



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
CORONAVIRUS DISEASE 2019 (COVID-19)
(Balance of Probabilities)
(No. 47 of 2020)

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

Dated 12 June 2020

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

A handwritten signature in black ink, appearing to read 'N. Saunders'.

Professor Nicholas Saunders AO
Chairperson

Contents

1	Name	3
2	Commencement	3
3	Authority	3
4	Application.....	3
5	Definitions.....	3
6	Kind of injury, disease or death to which this Statement of Principles relates	3
7	Basis for determining the factors	3
8	Factors that must exist.....	4
9	Relationship to service	4
10	Factors referring to an injury or disease covered by another Statement of Principles.....	4
Schedule 1 - Dictionary		5
1	Definitions.....	5

1 Name

This is the Statement of Principles concerning *coronavirus disease 2019 (COVID-19) (Balance of Probabilities)* (No. 47 of 2020).

2 Commencement

This instrument commences on 22 June 2020.

3 Authority

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

4 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.

5 Definitions

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

6 Kind of injury, disease or death to which this Statement of Principles relates

- (1) This Statement of Principles is about coronavirus disease 2019 (COVID-19) and death from coronavirus disease 2019 (COVID-19).

Meaning of coronavirus disease 2019 (COVID-19)

- (2) For the purposes of this Statement of Principles, coronavirus disease 2019 (COVID-19) means an illness caused by infection with severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2).

Note: Typical clinical features of COVID-19 include fever, chills, cough, sore throat, headache, muscle pain, fatigue, shortness of breath, pneumonia and new loss of taste and smell.

Death from coronavirus disease 2019 (COVID-19)

- (3) For the purposes of this Statement of Principles, coronavirus disease 2019 (COVID-19), in relation to a person, includes death from a terminal event or condition that was contributed to by the person's coronavirus disease 2019 (COVID-19).

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

7 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 coronavirus disease 2019 (COVID-19) and death from coronavirus disease 2019

(COVID-19) 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.

8 Factors that must exist

At least one of the following factors must exist before it can be said that, on the balance of probabilities, coronavirus disease 2019 (COVID-19) or death from coronavirus disease 2019 (COVID-19) is connected with the circumstances of a person's relevant service:

- (1) being exposed to SARS-CoV-2 as specified within the 14 days before the clinical onset of coronavirus disease 2019 (COVID-19);

Note: *being exposed to SARS-CoV-2 as specified* is defined in the Schedule 1 - Dictionary.

- (2) inability to obtain appropriate clinical management for coronavirus disease 2019 (COVID-19).

9 Relationship to service

- (1) The existence in a person of any factor referred to in section 8, must be related to the relevant service rendered by the person.
- (2) The factor set out in subsection 8(2) applies only to material contribution to, or aggravation of, coronavirus disease 2019 (COVID-19) where the person's coronavirus disease 2019 (COVID-19) was suffered or contracted before or during (but did not arise out of) the person's relevant service.

10 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 8 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.

Schedule 1 - Dictionary

Note: See Section 5

1 Definitions

In this instrument:

being exposed to SARS-CoV-2 as specified means:

- (a) being in a country or an area of a country that is experiencing current SARS-CoV-2 transmission; or
- (b) being in the same household, or immediate work or travel environment, as a person with SARS-CoV-2 infection; or
- (c) having direct contact with an object or substance contaminated with SARS-CoV-2; or
- (d) having direct contact with, or being within two metres of, a person with SARS-CoV-2 infection; or
- (e) inhaling droplet nuclei or aerosols contaminated with SARS-CoV-2.

coronavirus disease 2019 (COVID-19)—see subsection 6(2).

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.

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*.