

Statement of Principles
concerning

GAUCHER'S DISEASE

No. 4 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 Gaucher's disease No. 4 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. 22 of 1995 concerning Gaucher's disease;
and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **Gaucher's disease** and **death from Gaucher's disease**.
 - (b) For the purposes of this Statement of Principles, "**Gaucher's disease**" means a genetic disorder heritable as an autosomal recessive trait characterised by deficiency of liposomal enzyme glucocerebrosidase leading to accumulation of glucocerebroside in macrophages (Gaucher cells) in various organs of the body.

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 **Gaucher's disease** or **death from Gaucher's disease** 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 **Gaucher's disease** or **death from Gaucher's disease** is inability to obtain appropriate clinical management for Gaucher's disease.

Other definitions

6. For the purposes of this Statement of Principles:

"death from Gaucher's disease" in relation to a person includes death from a terminal event or condition that was contributed to by the person's Gaucher's disease;

"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