13. Vicarious Liability and Statutory Duties

This chapter identifies the doctrine of vicarious liability and its potential impact on employers. An employer faces vicarious liability when an individual engaged by it to perform some function for the business commits a tort; if this occurs within the course of employment and the individual engaged has the employment status of an employee, the employer may be jointly liable with the tortfeasor. The doctrine was developed, through the courts, to ensure that injured persons are compensated for losses sustained as a result of a negligent or wrongful act, with the obligation being placed on the employer to compensate and further to prevent any future torts being committed. The chapter considers the liability of those producing, supplying, marketing, and importing goods that contain defects which cause damage or loss.
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