

Analysis of the characteristics and translation skills of business English contracts

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Abstract: As the second largest economy in the world, international commerce is important in the national economy, and the translation of business contracts is the cornerstone of trade cooperation. Business contract is a legally binding agreement, which is used to stipulate the rights and obligations of the parties, and is the basis for preventing and resolving disputes. Business English contracts have distinctive stylistic and linguistic characteristics, and when translating, relevant translation skills can be flexibly used according to the context, such as omission, negation, division, conversion, etc., so as to improve the quality of translation and avoid the loss of the interests of both sides of the trade due to translation errors.

Keywords: Business English Contract; Characteristics; Translation Skills

1. Introduction

With the globalization of the economy, business activities cross national boundaries, and trade between countries have become more and more frequent. So the translation of business English contracts is very important, a well-translated and standardized contract can effectively protect the rights and interests of both parties, ensure that the terms of the contract are accurately understood, promote the implementation of the cooperation content, and avoid misunderstandings and unnecessary legal disputes, which will bring economic losses to both parties. In order to promote the smooth progress of international business activities, translators need to have a high degree of professionalism, understand their stylistic and linguistic characteristics, master and use relevant translation skills to improve the quality of translation.

2. Characteristics of Business English Contracts

2.1 Stylistic characteristics

Business English contracts are mainly normative, rational and professional in style. Normativeness means that the conclusion of a business contract must comply with relevant national laws and regulations, with standardized format, rigorous content, and clear language expression. Rationality means that the basic composition of a business contract is usually the same, and the format is relatively fixed with no obvious differences. Business contracts are closely related to legal activities and the interests of the parties, so they are usually drafted and repeatedly scrutinized by professionals, with their own jargon and routines, that is professionalism.

2.2 Linguistic features

2.2.1 A lot of terminology

Business English contracts use a lot of business terminology, acronyms and polite formula, the professionalism of these terms also reflects the accuracy and standardization of the contract language. Common as “arbitration” 仲裁, “offer” 要约, BL (bill of lading) 提单, CT (cable transfer) 电汇, DP (document against payment) 付款交单, VAT (value-added tax) 附加税. The meanings of these terms are fixed and internationally applicable, so they cannot be changed in the translation process and they are not emotional.

2.2.2 Formal wording

Business English contracts are usually in written form, some words that are too simple and colloquial will be replaced to highlight the formality and solemnity of the contract. For example, “for the purpose of” is instead of “for”, “purchaser” instead of “buyer”, “with reference to” instead of “about”. In order to reflect the formality of business contracts, some archaic words and foreign words will also be used, such as “herein” 于此, “hereafter” 此后, “hereby” 特此、兹, “whereas” 鉴于, “whereby” 按、靠那个, foreign words are common in Latin

and French words, such as “pro rate tax rate” from Latin, meaning 比例税率, “status quo” 现状, “vice versa” 反之亦然.

2.2.3 Rigorous expression

In order to ensure the validity and accuracy of the contract, the use of synonyms and parallel phrases to accurately convey information and make the expression tight, so as to reduce loopholes or disputes. For example, “packing and wrapping expenses” means 包装费, “packing” refers to 包装, “wrapping” refers to 包装用的材料, such an expression encompasses the word 包装, “perform and fulfill” 履行, “null and void” 无效, “able and willing” 能够并愿意, “alter or change” 更改. Such a consolidation ensures that the terms of the contract are comprehensive and flexible.

2.2.4 Structural integrity and complexity

Sentences in business English contracts are usually long and express multi-layered, complex logical relationships. Due to the more limited conditions of certain legal concepts, especially in terms of payment, breach of contract, conditional sentences are often used, such as “provided that”, “in case”, etc.; the present tense is used more often than the future tense, but it should be noted that the word “shall” does not refer to the future tense, but to the responsibilities and obligations that must be fulfilled, which means 应该, 必须; use complete sentences and do not use abbreviated sentences to avoid ambiguity caused by sentence omission; declarative sentences and passive sentences are used more often to show clear expression of ideas and stylistic rigor.

3 Translation Skills of Business English Contracts

Compared with general texts, the most important thing for contract language is to be accurate and rigorous, therefore, when translating business English contracts, the expression should be in line with the meaning of the original text, and the translator needs to choose the appropriate translation skills.

3.1 Omission

Due to the differences between the English and Chinese languages, the translation process often involves omission. In the process of translation, if it corresponds too much to the form of the original text, it will instead lead to semantic confusion and misunderstanding. Therefore, it is necessary to appropriately delete the words that appear repeatedly in the original text according to the context and writing habits.

Example 1: Original text: We hereby confirm that the goods are in good condition.

Translation text: 货物状态良好。

If the original text is translated word for word, it will be 我们在此确认货物状态良好, according to the Chinese writing habit, often using a non-subjective sentence, the purpose of the original text is to express the condition of the goods, so the pronoun “我们” can be omitted to avoid burdensome.

3.2 Negation

Negation is mainly concerned with the differences between English and Chinese in terms of affirmative and negative expressions. It refers to the translation of the original form of the original text, the use of a change of tone to deal with words and sentences, the translation of affirmation into negation, and the translation of negation into affirmation.

Example 1: Original text: One of the main reasons that the store went out of business was failure to meet customers' needs.

Translation text: 这家店倒闭的主要原因之一, 是未能满足客户的需求。

There is no obvious negative word in the original text, but according to the meaning of the sentence, “failure” means “失败”, which is immediately followed by “to meet”, and its implied negative meaning should be translated as “未能满足”. It is more in line with the Chinese expression habit.

3.3 Division

Since the sentence structures of the two languages are different, English has more long sentences, while Chinese prefers to use short sentences, when translating a business English contract, the first thing to do is to judge the sentence and analyze the internal structure of the

sentence, then split the long and complex sentence into several simple sentences, and reorganize them, while paying attention to the logical structure of the sentence, combining with the language's habit of writing, to ensure the accuracy of the translation.

Example 1: Original text: This contract shall enter into force on the date signed by both parties and shall terminate automatically at the end of the contract.

Translation text: 本合同自双方签字之日起生效, 并于合同结束之时自动终止。

When translated into Chinese, the long sentence in the original text is divided into two short sentences starting from the connective “and”, which makes the logic of the translation clearer, clarifies the time of entry into force and termination of the contract, and is in line with the rigor and accuracy of the translation of business contracts.

3.4 Conversion

Conversion is to convert certain words in the original sentence in order to make the translation more in line with the expression and habits of the target language. For example, English and Chinese are very different in the number of verbs and frequency of use. English is “static”, and Chinese is “dynamic”. This difference makes it possible to convert nouns into verbs when translating English business contracts according to specific situations, for example “we agree to make an exception by accepting the payment by D/P”, “exception” itself is a noun meaning “除了、除此”, but in the contract translation translated as “破例”, that is “我们同意破例接收付款交单”, “deterioration of prices”, translated as “价格下跌”. Turn adverbs into adjectives, such as “something impressed sb deeply” is translated as “给某人留下了很深的印象”.

Example 1: Original text: The increase in business requires an increase in the amount of currency in circulation.

Translation text: 业务增加, 需要流通货币数量也增加。

“Increase” and “circulation” are nouns in the original language, which are translated into the verbs “业务增加” and “流通”.

3.5 Diction

The meaning of English words is very flexible, the general meaning of many words is different from the meaning in the business contract, in order to avoid this error, the translation should be based on the context to determine the meaning of the word. For example, the word “draw” is often translated as “取出” in daily English, but in business contracts, it should be translated as “开立汇票”.

Example 1: Original text: All the people have a share in the profits.

Translation text: 所有人都可以分得一份利润。

Here “share” is translated as “一份”, which is usually regarded as the verb “分享”, but in business translation, it is mostly translated as “分担”, such as “share the expenses”. 分担费用, in addition to this, it is also considered to have the meaning of “股份”.

4. Conclusion

Business translation plays an important role in international business exchanges, and the translation of English contracts has high requirements for translators, who not only need to have solid language skills, but also need to have an understanding of the business and legal fields, so translators need to accurately understand the original vocabulary and sentences, and utilize the translation skills to improve the quality of the translation and to meet the market demand.

References

- [1] Yuan C M & Jiang L. Business English translation[M]. Beijing: Foreign Language Teaching and Research Press, 2013.
- [2] Liang X S. Practical Business English Translation Course [M]. Beijing: Peking University Press, 2013.
- [3] Chen X. A Study on Linguistic Features and Translation Strategies of International Business English Contracts Based on Linguistic Adaptation Theory[J]. Foreign Economic Relations & Trade, 2022(04),136-138.
- [4] Zhang X H & Li M. Business English Translation [M]. Beijing: Higher Education Press, 2003.
- [5] Gao L M. On the Linguistic Styles of Business English and its Translation[J]. China Science & Technology Translators,

2013,26(02),36-40+58.

[6] Xiao W F. The Linguistic Characteristics of English Translation of Business Contracts under Functional Equivalence Translation Theory[J]. Journal of Education, Teaching and Social Studies. 2023,5(01),58-67.

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