



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
RETINAL BURN
(Balance of Probabilities)
(No. 26 of 2023)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

Dated 24 April 2023.

The Common Seal of the
Repatriation Medical Authority
was affixed to this instrument
at the direction of:

Professor Terence Campbell AM
Chairperson

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1 Name

This is the Statement of Principles concerning *retinal burn (Balance of Probabilities)* (No. 26 of 2023).

2 Commencement

This instrument commences on 23 May 2023.

3 Authority

This instrument is made under subsection 196B(3) of the *Veterans' Entitlements Act 1986*.

4 Application

This instrument applies to a claim to which section 120B of the VEA or section 339 of the *Military Rehabilitation and Compensation Act 2004* applies.

5 Definitions

The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

6 Kind of injury, disease or death to which this Statement of Principles relates

- (1) This Statement of Principles is about retinal burn and death from retinal burn.

Meaning of retinal burn

- (2) For the purposes of this Statement of Principles, retinal burn:
- (a) means an acute photic injury to the retina of the eye from optical radiation passing through the eye's optical system;
 - (b) includes:
 - (i) arc welding radiation;
 - (ii) atomic bomb flash;
 - (iii) direct gazing into the sun; and
 - (iv) non-therapeutic exposure to lasers; and
 - (c) excludes:
 - (i) electrical injury to the eye including the effects of lightning;
 - (ii) external burn of the eye where the retinal burn is a component of eye burns that simultaneously affect the internal and external parts of the eye;

- (iii) intended or accidental retinal burns resulting from operating microscope optical radiation;
- (iv) ionising radiation apart from ultraviolet light; and
- (v) temporary effects such as dazzle, glare, after images, and flash blindness.

Note: Optical radiation includes ultraviolet light, visible light and infrared light.

Death from retinal burn

- (3) For the purposes of this Statement of Principles, retinal burn, in relation to a person, includes death from a terminal event or condition that was contributed to by the person's retinal burn.

Note: *terminal event* is defined in the Schedule 1 – Dictionary.

7 Basis for determining the factors

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that retinal burn and death from retinal burn can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: *MRCA*, *relevant service* and *VEA* are defined in the Schedule 1 – Dictionary.

8 Factors that must exist

At least one of the following factors must exist before it can be said that, on the balance of probabilities, retinal burn or death from retinal burn is connected with the circumstances of a person's relevant service:

- (1) having ocular exposure to laser radiation resulting in a visual field defect or scotoma of the affected eye at the time of the clinical onset of retinal burn;

Note 1: Not all laser eye exposures will cause retinal injuries, with the probability of laser retinal injury dependent on the laser energy delivered to the eye which is a feature of the power of the laser, irradiance (power density of the beam), and the duration of exposure.

Note 2: Laser exposure can be direct into the axis of the eye or indirect off a specular surface. The risk of retinal damage is increased if the laser source is viewed through magnifying devices such as binoculars, and telescopic sights.

- (2) having ocular exposure to arc welding radiation resulting in a visual field defect or scotoma of the affected eye at the time of the clinical onset of retinal burn;

Note 1: The probability of arc welding radiation retinal injury is dependent on the energy delivered to the eye that is a feature of the power of the welder, the irradiance (power density of the beam), the duration of exposure, and the protective equipment worn by the welder.

Note 2: Arc welding retinal burns are often associated with corneal and conjunctiva burns (Welder's flash), but the clinical onset of the retinal burn would have occurred at the time of the arc welding flash but may have been masked by the symptoms associated with the corneal and conjunctival burns.

- (3) having ocular exposure to the radiation from a nuclear explosion resulting in a visual field defect or scotoma of the affected eye at the time of the clinical onset of retinal burn;
- (4) having ocular exposure to the radiation from viewing of the sun with the naked eye or with an optical instrument resulting in a visual field defect or scotoma of the affected eye at the time of the clinical onset of retinal burn;
- (5) inability to obtain appropriate clinical management for retinal burn.

9 Relationship to service

- (1) The existence in a person of any factor referred to in section 8, must be related to the relevant service rendered by the person.
- (2) The factor set out in subsection 8(5) applies only to material contribution to, or aggravation of, retinal burn where the person's retinal burn was suffered or contracted before or during (but did not arise out of) the person's relevant service.

10 Factors referring to an injury or disease covered by another Statement of Principles

In this Statement of Principles:

- (1) if a factor referred to in section 8 applies in relation to a person; and
- (2) that factor refers to an injury or disease in respect of which a Statement of Principles has been determined under subsection 196B(3) of the VEA;

then the factors in that Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Schedule 1 - Dictionary

Note: See Section 5

1 Definitions

In this instrument:

MRCA means the *Military Rehabilitation and Compensation Act 2004*.

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.

Note: **MRCA** and **VEA** are also defined in the Schedule 1 - Dictionary.

retinal burn—see subsection 6(2).

terminal event means the proximate or ultimate cause of death and includes the following:

- (a) pneumonia;
- (b) respiratory failure;
- (c) cardiac arrest;
- (d) circulatory failure; or
- (e) cessation of brain function.

VEA means the *Veterans' Entitlements Act 1986*.