

Statement of Principles  
concerning

**ALPHA-1 ANTITRYPSIN DEFICIENCY**

**No. 2 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. 2 of 2007.

**Determination**

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
  - (a) revokes Instrument No. 20 of 1995 concerning alpha-1 antitrypsin deficiency; and
  - (b) determines in its place this 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 it is more probable than not on the sound medical-scientific evidence available, that the only factor that can 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 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 exist before it can be said that, on the balance of probabilities, 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) eligible war service (other than operational service) under the VEA; or
- (b) defence service (other than hazardous service) under the VEA; or
- (c) peacetime 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 120B of the VEA or section 339 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