

# REVOKED

## Determination

of

## Statement of Principles concerning

# ASBESTOSIS

ICD CODE: 501

## *Veterans' Entitlements Act 1986*

1. This Statement of Principles is determined by the Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act).

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

2. (a) This Statement of Principles is about **asbestosis** and **death from asbestosis**.

(b) For the purposes of this Statement of Principles, "**asbestosis**" means a specific form of lung disease caused by inhaling asbestos fibres, marked by interstitial fibrosis of the lung, attracting ICD code 501.

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

3. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **asbestosis** can be related to relevant service rendered by veterans or members of the Forces.

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

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

## Factors

5. The factors that must exist before it can be said that, on the balance of probabilities, **asbestosis** or **death from asbestosis** is connected with the circumstances of a person's relevant service are:
- (a) being exposed to respirable asbestos fibres for a total of 500 days in an enclosed area when such fibres were being:
    - (i) applied; or
    - (ii) removed; or
    - (iii) dislodged; or
    - (iv) cut; or
    - (v) drilled,and where the first day of exposure occurred at least five years before the clinical onset of asbestosis; or
  - (b) inability to obtain appropriate clinical management for asbestosis.

## Factors that apply only to material contribution or aggravation

6. Paragraph 5(b) applies only to material contribution to, or aggravation of, asbestosis where the person's asbestosis was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act refers.
7. For the purposes of this Statement of Principles:

**“an enclosed area”** means a substantially enclosed space, for example, the interior of a building, ship or aircraft, a covered workshop or a factory;

**“exposed to respirable asbestos fibres”** means being in an environment within which asbestos particles become airborne and are able to be breathed into the lungs;

**“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;

**“relevant service”** means:

- (a) eligible war service (other than operational service); or
- (b) defence service (other than hazardous service).

**“respirable asbestos fibres”** means asbestos fibres less than 3 micrometres in diameter and greater than 5 micrometres in length.

Dated this *Sixteenth* day of *January* 1996

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

KEN DONALD  
CHAIRMAN