



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning

**MALIGNANT NEOPLASM OF BONE AND
ARTICULAR CARTILAGE**

No. 107 of 2011

for the purposes of the

Veterans' Entitlements Act 1986
and
Military Rehabilitation and Compensation Act 2004

Title

1. This Instrument may be cited as Statement of Principles concerning malignant neoplasm of bone and articular cartilage No. 107 of 2011.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 41 of 2002 concerning malignant neoplasm of the bone or articular cartilage; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **malignant neoplasm of bone and articular cartilage** and **death from malignant neoplasm of bone and articular cartilage**.
 - (b) For the purposes of this Statement of Principles, "**malignant neoplasm of bone and articular cartilage**" means a primary malignant neoplasm arising in bone or articular cartilage. This definition excludes extraskeletal soft tissue sarcoma and malignant neoplasms of haematopoietic tissue.

- (c) Malignant neoplasm of bone and articular cartilage attracts ICD-10-AM code C40 or C41.
- (d) In the application of this Statement of Principles, the definition of "**malignant neoplasm of bone and articular cartilage**" is that given at paragraph 3(b) above.

Basis for determining the factors

- 4. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **malignant neoplasm of bone or articular cartilage** and **death from malignant neoplasm of bone or articular cartilage** can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

Factors that must be related to service

- 5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

Factors

- 6. The factor that must exist before it can be said that, on the balance of probabilities, **malignant neoplasm of bone or articular cartilage** or **death from malignant neoplasm of bone or articular cartilage** is connected with the circumstances of a person's relevant service is:
 - (a) having received a cumulative equivalent dose of at least 0.5 sievert of ionising radiation to the affected region at least five years before the clinical onset of malignant neoplasm of bone or articular cartilage; or
 - (b) for osteosarcoma and fibrosarcoma only, having Paget's disease of bone at the affected site before the clinical onset of malignant neoplasm of bone or articular cartilage; or
 - (c) for fibrosarcoma and angiosarcoma only, having chronic osteomyelitis at the affected site before the clinical onset of malignant neoplasm of bone or articular cartilage; or
 - (d) inability to obtain appropriate clinical management for malignant neoplasm of bone or articular cartilage.

Factors that apply only to material contribution or aggravation

- 7. Paragraph **6(d)** applies only to material contribution to, or aggravation of, malignant neoplasm of bone or articular cartilage where the person's malignant neoplasm of bone or articular cartilage was suffered or contracted before or during (but not arising out of) the person's relevant service.

Inclusion of Statements of Principles

8. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Other definitions

9. For the purposes of this Statement of Principles:

"cumulative equivalent dose" means the total dose of ionising radiation received by the particular organ or tissue. The formula used to calculate the cumulative equivalent dose allows doses from multiple types of ionising radiation to be combined, by accounting for their differing biological effect. The unit of equivalent dose is the sievert. For the purposes of this Statement of Principles, the calculation of cumulative equivalent dose excludes doses received from normal background radiation, but includes therapeutic radiation, diagnostic radiation, cosmic radiation at high altitude, radiation from occupation-related sources and radiation from nuclear explosions or accidents;

"death from malignant neoplasm of bone or articular cartilage" in relation to a person includes death from a terminal event or condition that was contributed to by the person's malignant neoplasm of bone or articular cartilage;

"ICD-10-AM code" means a number assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, 10th Revision, Australian Modification (ICD-10-AM), Seventh Edition, effective date of 1 July 2010, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 154 5;

"relevant service" means:

- (a) eligible war service (other than operational service) under the VEA; or
- (b) defence service (other than hazardous service) under the VEA; or
- (c) peacetime service under the MRCA;

"terminal event" means the proximate or ultimate cause of death and includes:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

Application

10. This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

Date of effect

11. This Instrument takes effect from 31 August 2011.

Dated this *nineteenth* day of *August* 2011

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

KEN DONALD
CHAIRPERSON