



Australian Government
Repatriation Medical Authority

Statement of Principles concerning

FAMILIAL ADENOMATOUS POLYPOSIS

No. 40 of 2013

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 familial adenomatous polyposis No. 40 of 2013.

Determination

2. The Repatriation Medical Authority under subsection **196B(3)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 61 of 2002 concerning familial adenomatous polyposis; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **familial adenomatous polyposis** and **death from familial adenomatous polyposis**.
 - (b) For the purposes of this Statement of Principles, "**familial adenomatous polyposis**" means an inherited autosomal dominant syndrome caused by germ-line mutation of the adenomatous polyposis coli gene, characterised by the formation of more than 100 colorectal adenomas.

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 **familial adenomatous polyposis** or **death from familial adenomatous polyposis** 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 **familial adenomatous polyposis** or **death from familial adenomatous polyposis** is inability to obtain appropriate clinical management for familial adenomatous polyposis.

Other definitions

6. For the purposes of this Statement of Principles:

"**death from familial adenomatous polyposis**" in relation to a person includes death from a terminal event or condition that was contributed to by the person's familial adenomatous polyposis;

"**relevant service**" means:

- (a) eligible war service (other than operational service) under the VEA;
- (b) defence service (other than hazardous service and British nuclear test defence 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 3 July 2013.

Dated this **twenty-first** day of **June** 2013

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

PROFESSOR NICHOLAS SAUNDERS AO
CHAIRPERSON