

Determination

of

Statement of Principles
concerning

**MALIGNANT NEOPLASM OF THE TESTIS
AND PARATESTICULAR TISSUES**

ICD CODES: 186, 187.5, 187.6

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 **malignant neoplasm of the testis and paratesticular tissues and death from malignant neoplasm of the testis and paratesticular tissues.**

(b) For the purposes of this Statement of Principles, “**malignant neoplasm of the testis and paratesticular tissues**” means a primary neoplasm arising from the cells of the testis or paratesticular tissues including the rete testis, epididymis and spermatic cord, attracting ICD code 186, 187.5 or 187.6.

Note: For the purposes of this Statement of Principles, this definition specifically excludes soft tissue sarcoma, non-Hodgkin's lymphoma and Hodgkin's disease, and also excludes malignant neoplasm of the scrotal skin and malignant neoplasm of the tunica vaginalis.

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. 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 the testis and paratesticular tissues and death from malignant neoplasm of the testis and paratesticular tissues** 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, the factor set out in the paragraph in clause 5 must be related to any relevant service rendered by the person.

Factors

5. The factor that must exist before it can be said that, on the balance of probabilities, **malignant neoplasm of the testis and paratesticular tissues** or **death from malignant neoplasm of the testis and paratesticular tissues** is connected with the circumstances of a person's relevant service is:
 - (a) inability to obtain appropriate clinical management for malignant neoplasm of the testis and paratesticular tissues.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(a) applies only to material contribution to, or aggravation of, malignant neoplasm of the testis and paratesticular tissues where the person's malignant neoplasm of the testis and paratesticular tissues 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.

Other definitions

7. For the purposes of this Statement of Principles:

“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;

“relevant service” means:

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

Dated this **Twenty-second** day of
January 1997

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

KEN DONALD
CHAIRMAN