



**Australian Government**  
**Repatriation Medical Authority**

**Statement of Principles**  
**concerning**  
**HEAT-INDUCED BURN**  
**(Reasonable Hypothesis)**  
**(No. 1 of 2024)**

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The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(2) of the *Veterans' Entitlements Act 1986*.

Dated 22 December 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 *heat-induced burn (Reasonable Hypothesis)* (No. 1 of 2024).

**2 Commencement**

This instrument commences on 22 January 2024.

**3 Authority**

This instrument is made under subsection 196B(2) of the *Veterans' Entitlements Act 1986*.

**4 Repeal**

The Statement of Principles concerning external burn No. 110 of 2015 (Federal Register of Legislation No. F2015L01330) made under subsections 196B(2) and (8) of the VEA is repealed.

**5 Application**

This instrument applies to a claim to which section 120A of the VEA or section 338 of the *Military Rehabilitation and Compensation Act 2004* applies.

**6 Definitions**

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

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

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

*Meaning of heat-induced burn*

- (2) For the purposes of this Statement of Principles, heat-induced burn:
- (a) means an injury to the skin and external body covering tissues due to transfer of energy into the tissue with external contact with flame, or heat; and
  - (b) includes burns of deep tissues and organs that are part of a multiple burn injury that includes injury to the skin and external body covering tissues; and
  - (c) excludes:
    - (i) freezing cold injury (frostbite);
    - (ii) electrical contact or electrical flash burns (electrical injury);

- (iii) chemical burns;
- (iv) radiation burns due to ionising radiation;
- (v) isolated retinal burn of the eye;
- (vi) photocontact dermatitis;
- (vii) friction burns (abrasion); and
- (viii) isolated burn of the internal body organs such as the respiratory tract, gastrointestinal tract and internal genitourinary tract.

Note 1: flame and heat burns may include the effects of incendiary devices such as white phosphorous grenades and rockets.

Note 2: heat-induced burn may include a systemic response of the body with systemic inflammation and vascular shock.

#### *Death from heat-induced burn*

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

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

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

The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that heat-induced burn and death from heat-induced burn can be related to relevant service rendered by veterans, members of Peacekeeping Forces, 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.

### **9 Factors that must exist**

At least one of the following factors must as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting heat-induced burn or death from heat-induced burn with the circumstances of a person's relevant service:

- (1) having exposure to a heat source sufficient to cause at least erythema at the affected area of the body at the time of the clinical onset of heat-induced burn;
- (2) having exposure to high intensity, focussed ultrasound sufficient to cause at least erythema at the affected area of the body at the time of the clinical onset of heat-induced burn;
- (3) having exposure to ultraviolet radiation sufficient to cause at least erythema at the affected area of the body at the time of the clinical onset of heat-induced burn;

Note: Some examples of potential ultraviolet radiation exposure include sun exposure, electric welding arc exposure, and PUVA therapy for skin conditions.

- (4) having exposure to solar radiation sufficient to cause at least erythema at the affected area of the body at the time of the clinical onset of heat-induced burn;
- (5) having laser applied, sufficient to cause at least erythema, at the affected area of the body at the time of the clinical onset of heat-induced burn;
- (6) having exposure to infrared radiation sufficient to cause at least erythema at the affected area of the body at the time of the clinical onset of heat-induced burn;
- (7) having exposure to radiofrequency or microwave radiation sufficient to cause at least erythema at the affected area of the body at the time of the clinical onset of heat-induced burn;
- (8) inability to obtain appropriate clinical management for heat-induced burn before the clinical worsening of heat-induced burn.

#### **10 Relationship to service**

- (1) The existence in a person of any factor referred to in section 9, must be related to the relevant service rendered by the person.
- (2) The factor set out in subsection 9(8) applies only to material contribution to, or aggravation of, heat-induced burn where the person's heat-induced burn was suffered or contracted before or during (but did not arise out of) the person's relevant service.

#### **11 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 9 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(2) 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 6

## 1 Definitions

In this instrument:

***heat-induced burn***—see subsection 7(2).

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

***relevant service*** means:

- (a) operational service under the VEA;
- (b) peacekeeping service under the VEA;
- (c) hazardous service under the VEA;
- (d) British nuclear test defence service under the VEA;
- (e) warlike service under the MRCA; or
- (f) non-warlike service under the MRCA.

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

***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*.