

THE INSTITUTE OF COMMERCIAL MANAGEMENT

SUBJECT SYLLABUS



Agency

Concept of Power & Authority

Binding of Principal:

- Express Authority
- Implied Authority
- Apparent Authority
- Operation of Law

Want of Authority & Ratification:

- Principal & Third Party
- Ratification
- Liability for Authority by the Agent

Relations Between Principal & Agent:

- Agent's Duties
- Rights of Agent

Agency Relationship Between Principal & Third Party:

- Disclosed Agency
- Undisclosed Agency
- Unauthorised Disposition by Agent
- Liability for Torts of Agent

Agency Relations:

- Agent & Third Party
- Contractual Rights & Liabilities of the Agent

Termination of Agency:

- By Act of Parties
- Operation of Law
- Effects of Termination

Reading List

Main Text:

An Outline of the Law of Agency – Markesinis & Munday (Butterworth Tolly)

Cases**Appointment of Agent by Implication:**

Garnac Grain Company v H M Faure [1967]
Pickering v Busk [1812]

Appointment of Agent of Necessity:

Prager v Blatspiel [1924]
Springer v Great Western Railway [1921]
Great Northern Railway v Swaffield [1874]

Ratification:

Kelner v Baxter [1866]
Brook v Hook [1871]
Boulton Partners v Lambert [1888]

The Duties of an Agent:

Turpin v Bilton [1843]
Hedley Byrne v Heller [1964]
Armstrong v Jackson [1917]

Undisclosed Principals:

Humble v Hunter [1842]
Clarkson & Booker v Andjel [1964]
United Bank of Kuwait v Hammond [1988]

Termination of Agency:

Turner v Goldsmith [1891]

Breach of Warranty of Authority:

Yonge v Tonybee [1910]

Authority of the Agent:

Watteau v Fenwick [1893]

Duties of the Principal:

Luxor (Eastbourne) v Cooper [1941]
Scheggia v Gradwell [1963]
Adamson v Jarvis [1827]

