

**Revocation and Determination**  
of  
**Statement of Principles**  
concerning  
**NON-HODGKIN'S LYMPHOMA**

*Veterans' Entitlements Act 1986*

1. The Repatriation Medical Authority under subsection **196B(2)** of the *Veterans' Entitlements Act 1986* (the Act):
  - (a) revokes Instrument No.80 of 1999; and
  - (b) determines in its place the following Statement of Principles.

**Kind of injury, disease or death**

2.
  - (a) This Statement of Principles is about **non-Hodgkin's lymphoma** and **death from non-Hodgkin's lymphoma**.
  - (b) For the purposes of this Statement of Principles, "**non-Hodgkin's lymphoma**" means a malignant neoplastic disease arising from the lymphoid components of the immune system, characterised by the absence of Reed-Sternberg cells. This definition includes non-Hodgkin's lymphoma arising within parenchymal organs and excludes Burkitt's lymphoma, plasma cell malignancy, hairy cell leukaemia and chronic lymphoid leukaemia.
  - (c) Non-Hodgkin's lymphoma attracts ICD-10-AM code C82 or a code in the range C83.0 to C83.6 or C83.8, C83.9, C84 or C85.
  - (d) In the application of this Statement of Principles, the definition of "**non-Hodgkin's lymphoma**" is that given at para 2(b) above.

### **Basis for determining the factors**

3. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **non-Hodgkin's lymphoma** and **death from non-Hodgkin's lymphoma** can be related to relevant service rendered by veterans, members of Peacekeeping Forces, or members of the Forces.

### **Factors that must be related to service**

4. Subject to clause 6, at least one of the factors set out in clause 5 must be related to any relevant service rendered by the person.

### **Factors**

5. The factors that must as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **non-Hodgkin's lymphoma** or **death from non-Hodgkin's lymphoma** with the circumstances of a person's relevant service are:
  - (a) being infected with Human Immunodeficiency Virus (HIV) before the clinical onset of non-Hodgkin's lymphoma; or
  - (b) having received a solid organ or bone marrow transplant before the clinical onset of non-Hodgkin's lymphoma; or
  - (c) having received systemic immunosuppressive drug therapy for the treatment of psoriasis, systemic lupus erythematosus, rheumatoid arthritis, Sjogren's syndrome, dermatitis herpetiformis, ulcerative colitis, Crohn's disease or chronic glomerulonephritis within the ten years immediately before the clinical onset of non-Hodgkin's lymphoma; or
  - (d) spraying or decanting a herbicide containing 2,4-dichlorophenoxyacetic acid (2,4-D) or 2,4,5-trichlorophenoxyacetic acid (2,4,5-T), in circumstances likely to result in inhalation or absorption of the herbicide, at least five years before the clinical onset of non-Hodgkin's lymphoma; or

- (e) being:
  - (i) on land in Vietnam, or
  - (ii) at sea in Vietnamese waters, or
  - (iii) on board a vessel and consuming potable water supplied on that vessel, when the water supply had been produced by evaporative distillation of estuarine Vietnamese waters, for a cumulative period of at least 30 days, at least five years before the clinical onset of non-Hodgkin's lymphoma; or
- (f) for adult T-cell leukaemia-lymphoma only, being infected with HTLV-1 before the clinical onset of non-Hodgkin's lymphoma; or
- (g) suffering from coeliac disease at the time of the clinical onset of non-Hodgkin's lymphoma; or
- (h) for primary B-cell lymphoma of the stomach only, suffering from *Helicobacter pylori* infection of the stomach at the time of the clinical onset of non-Hodgkin's lymphoma; or
- (i) having received treatment for Hodgkin's disease before the clinical onset of non-Hodgkin's lymphoma, and where treatment has ceased, the clinical onset has occurred within 10 years of cessation; or
- (j) inability to obtain appropriate clinical management for non-Hodgkin's lymphoma.

#### **Factors that apply only to material contribution or aggravation**

6. Paragraph 5(j) applies only to material contribution to, or aggravation of, non-Hodgkin's lymphoma where the person's non-Hodgkin's lymphoma was suffered or contracted before or during (but not arising out of) the person's relevant service; paragraph 8(1)(e), 9(1)(e), 70(5)(d) or 70(5A)(d) of the Act refers.

#### **Inclusion of Statements of Principles**

7. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles.

## Other definitions

8. For the purposes of this Statement of Principles:

**“adult T-cell leukaemia-lymphoma”** means a malignancy of mature T lymphocytes with onset in adulthood characterised by circulating pleomorphic malignant lymphocytes, skin lesions, lymphadenopathy, hepatosplenomegaly and lytic bone lesions;

**“being infected with Human Immunodeficiency Virus (HIV)”** means serological evidence of infection with Human Immunodeficiency Virus;

**“being infected with HTLV-1”** means serological evidence of infection with the retro virus human T-cell lymphotropic virus Type 1;

**“being:**

**(i) on land in Vietnam, or**

**(ii) at sea in Vietnamese waters,”** means service in at least one of the areas and at the times described in Items 4 and 8 of Schedule 2 of the *Veterans’ Entitlements Act 1986*;

**“death from non-Hodgkin’s lymphoma”** in relation to a person includes death from a terminal event or condition that was contributed to by the person’s non-Hodgkin’s lymphoma;

**“estuarine Vietnamese waters”** means at least one of the waterways or harbours in the relevant areas described in Items 4 and 8 of Schedule 2 of the *Veterans’ Entitlements Act 1986*;

**“having received a solid organ or bone marrow transplant”** means having had an hepatic, renal, or cardiac transplantation or bone marrow ablation and transplant, including autologous stem cell transplantation;

**“Helicobacter pylori infection”** means an infection of the mucus layer overlying gastric-type epithelium by the bacterium *Helicobacter pylori*;

**“ICD-10-AM code”** means a number assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, 10th revision, Australian Modification (ICD-10-AM), Third Edition, effective date of 1 July 2002, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 1 86487 413 9;

**“potable water”** means water used for drinking water, food preparation and beverage production;

**“Reed-Sternberg cell”** means a giant cell with two or more nuclei with prominent nucleoli with perinucleolar halos, also known as a giant histiocytic cell, and which is the common histological characteristic of Hodgkin’s disease;

**“relevant service”** means:

- (a) operational service; or
- (b) peacekeeping service; or
- (c) hazardous service;

**“systemic immunosuppressive drug therapy”** means the therapeutic administration continuously for a period of at least three months of a drug or drugs the primary function of which is suppression of the immune response;

**“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**

- 9. This Instrument applies to all matters to which section 120A of the Act applied.

Dated this **Twelfth** day of **August**  
2003

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

KEN DONALD  
CHAIRMAN