графства
court	- суд
court of appeal	- апеляційна інстанція; апеляційний суд
court of cassation	- касаційний суд
court session	- засідання суду
crime	- злочин
criminal	- злочинець, карний, кримінальний
criminal (penal) code	- кримінальний кодекс
criminal jurisdiction	- кримінальна юрисдикція
criminal law	- кримінальне право
criminal record	- кримінальна справа, досьє злочинця
criminology	- кримінологія
cry for justice	- волати справедливості
custody	- арешт, опіка
D	
declare without jurisdiction	- визнавати некомпетентним / не уповноваженим
decline jurisdiction	- відмовлятися від юрисдикції

defendant	- відповідач, підсудний, обвинувачуваний
defender	- захисник, оборонець
delinquency	- провина, упущення, провинність, правопорушення
delinquent	- правопорушник, злочинець
deny justice	- відмовлятися від правосуддя
Department of Justice	- міністерство юстиції (США)
deprivation	- позбавлення
deprivation of liberty	- позбавлення волі
direct the jury	- давати вказівки присяжним; намагатися вплинути на рішення присяжних
domestic jurisdiction	- внутрішня компетенція
domestic jurisdiction of a state	- внутрішня компетенція держави
E	
embezzlement	- привласнення чужого майна або грошей, розтрата
enactment	- запровадження закону
encroachment	- вторгнення, загарбання
enforcement of judgment	- виконання судових рішень
equal before the law	- рівний перед законом
establish jurisdiction over a crime	- встановити чиюсь юрисдикцію над злочином
examining court	- суд слідства
executary judgment	- рішення суду, що підлягає виконанню
execute	- виконувати, оформляти документ
execute a judgment	- виконувати судове рішення
executive	- виконавчий, виконавча влада
executive judgment	- виконавче судове рішення
exercise of jurisdiction	- здійснення юрисдикції
expire	- закінчуватись, втрачати силу
extend jurisdiction (over)	- розповсюджувати юрисдикцію (на)
F	
fall under	- підпадати під

felony	- кримінальний злочин, тяжкий злочин
final judgement	- остаточне рішення (суду)
finality of judgment	- винесення вироку
find guilty	- признавати винним
fine	- штраф
force of law	- сила закону
foreign judge	- іноземний суддя
G	
grand jury	- велике журі
grave	- серйозний, важливий
guilt	- провина, провинність
guilty	- винний
H	
hand jury = split jury	- журі, що не досягло одностайного рішення
I	
impeach a judgment	- виносити судове рішення
imprison	- ув язнювати
in law	- по закону; законно
in law and in fact	- по закону і в дійсності
infringe	- порушувати (закон)
infringement	- порушення (закону)
inquest jury	- присяжні для розслідування
insurance	- страхування
intended breach of law	- умисне правопорушення
International Court of Justice	- Міжнародний Суд
introduce the law	- вводити закон
investigator	- слідчий
J	
judge	- (1) суддя, арбітр, експерт - (2) судити

judge of election (амер.)	- член виборчої компанії
judge of the International Court of Justice	- член Міжнародного Суду
judgement	- розгляд, слухання справи
judgment (of court)	- вирок, рішення суду
judgment by default	- судове рішення на користь позивача із-за неявки відповідача
judgment for defendant	- судове рішення на користь відповідача
judgment for plaintiff	- судове рішення на користь позивача
judgment of conviction	- звинувачувальний вирок
judicial	- судовий
judicial appointment	- юридична посада (призначення)
judicial authority	- судова влада
judicial co-operation	- правове співробітництво
judicial decision	- судове рішення
judicial district	- судовий округ
judicial functionary	- судовий виконавець
judicial guarantees	- судові гарантії
judicial measures	- судові міри
judicial order	- судовий наказ, судове рішення
judicial procedure	- судовиконавство, судова процедура
judicial settlement	- судове урегулювання
judicial vacations	- судові вакансії (час, коли суд не функціонує)
judicial work	- судова діяльність
juridical	- юридичний, законний, судовий
juridical equality	- правова (юридична) рівність
juridical subtleties	- юридичні тонкощі
juridically	- по закону, юридично
jurisconsult	- юрисконсульт
jurisdiction	- юрисдикція, підсудність, судочинство, сфера повноважень, компетенція

jurisdiction of court	- юрисдикція суду
jurisdiction of to entertain the disputes	- повноваження суду по розгляду спорів
jurisdictional	- підсудний
jurist	- юрист, (амер.) адвокат
jury	- присяжні
justice	- правосуддя, справедливість
justice of appeal	- апеляційний суддя
justify	- виправдовувати
L	
law	- закон
law and order	- правопорядок
law enforcement	- спостереження за дотриманням законів
law of arbitral procedure	- арбітражне процесуальне право
law-breaker	- правопорушник
lawyer	- юрист, адвокат
legal	- юридичний, правовий, законний
legal case	- судова справа
legal institution	- правова установа
legal liability	- юридична відповідальність
legality	- законність, легальність
legislation	- законодавство
liability	- відповідальність, зобов язання
liability	- відповідальність
M	
magisterial	- судовий
magistrate	- суддя
maintain	- підтримувати, захищати
make law	- встановлювати закон
malefaction	- злочин, правопорушення

malefactor	- злочинець, правопорушник
malicious	- злісний, навмисний
malpractice	- незаконні дії
maritime jurisdiction	- морське законодавство, морська юрисдикція
misdeed	- злочин, помилкова дія
misstatement	- неправдива заява, неправильне свідчення
mistrust	- недовіра, підозра
misuser	- зловживання правом
N	
national jurisdiction	- національна юрисдикція
nature and extent of jurisdiction	- характер і межі юрисдикції
notarial	- нотаріальний
notarized	- нотаріальне засвідчення
notary	- нотаріус
O	
objection	- заперечення, протест
observe the law	- дотримуватись закону
obtain jurisdiction (over)	- отримати юрисдикцію (над)
offence	- порушення, злочин
offence against law	- порушення законності
offender	- правопорушник, злочинець
ownership	- власність, володіння, право власності
P	
pass judgment	- виносити судове рішення
penalty	- покарання
permanent Court of International Justice	- постійна палата міжнародного правосуддя
prescribed by the law	- передбачений законом
private law	- приватне право
private property	- приватна власність

proceed	- порушувати справу, притягувати до суду
proclaim	- проголошувати, оповіщати
procurator	- прокурор
procurator's office	- прокуратура
pronounce judgment	- оголошувати вирок
protect by the rule of law	- захищати владою закону
R	
recognition	- визнання
regional court	- обласний суд
regulation	- регулювання, положення
rule	- правило, норма
S	
social insurance	- соціальне страхування
sphere of application	- сфера застосування
statutory	- встановлений законом
substantive judgement	- рішення по суті справи
Supreme Court	- Верховний Суд
T	
take into consideration	- брати до уваги
tentative judgment	- попереднє рішення
transgress	- порушувати (закон), посягати
treat with justice	- відноситись справедливо
trial	- судовий розгляд
trial court	- суд першої інстанції
trust	- довіряти, довіра
U	
unanimity	- одностайність
under the jurisdiction	- знаходитись під юрисдикцією
unintentionally	- без умислу

unlawful	- незаконний
upon application	- по скарзі
V	
valid	- чинний
valid law	- чинний закон
validity	- чинність
value judgment	- оцінка судження
violate the law	- порушувати закон
W	
warranty	- гарантія, договірна умова
warranty of authority (warranty of attorney)	- довіреність
within the limits of jurisdiction	- у межах компетенції
without appeal	- оскарженню не підлягає
witness	- свідок
writ	- судовий наказ
written evidence	- письмовий доказ

Text 1: MANAGMENT

"Management" (from Latin manu agere "to lead by the hand") characterises the process of leading and directing all or part of an organization, often a business, through the deployment and manipulation of resources (human, financial, material, intellectual or intangible). Early twentieth-century management writer Mary Parker Follett defined management as "the art of getting things done through people." One can also think of management functionally, as the action of measuring a quantity on a regular basis and of adjusting some initial plan, and as the actions taken to reach one's intended goal. This applies even in situations where planning does not take place. From this perspective, there are five management functions: Planning, Organizing, Leading, Co-ordinating and Controlling. Management is also called "Business Administration", and schools that teach management are usually called "Business Schools". The term "management" may also be used to describe the slate of managers of an organization, for example of a corporation. A governing body is a term used to describe a group formed to manage an organization, such as a sports league. The major problem when you start to manage is that you do not actually think about management issues because you do not recognize them. Put simply, things normally go wrong not because you are stupid but only because you have never thought about it. Management is about pausing to ask yourself the right questions so that your common sense can provide the answers. When you gain managerial responsibility, your first option is the easy

option: do what is expected of you. You are new at the job, so people will understand. You can learn (slowly) by your mistakes and probably you will try to devote as much time as possible to the rest of your work (which is what your were good at anyway). Those extra little "management" problems are just common sense, so try to deal with them when they come up. Your second option is far more exciting: find an empty telephone box, put on a cape and bright-red underpants, and become a Super Manager.

When you become a manager, you gain control over your own work; not all of it, but some of it. You can change things. You can do things differently. You actually have the authority to make a huge impact upon the way in which your staff work. You can shape your own work environment. In a large company, your options may be limited by the existing corporate culture - and my advice to you is to act like a crab: face directly into the main thrust of corporate policy, and make changes sideways. You do not want to fight the system, but rather to work better within it. In a small company, your options are possibly much wider (since custom is often less rigid) and the impact that you and your team has upon the company's success is proportionately much greater. Thus once you start working well, this will be quickly recognized and nothing gains faster approval than success. But wherever you work, do not be put off by the surprise colleagues will show when you first get serious about managing well.

Text 2: HISTORICAL DEVELOPMENT

Difficulties arise in tracing the history of management. Some see it (by definition) as a late modern (in the sense of late modernity) conceptualization. On those terms it cannot have a pre-modern history, only harbingers (such as stewards). Others, however, detect management-like activities in the pre-modern past. Some writers trace the development of management-thought back to Sumerian traders and to the builders of the pyramids of ancient Egypt. Slave-owners through the centuries faced the problems of exploiting/motivating a

dependent but sometimes unenthusiastic or recalcitrant workforce, but many pre-industrial enterprises, given their small scale, did not feel compelled to face the issues of management systematically. However, innovations such as the spread of Hindu-Arabic numerals (5th to 15th centuries) and the codification of double-entry book-keeping (1494) provided tools for management assessment, planning and control. Given the scale of most commercial operations and the lack of mechanized record-keeping and recording before the industrial revolution, it made sense for most owners of enterprises in those times to carry out management functions by and for themselves. But with growing size and complexity of organizations, the split between owners (individuals, industrial dynasties or groups of shareholders) and day-to-day managers (independent specialists in planning and control) gradually became more common.

19th century

Some argue that modern management as a discipline began as an off-shoot of economics in the 19th century. Classical economists such as Adam Smith (1723 - 1790) and John Stuart Mill (1806 - 1873) provided a theoretical background to resource-allocation, production, and pricing issues. About the same time, innovators like Eli Whitney (1765 - 1825), James Watt (1736 - 1819), and Matthew Boulton (1728 - 1809) developed elements of technical production such as standardization, quality-control procedures, cost-accounting, interchangeability of parts, and work-planning. Many of these aspects of management existed in the pre-1861 slave-based sector of the US economy. That environment saw 4 million people, as the contemporary usages had it, "managed" in profitable quasi-mass production. By the late 19th century, marginal economists Alfred Marshall (1842 - 1924) and Léon Walras (1834 - 1910) and others introduced a new layer of complexity to the theoretical underpinnings of management. Joseph Wharton offered the first tertiary-level course in management in 1881.

20th century

By about 1900 one finds managers trying to place their theories on what they regarded as a thoroughly scientific basis (see scientism for the limits of this belief). Examples include Henry R. Towne's Science of management in the 1890s, Frederick Winslow Taylor's Scientific management (1911), Frank and Lillian Gilbreth's Applied motion study (1917), and Henry L. Gantt's charts (1910s). J. Duncan wrote the first college management textbook in 1911. In 1912 Yoichi Ueno introduced Taylorism to Japan and became first management consultant of the "Japanese-management style". His son Ichiro Ueno pioneered Japanese quality-assurance. The first comprehensive theories of management appeared around 1920. The Harvard Business School invented the Master of Business Administration degree (MBA) in 1921. People like Henri Fayol (1841 - 1925) and Alexander Church described the various branches of management and their inter-relationships. In the early 20th century, people like Ordway Tead (1891 - 1973), Walter Scott and J. Mooney applied the principles of psychology to management, while other writers, such as Elton Mayo (1880 - 1949), Mary Parker Follett (1868 - 1933), Chester Barnard (1886 - 1961), Max Weber (1864 - 1920), Rensis Likert (1903 - 1981), and Chris Argyris (1923 -) approached the phenomenon of management from a sociological perspective. Peter Drucker (1909 – 2005) wrote one of the earliest books on applied management: Concept of the Corporation (published in 1946). It resulted from Alfred Sloan (chairman of General Motors until 1956) commissioning a study of the organisation. Drucker went on to write 39 books, many in the same vein. H. Dodge, Ronald Fisher (1890 - 1962), and Thornton C. Fry introduced statistical techniques into management-studies. In the 1940s, Patrick Blackett combined these statistical theories with microeconomic theory and gave birth to the science of operations research. Operations research, sometimes known as "management science" (but distinct from Taylor's scientific management), attempts to take a scientific approach to solving management problems, particularly in the areas of logistics and operations. Some of the more recent developments include the theory of constraints, management by objectives, reengineering, and various information-technology-driven theories such as agile

software development, as well as group management theories such as Cog's Ladder. As the general recognition of managers as a class solidified during the 20th century and gave perceived practitioners of the art/science of management a certain amount of prestige, so the way opened for popularised systems of management ideas to peddle their wares. In this context many management fads may have had more to do with pop psychology than with scientific theories of management. Towards the end of the 20th century, business management came to consist of six separate branches, namely:

- Human resource management
- Operations management or production management
- Strategic management
- Marketing management
- Financial management
- Information technology management responsible for management information systems

21st century

In the 21st century observers find it increasingly difficult to subdivide management into functional categories in this way. More and more processes simultaneously involve several categories. Instead, one tends to think in terms of the various processes, tasks, and objects subject to management. A list of some of the areas of management appears later in this article. Branches of management theory also exist relating to nonprofits and to government: such as public administration, public management, and educational management. Further, management programs related to civil-society organizations have also spawned programs in nonprofit management and social entrepreneurship. Note that many of the assumptions made by management have come under attack from business ethics viewpoints, critical management studies, and anti-corporate activism. As one consequence, workplace democracy has become both more common, and more advocated, in some places distributing all management functions among the workers, each of whom takes on a portion of the work. However, these models

predate any current political issue, and may occur more naturally than does a command hierarchy. All management to some degree embraces democratic principles in that in the long term workers must give majority support to management; otherwise they leave to find other work, or go on strike. Hence management has started to become less based on the conceptualisation of classical military command-and-control, and more about facilitation and support of collaborative activity, utilizing principles such as those of human interaction management to deal with the complexities of human interaction. Indeed, the concept of Ubiquitous command-and-control posits such a transformation for 21st century military management.

Text 3: NATURE OF MANAGERIAL WORK

In for-profit work, management has as its primary function the satisfaction of a range of stakeholders. This typically involves making a profit (for the shareholders), creating valued products at a reasonable cost (for customers), and providing rewarding employment opportunities (for employees). In nonprofit management, add the importance of keeping the faith of donors. In most models of management/governance, shareholders vote for the board of directors, and the board then hires senior management. Some organizations have experimented with other methods (such as employee-voting models) of selecting or reviewing managers; but this occurs only very rarely. In the public sector of countries constituted as representative democracies, voters elect politicians to public office. Such politicians hire many managers and administrators, and in some countries like the United States political appointees lose their jobs on the election of a new president/governor/mayor. Some 2500 people serve at the pleasure of the United States Chief Executive, including all of the top US government executives. Public, private, and voluntary sectors place different demands on managers, but all must retain the faith of those who select them (if they wish to retain their jobs), retain the faith of those people that fund the organization, and retain the faith of those who work for the organization. If they fail to convince employees of the

advantages of staying rather than leaving, they may tip the organization into a downward spiral of hiring, training, firing, and recruiting. Management also has the task of innovating and of improving the functioning of organizations.

Text 4: MANAGEMENT'S ROLE

Management's first responsibility (and that of administration in case of political changes) is to detect trends in the macroenvironment as well as in the microenvironment so as to be able to identify changes and initiate programs. It is also important to estimate what impact a change will likely have on employee behaviour patterns, work processes, technological requirements, and motivation. Management must assess what employee reactions will be and craft a change program that will provide support as workers go through the process of accepting change. The program must then be implemented, disseminated throughout the organization, monitored for effectiveness, and adjusted where necessary.

Communications management is the systematic planning, implementing, monitoring, and revision of all the channels of communication within an organization, and between organizations; it also includes the organization and dissemination of new communication directives connected with an organization, network, or communications technology. Aspects of communications management include developing corporate communication strategies, designing internal and external communications directives, and managing the flow of information, including online communication. New technology forces constant innovation on the part of communications managers.

Product management is an organizational function within a company dealing with the product planning or product marketing of a product or products at all stages of the product lifecycle. Product Management is also a collective term used to describe the broad sum of diverse activities performed in the interest of delivering a particular product to market. From a practical perspective, product management is an occupational domain which hold two professional disciplines:

product planning and product marketing. This is because the product's functionality is created for the user via product planning efforts, and product value is presented to the buyer via product marketing activities. Product planning and product marketing are very different but due to the collaborative nature of these two disciplines, some companies erroneously perceive them as being one discipline, which they call product management. Done carefully, it is very possible to functionally divide the product management domain into product planning and product marketing, yet retain the required synergy between the two disciplines. Product planning typically deals with these activities:

- Defining new products and gathering market requirements
- Product Life Cycle considerations
- Product portfolio management
- Product differentiation

Product marketing typically deals with these activities:

- Product positioning and outbound messaging
- Promoting the product externally with press, customers, and partners
- Bringing new products to market

Product management typically deals with these closely-related functions:

- Product planning
- Product marketing
- Program management
- Project management

Brand management is the application of marketing techniques to a specific product, product line, or brand. It seeks to increase the product's perceived value to the customer and thereby increase brand franchise and brand equity. Marketers see a brand as an implied promise that the level of quality people have come to expect

from a brand will continue with present and future purchases of the same product. This may increase sales by making a comparison with competing products more favorable. It may also enable the manufacturer to charge more for the product. The value of the brand is determined by the amount of profit it generates for the manufacturer. This results from a combination of increased sales and increased price.

Marketing management is a business discipline focused on the practical application of marketing techniques and the management of a firm's marketing resources and activities. Marketing managers are often responsible for influencing the level, timing, and composition of customer demand in a manner that will achieve the company's objectives.

Text 5: THREE FACES OF A MANAGER

The manger of a small team has three major roles to play:

Planner

A Manager has to take a long-term view; indeed, the higher you rise, the further you will have to look. While a team member will be working towards known and established goals, the manager must look further ahead so that these goals are selected wisely. By thinking about the eventual consequences of different plans, the manager selects the optimal plan for the team and implements it. By taking account of the needs not only of the next project but the project after that, the manager ensures that work is not repeated nor problems tackled too late, and that the necessary resources are allocated and arranged.

Provider

The Manager has access to information and materials which the team needs. Often he/she has the authority or influence to acquire things which no one else in the team could. This role for the manager is important simply because no one else can

do the job; there is some authority which the manager holds uniquely within the team, and the manager must exercise this to help the team to work.

Protector

The team needs security from the vagaries of less enlightened managers. In any company, there are short-term excitements which can deflect the work-force from the important issues. The manager should be there to guard against these and to protect the team. If a new project emerges which is to be given to your team, you are responsible for costing it (especially in terms of time) so that your team is not given an impossible deadline. If someone in your team brings forward a good plan, you must ensure that it receives a fair hearing and that your team knows and understands the outcome. If someone is in your team has a problem at work, you have to deal with it.

Text 6: ADMINISTRATIVE SERVICE MANAGERS

Administrative services managers perform a broad range of duties in virtually every sector of the economy. They coordinate and direct support services to organizations as diverse as insurance companies, computer manufacturers, and government offices. These workers manage the many services that allow organizations to operate efficiently, such as secretarial and reception, administration, payroll, conference planning and travel, information and data processing, mail, materials scheduling and distribution, printing and reproduction, records management, telecommunications management, security, parking, and personal property procurement, supply, and disposal. Specific duties for these managers vary by degree of responsibility and authority. First-line administrative services managers directly supervise a staff that performs various support services. Mid-level managers, on the other hand, develop departmental plans, set goals and deadlines, implement procedures to improve productivity and customer service, and define the responsibilities of supervisory-level managers. Some mid-level administrative services managers oversee first-line supervisors from various

departments, including the clerical staff. Mid-level managers also may be involved in the hiring and dismissal of employees, but they generally have no role in the formulation of personnel policy. Some of these managers advance to upper level positions, such as vice president of administrative services. In small organizations, a single administrative services manager may oversee all support services. In larger ones, however, first-line administrative services managers often report to mid-level managers who, in turn, report to owners or top-level managers. As the size of the firm increases, administrative services managers are more likely to specialize in specific support activities. For example, some administrative services managers work primarily as office managers, contract administrators, or unclaimed property officers. In many cases, the duties of these administrative services managers are similar to those of other managers and supervisors. The nature of managerial jobs varies as significantly as the range of administrative services required by organizations. For example, administrative services managers who work as contract administrators oversee the preparation, analysis, negotiation, and review of contracts related to the purchase or sale of equipment, materials, supplies, products, or services. In addition, some administrative services managers acquire, distribute, and store supplies, while others dispose of surplus property or oversee the disposal of unclaimed property. Administrative services managers who work as facility managers plan, design, and manage buildings and grounds in addition to people. This task requires integrating the principles of business administration, architecture, and behavioral and engineering science. Although the specific tasks assigned to facility managers vary substantially depending on the organization, the duties fall into several categories, relating to operations and maintenance, real estate, project planning and management, communication, finance, quality assessment, facility function, technology integration, and management of human and environmental factors. Tasks within these broad categories may include space and workplace planning, budgeting, purchase and sale of real estate, lease management, renovations, or architectural planning and design. Facility managers may suggest and oversee renovation projects for a variety of reasons, ranging from

improving efficiency to ensuring that facilities meet government regulations and environmental, health, and security standards. Additionally, facility managers continually monitor the facility to ensure that it remains safe, secure, and well-maintained. Often, the facility manager is responsible for directing staff, including maintenance, grounds, and custodial workers.

Text 7: FOOD SERVICE MANAGERS

Experience as food and beverage preparation and service workers is essential for promotion into managerial positions, however, applicants with a college degree in restaurant and institutional food service management should have the best job opportunities. Many new food service manager jobs will arise in the food services and drinking places industry as the number of establishments increases along with the population. Job opportunities for salaried food service managers should be better than for self-employed managers because more restaurant managers will be employed by regional or national restaurant chains to run their establishments. Food service managers are responsible for the daily operations of restaurants and other establishments that prepare and serve meals and beverages to customers. Besides coordinating activities among various departments, such as kitchen, dining room, and banquet operations, food service managers ensure that customers are satisfied with their dining experience. In addition, they oversee the inventory and ordering of food, equipment, and supplies and arrange for the routine maintenance and upkeep of the restaurant, its equipment, and facilities. Managers generally are responsible for all of the administrative and human-resource functions of running the business, including recruiting new employees and monitoring employee performance and training. In most full-service restaurants and institutional food service facilities, the management team consists of a general manager, one or more assistant managers, and an executive chef. The executive chef is responsible for all food preparation activities, including running kitchen operations, planning menus, and maintaining quality standards for food service. In limited-service eating places, such as sandwich shops, coffee bars, or fast-food establishments, managers, not

executive chefs, are responsible for supervising routine food preparation operations. Assistant managers in full-service facilities generally oversee service in the dining rooms and banquet areas. In larger restaurants and fast-food or other food service facilities that serve meals daily and maintain longer hours, individual assistant managers may supervise different shifts of workers. In smaller restaurants, formal titles may be less important, and one person may undertake the work of one or more food service positions. For example, the executive chef also may be the general manager or even sometimes an owner. One of the most important tasks of food service managers is assisting executive chefs as they select successful menu items. This task varies by establishment depending on the seasonality of menu items, the frequency with which restaurants change their menus, and the introduction of daily or weekly specials. Many restaurants rarely change their menus while others make frequent alterations. Managers or executive chefs select menu items, taking into account the likely number of customers and the past popularity of dishes. Other issues considered when planning a menu include whether there was any unserved food left over from prior meals that should not be wasted, the need for variety, and the seasonal availability of foods. Managers or executive chefs analyze the recipes of the dishes to determine food, labor, and overhead costs and to assign prices to various dishes. Menus must be developed far enough in advance that supplies can be ordered and received in time.

Text 8: FOOD SERVICE MANAGERS' TASKS

Managers must be good communicators. They need to speak well, often in several languages, with a diverse clientele and staff. They must motivate employees to work as a team, to ensure that food and service meet appropriate standards. Managers also must ensure that written supply orders are clear and unambiguous. Managers interview, hire, train, and, when necessary, fire employees. Retaining good employees is a major challenge facing food service managers. Managers recruit employees at career fairs, contact schools that offer academic programs in hospitality or culinary arts, and arrange for newspaper

advertising to attract additional applicants. Managers oversee the training of new employees and explain the establishment's policies and practices. They schedule work hours, making sure that enough workers are present to cover each shift. If employees are unable to work, managers may have to call in alternates to cover for them or fill in themselves when needed. Some managers may help with cooking, clearing tables, or other tasks when the restaurant becomes extremely busy.

Food service managers ensure that diners are served properly and in a timely manner. They investigate and resolve customers' complaints about food quality or service. They monitor orders in the kitchen to determine where backups may occur, and they work with the chef to remedy any delays in service. Managers direct the cleaning of the dining areas and the washing of tableware, kitchen utensils, and equipment to comply with company and government sanitation standards. Managers also monitor the actions of their employees and patrons on a continual basis to ensure the personal safety of everyone. They make sure that health and safety standards and local liquor regulations are obeyed. In addition to their regular duties, food service managers perform a variety of administrative assignments, such as keeping employee work records, preparing the payroll, and completing paperwork to comply with licensing laws and reporting requirements of tax, wage and hour, unemployment compensation, and Social Security laws. Some of this work may be delegated to an assistant manager or bookkeeper, or it may be contracted out, but most general managers retain responsibility for the accuracy of business records. Managers also maintain records of supply and equipment purchases and ensure that accounts with suppliers are paid. Food service managers use the Internet to track industry news, find recipes, conduct market research, purchase supplies or equipment, recruit employees, and train staff. Internet access also makes service to customers more efficient. Many restaurants maintain Web sites that include menus and online promotions, provide information about the restaurant's location, and offer patrons the option to make a reservation. Managers tally the cash and charge receipts received and balance them

against the record of sales. They are responsible for depositing the day's receipts at the bank or securing them in a safe place. Finally, managers are responsible for locking up the establishment, checking that ovens, grills, and lights are off, and switching on alarm systems.

Text 9: PUBLIC RELATION AND SALES MANAGERS

Public relations managers supervise public relations specialists. These managers direct publicity programs to a targeted audience. They often specialize in a specific area, such as crisis management, or in a specific industry, such as health care. They use every available communication medium to maintain the support of the specific group upon whom their organization's success depends, such as consumers, stockholders, or the general public. For example, public relations managers may clarify or justify the firm's point of view on health or environmental issues to community or special-interest groups. Public relations managers also evaluate advertising and promotion programs for compatibility with public relations efforts and serve as the eyes and ears of top management. They observe social, economic, and political trends that might ultimately affect the firm, and they make recommendations to enhance the firm's image on the basis of those trends. Public relations managers may confer with labor relations managers to produce internal company communications—such as newsletters about employee-management relations—and with financial managers to produce company reports. They assist company executives in drafting speeches, arranging interviews, and maintaining other forms of public contact; oversee company archives; and respond to requests for information. In addition, some of these managers handle special events, such as the sponsorship of races, parties introducing new products, or other activities that the firm supports in order to gain public attention through the press without advertising directly.

Sales managers direct the firm's sales program. They assign sales territories, set goals, and establish training programs for the sales representatives. Sales

managers advise the sales representatives on ways to improve their sales performance. In large, multiproduct firms, they oversee regional and local sales managers and their staffs. Sales managers maintain contact with dealers and distributors. They analyze sales statistics gathered by their staffs to determine sales potential and inventory requirements and to monitor customers' preferences. Such information is vital in the development of products and the maximization of profits.

Text 10: COMPUTER AND INFORMATION SYSTEM MANAGERS

Employment of computer and information systems managers is expected to grow faster than the average for all occupations through the year 2014. Many managers possess advanced technical knowledge gained from working in a computer occupation. Job opportunities will be best for applicants with computer-related work experience; a master's degree in business administration (MBA) with technology as a core component, or a management information systems degree; and strong communication and administrative skills. How and when companies and organizations use technology are critical to remaining competitive. Computer and information systems managers play a vital role in the technological direction of their organizations. They do everything from constructing the business plan to overseeing network security to directing Internet operations.

Computer and information systems managers plan, coordinate, and direct research and facilitate the computer-related activities of firms. They help determine both technical and business goals in consultation with top management and make detailed plans for the accomplishment of these goals. For example, working with their staff, they may develop the overall concepts and requirements of a new product or service, or may identify how an organization's computing capabilities can effectively aid project management. Computer and information systems managers direct the work of systems analysts, computer programmers, support specialists, and other computer-related workers. These managers plan and

coordinate activities such as installation and upgrading of hardware and software, programming and systems design, development of computer networks, and implementation of Internet and intranet sites. They are increasingly involved with the upkeep, maintenance, and security of networks. They analyze the computer and information needs of their organizations from an operational and strategic perspective and determine immediate and long-range personnel and equipment requirements. They assign and review the work of their subordinates and stay abreast of the latest technology to ensure the organization does not lag behind competitors. The duties of computer and information systems managers vary with their specific titles. Chief technology officers, for example, evaluate the newest and most innovative technologies and determine how these can help their organizations. The chief technology officer, who often reports to the organization's chief information officer, manages and plans technical standards and tends to the daily information technology issues of the firm. Because of the rapid pace of technological change, chief technology officers must constantly be on the lookout for developments that could benefit their organizations. They are responsible for demonstrating to a company how information technology can be used as a competitive tool that not only cuts costs, but also increases revenue and maintains or increases competitive advantage. Management information systems (MIS) directors manage information systems and computing resources for their organizations. They also may work under the chief information officer and plan and direct the work of subordinate information technology employees. These managers oversee a variety of user services such as an organization's help desk, which employees can call with questions or problems. MIS directors also may make hardware and software upgrade recommendations based on their experience with an organization's technology. Helping ensure the availability, continuity, and security of data and information technology services is the primary responsibility of these workers. Project managers develop requirements, budgets, and schedules for their firms' information technology projects. They coordinate such projects from development through implementation, working with internal and external

clients, vendors, consultants, and computer specialists. These managers are increasingly involved in projects that upgrade the information security of an organization. LAN/WAN (local area network/wide area network) managers provide a variety of services, from design to administration of the local area network, which connects staff within an organization. These managers direct the network and its computing environment, including hardware, systems software, applications software, and all other computer-related configurations. Computer and information systems managers need strong communication skills. They coordinate the activities of their unit with those of other units or organizations. They confer with top executives; financial, production, marketing, and other managers; and contractors and equipment and materials suppliers.