

Statement of Principles
concerning
MOTOR NEURONE DISEASE
No. 8 of 2006

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

Title

1. This Instrument may be cited as Statement of Principles concerning motor neurone disease No. 8 of 2006.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 66 of 2001 concerning motor neuron disease; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **motor neurone disease** and **death from motor neurone disease**.
 - (b) For the purposes of this Statement of Principles, "**motor neurone disease**" means a progressive neurodegenerative disease with clinical signs of lower and upper motor neurone damage in the absence of electrophysiological and neuroimaging evidence of other disease processes that explain the clinical signs.
 - (c) Motor neurone disease attracts ICD-10-AM code G12.2.
 - (d) In the application of this Statement of Principles, the definition of "**motor neurone disease**" is that given at paragraph 3(b) above.

Basis for determining the factors

4. 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 **motor neurone disease** or **death from motor neurone disease** and which 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) is that set out in clause 5.

Factors that must be related to service

5. 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 **motor neurone disease** or **death from motor neurone disease** is inability to obtain appropriate clinical management for motor neurone disease.

Other definitions

6. For the purposes of this Statement of Principles:

“death from motor neurone disease” in relation to a person includes death from a terminal event or condition that was contributed to by the person's motor neurone disease;

“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

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

Date of effect

8. This Instrument takes effect from 8 March 2006.

Dated this *twenty-third* day of *February*
2006

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

KEN DONALD
CHAIRPERSON