

# REVOKED

## Revocation and Determination

of

## Statement of Principles concerning

# SOFT TISSUE SARCOMA

ICD CODE: 171

## *Veterans' Entitlements Act 1986*

1. The Repatriation Medical Authority under subsection **196B(2)** of the *Veterans' Entitlements Act 1986* (the Act):
  - (a) revokes Instrument No.75 of 1994, and Instrument No.213 of 1995; and
  - (b) determines the following Statement of Principles.

### **Kind of injury, disease or death**

2. (a) This Statement of Principles is about **soft tissue sarcoma** and **death from soft tissue sarcoma**.

(b) For the purposes of this Statement of Principles, “**soft tissue sarcoma**” means a histologically and morphologically diverse group of extra-skeletal, non-haematopoietic, non-epithelial primary malignant neoplasms, attracting ICD code 171, that originates in the soft tissues derived from the embryonic mesodermal layer, and which can occur at any site in the body, both within and between parenchymal organs.

Note: For the purposes of this Statement of Principles, this definition excludes the conditions of mesothelioma, Kaposi's sarcoma, malignant neoplasm of the bone and articular cartilage (osteosarcoma and chondrosarcoma) and malignant neoplasm of the lymphopoietic and haematopoietic tissue.

Note to user (this note does not form part of the legal wording of the instrument):

In the event that a disease referred to in the note above (which is excluded from coverage by this Statement of Principles) is claimed, reference should be made to the relevant Statement of Principles (or Statements of Principles) which cover or refer to that disease (if any).

### **Basis for determining the factors**

3. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **soft tissue sarcoma and death from soft tissue sarcoma** can be related to relevant service rendered by veterans, members of Peacekeeping Forces, or members of the Forces.

### **Factors that must be related to service**

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

### **Factors**

5. The factors that must as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **soft tissue sarcoma or death from soft tissue sarcoma** with the circumstances of a person's relevant service are:
  - (a) being exposed to herbicides in Vietnam before the clinical onset of soft tissue sarcoma; or
  - (b) undergoing a course of therapeutic radiation to the affected region before the clinical onset of soft tissue sarcoma, where the first exposure occurred more than two years immediately before the clinical onset of soft tissue sarcoma; or
  - (c) for lymphangiosarcoma only, suffering from lymphoedema of the affected limb before the clinical onset of soft tissue sarcoma; or
  - (d) for hepatic angiosarcoma only, being occupationally exposed to gaseous vinyl chloride during the production of polyvinyl chloride, before the clinical onset of soft tissue sarcoma; or
  - (e) inability to obtain appropriate clinical management for soft tissue sarcoma.

### **Factors that apply only to material contribution or aggravation**

6. Paragraph 5(e) applies only to material contribution to, or aggravation of, soft tissue sarcoma where the person's soft tissue sarcoma was suffered

or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e), 70(5)(d) or 70(5A)(d) of the Act refers.

### **Other definitions**

7. For the purposes of this Statement of Principles:

**“a course of therapeutic radiation”** means one or more fractions (treatment portions) of ionising radiation administered with the aim of achieving palliation or cure with gamma rays, x-rays, alpha particles or beta particles;

**“being exposed to herbicides in Vietnam”** may be said to have occurred only if the person had:

- (a) rendered more than 30 days service on land in Vietnam; or
- (b) regularly eaten fish, fish products, crustaceans, shellfish, or meat from Vietnam; or
- (c) regularly eaten food cooked with water from Vietnam discoloured by sediment, or regularly drunk water from Vietnam discoloured by sediment; or
- (d) regularly inhaled dust in a defoliated area in Vietnam or regularly inhaled herbicide fog in Vietnam; or
- (e) sprayed or decanted herbicides in Vietnam as an occupational requirement;

**“hepatic angiosarcoma”** means a soft tissue sarcoma arising from the vascular endothelial cells in the liver;

**“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 1996, copyrighted by the National Coding Centre, Faculty of Health Sciences, University of Sydney, NSW, and having ISBN 0 642 24447 2;

**“lymphangiosarcoma”** means a malignant tumour of vascular endothelial cells arising from lymphatic vessels;

**“lymphoedema”** means chronic unilateral or bilateral oedema of the extremities due to accumulation of interstitial fluid as a result of stasis of lymph, which is secondary to obstruction of lymph vessels or disorders of

the lymph nodes, such as that which occurs secondary to radical mastectomy;

“**relevant service**” means:

- (a) operational service; or
- (b) peacekeeping service; or
- (c) hazardous service.

**Application**

8. This Instrument applies to all matters to which section 120A of the Act applies.

Dated this *Ninth* day of *December* 1996

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

KEN DONALD  
CHAIRMAN