

# Statement of Principles

concerning

## **MESOTHELIOMA**

ICD CODE: 163

Veterans' Entitlements Act 1986  
subsection 196B(3)

1. Being of the view that, on the sound medical-scientific evidence available to the Repatriation Medical Authority, it is more probable than not that **mesothelioma and death from mesothelioma** can be related to eligible war service (other than operational service) rendered by veterans and defence service (other than hazardous service) rendered by members of the Forces, the Repatriation Medical Authority determines, under subsection 196B(3) of the *Veterans' Entitlements Act 1986*, that the factors that must exist before it can be said that, on the balance of probabilities, **mesothelioma or death from mesothelioma** is connected with the circumstances of that service, are:

- (a)
  - (i) applying; or
  - (ii) removing; or
  - (iii) dislodging; or
  - (iv) cutting; or
  - (v) drilling,

respirable asbestos fibre material, within an enclosed area, at least fifteen years before the clinical onset of mesothelioma; or

- (b) inability to obtain appropriate clinical management for mesothelioma.

2. Subject to clause 3 (below) at least one of the factors set out in paragraphs **1(a) and 1(b)** must be related to any service rendered by a person.
3. The factor set out in paragraph **1(b)** applies only where:
  - (a) the person's **mesothelioma** was contracted prior to a period, or part of a period, of service to which the factor is related; and
  - (b) the relationship suggested between the **mesothelioma** and the particular service of a person is a relationship set out in paragraph 8(1)(e), 9(1)(e) or 70(5)(d) of the Act.
4. For the purposes of this Statement of Principles:

**“ICD code”** means a number assigned to a particular kind of injury or disease in the tenth edition of the *International Classification of Diseases* 9th Revision, effective date of 1 October 1993, copyrighted by the US Commission on Professional and Hospital Activities, and having the Library of Congress number 77-94472;

**“mesothelioma”** means a malignant neoplasm of the mesothelial lining of serous cavities: the pleura, pericardium, and peritoneum, attracting ICD code 163;

**“respirable asbestos fibre”** means asbestos fibres, mainly less than 3 micrometres in diameter and greater than 8 micrometres in length.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 1994

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

KEN DONALD  
 CHAIRMAN