



Australian Government
Repatriation Medical Authority

Amendment Statement of Principles
concerning

CHRONIC LYMPHOID LEUKAEMIA

No. 28 of 2014

for the purposes of the

Veterans' Entitlements Act 1986

and

Military Rehabilitation and Compensation Act 2004

1. This Instrument may be cited as Amendment Statement of Principles concerning chronic lymphoid leukaemia No. 28 of 2014.
2. In accordance with the Specialist Medical Review Council Declaration No. 22 of 26 November 2013 under subsection 196W(4) of the *Veterans' Entitlements Act 1986* (the VEA), the Repatriation Medical Authority amends, pursuant to subsection 196B(10) of the VEA, Statement of Principles concerning chronic lymphoid leukaemia Instrument No. 9 of 2005, by:
 - (A) Inserting new factors "(aa)", "(ab)", "(ac)", "(ad)", "(ae)", "(af)" and "(ag)" following factor "(a)" in clause 5 as follows:
 - "(aa) being exposed to non-ionising radiation as specified before the clinical onset of chronic lymphoid leukaemia, where this dose was accumulated at least ten years before the clinical onset of chronic lymphoid leukaemia; or";
 - "(ab) being exposed to benzene:
 - (i) for a cumulative total of at least 2 500 hours within a continuous period of ten years before the clinical onset of chronic lymphoid leukaemia; and
 - (ii) where the first exposure in that period occurred at least five years before the clinical onset of chronic lymphoid leukaemia; and
 - (iii) where the last exposure in that period occurred within the 25 years before the clinical onset of chronic lymphoid leukaemia; or";

- "(ac) inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD), for a cumulative period of at least 1 000 hours, within a consecutive period of ten years before the clinical onset of chronic lymphoid leukaemia, where the first exposure occurred at least five years before the clinical onset of chronic lymphoid leukaemia; or";
 - "(ad) being on board a vessel and consuming potable water supplied on that vessel, for a cumulative period of at least 30 days, when the water supply had been produced by evaporative distillation of water that has been contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD), at least five years before the clinical onset of chronic lymphocytic leukaemia; or";
 - "(ae) inhaling, ingesting or having cutaneous contact with a pesticide, for a cumulative period of at least 10 000 hours, within a consecutive period of ten years before the clinical onset of chronic lymphoid leukaemia, where the first exposure occurred at least five years before the clinical onset of chronic lymphoid leukaemia; or";
 - "(af) inhaling respirable asbestos fibres in an enclosed space:
 - (i) for a cumulative period of at least 2 000 hours before the clinical onset of chronic lymphoid leukaemia; and
 - (ii) at the time material containing respirable asbestos fibres was being applied, removed, dislodged, cut or drilled; and
 - (iii) the first inhalation of respirable asbestos fibres commenced at least five years before the clinical onset of chronic lymphoid leukaemia; or"; and
 - "(ag) inhaling respirable asbestos fibres in an open environment:
 - (i) for a cumulative period of at least 6 000 hours before the clinical onset of chronic lymphoid leukaemia; and
 - (ii) at the time material containing respirable asbestos fibres was being applied, removed, dislodged, cut or drilled; and
 - (iii) the first inhalation of respirable asbestos fibres commenced at least five years before the clinical onset of chronic lymphoid leukaemia; or"; and
- (B) Inserting definitions of "a pesticide", "being exposed to benzene", "being exposed to non-ionising radiation as specified", "8-hour time-weighted average (TWA)", "inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)", "magnetic fields generated at extremely low frequencies", "microTesla (μ T)-years" and "potable water" in clause 8 as follows:
- "a pesticide"** means a chemical or biological agent used to prevent, destroy or mitigate any unwanted plant, insect, animal, fungus, nematode or other pest;";

"being exposed to benzene" means:

- (a) having cutaneous contact with liquids containing benzene greater than 5% by volume;
- (b) ingesting liquids containing benzene greater than 5% by volume; or
- (c) inhaling benzene vapour where such exposure occurs at an ambient 8-hour time-weighted average benzene concentration exceeding five parts per million;'

"being exposed to non-ionising radiation as specified" means receiving greater than 250 microTesla (μT)-years of exposure to magnetic fields generated at extremely low frequencies;'

"8-hour time-weighted average (TWA)" means the averaging of different exposure levels to benzene during an average exposure period equivalent to eight hours;'

"inhaling, ingesting or having cutaneous contact with a chemical agent contaminated by 2,3,7,8-tetrachlorodibenzo-para-dioxin (TCDD)" means:

- (a) decanting or spraying;
- (b) cleaning or maintaining equipment used to apply;
- (c) being sprayed with;
- (d) handling or sawing timber treated with;
- (e) being in an environment shrouded in dust from timber treated with; or
- (f) using cutting oils contaminated with;

one of the following chemicals:

- (i) 2,4,5-trichlorophenoxyacetic acid;
- (ii) 2,4,5-trichlorophenoxypropionic acid;
- (iii) 2,4,5-trichlorophenol;
- (iv) 2-(2,4,5-trichlorophenoxy)-ethyl 2,2-dichloropropionate;
- (v) o,o-dimethyl-o-(2,4,5-trichlorophenyl)-phosphorothioate;
- (vi) pentachlorophenol;
- (vii) 2,3,4,6-tetrachlorophenol;
- (viii) 2,4,6-trichlorophenol;
- (ix) 1,3,4-trichloro-2-(4-nitrophenoxy)benzene;
- (x) 2,4-dichloro-1-(4-nitrophenoxy)benzene; or
- (xi) 2,4-dichloro-1-(3-methoxy-4-nitrophenoxy)-benzene;'

"magnetic fields generated at extremely low frequencies" means technologically generated magnetic fields at frequencies in the range of 50 to 60 hertz (Hz);'

"microTesla (μT)-years" means a calculation of cumulative exposure to extremely low frequency magnetic fields, where one microTesla-year equals the exposure occasioned by being subject to a magnetic field of mean flux density of one microTesla for a continuous period of one calendar year, or 8 760 hours, or an equivalent dose;'

"potable water" means water used for drinking water, food preparation or beverage production;'

3. The amendments made by this instrument apply to all matters to which Instrument No. 9 of 2005, section 120A of the VEA and section 338 of the *Military Rehabilitation and Compensation Act 2004* apply.
4. The amendments made by this instrument take effect from 26 November 2013.

Dated this **fourteenth** day of **March** 2014

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

PROFESSOR NICHOLAS SAUNDERS AO
CHAIRPERSON