

Revocation and Determination

of

Statement of Principles
concerning

**MALIGNANT NEOPLASM OF THE
PROSTATE**

ICD-10-AM CODE: C61

Veterans' Entitlements Act 1986

1. The Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act):
 - (a) revokes Instrument No.96 of 1995 and Instrument No.192 of 1996; and
 - (b) determines in their place the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **malignant neoplasm of the prostate and death from malignant neoplasm of the prostate**.
- (b) For the purposes of this Statement of Principles, "**malignant neoplasm of the prostate**" means a primary malignant neoplasm of the cells of the prostate gland, attracting ICD-10-AM code C61. This definition excludes soft tissue sarcoma, non-Hodgkin's lymphoma and Hodgkin's disease.

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 prostate and death from malignant**

neoplasm of the prostate 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 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, **malignant neoplasm of the prostate** or **death from malignant neoplasm of the prostate** is connected with the circumstances of a person's relevant service are:
 - (a) spraying or decanting a herbicide containing 2,4-dichlorophenoxyacetic acid (2,4-D) or 2,4,5-trichlorophenoxyacetic acid (2,4,5-T) on at least 100 days, in circumstances likely to result in inhalation or absorption of the herbicide, at least five years before the clinical onset of malignant neoplasm of the prostate; or
 - (b) increasing animal fat consumption by at least 40% and to at least 70gm/day for at least 25 years before the clinical onset of malignant neoplasm of the prostate; or
 - (c) inability to obtain appropriate clinical management for malignant neoplasm of the prostate.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(c) applies only to material contribution to, or aggravation of, malignant neoplasm of the prostate where the person's malignant neoplasm of the prostate 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.

Inclusion of Statements of Principles

7. 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.

Other definitions

8. For the purposes of this Statement of Principles:

“animal fat” means fat contained in or derived from meat, other flesh or offal from animals (including birds), and dairy products;

“death from malignant neoplasm of the prostate” in relation to a person includes death from a terminal event or condition that was contributed to by the person’s malignant neoplasm of the prostate;

“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), effective date of 1 July 1998, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86451 340 3;

“relevant service” means:

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

“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

- 9. This Instrument applies to all matters to which section 120B of the Act applies.

Dated this *Ninth* day of *November* 1999

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

KEN DONALD
CHAIRMAN