

REVOKED

Revocation and Determination

of

Statement of Principles concerning

SOFT TISSUE SARCOMA

ICD CODE: 171

Veterans' Entitlements Act 1986

1. The Repatriation Medical Authority under subsection **196B(3)** of the *Veterans' Entitlements Act 1986* (the Act):
 - (a) revokes Instrument No.76 of 1994, and Instrument No.214 of 1995; and
 - (b) determines the following Statement of Principles.

Kind of injury, disease or death

2. (a) This Statement of Principles is about **soft tissue sarcoma** and **death from soft tissue sarcoma**.

(b) For the purposes of this Statement of Principles, “**soft tissue sarcoma**” means a histologically and morphologically diverse group of extra-skeletal, non-haematopoietic, non-epithelial primary malignant neoplasms, attracting ICD code 171, that originates in the soft tissues derived from the embryonic mesodermal layer, and which can occur at any site in the body, both within and between parenchymal organs.

Note: For the purposes of this Statement of Principles, this definition excludes the conditions of mesothelioma, Kaposi's sarcoma, malignant neoplasm of the bone and articular cartilage (osteosarcoma and chondrosarcoma) and malignant neoplasm of the lymphopoietic and haematopoietic tissue.

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 **soft tissue sarcoma and death from soft tissue sarcoma** 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, **soft tissue sarcoma** or **death from soft tissue sarcoma** is connected with the circumstances of a person's relevant service are:
 - (a) undergoing a course of therapeutic radiation to the affected region before the clinical onset of soft tissue sarcoma, where the first exposure occurred more than five years immediately before the clinical onset of soft tissue sarcoma; or
 - (b) for lymphangiosarcoma only, suffering from lymphoedema of the affected limb before the clinical onset of soft tissue sarcoma; or
 - (c) for hepatic angiosarcoma only, being occupationally exposed to gaseous vinyl chloride during the production of polyvinyl chloride, before the clinical onset of soft tissue sarcoma; or
 - (d) inability to obtain appropriate clinical management for soft tissue sarcoma.

Factors that apply only to material contribution or aggravation

6. Paragraph 5(d) applies only to material contribution to, or aggravation of, soft tissue sarcoma where the person's soft tissue sarcoma 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;

“hepatic angiosarcoma” means a soft tissue sarcoma arising from the vascular endothelial cells in the liver;

“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;

“lymphangiosarcoma” means a malignant tumour of vascular endothelial cells arising from lymphatic vessels;

“lymphoedema” means chronic unilateral or bilateral oedema of the extremities due to accumulation of interstitial fluid as a result of stasis of lymph, which is secondary to obstruction of lymph vessels or disorders of the lymph nodes, such as that which occurs secondary to radical mastectomy;

“relevant service” means:

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

Application

8. This Instrument applies to all matters to which section 120B of the Act applies.

Dated this *Ninth* day of *December* 1996

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

KEN DONALD
CHAIRMAN