

**ĐỀ THI VÀ ĐÁP ÁN CHO ĐỀ A VÀ B**

Lớp Luật KG 2004-HK 2 (2005-2006)  
Môn thi: Thuật ngữ pháp lý (AV)-lần 2  
Thời gian: 60 phút

Điểm số	Điểm chữ	Chữ ký người chấm	Số phách

(Sinh viên làm bài trên đề thi)

**I. Fill in the blanks with one of the words provided: (20 ms)**

<i>is vested</i>	<i>justify</i>	<i>resides</i>	<i>forbids</i>	<i>expressly declares</i>
<i>unseparated</i>	<i>belongs to</i>	<i>equal</i>	<i>enjoy</i>	<i>work</i>

1. The citizen has both the right and the duty to.....
2. The Constitution of 1992 provides that the supreme and ultimate power .....in the people.
3. In Article 2 the Constitution .....that the Socialist Republic of Viet Nam is a state of the people, from the people, and for the people.
4. The State carries out a policy of equality, solidarity, and mutual assistance among all nationalities, and .....all acts of national discrimination.
5. The citizen's rights are ..... from his duties.
6. All Citizens are .....before the law.
7. All State power ..... the people and is based on an alliance between the working class, the peasantry, and the intelligentsia.
8. The citizen shall.....freedom of belief and of religion.
9. The legislative power in Viet Nam.....in the National Assembly.
10. No emergency state can .....the violation of the Constitution.

**Answer: ( Mỗi câu trả lời đúng được 02 điểm)**

1. work    3. expressly declares    5. unseparated    7. belongs to    9. is vested  
2. resides    4. forbids    6. equal    8. enjoy    10. justify

**II. Answer these questions: (10 ms)**

**( Mỗi câu trả lời đúng được 2,5 điểm)**

1. How many organs in Vietnam have constitutional and legislative powers?  
*There is only one, it is the National Assembly.*

2. Who may present draft laws to the National Assembly in Vietnam?  
*According to the 1992 Constitution, the country's President, the Standing Committee of the National Assembly, the Nationalities Council and Committees of the National Assembly, the Government, the Supreme People's Court, the Supreme People's Office of Supervision and Control, the Vietnam Fatherland Front and its member organizations may present draft laws to the National Assembly.*

3. How many member of the National Assembly must approve decisions to amend the Constitution in Vietnam?

*At least two-thirds of its total membership must approve decisions to amend the Constitution.*

4. What is the role of the Permanent Committee of the National Assembly in Vietnam?

*It has the power to interpret the Constitution, the law, and decree-laws and to enact decree-laws on matters entrusted to it by the National Assembly.*

**III. Translate the following sentences into Vietnamese: (20 ms)**

*( Mỗi câu trả lời đúng được 10 điểm)*

1. The Supreme People's Court, the local People's Court, the Military Tribunals and other tribunals established by law are the judicial organs of the Socialist Republic of Vietnam.

*Tòa án nhân dân tối cao, tòa án nhân dân địa phương, tòa án quân sự và các tòa án khác được thành lập do luật là các cơ quan tư pháp của nước Cộng hòa xã hội chủ nghĩa Việt Nam.*

2. The People's Court shall also guarantee that citizens of the Socialist Republic of Vietnam who are members of various ethnic minorities can use their own respective languages and systems of writing in court.

*Tòa án nhân dân còn đảm bảo công dân của nước Cộng hòa xã hội chủ nghĩa Việt Nam là người dân tộc thiểu số được quyền sử dụng ngôn ngữ và chữ viết của dân tộc mình trước tòa.*

**IV. Decide the following statements are true (T) or false (F).**

*( Mỗi câu trả lời đúng được 02 điểm) (10 ms)*

1. If a person breaks formal laws and guilty, he shall be punished by the State. \_\_T

2. A constitution is a basic law of a nation or state. \_\_\_\_T

3. No emergency can justify the violation of any provisions of a constitution. \_\_\_\_ T

4. An accused can not have a lawyer in Vietnam. \_\_\_\_F

5. Morality is a form of formal law which is enforced by the power of the State. \_\_F

**V. Translate into English. (Mỗi câu trả lời đúng được 05 điểm) (10 ms)**

1. Chính phủ phải đảm bảo quyền làm chủ của nhân dân.

*The Government shall ensure the people's right to mastery.*

2. Các bộ trưởng do Quốc hội bầu trên cơ sở đề nghị của thủ tướng và chịu trách nhiệm trước Quốc hội và thủ tướng về hoạt động của bản thân và của bộ do bộ trưởng phụ trách.

*The ministers are appointed by the National Assembly on the Prime Minister's recommendation and they shall be responsible for their work and the activities of their ministries to the National Assembly and the Prime Minister.*

**VI. Read the text below and answer the following questions. (20 ms)**

**THE GOVERNMENT OF THE SRV**

1. The Government is the executive body of the National Assembly and the highest state administrative body of the SRV.

2. The Government assumes the unified administration of the implementation of all political, economic, cultural, social, national defense, security and external activities of the State; ensures the effectiveness of the State apparatus from the center to the grassroots level; ensures respect for and observance of the Constitutional law; promotes the people's right to mastery in national construction and defense; ensures the stabilization and improvement of the material and cultural life of the people.

3. The Government is accountable to the National Assembly, the Standing Committee of the National Assembly and the President of the State.

4. The Government Structure consists of:

- Ministries.
- Ministerial level agencies.

. The National Assembly considers and decides on the establishment or abolition of a ministry or a ministerial level agency on the Premier's recommendation.

- The Prime Minister.
- Vice-Prime Ministers.
- Ministers.
- Heads of ministerial level agencies.

Vice-Prime Ministers and Heads of ministerial level agencies are appointed by the National Assembly.

**Questions: ( Mỗi câu trả lời đúng được 05 điểm)**

1. What is the Government of the SRV?

***The Government is the executive body of the National Assembly and the highest state administrative body of the SRV.***

2. Who is the Government accountable to?

***The Government is accountable to the National Assembly, the Standing Committee of the National Assembly and the President of the State.***

3. What is the composition of the Government?

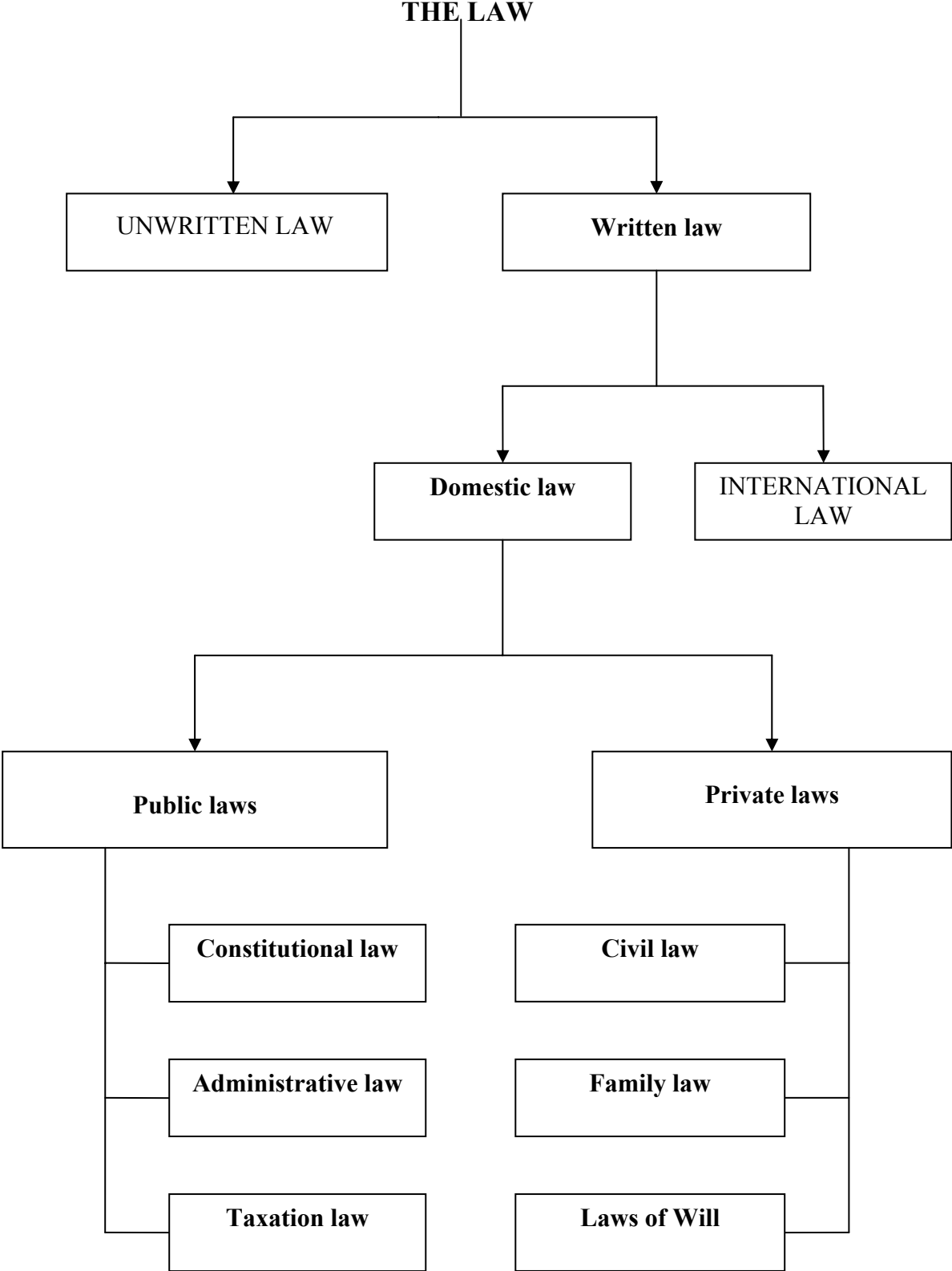
***The Government structure consists of ministries and ministerial level agencies.***

4. Who appoints the Prime Ministers, Vice-Prime Ministers, ministers and heads of ministerial level agencies?

***The National Assembly appoints the Prime Ministers, Vice-Prime Ministers, ministers and heads of ministerial level agencies.***

**VII. Fill in the blanks with suitable words:**

**(10 ms)**



*( Mỗi câu trả lời đúng được 01 điểm )*  
*Ghi chú: Sinh viên có thể cho ví dụ khác về public và private law.*  
*Good luck!*

*Cantho, October 2<sup>nd</sup>, 2006*  
*Prepared by Nguyen Lan Huong*