

**Revocation**  
of  
Statement of Principles  
concerning  
**JAKOB-CREUTZFELDT DISEASE**

and  
**Determination**  
of  
Statement of Principles  
concerning  
**CREUTZFELDT-JAKOB DISEASE**

for the purposes of the  
*Veterans' Entitlements Act 1986*  
and  
*Military Rehabilitation and Compensation Act 2004*

1. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
  - (a) revokes Instrument No. 64 of 1995, as amended by Instrument No. 190 of 1995 and Instrument No. 50 of 1997 ; 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 **Creutzfeldt-Jakob disease** and **death from Creutzfeldt-Jakob disease**.

- (b) For the purposes of this Statement of Principles, “**Creutzfeldt-Jakob disease**” also known as “CJD” and “Jakob-Creutzfeldt disease” means a spongiform encephalopathy, existing in sporadic, familial, and transmissible forms, associated with abnormal prion protein accumulation. This definition also includes variant Creutzfeldt-Jakob disease.
- (c) Creutzfeldt-Jakob disease attracts ICD-10-AM code A81.0.
- (d) In the application of this Statement of Principles, the definition of “**Creutzfeldt-Jakob disease**” is that given at paragraph 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 **Creutzfeldt-Jakob disease** and **death from Creutzfeldt-Jakob disease** can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

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

- 4. At least one of the factors set out in clause 5 must be related to the relevant service rendered by the person.

### **Factors**

- 5. The factor that must exist before it can be said that, on the balance of probabilities, **Creutzfeldt-Jakob disease** or **death from Creutzfeldt-Jakob disease** is connected with the circumstances of a person’s relevant service is:
  - (a) undergoing a course of treatment with human pituitary growth hormone before the clinical onset of Creutzfeldt-Jakob disease; or
  - (b) undergoing a course of treatment with human pituitary gonadotrophins before the clinical onset of Creutzfeldt-Jakob disease; or
  - (c) undergoing surgery before the clinical onset of Creutzfeldt-Jakob disease; or
  - (d) undergoing a dura mater graft before the clinical onset of Creutzfeldt-Jakob disease; or

- (e) for variant Creutzfeldt-Jakob disease only,
  - (i) having been treated with blood or blood products from a country known to have bovine spongiform encephalopathy infection in cattle or at least one case of variant Creutzfeldt-Jakob disease reported in a peer reviewed medical or scientific publication before the clinical onset of Creutzfeldt-Jakob disease; or
  - (ii) consuming beef or a beef product from an area reported in a peer reviewed medical or scientific publication to have bovine spongiform encephalopathy infection in cattle, before the clinical onset of Creutzfeldt-Jakob disease.

### **Inclusion of Statements of Principles**

6. 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**

7. For the purposes of this Statement of Principles:

**“a dura mater graft”** means a surgical procedure where a dura mater graft from a human donor is used;

**“blood products”** means material extracted from human blood;

**“bovine spongiform encephalopathy infection”** also known as “mad cow disease”, means a disease of cattle caused by consumption of prion-contaminated meat and bone meal;

**“death from Creutzfeldt-Jakob disease”** in relation to a person includes death from a terminal event or condition that was contributed to by the person’s Creutzfeldt-Jakob disease;

**“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), Fourth Edition, effective date of 1 July 2004, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 594 1;

**“relevant service”** means:

- (a) eligible war service (other than operational service) under the VEA; or
- (b) defence service (other than hazardous service) under the VEA; or
- (c) peacetime service under the MRCA;

**“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**

- 8. This Instrument applies to all matters to which section 120B of the VEA or section 339 of the MRCA applies.

Dated this *seventh* day of *October* 2004

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

KEN DONALD  
CHAIRMAN