

Statement of Principles
concerning

ALPHA-1 ANTITRYPSIN DEFICIENCY

No. 1 of 2007

for the purposes of the

Veterans' Entitlements Act 1986

and

Military Rehabilitation and Compensation Act 2004

Title

1. This Instrument may be cited as Statement of Principles concerning alpha-1 antitrypsin deficiency No. 1 of 2007.

Determination

2. The Repatriation Medical Authority under subsection **196B(2) and (8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 19 of 1995 concerning alpha-1 antitrypsin deficiency; and
 - (b) determines in its place the following Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **alpha-1 antitrypsin deficiency** and **death from alpha-1 antitrypsin deficiency**.
 - (b) For the purposes of this Statement of Principles, "**alpha-1 antitrypsin deficiency**" means a genetic disorder heritable in an autosomal codominant pattern characterised by reduced serum levels of alpha-1 antitrypsin.

Basis for determining the factors

4. After examining the available sound medical-scientific evidence the Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that the only factor that may be related to the cause of or material contribution to or aggravation of **alpha-1 antitrypsin deficiency** or **death from alpha-1 antitrypsin deficiency** and which can be related to relevant service rendered by veterans, members of Peacekeeping Forces, or members of the Forces under the VEA, or members under the *Military Rehabilitation and Compensation Act 2004* (the MRCA) is that set out in clause 5.

Factors that must be related to service

5. The factor that must as a minimum exist in relation to the circumstances of a person's relevant service causing or materially contributing to or aggravating **alpha-1 antitrypsin deficiency** or **death from alpha-1 antitrypsin deficiency** is inability to obtain appropriate clinical management for alpha-1 antitrypsin deficiency.

Other definitions

6. For the purposes of this Statement of Principles:

"death from alpha-1 antitrypsin deficiency" in relation to a person includes death from a terminal event or condition that was contributed to by the person's alpha-1 antitrypsin deficiency;

"relevant service" means:

- (a) operational service under the VEA; or
- (b) peacekeeping service under the VEA; or
- (c) hazardous service under the VEA; or
- (d) warlike service under the MRCA; or
- (e) non-warlike service under the MRCA;

"terminal event" means the proximate or ultimate cause of death and includes:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

Application

7. This Instrument applies to all matters to which section 120A of the VEA or section 338 of the MRCA applies.

Date of effect

8. This Instrument takes effect from 10 January 2007.

Dated this *eighteenth* day of *December* 2006

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

KEN DONALD
CHAIRPERSON