

Revocation and Determination
of
Statement of Principles
concerning
MACULAR DEGENERATION

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.30 of 1997; and
 - (b) determines in its place the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **macular degeneration** and **death from macular degeneration**.
- (b) For the purposes of this Statement of Principles, “**macular degeneration**” also known as age-related macular degeneration means degenerative changes involving the macula of the eye consisting of:
 - (i) early age-related maculopathy which has resulted in visual impairment; or
 - (ii) geographical atrophy; or
 - (iii) neovascular (“wet”) age-related macular degeneration.
- (c) In the application of this Statement of Principles, the definition of “**macular degeneration**” is that given at para 2(b) above.

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 **macular degeneration** and **death from macular degeneration** 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, **macular degeneration** or **death from macular degeneration** is connected with the circumstances of a person's relevant service are:
 - (a) smoking at least 15 pack years of cigarettes or the equivalent thereof in other tobacco products, before the clinical onset of macular degeneration, and where smoking has ceased, the clinical onset has occurred within 20 years of cessation; or
 - (b) undergoing cataract surgery involving the affected eye within the two years immediately before the clinical onset of macular degeneration; or
 - (c) undergoing cataract surgery involving the affected eye within the two years immediately before the clinical worsening of macular degeneration; or
 - (d) inability to obtain appropriate clinical management for macular degeneration.

Factors that apply only to material contribution or aggravation

6. Paragraphs **5(c)** to **5(d)** apply only to material contribution to, or aggravation of, macular degeneration where the person's macular degeneration 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:

“death from macular degeneration” in relation to a person includes death from a terminal event or condition that was contributed to by the person’s macular degeneration;

“pack years of cigarettes or the equivalent thereof in other tobacco products” means a calculation of consumption where one pack year of cigarettes equals twenty tailor made cigarettes per day for a period of one calendar year, or 7 300 cigarettes. One tailor made cigarette approximates one gram of tobacco or one gram of cigar or pipe tobacco by weight. One pack year of tailor made cigarettes equates to 7 300 cigarettes, or 7.3kg of smoking tobacco by weight. Tobacco products means either cigarettes, pipe tobacco or cigars smoked, alone or in any combination;

“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 applied.

Dated this **Eighth** day of **July** 2003

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

KEN DONALD
CHAIRMAN