Statement of Principles concerning PTERYGIUM (Reasonable Hypothesis) (No. 116 of 2015)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(2) of the Veterans’ Entitlements Act 1986.

Dated 16 October 2015

The Common Seal of the Repatriation Medical Authority was affixed to this instrument at the direction of:

Professor Nicholas Saunders AO
Chairperson
Statement of Principles concerning Pterygium (Reasonable Hypothesis) (No. 116 of 2015)  
Veterans’ Entitlements Act 1986
1 Name
This is the Statement of Principles concerning pterygium (Reasonable Hypothesis) (No. 116 of 2015).

2 Commencement
This instrument commences on 16 November 2015.

3 Authority
This instrument is made under subsection 196B(2) of the Veterans’ Entitlements Act 1986.

4 Revocation
The Statement of Principles concerning pterygium No. 75 of 2007 made under subsection 196B(2) of the VEA is revoked.

5 Application
This instrument applies to a claim to which section 120A of the VEA or section 338 of the Military Rehabilitation and Compensation Act 2004 applies.

6 Definitions
The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

7 Kind of injury, disease or death to which this Statement of Principles relates
(1) This Statement of Principles is about pterygium and death from pterygium.

Meaning of pterygium
(2) For the purposes of this Statement of Principles, pterygium means:
   (a) a wing-like, abnormal triangular fold of membrane, in the interpalpebral fissure, extending from the conjunctiva to the cornea, being immovably united to the cornea at its apex, firmly attached to the sclera throughout its middle portion, and merged with the conjunctiva at its base; and
   (b) excludes pinguecula.
(3) While pterygium attracts ICD-10-AM code H11.0, in applying this Statement of Principles the meaning of pterygium is that given in subsection (2).

_Death from pterygium_

(5) For the purposes of this Statement of Principles, pterygium, in relation to a person, includes death from a terminal event or condition that was contributed to by the person’s pterygium.

Note: terminal event is defined in the Schedule 1 – Dictionary.

8 Basis for determining the factors

The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that pterygium and death from pterygium can be related to relevant service rendered by veterans, members of Peacekeeping Forces, or members of the Forces under the VEA, or members under the MRCA.

Note: relevant service is defined in the Schedule 1 – Dictionary.

9 Factors that must exist

At least one of the following factors must as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting pterygium or death from pterygium with the circumstances of a person’s relevant service:

(1) having sunlight exposure to the unprotected eye for at least 2,250 hours while in a tropical area, or having equivalent sunlight exposure in other latitude zones, before the clinical onset of pterygium;

Note: equivalent sunlight exposure in other latitude zones, tropical area and unprotected eye are defined in the Schedule 1 – Dictionary.

(2) having heavy exposure of the affected eye to dust, for an average of at least 20 hours per week, for at least the two years before the clinical onset of pterygium;

Note: heavy exposure of the affected eye to dust is defined in the Schedule 1 – Dictionary.

(3) having exposure of the affected eye to arc welding light, while welding without eye protection, for an average of at least 20 hours per week, for at least the two years before the clinical onset of pterygium;

(4) having human papilloma virus type 16 or 18 infection of the conjunctiva at the time of the clinical onset of pterygium;

(5) inability to obtain appropriate clinical management for pterygium.
10 Relationship to service

(1) The existence in a person of any factor referred to in section 9 must be related to the relevant service rendered by the person.

(2) The factor set out in subsection 9(5) applies only to material contribution to, or aggravation of, pterygium where the person’s pterygium was suffered or contracted before or during (but did not arise out of) the person’s relevant service.

11 Factors referring to an injury or disease covered by another Statement of Principles

In this Statement of Principles:

(1) if a factor referred to in section 9 applies in relation to a person; and

(2) that factor refers to an injury or disease in respect of which a Statement of Principles has been determined under subsection 196B(2) of the VEA;

then the factors in that Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.
Schedule 1 - Dictionary

Note: See Section 6

1 Definitions

In this instrument:

equivalent sunlight exposure in other latitude zones means the cumulative hours of sunlight exposure equivalent to that specified for a tropical area, calculated by multiplying the hours of exposure in each latitude zone by the latitude weighting factor for the zone as per the latitude weighting factor schedule and adding together the result for each zone:

<table>
<thead>
<tr>
<th>Latitude weighting factor schedule</th>
<th>Latitude zone</th>
<th>Latitude weighting factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>a latitude between 23° 27' South and 23° 27' North</td>
<td>1.0</td>
<td></td>
</tr>
<tr>
<td>a latitude from &gt; 23° 27' to 35°</td>
<td>0.75</td>
<td></td>
</tr>
<tr>
<td>a latitude from &gt; 35° to 45°</td>
<td>0.5</td>
<td></td>
</tr>
<tr>
<td>a latitude from &gt; 45° to 65°</td>
<td>0.25.</td>
<td></td>
</tr>
</tbody>
</table>

heavy exposure of the affected eye to dust means exposure of the affected eye to dust in an environment where the person is covered in dust and is without eye protection.


pterygium—see subsection 7(2).

relevant service means:
(a) operational service under the VEA;
(b) peacekeeping service under the VEA;
(c) hazardous service under the VEA;
(d) British nuclear test defence service under the VEA;
(e) warlike service under the MRCA; or
(f) non-warlike service under the MRCA.

terminal event means the proximate or ultimate cause of death and includes the following:
(a) pneumonia;
(b) respiratory failure;
(c) cardiac arrest;
(d) circulatory failure; or
(e) cessation of brain function.

tropical area means any area between the Tropic of Capricorn (23° 27' South) and the Tropic of Cancer (23° 27' North).

unprotected eye means an eye exposed to sunlight and not protected by ultraviolet radiation screening devices.

VEA means the Veterans' Entitlements Act 1986.