

Revocation and Determination

of

Statement of Principles
concerning

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

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. 4 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 **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 malignant neoplasm arising from the cells of the testis or paratesticular tissues including the rete testis, epididymis, and spermatic cord, but excluding the tunica vaginalis. This definition excludes soft tissue sarcoma, non-Hodgkin's lymphoma and Hodgkin's disease.
 - (c) Malignant neoplasm of the testis and paratesticular tissues attracts ICD-10-AM code C62, C63.0, or C63.1.
 - (d) In the application of this Statement of Principles, the definition of "**malignant neoplasm of the testis and paratesticular tissues**" is that given at paragraph 2(b) above.

Basis for determining the factors

3. After examining the available sound medical-scientific evidence the Repatriation Medical Authority is of the view that it is more probable than not on the sound medical-scientific evidence available, that the only factor that can be related to the cause of or material contribution to or aggravation of **malignant neoplasm of the testis and paratesticular tissues** or **death from malignant neoplasm of the testis and paratesticular tissues** and which can be related to relevant service is that set out in clause 4.

Factors that must be related to service

4. The factor that must exist before it can be said that, on the balance of probabilities, in relation to the circumstances of a person's relevant service causing or materially contributing to or aggravating **malignant neoplasm of the testis and paratesticular tissues** or **death from malignant neoplasm of the testis and paratesticular tissues** is inability to obtain appropriate clinical management for malignant neoplasm of the testis and paratesticular tissues.

Other definitions

5. For the purposes of this Statement of Principles:

“death from malignant neoplasm of the testis and paratesticular tissues” 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 testis and paratesticular tissues;

“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;

“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

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

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

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

KEN DONALD
CHAIRMAN