

Statement of Principles
concerning

MACULAR DEGENERATION

No. 14 of 2009

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 macular degeneration No. 14 of 2009.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 26 of 2003 concerning macular degeneration; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (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, either involving soft drusen or pigmentary abnormalities (early age-related macular degeneration) or geographic atrophy or choroidal neovascularisation (late age-related macular degeneration). This definition excludes toxic maculopathy.

Basis for determining the factors

4. 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 under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA).

Factors that must be related to service

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

Factors

6. The factor 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 is:
 - (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) consuming a total of 140 kg of alcohol within the ten years before the clinical onset of macular degeneration; or
 - (c) for late age-related macular degeneration only,
 - (i) undergoing cataract surgery involving the affected eye within the two years before the clinical onset of macular degeneration; or
 - (ii) having anticoagulant therapy or thrombolytic therapy, within the one week before the clinical onset of macular degeneration; or
 - (d) smoking at least 15 pack years of cigarettes or the equivalent thereof in other tobacco products, before the clinical worsening of macular degeneration, and where smoking has ceased, the clinical worsening has occurred within 20 years of cessation; or
 - (e) consuming a total of 140 kg of alcohol within the ten years before the clinical worsening of macular degeneration; or
 - (f) for late age-related macular degeneration only,

- (i) undergoing cataract surgery involving the affected eye within the two years before the clinical worsening of macular degeneration; or
- (ii) having anticoagulant therapy or thrombolytic therapy, within the one week before the clinical worsening of macular degeneration; or
- (g) inability to obtain appropriate clinical management for macular degeneration.

Factors that apply only to material contribution or aggravation

7. Paragraphs **6(d) to 6(g)** 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.

Inclusion of Statements of Principles

8. 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 as in force from time to time.

Other definitions

9. For the purposes of this Statement of Principles:

"anticoagulant therapy" means therapeutic administration of a pharmacological agent which suppresses, delays or nullifies blood coagulation (such as heparin, warfarin or dicumarol), but excludes antiplatelet therapy (such as aspirin, clopidogrel, ticlopidine or monoclonal antibodies and recombinant and chemically synthesised peptides that block platelet adhesion or aggregation);

"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 7300 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 7300

cigarettes, or 7.3 kg 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) 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;

"thrombolytic therapy" means therapeutic administration of a pharmacological agent which breaks up or dissolves blood clots (such as streptokinase or tissue plasminogen activator).

Application

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

Date of effect

- 11.** This Instrument takes effect from 6 May 2009.

Dated this *twenty-fourth* day of *April* 2009

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

KEN DONALD
CHAIRPERSON