

Revocation and Determination
of
Statements of Principles
concerning
MALIGNANT NEOPLASM OF THE
COLORECTUM

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. 59 of 2002; 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 **malignant neoplasm of the colorectum** and **death from malignant neoplasm of the colorectum**.
 - (b) For the purposes of this Statement of Principles, “**malignant neoplasm of the colorectum**” means a primary malignant neoplasm arising from the epithelial cells of the colorectum, which extends from the caecum, including the ileocaecal junction, to the junction with the anal canal. This definition of malignant neoplasm of the colorectum excludes soft tissue sarcoma, carcinoid tumour, non-Hodgkin's lymphoma and Hodgkin's disease.
 - (c) Malignant neoplasm of the colorectum attracts ICD-10-AM code C18, C19 or C20.

- (d) In the application of this Statement of Principles, the definition of “**malignant neoplasm of the colorectum**” 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 **malignant neoplasm of the colorectum** and **death from malignant neoplasm of the colorectum** 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 factor that must exist before it can be said that, on the balance of probabilities, **malignant neoplasm of the colorectum** or **death from malignant neoplasm of the colorectum** is connected with the circumstances of a person’s relevant service is:
- (a) having a colorectal adenoma before the clinical onset of malignant neoplasm of the colorectum; or
 - (b) smoking at least 25 pack years of cigarettes or the equivalent thereof in other tobacco products before the clinical onset of malignant neoplasm of the colorectum, and
 - (i) smoking commenced at least 35 years before the clinical onset of malignant neoplasm of the colorectum, and
 - (ii) where smoking has ceased, the clinical onset has occurred within 15 years of cessation; or
 - (c) drinking at least 500 kilograms of alcohol within a 25 year period within the 30 years immediately before the clinical onset of malignant neoplasm of the colorectum; or
 - (d) having ulcerative colitis for at least 10 years before the clinical onset of malignant neoplasm of the colorectum; or
 - (e) having Crohn’s disease of the colorectum for at least 10 years before the clinical onset of malignant neoplasm of the colorectum; or

- (f) having familial adenomatous polyposis before the clinical onset of malignant neoplasm of the colorectum; or
- (g) undergoing a course of therapeutic radiation involving the abdominal or pelvic region at least 15 years before the clinical onset of malignant neoplasm of the colorectum; or
- (h) having received a cumulative equivalent dose of 0.5 Sievert of atomic radiation to the colorectum where this dose was accumulated at least five years before the clinical onset of malignant neoplasm of the colorectum; or
- (i) an inability to undertake any physical activity greater than 3 METs for at least 20 years within the 30 years before the clinical onset of malignant neoplasm of the colorectum; or
- (j) for malignant neoplasm of the colon only, being obese for at least 30 years before the clinical onset of malignant neoplasm of the colorectum; or
- (k) inability to obtain appropriate clinical management for malignant neoplasm of the colorectum.

Factors that apply only to material contribution or aggravation

- 6. Paragraph 5(k) applies only to material contribution to, or aggravation of, malignant neoplasm of the colorectum where the person's malignant neoplasm of the colorectum 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:

“a course of therapeutic radiation” means one or more fractions (treatment portions) of ionising radiation administered with the aim of achieving palliation or cure with gamma rays, x-rays, alpha particles or beta particles;

“alcohol” is measured by the alcohol consumption calculations utilising the Australian Standard of 10 grams of alcohol per standard alcoholic drink;

“atomic radiation” means ionising radiation excluding;

- (i) natural background radiation;
- (ii) therapeutic radiation; and
- (iii) radiation from diagnostic procedures;

“being obese” means an increase in body weight by way of fat accumulation which results in a Body Mass Index (BMI) of 30 or greater.

The $BMI = W/H^2$ and where:

W is the person’s weight in kilograms and

H is the person’s height in metres;

“cumulative equivalent dose” means the total equivalent dose of atomic radiation from all types of radiation (eg alpha, gamma). It accounts for the differences in biological effectiveness of various types of radiation and allows doses from different radiations to be combined. Each component is calculated by multiplying the absorbed dose in a particular tissue or organ for a given type of radiation by the radiation weighting factor for that radiation. The unit of equivalent dose is the Sievert (Sv);

“death from malignant neoplasm of the colorectum” 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 colorectum;

“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), Third Edition, effective date of 1 July 2002, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 413 9;

“malignant neoplasm of the colon” means a primary malignant neoplasm arising from the epithelial cells of the colon, which extends from the caecum, including the ileocaecal junction, to the sigmoid colon, not including the rectosigmoid junction. This definition of malignant neoplasm of the colon excludes soft tissue sarcoma, carcinoid tumour, non-Hodgkin’s lymphoma and Hodgkin’s disease;

“MET” means a unit of measurement of the level of physical exertion. 1 MET = 3.5 ml of oxygen/kg of body weight per minute or, 1.0 kcal/kg of body weight per hour, or resting metabolic rate;

“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 applies.

Dated this *24th* day of *February* 2004

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

KEN DONALD
CHAIRMAN