

Determination

of

Statement of Principles
concerning

**MALIGNANT NEOPLASM OF THE
SALIVARY GLAND**

ICD CODE: 142

Veterans' Entitlements Act 1986

1. This Statement of Principles is determined by the Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act).

Kind of injury, disease or death

2. (a) This Statement of Principles is about **malignant neoplasm of the salivary gland** and **death from malignant neoplasm of the salivary gland**.

(b) For the purposes of this Statement of Principles, “**malignant neoplasm of the salivary gland**” means a primary malignant neoplasm arising from the cells of the major or minor salivary glands or salivary gland ducts, attracting ICD code 142.

Note: For the purposes of this Statement of Principles, this definition specifically excludes soft tissue sarcoma, non-Hodgkin's lymphoma and Hodgkin's disease.

Note to user (this note does not form part of the legal wording of the instrument):

In the event that a disease referred to in the note above (which is excluded from coverage by this Statement of Principles) is claimed, reference should be made to the relevant Statement of Principles (or Statements of Principles) which cover or refer to that disease (if any).

Basis for determining the factors

3. On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that **malignant neoplasm of the salivary gland and death from malignant neoplasm of the salivary gland** can be related to relevant service rendered by veterans or members of the Forces.

Factors that must be related to service

4. Subject to clause 6, the factors set out in at least one of the paragraphs in clause 5 must be related to any relevant service rendered by the person.

Factors

5. The factors that must exist before it can be said that, on the balance of probabilities, **malignant neoplasm of the salivary gland** or **death from malignant neoplasm of the salivary gland** is connected with the circumstances of a person's relevant service are:
 - (a) undergoing a course of therapeutic radiation to the head or neck region before the clinical onset of malignant neoplasm of the salivary gland, where the first exposure occurred at least five years before the clinical onset of malignant neoplasm of the salivary gland; or
 - (b) inability to obtain appropriate clinical management for malignant neoplasm of the salivary gland.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(b) applies only to material contribution to, or aggravation of, malignant neoplasm of the salivary gland where the person's malignant neoplasm of the salivary gland was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act refers.

Other definitions

7. For the purposes of this Statement of Principles:

“a course of therapeutic radiation” means one or more fractions (treatment portions) of ionising radiation administered with the aim of achieving palliation or cure with gamma rays, x-rays, alpha particles or beta particles;

“ICD code” means a number assigned to a particular kind of injury or disease in the Australian Version of The International Classification of

Diseases, 9th revision, Clinical Modification (ICD-9-CM), effective date of 1 July 1996, copyrighted by the National Coding Centre, Faculty of Health Sciences, University of Sydney, NSW, and having ISBN 0 642 24447 2;

“relevant service” means:

- (a) eligible war service (other than operational service); or
- (b) defence service (other than hazardous service).

Dated this **Twentieth** day of **February**
1997

The Common Seal of the)
Repatriation Medical Authority)
was affixed to this instrument)
in the presence of)

KEN DONALD
CHAIRMAN