

LAW REVISION

1. Jean intended to defraud the government by failing to withhold taxes on her employee's income, but it turns out there was no tax deficiency because her employee was exempt from such taxes. In most jurisdictions, would Jean be criminally liable for tax evasion for this conduct?
 - A. No, because failing to collect taxes on employee income is not a criminal offence.
 - B. Yes, because she did not collect taxes on the employee's income.
 - C. Yes, because she intended to defraud the government.
 - ☒ D. No, because there was no tax deficiency
2. In common law countries, lay witnesses are not allowed to express opinions unless the proposed statements pass a three-part test. Which of the following is NOT a part of the test?
 - A. The opinion must not involve a legal judgment.
 - ☒ B. The opinion must require scientific, technical or other specialized knowledge or tests
 - C. The opinion must not involve specialized knowledge or tests
 - D. The witness must have direct personal knowledge of the facts in question.
3. Which of the following statements about the International Organisation of Securities Commissions (IOSCO) is TRUE?
 - A. IOSCO is recognized as the international standard setter for securities markets.
 - B. One of IOSCO's main objectives is to assist its members in promoting high standards of regulation in order to maintain just, efficient and sound markets.
 - C. IOSCO is comprised of securities commissioners and administrators responsible for securities laws in their respective countries
 - ☒ D. All of the above
4. Michael Caston, a fraud suspect, confesses to a fraud. During Caston's trial for the fraud, the government introduces the confession as evidence of Caston's intent to commit the fraudulent act for which he is charged. What type of evidence is Caston's confession?
 - A. Testimonial
 - ☒ B. Direct
 - C. Circumstantial
 - D. Character
5. Which of the following statements concerning the examinations of expert witnesses in most inquisitorial jurisdictions is accurate?
 - A. Neither the judge nor the parties may question the credibility of a court-appointed expert witness ✗
 - ☒ B. Both the judge and the parties may question the credibility of a court-appointed expert witness
 - C. Only the parties may question the credibility of a court-appointed expert witness ✗
 - D. Only the judge may question the credibility of a court-appointed expert witness.
6. Which of the following is the alternative dispute process whereby an impartial third person assists the parties to a dispute in reaching a mutually agreeable settlement?
 - A. Court-annexed conciliation
 - ☒ B. Mediation
 - C. Arbitration
 - D. Propitiation

7. Paul is on the boards of two companies that compete in the highway construction industry. Paul does not disclose this conflict, and he does not step down from the board of either company. If Paul's acts are discovered and he is sued for violating his fiduciary duties, under what theory is the suit most likely to be filed?
- A. Violating the duty of care
 - B. Violating the duty to disclose
 - C. Violating the duty of fair competition
 - ☒ D. Violating the duty of loyalty
8. Which of the following is NOT a favourite front business for laundering money?
- A. Electronics store
 - B. Restaurants
 - ☒ C. Vending machines
 - D. Wholesale distribution
9. Which of the following is the MOST ACCURATE statement about the judicial treatment of privileges from foreign jurisdictions in cross-border litigation?
- A. The Hague Evidence Convention established a set of standardized rules of privilege for cross-border litigation.
 - ☒ B. There is a lack of standardization and predictability with respect to privileges in cross-border litigation
 - C. The transnational principles and rules established a set of standardized rules of privilege for cross-border litigation
 - D. Litigants involved in cross-border litigation should expect to have the privilege laws from their own jurisdiction applied when engaged in litigation abroad.
10. Over time, Herman stole \$500,000 in cash from his employer. He deposited the cash in small increments into a bank account to avoid reporting requirements. He then transferred the stolen funds to an overseas account and proceeded with several additional transfers and bogus loans to foreign entities that he controlled. Finally, he moved the funds back home, disguising them as profits from investments. Which of the following stages of money laundering was Herman performing when he engaged in transfers and bogus loans to foreign entities?
- A. Integration
 - ☒ B. Layering
 - C. Structuring
 - D. Placement
11. Which of the following is a legal element that the government must show to prove a criminal conspiracy?
- A. The defendant entered an agreement to commit an illegal act
 - B. At least one of the conspirators knowingly committed at least one overt act in furtherance of the conspiracy
 - C. The defendant knew the purpose of the agreement and intentionally joined in the agreement
 - ☒ D. All of the above
12. Judges in civil law jurisdictions are not bound by previous court decisions, but in practice, many do use previous decisions to guide their interpretations of codes and statutes.
- ☒ A. True
 - B. False

13. While conducting a fraud examination, Black, a Certified Fraud Examiner, obtained a document in Year 1. Since Black obtained the document, several individuals have had it in their possession. In Year 2, the document was introduced at trial. The authenticity of the document, however, was questioned because there was no record of who had possession of it and what they did with it. The question concerning the document's authenticity is based on a failure to maintain _____.
- A. The attorney's evidence records
 - B. The best form of the evidence
 - ☒ C. The chain of custody
 - D. Who validated the evidence
14. Which of the following financial institutions is NOT considered a money services business?
- A. A cheque cashing company.
 - B. A currency exchange .
 - ☒ C. A depository investment bank
 - D. A prepaid access card provider
15. If a party obtains a domestic judgment against a foreign defendant in a fraud case, the party will be able to enforce that judgment in any jurisdiction where the defendant resides.
- ☒ A. True
 - ☒ B. False
16. Which of the following is NOT a legal element that must be shown to prove a claim for official bribery?
- A. The defendant acted with corrupt intent
 - B. The recipient was (or was selected to be) a public official
 - ☒ C. The government suffered damages as a result
 - D. The defendant gave or received a thing of value
17. To determine if a misrepresentation in the offer or sale of any securities is _____, the fraud examiner should answer the following question: "Would a reasonable investor wish to know this information to make an informed decision?"
- ☒ A. Material
 - B. Relevant
 - C. Privileged
 - D. Promotional
18. Which of the following statements concerning criminal bargaining agreements is most accurate?
- A. Bargaining agreements are only allowed in common law jurisdictions
 - B. Bargaining agreements are more commonly accepted in civil law jurisdictions
 - ☒ C. Bargaining agreements are more commonly accepted civil law jurisdictions than in common law jurisdictions
 - D. Bargaining agreements are only allowed in civil law jurisdictions
19. To determine if a misrepresentation in the offer or sale of any securities is material, a fraud examiner should consider which of the following?
- A. Whether the person who made the representation had authorization to make the statements.
 - ☒ B. Whether the person who made the representation intended to mislead potential investors
 - C. Whether the person who made the representation believed that it was suitable for potential investors

- D. Whether a reasonable investor would wish to know the information to make an informed decision
20. A defendant in a criminal case may properly use advanced age as a legal defense against charges of criminal conduct.
- A. True
☒ B. False
21. ABC Corporation is involved in a reorganisation bankruptcy proceeding, after which it will continue operations. Under the World Bank Principles and Guidelines for Effective Insolvency and Creditor Rights Systems, which of the following parties is/are an appropriate option(s) for managing ABC during the proceedings?
- A. ABC's management maintains control
☒ B. Exclusive control by an independent insolvency representative
C. Supervision of ABC's management in undertaken by an independent insolvency representative ✓
D. All of the above
22. Which of the following is considered obstruction of justice?
- A. Destroying documents related to a future proceeding ✓
B. Influencing a witness with bribes
C. Impeding a government auditor in the performance of his duties
☒ D. All of the above
23. When an expert is hired by a court or a party to litigation to testify at trial, the final report of the expert is generally protected from being disclosed to each party to the litigation.
- A. True
☒ B. False
24. Craig and Donna each own 40 percent of the shares of Indiewealth and serve as its board of directors. George is also a shareholder, but he is not a member of the board of directors. Donna dies, and her son, Steven, inherits her shares of Indiewealth and replaces her on the board. Steven, however, is inattentive to Indiewealth's corporate affairs. During this time, Craig diverts corporate funds for personal use, and consequently, Indiewealth becomes insolvent. If George decides to sue Steven for violating his fiduciary duties, under what theory is he likely to file the suit?
- ☒ A. Violating the duty of care
B. Violating the duty of responsibility
C. Violating the duty of reasonableness
D. Violating the duty of loyalty
25. Which of the following must a plaintiff show to recover for a claim of false imprisonment?
- A. The defendant was not protected under the qualified business privilege.
☒ B. The defendant knew his conduct was illegal.
C. The defendant was a law enforcement officer
D. The defendant restrained the plaintiff without consent or legal justification
26. XYZ Manufacturing has a document destruction procedure in which emails are automatically deleted after a specified period. A trading partner filed a civil lawsuit against XYZ in a civil law jurisdiction, claiming that XYZ sent fraudulent invoices via email. Under most civil law systems, the court would establish when XYZ should preserve and produce documents.
- A. True
☒ B. False

27. Which of the following is an example of a smurfing scheme?
- A. A criminal disguises illicit assets by making them appear to have originated from various small loans
 - B. A criminal deposits large cash deposits well over the jurisdiction's cash transaction threshold on a regular basis to avoid suspicion
 - ☒ C. A criminal habitually deposits cash or purchases bearer instruments in amounts just under the jurisdiction's currency reporting requirements.
 - D. A criminal pays down debt in small chunks using electronic transfers from foreign accounts.
28. _____ is comprised of the basic laws of rights and duties. When people refer to something that is "against the law," they are usually referring to this type of law.
- A. Natural law
 - B. Procedural law
 - C. Administrative law
 - ☒ D. Substantive law
29. In limited partnerships, the limited partners manage the enterprise's activities.
- A. True
 - ☒ B. False
30. Which of the following parties is/are commonly capable of initiating bankruptcy proceedings?
- A. A business partnership
 - ☒ B. An individual
 - C. A corporation
 - D. All of the above
31. Bert is the lead suspect in an ongoing civil investigation that will likely result in litigation. He shreds original documents that are key to the investigation. Which of the following statements is CORRECT?
- ☒ A. Bert likely violated his duty to preserve relevant information because he destroyed evidence valuable to anticipated litigation
 - B. Bert did not violate his duty to preserve relevant information because no litigation was pending when he shredded the documents
 - C. Bert violated his duty to preserve relevant information only if the opposing party loses its case because he shredded the documents
 - D. None of the above
32. In jurisdictions that practise criminal bargaining agreements, which of the following parties generally has/have discretion to decide whether to settle charges with a bargaining agreement?
- A. The jury
 - ☒ B. The prosecution
 - C. The defendant's counsel
 - D. All of the above
33. Which of the following is NOT one of the three stages of a criminal proceeding in an inquisitorial jurisdiction?
- A. The investigative phase
 - B. The examining phase
 - C. The trial phase
 - ☒ D. The sentencing phase
34. An action for fraud may be based on the concealment of material facts, but only if:
- A. The victim had a duty in the circumstances to disclose
 - ☒ B. The defendant had a duty in the circumstances to disclose
 - C. The defendant had a duty to investigate the material facts
 - D. The victim relied on the misrepresentation

35. At a trial in an adversarial system, an attorney asks an expert witness, "Could you please tell us about the background of this case?" This question is most likely being presented as part of direct examination of the expert witness.
☒ A. True
☐ B. False
36. To establish that a defendant violated a law criminalising false statements to government agencies, the government must prove that the defendant made a false statement regarding a matter within the jurisdiction of a government agency, and the agency relied on the false statement to its detriment.
☒ A. True
☐ B. False
37. Which of the following would NOT be classified as a falsified tax deduction scheme?
☐ A. An individual taxpayer fraudulently deducts interest payments from his taxable income on loans that do not qualify for such deductions
☒ B. A corporate taxpayer intentionally underreports its carbon pollution emissions to qualify for a government tax credit
☐ C. A corporate taxpayer records fictitious employees and salaries in its books to increase the costs of goods sold and lower its tax liability
☐ D. An individual taxpayer misclassifies non-deductible expenses as deductible in tax records submitted to the government.
38. A debtor in a bankruptcy proceeding took steps to hide his books and records from a creditor. What kind of scheme did the debtor commit?
☐ A. An asset misappropriation scheme
☒ B. A concealed assets scheme
☐ C. A bustout scheme
☐ D. A petition mill scheme
39. Compared to adversarial jurisdictions, inquisitorial jurisdictions tend to have more confrontational examinations of expert witnesses.
☐ A. True
☒ B. False
40. A replevin warrant is a court order that grants government authorities the right to search a premises or property for information pertinent to a case.
☐ A. True
☒ B. False
41. Suppose that a court is deciding a case involving a transaction between parties and assets located in different countries. Which of the following statements concerning how courts choose which jurisdiction's laws to apply is most accurate?
☐ A. Most courts always apply the substantive laws of foreign jurisdictions
☐ B. Most courts apply both their own procedural and substantive laws to all cases
☐ C. Most courts always apply the procedural laws of foreign jurisdictions
☒ D. Most courts always apply the procedural laws of their own jurisdictions
42. Eagle Hardware and Garden, a home improvement retailer, is concerned about employee theft and wants to retain the right to conduct searches of employee workspaces. It also wants to avoid any possible claims of violating employees' privacy rights as a result of those searches. Which of the following can help accomplish these goals?
☐ A. Obtain employee consent before conducting any searches
☐ B. Openly retain keys to all employee desks, lockers, offices etc
☐ C. Issue a written policy that communicates the company's right to search
☒ D. All of the above will help eliminate invasion of privacy claims

43. Which of the following is one of the areas of primary concern in which the OECD's Recommendation on Combating Bribery in International Business urges member states to take steps to combat the bribery of foreign public officials?
- ☒ A. Tax systems and regulations
 - B. Laws and regulations covering e-commerce
 - C. Sensitive data protection laws
 - D. Public safety systems and regulations
44. Employees' privacy rights that can affect the employer/employee relationship may stem from statutory law, but not contract law.
- A. True
 - ☒ B. False
45. In civil law jurisdictions, which of the following might be used as a criminal charging document or the closest thing available to a charging document?
- A. Arrest warrant
 - B. Criminal petition
 - C. Indictment
 - ☒ D. All of the above
46. Which of the following best describes the purpose of expert testimony in judicial proceedings?
- A. Provide evidence based on personal knowledge and perceptions of the events at issue
 - B. Assist in providing and establishing one essential circumstances among many others.
 - ☒ C. Assist the trier of fact to understand the evidence or to determine the fact in issue
 - D. None of the above
47. Illegal pyramid schemes and Ponzi schemes can (under certain conditions) be considered securities.
- ☒ A. True
 - ☒ B. False
48. In the context of an employee interview, all of the following actions could result in liability for false imprisonment EXCEPT:
- A. Telling the interviewee he may not leave the room
 - B. Locking the door to an interview room
 - ☒ C. Telling the interviewee that he is required to answer questions
 - D. Standing in front of an exit to an interview room ✓
49. Which of the following describes a conflict of interest for a testifying expert witness?
- A. The testifying expert knew or met any parties or their attorneys before being retained as an expert
 - ☒ B. The testifying expert's ability to objectively evaluate and present a client's issue is impaired by any relationship with any parties
 - C. The testifying expert has received any form of compensation for serving as an expert witness
 - D. All of the above
50. XYZ Bank has an anti-money laundering programme that provides for internal controls and procedures to prevent money laundering, money laundering awareness training for employees, and a regular independent audit function to test the bank's procedures. If these are the complete extent of XYZ's anti-money laundering measures, which of the following elements suggested under the Financial Action Task Force's Recommendations is missing from the anti-money laundering programme?
- A. Prohibition of large consumer cash deposits •
 - ☒ B. The designation of a compliance officer at the management level •
 - C. Reporting of all foreign bank transfers to the government
 - ☒ D. A mandatory 30-day waiting period before cash deposits can be transferred

51. A statute that prohibits fraud involving the use of a jurisdiction's mail or telecommunication systems is most properly characterised as what type of law?
- A. Common law
 - B. Procedural
 - C. Substantive
 - ☒ D. None of the above
52. Which of the following claims in a civil lawsuit would be considered a counterclaim?
- ☒ A. A defendant's claim against the original plaintiff of the action
 - B. A plaintiff's response to a defendant's affirmative defence
 - C. A defendant's claim against another defendant in the same proceeding
 - D. A plaintiff's challenge of the ruling in another case
53. Which of the following is an example of the use of a digital currency?
- A. Credit card transactions ✓
 - B. Bitcoin transactions
 - C. Wire transfers
 - ☒ D. All of the above
54. Which of the following is the tort that occurs when one party makes public statements about another party's private life that are not of public concern?
- A. Intrusion into an individual's private matters
 - ☒ B. Public disclosure of private facts ✗
 - C. Injury to an individual's reputation
 - ☒ D. None of the above
55. To determine whether authorisation by a judicial officer or other sanctioned official (e.g., a search warrant) is required to conduct a search in a jurisdiction with laws granting people the right to be free from unreasonable search and seizure by authorities, it is necessary to first determine whether or not _____ (is/are) involved in the search.
- ☒ A. Government authorities
 - B. Criminal activity
 - C. Investigative suspicion
 - D. Probable cause
56. Which of the following parties decides the scope of the examinations and breadth of authority of a court-appointed expert witness in an inquisitorial court?
- A. The parties to the litigation
 - B. The expert witness
 - ☒ C. The judge
 - D. A panel of the expert's professional peers
57. In adversarial judicial jurisdictions, which of the following is NOT a question that must typically be asked in determining whether an expert may testify before the jury?
- A. Is the person qualified as an expert?
 - B. Is the testimony reliable?
 - C. Is the testimony relevant to the facts of the case?
 - ☒ D. Is the person well-educated in the subject? ✓
58. Integrative bargaining is the process whereby an impartial third person assists the parties to a dispute in reaching a resolution.
- A. True
 - ☒ B. False
59. Which of the following best describes the standard of proof for civil trials in civil law jurisdictions?
- A. Clear and convincing
 - B. More likely than not
 - ☒ C. The inner conviction of the judge

- D. Preponderance of evidence
60. Vendor A and Vendor B both operate in a jurisdiction with a 20 percent value-added tax (VAT). Vendor A sells goods to Vendor B and collects the VAT. Rather than turning the VAT over to the government, Vendor A simply pockets the money and disappears. Which of the following best describes this type of fraud scheme?
- A. Wealth tax scheme
 - ☒ B. Missing trader scheme
 - C. Falsified deduction scheme
 - D. Income tax scheme
61. The ABC Company, a UK company with securities that are registered in the United States, transferred \$40,000 to a Japanese public official to influence the award of lucrative overseas contracts. This act would constitute a violation of the U.S.-Foreign Corrupt Practices Act (FCPA) and the UK Bribery Act.
- ☒ A. True
 - B. False
62. Generally, to establish an illegal gratuity violation, the government must prove that the gratuity was given for the purpose of influencing an official act.
- A. True
 - ☒ B. False
63. Which of the following is a common law invasion of privacy tort that occurs when an individual intentionally encroaches into an area where another individual has a reasonable expectation of privacy and the encroachment would be highly offensive or objectionable to a reasonable person?
- ☒ A. Public disclosure of private facts
 - ☒ B. Intrusion into an individual's private matters
 - C. Infliction of emotional distress
 - D. Slander
64. Which of the following is the MOST ACCURATE statement about laws criminalising false statements to government agencies?
- A. An individual can be found guilty for making a false statement even if the individual did not know the statement was false at the time the statement was made.
 - B. An individual can be found guilty for making a false statement only if the statement was made under oath. ✗
 - ☒ C. An individual can be found guilty for making a false statement even if the government did not suffer a loss in reliance on it.
 - D. An individual can be found guilty for making a false statement only if the statement is made directly to a government department or agency.
65. Which of the following most accurately describes the primary purpose of securities regulation?
- A. To eliminate market risk
 - B. To restrict the exchange of securities between buyers and sellers
 - ☒ C. To balance the legitimate needs of businesses to raise capital against the need to protect investors
 - D. To prevent banking panics
66. Smith, a CFE, works for the ABC Company, a publicly traded company. One day, Smith's manager asks him to search the personal belongings of Green, an employee for the ABC Company, for evidence of securities fraud, even though there is no direct government authorisation or order for the search. Smith seizes and searches Green's personal tablet. Assuming that these facts occur in a jurisdiction with laws that provide the public with the right to be free from unreasonable search and seizure by government authorities, which of the following is the MOST ACCURATE statement regarding Green's rights?
- A. The search did not violate Green's right to be free from unreasonable search and seizure by government authorities because such rights do not apply to searches in the workplace.

- B. Green's right to be free from unreasonable search and seizure by government authorities was likely violated because Smith conducted the search without direct authorization from the government
- ☒ C. Green's rights were likely violated because all publicly traded companies are considered "government actors" for purposes of determining rights to be free from unreasonable search and seizure by government authorities.
- D. The search did not violate Green's right to be free from unreasonable search and seizures by government authorities because ABC is not a government authority.
67. A fraud examiner discovers that Fred, a fraud suspect, has made dozens of cash deposits over the last few months into a bank account. None of the deposits have been \$10,000 or more, and none of them have been below \$8,500, either. The currency reporting threshold for cash deposits at financial institutions in the jurisdiction is \$10,000. Based on this information, which of the following schemes is Fred most likely committing?
- A. Sizing currency transactions
- ☒ B. Smurfing
- C. Check tampering
- D. Channel stuffing
68. Which of the following statements concerning the criminal discovery process in adversarial jurisdictions is most accurate?
- A. Although the prosecution may request information, the defendant is not allowed to request information unless the judge approves.
- B. Neither party may request evidence from the opposing party until after the trial begins
- ☒ C. Most discovery between the parties occurs during the pre-trial stage.
- D. If a party to the litigation fails to comply with a discovery request, the prosecution settles the dispute and may order the party to comply.
69. Charles operates a movie theatre, but also has a stream of illegal cash income. To launder the cash, he over-reports the amount of tickets he sells and disguises the illicit cash as proceeds from those fake sales. Which of the following best describes Charles's scheme?
- A. Skimming
- ☒ B. Overstatement of revenue
- C. Fictitious liabilities
- D. Balance sheet laundering
70. Which of the following statements concerning judges and juries is MOST ACCURATE?
- A. Inquisitorial judicial processes are those that do not use juries in a fact-finding role.
- B. In a bench trial in adversarial jurisdictions, the judge only decides questions of law.
- C. Juries primarily decide issues of law in adversarial jurisdictions.
- ☒ D. In serious cases, some inquisitorial jurisdictions use juries that include both judges and legal professionals.
71. Which of the following money laundering schemes would be classified as balance sheet laundering?
- A. Depositing illicit proceeds into a company's account without entering them as a sale
- B. Over-reporting revenue at a company to disguise illegal proceeds
- C. Over-reporting expenses at a company to mask illicit income
- ☒ D. All of the above
72. In some common law countries, what type of challenge occurs when the defence attorney in a criminal trial excuses a juror for no reason?
- A. For cause
- B. Challenge to the array
- ☒ C. Peremptory

D. None of the above

73. In inquisitorial jurisdictions, which of the following parties may access the full evidentiary record prior to the trial phase of criminal proceedings?
- A. The judge and the prosecution only
 - B. The prosecution only
 - ☒ C. Both the prosecution and the defense
 - D. The defense only
74. Under the United Nations' International Convention on Civil and Political Rights (ICCPR), those accused of criminal charges are generally entitled to a fair hearing that is private, the results of which should not be disclosed to the public.
- A. True
 - ☒ B. False
75. The commencement of a civil action begins with the filing of a(n):
- ☒ A. Pleading, usually in the jurisdiction in which the defendant resides or where the claim arose
 - B. Information, usually in the jurisdiction where the plaintiff resides
 - C. Supposition, usually in the jurisdiction where the defendant resides
 - D. Information, usually in the jurisdiction in which the defendant or plaintiff resides or where the claim arose
76. Which of the following refers to investments that are designed to yield a tax benefit to the investor?
- A. Money laundering havens
 - B. Tax havens
 - ☒ C. Tax shelters
 - D. Secrecy jurisdictions
77. Baron is currently being prosecuted for financial statement fraud for allegedly intentionally over-reporting earnings. Although Baron did over-report income, he did not do so on purpose. Under these facts, which of the following defences, if any, would likely benefit Baron as a defence (assuming that the relevant jurisdiction recognises each offence)?
- ☒ A. Mistake
 - B. Duress
 - C. Ignorance
 - D. None of the above
78. The OECD's Recommendation on Combating Bribery in International Business urges member states to combat the bribery of foreign public officials by taking steps to improve certain areas within their respective infrastructures. Which of the following is NOT one of those primary areas?
- A. Tax systems and regulations
 - B. Banking and accounting requirements and practices
 - C. Criminal, civil, commercial and administrative laws
 - ☒ D. Laws and regulations covering the handling of sensitive protected data
79. Edward is being prosecuted in a common law system using adversarial processes for committing data theft after hacking into a victim's website. In defence of the charges, Edward claims that he did not have the technical skills required to gain access to the site, and therefore could not have committed the crime. The prosecution wants to show evidence of Edward's previous convictions for data theft to prove that he has the technical skills required to gain access to the site. Could the court allow the prosecution to introduce the evidence of Edward's previous convictions?
- A. No, because Edward's prior convictions are inadmissible character evidence.
 - B. No, because the evidence is not relevant
 - ☒ C. Yes, because the evidence is being entered to prove Edward's ability to commit the crime
 - D. Yes, because the evidence is self-authenticating.

80. Walters is the mayor of a mid-size town. Because he is well-known and liked in the town, the prosecutor wants to move the trial to another town in which Walters is not known. The prosecution believes that such a move will ensure a more unbiased verdict. If the prosecution wishes to move the trial to a different city, it must request which of the following?
- ☒ A. Change of venue
 - ☐ B. An appeal
 - ☐ C. A new trial
 - ☐ D. Change of jurisdiction
81. Which of the following statements concerning the United Nations' International Convention on Civil and Political Rights (ICCPR) is FALSE?
- ☒ A. It states that the right of the accused to a fair hearing includes the right to trial by jury.
 - ☐ B. It states that the right of the accused to a fair hearing includes adequate time to prepare a defence.
 - ☐ C. It states that the results of criminal hearings should be publicized in most cases to promote transparency in the criminal justice system.
 - ☐ D. It states that the right of the accused to a fair hearing includes the right to examine or have examined witnesses against the accused.
82. Blue, a Certified Fraud Examiner, is a government agent in a jurisdiction with a warrant requirement. Based on evidence that White is manufacturing forged identification documents to facilitate large-scale identity theft, Blue obtains a valid warrant to search White's residence. While conducting a lawful search, Blue immediately recognises several plastic bags containing many different types of illegal drugs. Even though the items were not mentioned in the search warrant, Blue retrieves the items without a warrant based on the:
- ☒ A. Warrantless search doctrine
 - ☐ B. Incidental evidence doctrine
 - ☐ C. Plain view doctrine
 - ☐ D. None of the above
83. In most countries, which of the following is something that a government prosecutor must prove in order to convict someone of the crime of making a false statement to the government?
- ☒ A. The individual acted knowingly and willfully when making the statement.
 - ☐ B. The statement was the result of a mistake or other innocent reason.
 - ☐ C. The government was influenced by or suffered a loss because of the statement
 - ☐ D. The individual made the statement directly to the government.
84. Litigation privileges and other similar evidentiary protections, such as the work product doctrine, only protect documents and materials prepared by an attorney.
- ☐ A. True
 - ☒ B. False
85. Which of the following parties might serve to make factual findings in criminal proceedings in various civil law systems?
- ☐ A. A jury
 - ☒ B. A judge
 - ☐ C. A panel of both professional and lay judges
 - ☐ D. All of the above
86. Relevant evidence is evidence that tends to make some fact at issue more or less likely than it would be without the evidence.
- ☒ A. True
 - ☐ B. False
87. The main distinction between mediation and arbitration is that with arbitration, the arbitrator actually decides who wins the case. In contrast, in mediation, the mediator simply tries to help the parties work out a settlement.
- ☒ A. True

- B. False
88. In tax fraud cases, wilfulness to commit the offence can be inferred from all but which of the following types of conduct?
- A. Covering up sources of income
 - B. Concealment of assets
 - C. Keeping a set of tax records separate from standard financial reporting records ✓
 - D. Destruction of books or records
89. According to the Financial Action Task Force's Recommendations, which of the following should financial institutions implement as part of their anti-money laundering programmes?
- A. Employee screening procedures
 - B. An ongoing employee training programme
 - C. A designated compliance officer
 - D. All of the above
90. Two parties entered into a real estate contract for various properties, but the vague nature of the contract led to confusion about who owned a particular property. The parties took the issue to court, and the court interpreted and stated the rights of each party under the contract. What type of remedy did the court provide?
- A. Monetary relief
 - B. Punitive damages
 - C. Exemplary damages
 - D. Declaratory relief
91. Theft is any intentional or deliberate act to deprive another of property or money by guile, deception, or other unfair means.
- A. True
 - B. False
92. A criminal used illicit funds to purchase a piece of real estate. Next, the criminal used the real estate as collateral to obtain a loan from a bank, making the income look like funds from a legitimate loan. Which of the following money laundering schemes did the criminal engage in?
- A. Back-to-back loan scheme ✓
 - B. Shell property scheme
 - C. Loan-back scheme
 - D. Appraisal fraud scheme ✓
93. In common law jurisdictions, evidence of other crimes committed by a defendant in a criminal action is usually admissible to prove that the defendant is generally a bad person, and therefore is likely to have committed the crime with which he is charged.
- A. True
 - B. False
94. All of the following are basic principles for the protection of data privacy on which most data privacy laws are built EXCEPT:
- A. All personal information must be accessible to the data subject
 - B. All personal information must be obtained fairly and lawfully.
 - C. All personal information must be used only for the original specified purpose.
 - D. All personal information must be kept indefinitely.
95. Which of the following statements about the United Nations Convention Against Corruption (UN Convention) is correct?
- A. Member states must ensure the existence of independent anti-corruption bodies that oversee the implementation of the UN convention policies
 - B. Member states must implement the necessary mechanisms to detect and prevent the transfer of assets obtained through illicit activities
 - C. Member states must exercise jurisdiction over acts of corruption committed within their territories or by their nationals

- ~~D.~~ All of the above
96. Blake, a Certified Fraud Examiner, is testifying in court as an expert witness in an adversarial system. During cross-examination, opposing counsel keeps getting extremely close to Blake, invading his body space. What should Blake do?
- ~~A.~~ Get through the questioning without complaining or arguing
 - B. Attempt to move away from opposing counsel
 - C. Ask the judge to intervene
 - D. Move towards opposing counsel, decreasing body space
97. The United Nations' International Convention on Civil and Political Rights (ICCPR) guarantees which of the following rights?
- A. Freedom from arbitrary arrests
 - B. Right of the accused to be informed of criminal charges
 - C. The presumption of innocence until the accused is proven guilty according to law
 - ~~D.~~ All of the above
98. In criminal trials in some common law jurisdictions, character witnesses may testify to the defendant's character, but they may not testify about specific instances of the defendant's good character.
- ~~A.~~ True
 - B. False
99. Which of the following is an example of insider trading?
- A. Albert buys shares of a company after the company's CEO tells him about earnings growth a day before making it public
 - B. Smith sells shares of his company's stock because he knows that it is about to announce poor earnings
 - C. Rodger's company is about to announce a new joint venture with a very successful and well known multi-national corporation
 - ~~D.~~ All of the above
100. The hard drive of a compromised computer system was given to Brad, a forensic examiner, for analysis. If Brad cannot verify who provided him with the computer's hard drive for analysis, then:
- A. The hard drive must be rehashed.
 - ~~B.~~ The chain of custody is broken
 - C. The hard drive must be imaged.
 - D. The best-evidence rule is invoked.
101. Which of the following investments are commonly recognised as securities?
- ~~A.~~ Bonds
 - B. Retirement plans
 - C. Fixed insurance policies
 - ~~D.~~ All of the above
102. Greg purchased restaurant supplies from a supplier with a lump sum of \$15,000 in cash. Under the best practices in the Financial Action Task Force's Recommendations concerning large cash transactions with customers, the restaurant supplier would be required to report the transaction to the government.
- ~~A.~~ True
 - B. False
103. In civil law jurisdictions, which of the following might be used as a criminal charging document or the closest thing available to a charging document?
- A. Indictment
 - B. Criminal petition
 - C. Arrest warrant

- ~~D.~~ All of the above
104. To prove a claim for an illegal gratuity, the government must prove that a thing of value was given, offered, or promised to (or demanded, sought, received, or accepted by) a public official for or because of an official act performed or to be performed by such public official.
- ~~A.~~ True
B. False
105. Which of the following offences occurs when a person steals property for which he has legal custody or possession?
- A. Larceny
B. Fraudulent misrepresentation
C. Robbery
~~D.~~ Embezzlement
106. If a person consents to a search by a government officer, but the consent is obtained by force, duress, or bribery, the consent will not constitute a valid waiver of the person's right to be free from searches.
- A. True
~~B.~~ False
107. Which of the following is an element that must be established to prove fraud based on the concealment of material facts?
- A. The defendant failed to disclose a material fact that he had a duty to disclose
B. The defendant acted with intent to mislead or deceive the victim(s)
C. The defendant had knowledge of a material fact that he had a duty to disclose
~~D.~~ All of the above
108. In most common law systems, a party can introduce relevant exhibits as evidence in trial even if the items are not established as authentic.
- A. True
~~B.~~ False
109. If, in a country with comprehensive whistleblower protection laws, an employee qualifies as a "whistleblower" for reporting unlawful conduct by his employer, the employer cannot fire the whistleblowing employee for any reason, including for engaging in an unrelated fraud.
- A. True
~~B.~~ False
110. The reduction of systemic risk is one of the objectives on which the International Organisation of Securities Commissions (IOSCO) Objectives and Principles of Securities Regulation are based.
- A. True
~~B.~~ False
111. In civil law jurisdictions, judges most commonly serve as the fact-finder in criminal proceedings, but some jurisdictions use juries or panels of professional judges and lay judges for serious cases.
- ~~A.~~ True
B. False
112. In adversarial systems, which of the following is generally NOT a purpose of opposing counsel during the cross-examination of an expert witness?
- A. To make the expert contradict former statements the expert made during the litigation process
~~B.~~ To obtain information about the expert witness's analysis previously unknown to opposing counsel
C. To discredit the expert's testimony itself
D. To diminish the importance of the expert's testimony
113. Which of the following would be an example of direct evidence?

- A. Witness testimony about a suspicious situation in which the defendant was involved
B. Expert testimony regarding the defendant's mental functioning and drug addiction
☒ C. Eyewitness testimony of someone saying that she saw the defendant steal items from his employer's inventory
D. Testimony that the defendant deposited \$2,000 into his account on the same day \$2,000 was stolen from his employer
114. The U.S. Foreign Corrupt Practices Act (FCPA) has two major parts. The first part criminalises the bribery of a foreign public official to obtain or retain business. The second part pertains to money laundering, requiring publicly traded companies to adopt policies, procedures, and internal controls reasonably designed to prevent money laundering.
A. True
☒ B. False
115. Which of the following types of law is/are created by legislatures?
A. Case law
B. Common law
☒ C. Statutory law
D. All of the above
116. Which of the following statements about criminal charging documents in common law jurisdictions is CORRECT?
☒ A. Indictments are accusations in writing of offences and are brought in the name of the government.
B. The primary charging document in common law jurisdictions is the arrest warrant
C. All crimes are charged by indictment(unless waived by the defendant)
D. Informations are charging documents that are typically prepared by the jury
117. An individual is a defendant in a civil fraud lawsuit filed by his employer. In the same proceeding, the jurisdiction allows the defendant to file a claim stating the employer owes him backpay. The defendant's claim in this case is called a counterclaim.
☒ A. True
B. False
118. Under the best practices listed in the Financial Action Task Force's Recommendations, which of the following should be required to submit reports to the government when they engage in large cash transactions with customers?
A. Real estate agents
B. Casinos
C. Depository institutions(banks)
☒ D. All of the above
119. Paige is going to testify as a witness regarding her team's fraud examination report for a complex fraud case involving thousands of documents. She delegated much of the document analysis to subordinates at her firm, who wrote summaries of the key documents they found. In preparing for her testimony, Paige only needs to analyse the summaries prepared by her subordinates.
A. True
☒ B. False
120. In systems using adversarial processes, an attorney may impeach an opposing party's witness by showing/proving that the witness:
A. Made prior inconsistent statements
B. Has a reputation for untruthfulness
C. Is influenced by bias or self-interest
☒ D. All of the above
121. In civil litigation in civil law jurisdictions, when is the trial record typically created?

- A. After the judge has announced the court's decision
☒ B. Throughout the trial as the court gathers evidence
C. After the court has completed the evidence-gathering process
D. In the pre-trial stage
122. _____ is any intentional or deliberate act to deprive another of property or money by guile, deception, or other unfair means.
- A. Bribery
☒ B. Fraud
C. Extortion
D. Embezzlement
123. Under the World Bank Principles and Guidelines for Effective Insolvency and Creditor Rights Systems, which of the following statements MOST ACCURATELY represents the recommended powers of a bankruptcy administrator (or equivalent appointee)?
- A. The administrator is not authorized to compel testimony from third parties with knowledge of the debtor's financial affairs.
B. The administrator must abide by all contracts the debtor entered into prior to bankruptcy
☒ C. The administrator is allowed to collect and preserve the debtor's property, but has no power to dispose of it.
D. The administrator has the ability to cancel fraudulent transactions entered into by the debtor
124. An expert witness may not express opinions or draw conclusions in his testimony during a legal proceeding.
- A. True
☒ B. False
125. Officers and directors of a corporation have a fiduciary duty to act solely in the best interest of non-shareholder constituencies.

☒ A. True
☒ B. False