



Statement of Principles
concerning
MATURE B-CELL LYMPHOID
LEUKAEMIA AND SMALL LYMPHOCYTIC
LYMPHOMA
(Balance of Probabilities)
(No. 79 of 2022)

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

Dated 23 August 2022

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

Professor Terence Campbell AM
Chairperson

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1 Name

This is the Statement of Principles concerning mature B-cell lymphoid leukaemia and small lymphocytic lymphoma (*Balance of Probabilities*) (No. 79 of 2022).

2 Commencement

This instrument commences on 19 September 2022.

3 Authority

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

4 Repeal

The Statement of Principles concerning chronic lymphocytic leukaemia/small lymphocytic lymphoma No. 85 of 2014 (Federal Register of Legislation No. F2014L01147) made under subsection 196B(3) of the VEA is repealed.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 mature B-cell lymphoid leukaemia and small lymphocytic lymphoma and death from mature B-cell lymphoid leukaemia and small lymphocytic lymphoma.

Meaning of mature B-cell lymphoid leukaemia and small lymphocytic lymphoma

- (2) For the purposes of this Statement of Principles, mature B-cell lymphoid leukaemia and small lymphocytic lymphoma:
 - (a) means a malignant neoplasm characterised by the clonal proliferation of small morphologically mature, non-functioning lymphoid cells of B-cell origin, which can present clinically as either a leukaemia or a lymphoma; and
 - (b) includes:

- (i) B-cell prolymphocytic leukaemia;
 - (ii) chronic lymphocytic leukaemia/small lymphocytic lymphoma; and
 - (iii) hairy cell leukaemia; and
- (c) excludes non-Hodgkin lymphoma other than small lymphocytic lymphoma.

Note: Small lymphocytic lymphoma and chronic lymphocytic leukaemia are tumours of the same lymphoid cell type, and are considered to be a single disease entity with two clinical presentations.

Death from mature B-cell lymphoid leukaemia and small lymphocytic lymphoma

- (3) For the purposes of this Statement of Principles, mature B-cell lymphoid leukaemia and small lymphocytic lymphoma, in relation to a person, includes death from a terminal event or condition that was contributed to by the person's mature B-cell lymphoid leukaemia and small lymphocytic lymphoma.

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 mature B-cell lymphoid leukaemia and small lymphocytic lymphoma and death from mature B-cell lymphoid leukaemia and small lymphocytic lymphoma 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, mature B-cell lymphoid leukaemia and small lymphocytic lymphoma or death from mature B-cell lymphoid leukaemia and small lymphocytic lymphoma is connected with the circumstances of a person's relevant service:

- (1) inability to obtain appropriate clinical management for mature B-cell lymphoid leukaemia and small lymphocytic lymphoma.

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(1) applies only to material contribution to, or aggravation of, mature B-cell lymphoid leukaemia and small lymphocytic lymphoma where the person's mature B-cell

lymphoid leukaemia and small lymphocytic lymphoma 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.

Schedule 1 - Dictionary

Note: See Section 6

1 Definitions

In this instrument:

mature b-cell lymphoid leukaemia and small lymphocytic lymphoma - see subsection 7(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*.