

Veterans' Entitlements (Statements of Principles—Category 1B Stressor) Amendment Determination 2018

(No. 87 of 2018)

The Repatriation Medical Authority makes the following determination.

Dated 24 August 2018

|  |
| --- |
| The Common Seal of the Repatriation Medical Authority was affixed to this instrument at the direction of: |
| Professor Nicholas Saunders AO  Chairperson |

Contents

1 Name 3

2 Commencement 3

3 Authority 3

4 Schedule 3

Schedule 1 — Amendments 4

Part 1—Amendments of clause 9 of certain Statements of Principles 4

Part 2—Amendments of clause 1 of Schedule 1 to certain Statements of Principles 6

Part 3—Amendments of clause 1 of Schedule 1 to certain Statements of Principles 8

1. Name

This instrument is the *Veterans' Entitlements (Statements of Principles—Category 1B Stressor) Amendment Determination 2018 (No. 87 of 2018)*.

1. Commencement

This instrument commences on 24 September 2018.

1. Authority

This instrument is made under section 196B of the *Veterans' Entitlements Act 1986*.

1. Schedule

Each instrument that is specified in Parts 1, 2 or 3 of the Schedule to this instrument is amended or repealed as set out in the applicable items in the Part concerned, and any other item in Parts 1, 2 or 3 of the Schedule to this instrument has effect according to its terms.

Schedule 1 — Amendments

Part 1—Amendments of clause 9 of certain Statements of Principles

1. Amendments of definitions

In clause 9 of the Statements of Principles to be amended as listed in paragraph 2 of this Part:

(a) Omit the definition of **"a category 1B stressor"**and substitute the following:

**"a category 1B stressor"** means one of the following severe traumatic events:

(a) killing or maiming a person;

(b) being an eyewitness to a person being killed or critically injured;

(c) being an eyewitness to atrocities inflicted on another person;

(d) participating in the clearance of a corpse or a critically injured casualty; or

(e) viewing a corpse or a critically injured casualty as an eyewitness;

(b) Omit the definition of **"an eyewitness"** and substitute the following:

**"an eyewitness"** means a person who experiences an incident first-hand and can give direct evidence of it. This excludes persons exposed only to public broadcasting or mass media coverage of the incident;

(c) Insert the following definition of **"a corpse"** in alphabetical order:

**"a corpse"** means the human remains or body parts of one or more persons who have met a violent or horrific death;

Note: Examples of a violent or horrific death may include death due to suicide, gunshot, improvised explosive devices, natural and technological disasters, terrorist attacks or motor vehicle accidents. Seeing a closed body bag or viewing a body in an open-casket coffin is excluded from this definition.

1. Statements of Principles to be amended:

|  |  |
| --- | --- |
| **Name of Statement of Principles** | **Federal Register of Legislation No.** |
| Statement of Principles concerning acute stress disorder No. 41 of 2014 | F2014L00469 |
| Statement of Principles concerning acute stress disorder No. 42 of 2014 | F2014L00470 |
| Statement of Principles concerning anxiety disorder No. 102 of 2014, as amended | F2016C00973 |
| Statement of Principles concerning anxiety disorder No. 103 of 2014, as amended | F2016C00974 |
| Statement of Principles concerning cerebrovascular accident No. 65 of 2015, as amended | F2017C00874 |
| Statement of Principles concerning chronic multisymptom illness No. 55 of 2014 | F2014L00524 |
| Statement of Principles concerning gastric ulcer and duodenal ulcer No. 61 of 2015, as amended | F2017C00762 |
| Statement of Principles concerning gingivitis No. 45 of 2013 | F2013L01121 |
| Statement of Principles concerning gingivitis No. 46 of 2013 | F2013L01124 |
| Statement of Principles concerning inflammatory bowel disease No. 19 of 2012 | F2012L00449 |
| Statement of Principles concerning multiple sclerosis No. 100 of 2011, as amended | F2017C00837 |
| Statement of Principles concerning multiple sclerosis No. 101 of 2011 | F2011L01738 |
| Statement of Principles concerning posttraumatic stress disorder No. 82 of 2014 | F2014L01144 |
| Statement of Principles concerning posttraumatic stress disorder No. 83 of 2014 | F2014L01145 |
| Statement of Principles concerning psoriasis No. 31 of 2012 | F2012L00938 |

Part 2—Amendments of clause 1 of Schedule 1 to certain Statements of Principles

1. Amendments of definitions

In clause 1 of Schedule 1 to the Statements of Principles to be amended as listed in paragraph 2 of this Part:

(a) Omit the definition of ***category 1B stressor*** and substitute the following:

***category 1B stressor*** means one of the following severe traumatic events:

(a) killing or maiming a person;

(b) being an eyewitness to a person being killed or critically injured;

(c) being an eyewitness to atrocities inflicted on another person;

(d) participating in the clearance of a corpse or a critically injured casualty; or

(e) viewing a corpse or a critically injured casualty as an eyewitness.

Note: ***eyewitness*** and ***corpse***are also defined in the Schedule 1 - Dictionary.

(b) Omit the definition of ***eyewitness*** and substitute the following:

***eyewitness*** means a person who experiences an incident first-hand and can give direct evidence of it. This excludes persons exposed only to public broadcasting or mass media coverage of the incident.

(c) Insert the following definition of ***corpse*** in alphabetical order:

***corpse*** means the human remains or body parts of one or more persons who have met a violent or horrific death.

Note: Examples of a violent or horrific death may include death due to suicide, gunshot, improvised explosive devices, natural and technological disasters, terrorist attacks or motor vehicle accidents. Seeing a closed body bag or viewing a body in an open-casket coffin is excluded from this definition.

1. Statements of Principles to be amended:

|  |  |
| --- | --- |
| **Name of Statement of Principles** | **Federal Register of Legislation No.** |
| Statement of Principles concerning adjustment disorder (Reasonable Hypothesis) (No. 23 of 2016) | F2016L00269 |
| Statement of Principles concerning adjustment disorder (Balance of Probabilities) (No. 24 of 2016) | F2016L00270 |
| Statement of Principles concerning cardiomyopathy (No. 85 of 2015), as amended | F2017C00845 |
| Statement of Principles concerning cardiomyopathy (No. 86 of 2015), as amended | F2017C00844 |
| Statement of Principles concerning depressive disorder (No. 83 of 2015), as amended | F2016C00271 |
| Statement of Principles concerning depressive disorder (No. 84 of 2015), as amended | F2016C00273 |
| Statement of Principles concerning eating disorder (Reasonable Hypothesis) (No. 13 of 2016) | F2016L00261 |
| Statement of Principles concerning eating disorder (Balance of Probabilities) (No. 14 of 2016) | F2016L00264 |
| Statement of Principles concerning female sexual dysfunction (Reasonable Hypothesis) (No. 95 of 2016) | F2016L01677 |
| Statement of Principles concerning female sexual dysfunction (Balance of Probabilities) (No. 96 of 2016) | F2016L01684 |
| Statement of Principles concerning ischaemic heart disease (Reasonable Hypothesis) (No. 1 of 2016), as amended | F2017C00851 |
| Statement of Principles concerning ischaemic heart disease (Balance of Probabilities) (No. 2 of 2016), as amended | F2017C00852 |
| Statement of Principles concerning schizophrenia (Reasonable Hypothesis) (No. 83 of 2016) | F2016L01682 |
| Statement of Principles concerning schizophrenia (Balance of Probabilities) (No. 84 of 2016) | F2016L01685 |
| Statement of Principles concerning suicide and attempted suicide (Reasonable Hypothesis) (No. 65 of 2016), as amended | F2018C00189 |
| Statement of Principles concerning suicide and attempted suicide (Balance of Probabilities) (No. 66 of 2016), as amended | F2018C00152 |

Part 3—Amendments of clause 1 of Schedule 1 to certain Statements of Principles

1. Amendments of definitions

In clause 1 of Schedule 1 to the Statements of Principles to be amended as listed in paragraph 2 of this Part:

(a) Omit the definition of ***category 1B stressor*** and substitute the following:

***category 1B stressor*** means one of the following severe traumatic events:

(a) killing or maiming a person;

(b) being an eyewitness to a person being killed or critically injured;

(c) being an eyewitness to atrocities inflicted on another person;

(d) participating in the clearance of a corpse or a critically injured casualty; or

(e) viewing a corpse or a critically injured casualty as an eyewitness.

Note: ***eyewitness*** and ***corpse***are also defined in the Schedule 1 - Dictionary.

(b) Insert the following definition of ***corpse*** in alphabetical order:

***corpse*** means the human remains or body parts of one or more persons who have met a violent or horrific death.

Note: Examples of a violent or horrific death may include death due to suicide, gunshot, improvised explosive devices, natural and technological disasters, terrorist attacks or motor vehicle accidents. Seeing a closed body bag or viewing a body in an open-casket coffin is excluded from this definition.

1. Statements of Principles to be amended:

|  |  |
| --- | --- |
| **Name of Statement of Principles** | **Federal Register of Legislation No.** |
| Statement of Principles concerning alcohol use disorder (Reasonable Hypothesis) (No. 48 of 2017) | F2017L01045 |
| Statement of Principles concerning alcohol use disorder (Balance of Probabilities) (No. 49 of 2017) | F2017L01046 |
| Statement of Principles concerning personality disorder (Reasonable Hypothesis) (No. 17 of 2018) | F2018L00205 |
| Statement of Principles concerning personality disorder (Balance of Probabilities) (No. 18 of 2018) | F2018L00208 |
| Statement of Principles concerning substance use disorder (Reasonable Hypothesis) (No. 59 of 2017) | F2017L01444 |
| Statement of Principles concerning substance use disorder (Balance of Probabilities) (No. 60 of 2017) | F2017L01445 |