

REVOKED

Statement of Principles

concerning

**MALIGNANT NEOPLASM OF THE ORAL  
CAVITY**

**ICD CODES: 140.3,140.4,140.5,141,143,144,145,146**

Veterans' Entitlements Act 1986  
subsection 196B(3)

1. Being of the view that on the sound medical-scientific evidence available to the Repatriation Medical Authority, it is more probable than not that **malignant neoplasm of the oral cavity** and **death from malignant neoplasm of the oral cavity** can be related to eligible war service (other than operational service) rendered by veterans and defence service (other than hazardous service) rendered by members of the Forces, the Repatriation Medical Authority determines, under subsection 196B(3) of the *Veterans' Entitlements Act 1986* (the Act), that the factors that must exist before it can be said that, on the balance of probabilities, **malignant neoplasm of the oral cavity** or **death from malignant neoplasm of the oral cavity** is connected with the circumstances of that service, are:
  - (a) smoking ten or more cigarettes per day or the equivalent thereof in other tobacco products, for at least ten years, before the clinical onset of malignant neoplasm of the oral cavity and, where smoking has ceased, the clinical onset has occurred within ten years of cessation; or

- (b) the regular oral use of smokeless tobacco and similar products for at least ten years before the clinical onset of malignant neoplasm of the oral cavity and, where oral use of these products has ceased, the clinical onset has occurred within ten years of cessation; or
  - (c) drinking at least 500 kilograms of absolute alcohol (contained within alcoholic drinks) before the clinical onset of malignant neoplasm of the oral cavity; or
  - (d) inability to obtain appropriate clinical management for the malignant neoplasm of the oral cavity.
2. Subject to clause 3 (below) at least one of the factors set out in paragraphs **1(a) to 1(d)** must be related to any service rendered by a person.
3. The factor set out in paragraph **1(d)** applies only where:
- (a) the person's **malignant neoplasm of the oral cavity** was suffered before a period, or part of a period, of service to which the factor is related; and
  - (b) the relationship suggested between the **malignant neoplasm of the oral cavity** and the particular service of a person is a relationship set out in paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act.
4. For the purposes of this Statement of Principles:

**“absolute alcohol”** consumption calculations utilise the Australian Standard of 10 grams absolute alcohol per standard alcoholic drink;

**“ICD code”** means a number assigned to a particular kind of injury or disease in the Australian Version of The International Classification of Diseases, 9th revision, Clinical Modification (ICD-9-CM), effective date of 1 July 1995, copyrighted by the National Coding Centre, Faculty of Health Sciences, University of Sydney, NSW, and having ISBN 0 642 22235 5;

**“malignant neoplasm of the oral cavity”** means a primary malignancy of the mucosa of the oral cavity or oropharynx which is the region that extends posteriorly from the lips (excluding the vermilion border and the skin of the lips) to the upper border of the epiglottis and which includes the gums, the floor of the mouth, the buccal mucosa, the alveolar ridge, the hard and soft palate, and the tongue, but excluding malignant neoplasm of the minor salivary glands, attracting ICD code 140.3, 140.4, 140.5, 141, 143, 144, 145 or 146;

**“smokeless tobacco and similar products”** means chewing tobacco, snuff, betel nut, other tobacco chews and powders including khaini, pan or nass:

Dated this **Twenty-eighth** day of  
**September** 1995

The Common Seal of the )  
Repatriation Medical Authority )  
was affixed to this instrument )  
in the presence of: )

KEN DONALD  
CHAIRMAN