Exercise 2

Exercise 1 contained the following definition:

'Buyer' means the person/company or the person's/company's servants or agents purchasing goods/services from the Company

What do the words 'servant' or 'agent' mean when used in this way?

In the case of Malcolm v University of Oxford (2002) the Court of Appeal spoke about the meaning of these two words.

> From Malcolm v University of Oxford (2002)
> 'The term "servant" means an employee under a contract of service. The term "agent" means a person entrusted with the fulfilment of a role or performance of a task on behalf of his principal, usually involving or affecting the legal relations of the principal with a third party.'

Here is a simplified version of the judge's explanation. Complete the explanation of what 'servant' and 'agent' mean by filling the gaps in the text with a word from the box below.

The word (a) '_____' means an employee who has a contract of employment with your company. A good example of the legal meaning of the word 'servant' would be a 'servant' of a university. This would include any (b) _____ who has a contract to work for the university but not, for example, a visiting (c) _____ who was paid a fee to give a talk to the students.

The word (d) _____ means a person who the party to the contract, known as the (e) _____ or the master, trusts to act on his behalf when dealing with a third party.

professor	principal	servant	agent	employee

Exercise 3

Here is the definitions section from another contract. Fill each gap with the correct preposition from the blue box below.

(a) _____ these terms and conditions the following words shall have the following meanings:

'the Supplier' means Peterson Electrics Ltd trading under the title appearing on any invoice

(b) _____ the Goods

'the Goods' means any product, articles or things supplied by or subject to negotiations for supply

(c) _____ the Supplier (d) _____ the Buyer

'the Buyer' means any corporate entity, firm or person to whom the Supplier supplies or (e) _____ whom the Supplier enters negotiations for the supply (f) _____ Goods.

In	for	to	of	by	with