大學來函交法水準低

讀者指出弊端獲取逾千元獎金

主辦機構

瑪利亞書院・英文學會

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傳真: 23876294

本學會繼續徵求英文水準欠 住之信件或文件(大專或大 機構)作公開學術性討論。 發表時人名及機構名將 除。文件一經選用,將付蔣 酬二仟元正。請傳真文件至 23876294或九龍中央郵政局 郵政信箱70395號。

- 1. 此次評選答案,是以解釋 詳盡引証有據合理為準。如 有相同,則以來稿之先後而 入選。
- 2. 本學會爲一自由組織。只要對英文有研究與趣者,不 動職業、年齡、性別均可隋 意參加或退出。任何費用全 免。
- 3. 所有人選答案,以明顯有 錯及少具爭議性為準。如學 會會員持有異議者,利益將 歸於原作者。
- 4. 原件之5個錯誤理由,此 次不再刊登。

以下是香港某大學發給律師的信件(J, Y, Z為真實人名和大學名稱的代號):

Dear Sirs,

I refer to your letter of 11 February 1998 from which I understand that you act for Mr.X. It appears from your letter that Mr.X has asked you to make a complaint against a tutor by the name of Ms.Y.(a)

I was surprised to receive <u>a solicitors' letter(b)</u> in relation to this matter because it is clear from our Student Handbook that procedures already exist for students to raise complaints <u>about(c)</u> their tutors <u>and(1)</u> also if they are dissatisfied in relation to assessments. Your client's complaint appears to arise from <u>a dissatisfaction(d)</u> with an assessment. I have therefore enclosed the appropriate extract from the Student Handbook from which you will see that your client could have brought up his complaint through this channel at the appropriate time <u>rather than(c)</u> by way of involving you as his solicitors.

I believe it appropriate that I record my preliminary view and(2) that is your client should indeed have raised his dissatisfaction both with his tutor and with the assessment(f) through the normal channels and then he should have proceeded to sit the relevant examination papers(g), which(3) he did not do and which(h) naturally resulted in your client failing(4) the two courses for which he enrolled(i). Had your client utilised the appropriate channels at the appropriate time when he was aware of the course work assessment then(k) there would have been an opportunity for the problem to have been considered(1) and then for your client to have sat(m) the appropriate examination papers.

In closing(n), I(o) wish you to note that I deny liability on behalf of The Z University in relation to the matters referred to in your letter and, in particular, in the I(p) last paragraph thereof. Having consulted the University's solicitors(5), it is not considered that your client has(q) any legal cause of action(r) against the University and(s) clearly what he should have done was to have followed(t) the appropriate appeal procedures as set out in the Student Handbook. Any legal proceedings brought(u) against the University will naturally be strengously resisted(v).

一以下是讀者指出文中的錯誤

- (a) Too wordy. <u>It appears from your letter that</u> has no meaning. It contradicts with the factual reference that the solicitor is Mr. X's proxy. Omit the whole clause. Say something <u>like understand that you act for our student</u> <u>Mr. X to complain against his tutor, Ms. Y.</u>
- (h) There is no antecedent for the relative pronoun 'which'. Cross out and start a new sentence.
- (k) Wrong sentence structure. To use conditional clauses, the second clause should be separated by a comma instead of then.
- (v) Wrong use of verb. One cannot resist a legal proceeding. One can only defend it.
- (o) The four paragraphs began with 'I'. This is a very selfcentered message. Should avoid beginning each sentence with I in a reply letter which bears legal consequences.

By Cyril Chi-kin Chow

(r) Legal cause of action ---> cause for legal action
By Ng Kwok Kwai

- (g) "Sit...examination, not sit...examination papers." In British English, if you sit an examination, you do it. Example: June and July are the traditional months for sitting exams. (Collins Cobuild English Dictionary P.1558)
- (e) "Rather than" is used like a conjunction to link words or expressions of the same type. You use rather than when you have said what is the case and you want to compare it with what is not the case. Example: He had been compelled to spend most of the time talking to Mrs. Harlowe rather than to her daughter. (Collins Cobuild English Usage P.567) On the contrary, "rather than" is wrongly used, the writer compares what is not the case with what is the case in the letter.
- (i) The correct preposition for "enrol" is on or in. If you enrol or are enrolled on a course, you officially join it and pay a fee for it. Example: She enrolled on a Local Women Into Management course. (Collins Cobuild English Dictionary P.551)

By Miss Paau Kin Wan

(s) Incorrect Use of COORDINATOR "....and" is a COORDINATOR. It is used with a comma (before it) to combine two short sentences into one.(pg. 30, Business English, Second Edition, Andrea B Gefiner. Barrons Educational Series. 1993)

By C.P.Chan

- (d) Dissatisfaction (without the indefinite article) The uncountable noun has only one form and can be used without a determiner. So it's incorrect to modify that noun with "a", "each", "every", "either", or "neither". (Collins Cobuild English Dictionary 1995 pg. 1815.) By Helena L. Lang
- (c) Raise complaints about their tutors Complaint about something, complaint against somebody. eg. Complaint against the police. (Oxford Advanced Learner's Dictionary)

By Chan On Yuen Timothy

(f) 'both' should be put in front of the first of two noun groups: '... your client should indeed have raised his dissatisfaction with both his tutor and the assessment through the ...'

(Collins Cobuild Student's Usage, HarperCollins Publishers 1996, p. 35)

 (u) We usually say 'take/start legal proceedings (against sb)'. "Institute" suggested by English Society.
 (Oxford Advanced Learner's English-Chinese Dictionary, Oxford University Press 1987 Edition, p. 903)

The sentence can be rewritten as follows:

'Any legal proceedings taken against the University will naturally be strenuously resisted.'

By Miss Lam Kun Ho

- (b) "I was surprised to receive a solicitors' letter..."
 - Used as an attributive, the word "solicitors" should be spelt "solicitor". "Solicitor letter" refers to legal letter, but "solicitors' letter" means a different thing. (Chambers English Dictionary, Edinburgh: W & R Chamber, 1900. p. 88.)
- (I) "... there would have been an opportunity for the problem to have been considered ..."

The verb form "would have been" implies that the case did not happen in the past, while the infinitive verb form "to have been considered" implies that the case did happen in the past, so the sentence becomes illogical. The correct expression should be "to be considered ..." (A. J. Thomson & A. V. Martinet, A Practical English Grammar, 2nd ed., London: OUP, 1979, p. 216.)

(m) "... there would have been an opportunity for ,.. for your client to have sat the appropriate examination papers." (the same reason as point I.)

The correct expression should be "to sit."

- (t) "... what he should have done was to have followed the appropriate appeal procedures ..."
 - According to Collins, op. cit. p. 1342, "should 8.1" says that "should have" is used usually in front of a past participle to say that sth was expected or intended to happen but did not happen. The infinitive verb form "to have followed" implies that the case did happen in the past, so the sentence becomes illogical.

The correct expression should be "to follow."

(q) "... your client has any legal cause of action ..." According to Webster's New World Dictionary, 3rd College ed., New York: Prentice Hall, 1991, p. 1232, "shall 3" says that ["shall" is] used in the statement of laws and regulations.

The correct expression should be "shall have".

By Dantes, Yiu Chuen, Lo Kwan Wai, Yu

- (p) There are too many 'in's in one line. In breach of writing in harmony - that repeating a similar word should be avoided. (English Rhetoric, The commercial Press, 1995, p.24)
- (j) Violation of writing sentences in unity that a sentence should deal with one main thought at a time, and not with more than one. (English Grammar Series, Book IV, p.449, J. C. Nesfield.) There are two leading thoughts: (1) complaints from a student; (2) the student's failure to take the exams. So, the sentence should be broken up in two.

By English Society

(n) 未段第一句, "in closing" 不知所云, 過查三本字典均不見(Collins, Oxford, Longman之前所引述的), 寫信者 有自編片語之嫌。

讀者 鄧志強先生

各得獎讀者將有專人通知領取獎金寧宜