

# **Possible Exam Questions**



Explain the meaning of the term "so far as is reasonably practicable". (2)

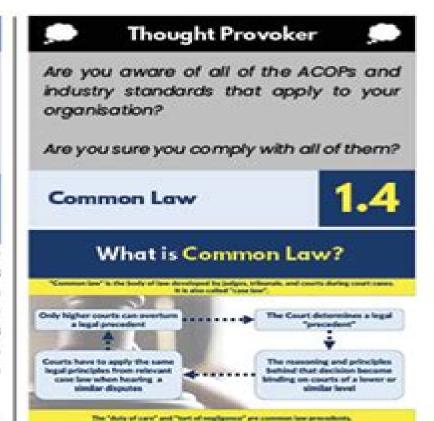
What does the term "so far as is practicable" mean? (2)

# Relevance of ACOPs When Deciding What is Reasonably Practicable

Obviously, whether something is reasonable or not is a subjective decision. Students and organisations often struggle when trying to decide whether their controls are 'reasonable' and whether the law requires them to do more. Things to consider when trying to determine the reasonableness of an action:

Controls that are required in Approved Codes of Practice are considered reasonable. If an organisation decides not to follow the ACOP, then (if prosecuted) they would need to prove what they did do was reasonable to the Criminal Court.

But if they have followed the ACOP, then that is automatically evidence that they have done what is reasonable in the circumstances. So, it is worth asking the question, "is this control measure required by an ACOP?" or "is there an ACOP which applies to this risk and what done it require up to do?"



As we have mentioned several times already, the courts can make legal decisions and interpret Statute Law in new ways during court cases. These create legal precedents. To ensure consistency between the courts and judges, these decisions become binding on courts at the same or lower level. They can only be overturned by a higher court. This is Common Law. It is also known as "case law".

Please note decisions can also be overturned by new legislation (Statute Law) enacted by Parliament.

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#### **Table of Contents Nebosh Study Materials**

- 1. Understanding the eBook Nebosh Study Materials
  - The Rise of Digital Reading Nebosh Study Materials
  - Advantages of eBooks Over Traditional Books
- 2. Identifying Nebosh Study Materials
  - Exploring Different Genres
  - o Considering Fiction vs. Non-Fiction
  - Determining Your Reading Goals
- 3. Choosing the Right eBook Platform
  - Popular eBook Platforms
  - Features to Look for in an Nebosh Study Materials
  - User-Friendly Interface
- 4. Exploring eBook Recommendations from Nebosh Study Materials
  - Personalized Recommendations
  - Nebosh Study Materials User Reviews and Ratings
  - Nebosh Study Materials and Bestseller Lists
- 5. Accessing Nebosh Study Materials Free and Paid eBooks
  - Nebosh Study Materials Public Domain eBooks
  - Nebosh Study Materials eBook Subscription Services
  - Nebosh Study Materials Budget-Friendly Options

- 6. Navigating Nebosh Study Materials eBook Formats
  - o ePub, PDF, MOBI, and More
  - Nebosh Study Materials Compatibility with Devices
  - Nebosh Study Materials Enhanced eBook Features
- 7. Enhancing Your Reading Experience
  - Adjustable Fonts and Text Sizes of Nebosh Study Materials
  - Highlighting and Note-Taking Nebosh Study Materials
  - Interactive Elements Nebosh Study Materials
- 8. Staying Engaged with Nebosh Study Materials
  - Joining Online Reading Communities
  - Participating in Virtual Book Clubs
  - Following Authors and Publishers Nebosh Study Materials
- 9. Balancing eBooks and Physical Books Nebosh Study Materials
  - Benefits of a Digital Library
  - Creating a Diverse Reading Collection Nebosh Study Materials
- 10. Overcoming Reading Challenges
  - Dealing with Digital Eye Strain
  - Minimizing Distractions
  - Managing Screen Time
- 11. Cultivating a Reading Routine Nebosh Study Materials
  - Setting Reading Goals Nebosh Study Materials
  - Carving Out Dedicated Reading Time
- 12. Sourcing Reliable Information of Nebosh Study Materials
  - Fact-Checking eBook Content of Nebosh Study Materials
  - Distinguishing Credible Sources
- 13. Promoting Lifelong Learning
  - Utilizing eBooks for Skill Development
  - Exploring Educational eBooks
- 14. Embracing eBook Trends
  - Integration of Multimedia Elements

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