Statement of Principles concerning
ROSS RIVER VIRUS INFECTION
(Balance of Probabilities)
(No. 95 of 2019)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the Veterans' Entitlements Act 1986.

Dated 18 October 2019

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

[Signature]

Professor Nicholas Saunders AO
Chairperson
Statement of Principles concerning
Ross River Virus Infection (Balance of Probabilities) (No. 95 of 2019)
Veterans’ Entitlements Act 1986

2 of 6
1 **Name**

This is the Statement of Principles concerning *Ross River virus infection (Balance of Probabilities)* (No. 95 of 2019).

2 **Commencement**

This instrument commences on 18 November 2019.

3 **Authority**

This instrument is made under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

4 **Repeal**

The Statement of Principles concerning *Ross River virus infection* No. 91 of 2010 (Federal Register of Legislation No. F2010L02847) made under subsection 196B(3) of the VEA is repealed.

5 **Application**

This instrument applies to a claim to which section 120B of the VEA or section 339 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 Ross River virus infection and death from Ross River virus infection.

**Meaning of *Ross River virus infection***

(2) For the purposes of this Statement of Principles, Ross River virus infection means a symptomatic, clinical illness caused by infection with Ross River virus.

Note 1: Ross River virus is transmitted by *Aedes* and *Culex* mosquitoes.

Note 2: Typical symptoms of Ross River virus infection include fever with arthralgia, rash, myalgia and lethargy.

(3) While Ross River virus infection attracts ICD-10-AM code B33.1, in applying this Statement of Principles the meaning of Ross River virus infection is that given in subsection (2).

(4) For subsection (3), a reference to an ICD-10-AM code is a reference to the code assigned to a particular kind of injury or disease in *The
Death from Ross River virus infection

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

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

8 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that Ross River virus infection and death from Ross River virus infection can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: MRCA, relevant service and VEA are defined in the Schedule 1 – Dictionary.

9 Factors that must exist

At least one of the following factors must exist before it can be said that, on the balance of probabilities, Ross River virus infection or death from Ross River virus infection is connected with the circumstances of a person's relevant service:

(1) being exposed to the Ross River virus between three and 21 days before the clinical onset of Ross River virus infection;

Note: being exposed to the Ross River virus is defined in the Schedule 1 - Dictionary.

(2) being in a country or geographic area that has experienced Ross River virus transmission, between three and 21 days before the clinical onset of Ross River virus infection;

Note: country or geographic area that has experienced Ross River virus transmission is defined in the Schedule 1 - Dictionary.

(3) inability to obtain appropriate clinical management for Ross River virus infection.

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(3) applies only to material contribution to, or aggravation of, Ross River virus infection where the
person's Ross River virus infection 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(3) 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.
1 Definitions

In this instrument:

**being exposed to the Ross River virus** means:

(a) being bitten by a mosquito that is infected with Ross River virus; or
(b) receiving a blood transfusion, a blood product, a stem cell transplant or an organ transplant, where the blood, tissue or organ is derived from a person infected with Ross River virus.

**country or geographic area that has experienced Ross River virus transmission** means:

(a) American Samoa;
(b) Australia;
(c) Cook Islands;
(d) East Timor;
(e) Fiji;
(f) French Polynesia;
(g) Indonesia east of the Weber line;
(h) New Caledonia;
(i) Papua New Guinea;
(j) Solomon Islands; or
(k) Wallis and Futuna.

Note: The Weber line means a hypothetical boundary lying along the Australo-Papuan Shelf, which is the common boundary of the Asian and Australian faunal regions, and is located to the east of Timor.

**MRCA** means the *Military Rehabilitation and Compensation Act 2004*.

**relevant service** means:

(a) eligible war service (other than operational service) under the VEA;
(b) defence service (other than hazardous service and British nuclear test defence service) under the VEA; or
(c) peacetime service under the MRCA.

Note: 

**MRCA** and **VEA** are also defined in the Schedule 1 - Dictionary.

**Ross River virus infection**—see subsection 7(2).

**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.

**VEA** means the *Veterans’ Entitlements Act 1986*. 