REASONABLY PRACTICABLE

The above legal expression recurs in each of the subsections of the Health and Safety at Work Act 1974, section 2.

This is how the Health and Safety Executive defined the term in Guidance Note EH 40/88.

“9. The duty to ensure health and safety at work in the HSW Act is qualified by the phrase so far as is reasonably practicable`. Although this expression is not defied by the Act, it has acquired a clear meaning through long established interpretations by the courts. Someone who is required to do something ` so far as is reasonably practicable` must assess, on the one hand, the magnitude of the risks of a particular work activity or environment, and, on the other hand, the physical difficulty, time, trouble and expenses which could be involved in taking step to eliminate of minimise those risks. If, for example, the risks to health and safety of a particular work process are very low, and the cost of technical difficulties of taking certain steps to avoid these risk are very high, it might not be reasonably practicable to take those steps. The greater the degree of risk, the less weight can be given to the cost of measures needed to avoid that risk. Only if there is a gross disproportion between them, the reduction in risk been insignificant in relation to the sacrifices need to achieve the reduction, is the obligation met.”

“10. The comparison does not include the financial standing of the employer. A precaution which is `reasonably practicable` for a prosperous employer is equally `reasonably practicable` for the less affluent. Furthermore, if someone is prosecuted for failing to comply with a duty `so far as is reasonably practicable`, it is the responsibility of the accused to show the court that it was not reasonably practicable for him to do more than he had in fact done to comply with the duty.”