### IDJI 6.40.5 – Agency defined

INSTRUCTION NO. \_\_\_\_\_

An agency relationship exists where one, called the “principal,” has authorized another, called the “agent,” to act on behalf of the principal.

Agency requires the consent of the principal, which consent may be expressed or implied. [A business purpose is not required.] [Compensation of the agent is not required.] [The term “principal” includes employers, and the term “agent” includes employees.]

Comments:

Note: Use bracketed portions applicable to case. *See*, Thornton v. Budge, 257 P.2d 238, 240, 74 Idaho 103 (Idaho 1953).