

REVOKED

Amendment of Statement of Principles

concerning

MALIGNANT NEOPLASM OF THE ORAL CAVITY OR HYPOPHARYNX

ICD CODES: 140.3,140.4,140.5,141,143,144,145,146, 148

Veterans' Entitlements Act 1986
subsection 196B(2)

The Repatriation Medical Authority amends, under subsection 196B(2) of the *Veterans' Entitlements Act 1986* (the Act), Instrument No.338 of 1995 (Statement of Principles concerning malignant neoplasm of the oral cavity) by:

1. omitting from the heading of the Instrument the words and numbers, "**MALIGNANT NEOPLASM OF THE ORAL CAVITY ICD CODES: 140.3, 140.4, 140.5, 141, 143, 144, 145, 146**" and inserting in its place "**MALIGNANT NEOPLASM OF THE ORAL CAVITY OR HYPOPHARYNX ICD CODES: 140.3, 140.4, 140.5, 141, 143, 144, 145, 146, 148;**"
2. omitting paragraphs 1(a) to 1(d) inclusive and replacing them with the following:
 - “(a) smoking :
 - (i) five to ten cigarettes per day or the equivalent thereof in other tobacco products, for at least ten years, before the clinical onset of malignant neoplasm of the oral cavity or hypopharynx and where smoking has ceased, the clinical onset has occurred within 15 years of cessation; or
 - (ii) smoking more than ten cigarettes per day or the equivalent thereof in other tobacco products, for at least five years,

before the clinical onset of malignant neoplasm of the oral cavity or hypopharynx and where smoking has ceased, the clinical onset has occurred within 15 years of cessation; or

- (b) for malignant neoplasm of the oral cavity only, the regular oral use of smokeless tobacco and similar products for at least five years before the clinical onset of malignant neoplasm of the oral cavity and, where oral use of these products has ceased, the clinical onset has occurred within 15 years of cessation; or
 - (c) drinking at least 250 kilograms of alcohol (contained within alcoholic drinks) before the clinical onset of malignant neoplasm of the oral cavity or hypopharynx; or
 - (d) inability to obtain appropriate clinical management for the malignant neoplasm of the oral cavity or hypopharynx.”;
3. omitting the words “**malignant neoplasm of the oral cavity**” from paragraph 3(a) and 3(b) and inserting in its place, in both paragraphs the words “**malignant neoplasm of the oral cavity or hypopharynx**”;
 4. omitting the definition of “absolute alcohol” in paragraph 4 and inserting the following definition in its place:

“**alcohol (contained within alcoholic drinks)**’ is measured by the alcohol consumption calculations utilising the Australian Standard of 10 grams of alcohol per standard alcoholic drink;”;

5. omitting the definition of “malignant neoplasm of the oral cavity” in paragraph 4 and inserting in its place:

“**malignant neoplasm of the oral cavity and hypopharynx**’ means a primary malignancy of the mucosa of the oral cavity, oropharynx, or hypopharynx which is the region that extends posteriorly from the lips (excluding the vermilion border and the skin of the lips) to the upper border of the larynx and oesophagus, and which includes the gums, the floor of the mouth, the buccal mucosa, the alveolar ridge, the hard and soft palate, and the tongue, but excluding malignant neoplasm of the minor salivary glands, attracting ICD code 140.3, 140.4, 140.5, 141, 143, 144, 145, 146 or 148;”.

The amendments made by this instrument apply to all matters to which Instrument No.338 of 1995 and section 120A of the Act apply.

Dated this *Twenty-third* day of *November* 1995

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

KEN DONALD
CHAIRMAN