This chapter discusses the law of agency, which is a complex, subtle, and often misunderstood subject. Understanding it is, however, important, especially given the extent to which it can affect commercial and other areas of the law. It has also been established that, for many businesses, the use of agents is invaluable, and significant areas of commercial activity could not continue without the existence of agency. Several basic foundation issues relating to the law of agency, such as the sources of agency law and the various types of agent that exist, are discussed here. The chapter begins by determining the legal meaning of ‘agency’. Unfortunately, whilst many definitions of agency exist, the concept is ‘notoriously slippery and difficult to define’, according to Bowstead and Reynolds. The chapter also looks at the various forms of agent, including the development of the commercial agent.
3. An introduction to the law of agency

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