

## **Hazard Management Definitions**

The following terms are key definitions from the Health and Safety in Employment (HSE) Act 1992.

### **Hazard**

- (a) Means an activity, arrangement, circumstance, event, occurrence, phenomenon, process, situation, or substance (whether arising or caused within or outside a place of work) that is an actual or potential cause or source of harm; and
- (b) Includes -
  - (i) a situation where a person's behaviour may be an actual or potential cause or source of harm to the person or another person; and
  - (ii) without limitation, a situation described in subparagraph (i) resulting from physical or mental fatigue, drugs, alcohol, traumatic shock, or another temporary condition that affects a person's behaviour.

### **Significant hazard**

Means a hazard that is an actual or potential cause or source of -

- (a) Serious harm; or
- (b) Harm (being harm that is more than trivial) the severity of whose effects on any person depend (entirely or among other things) on the extent or frequency of the person's exposure to the hazard; or
- (c) Harm that does not usually occur, or usually is not easily detectable, until a significant time after exposure to the hazard.

### **Harm**

- (a) Means illness, injury, or both; and
- (b) Includes physical or mental harm caused by work-related stress.

### **Serious harm**

Means death, or harm described in the First Schedule to the Act as follows:

1. Any of the following conditions that amounts to, or results in, permanent loss of bodily function, or temporary, severe loss of bodily function: respiratory disease, noise-induced hearing loss, neurological disease, cancer, dermatological disease, communicable disease, musculoskeletal disease, illness caused by exposure to infected material, decompression sickness, poisoning, vision impairment, chemical or hot-metal burn of eye, penetrating wound of eye, bone fracture, laceration or crushing.
2. Amputation of body part.
3. Burns requiring referral to a specialist registered medical practitioner or specialist outpatient clinic.
4. Loss of consciousness from lack of oxygen.
5. Loss of consciousness, or acute illness requiring treatment by a medical practitioner, from absorption, inhalation or ingestion of any substance.
6. Any harm that causes the person harmed to be hospitalised for a period of 48 hours or more, commencing within seven days of the harm's occurrence.

### **All practicable steps**

1. ...in relation to achieving any result in any circumstances, means all steps to achieve the result that it is reasonably practicable to take in the circumstances, having regard to -
  - (a) The nature and severity of the harm that may be suffered if the result is not achieved; and
  - (b) The current state of knowledge about the likelihood that harm of that nature and severity will be suffered if the result is not achieved; and
  - (c) The current state of knowledge about harm of that nature; and
  - (d) The current state of knowledge about the means available to achieve the result, and about the likely efficacy of each of those means; and
  - (e) The availability and cost of each of those means.
2. To avoid doubt, a person required by this Act to take all practicable steps is required to take those steps only in respect of circumstances that the person knows or ought reasonably to know about.

### **Eliminating hazards**

Significant hazards to employees to be eliminated if practicable.

Where there is a significant hazard to employees at work, the employer shall take all practicable steps to eliminate it.

### **Isolating hazards**

Significant hazards to employees to be isolated where elimination impracticable, where -

- (a) There is a significant hazard to employees at work; and
- (b) Either -
  - (i) There are no practicable steps that may be taken to eliminate it; or
  - (ii) All practicable steps to eliminate it have been taken, but it has not been eliminated

The employer shall take all practicable steps to isolate it from the employees.

### **Minimising hazards**

Significant hazards to employees to be minimised, and employees to be protected, where elimination and isolation impracticable

- 1. Where -
  - (a) There is a significant hazard to employees at work; and
  - (b) Either -
    - (i) There are no practicable steps that may be taken to eliminate it; or
    - (ii) All practicable steps to eliminate it have been taken, but it has not been eliminated; and
  - (c) Either -
    - (i) There are no practicable steps that may be taken to isolate it from the employees; or
    - (ii) All practicable steps to isolate it from the employees have been taken, but it has not been isolated, -

The employer shall take the steps set out in subsection 2.

- 2. The steps are -
  - (a) To take all practicable steps to minimise the likelihood that the hazard will be a cause or source of harm to the employees; and
  - (b) To provide, make accessible to, and ensure the use by employees of suitable clothing and equipment to protect them from any harm that may be caused by or may arise out of the hazard;