



Australian Government
Repatriation Medical Authority

Statement of Principles
concerning
PINGUECULA
(Reasonable Hypothesis)
(No. 60 of 2024)

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

Dated 20 August 2024.

Professor Terence Campbell AM
Chairperson
by and on behalf of
The Repatriation Medical Authority

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1 Name

This is the Statement of Principles concerning *pinguecula (Reasonable Hypothesis)* (No. 60 of 2024).

2 Commencement

This instrument commences on 24 September 2024.

3 Authority

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

4 Repeal

The Statement of Principles concerning pinguecula (Reasonable Hypothesis) No. 118 of 2015 (Federal Register of Legislation No. F2015L01670) made under subsection 196B(2) of the VEA is repealed.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 pinguecula and death from pinguecula.

Meaning of pinguecula

- (2) For the purposes of this Statement of Principles, pinguecula:
- (a) Means a small, raised benign elastotic conjunctival degeneration presenting as a fatty nodule near the temporal or nasal limbus (corneal-scleral junction) of the eye; and
 - (b) excludes pterygium.
- (3) While pinguecula attracts ICD-10-AM code H11.1, in applying this Statement of Principles the meaning of pinguecula is that given in subsection (2).
- (4) For subsection (3), a reference to an ICD-10-AM code is a reference to the code assigned to a particular kind of injury or disease in *The International Statistical Classification of Diseases and Related Health*

Problems, Tenth Revision, Australian Modification (ICD-10-AM), Tenth Edition, effective date of 1 July 2017, copyrighted by the Independent Hospital Pricing Authority, ISBN 978-1-76007-296-4.

Death from pinguacula

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

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 pinguacula and death from pinguacula 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 pinguacula or death from pinguacula with the circumstances of a person's relevant service:

- (1) having sunlight exposure to the unprotected eye for at least 2,250 hours while in a tropical area, or having equivalent sunlight exposure in other latitude zones, before clinical onset;

Note: latitude equivalent hours of sun exposure are calculated as follows:

- (a) hours of sun exposure in tropical latitudes (23.5° Sth to 23.5° Nth) multiplied by 1.0;
- (b) hours of sun exposure in subtropical latitudes (23.6° - 35°) multiplied by 0.75;
- (c) hours of sun exposure in warm temperate latitudes (35.1° - 45°) multiplied by 0.5;
- (d) hours of sun exposure in cool temperate latitudes (45.1° - 65°) multiplied by 0.25;

The number of latitude equivalent hours of sun exposure in each region are then added together. This is done to account for differences in sunlight intensity at different latitudes.

- (2) having heavy exposure of the unprotected affected eye to dust, where the upper body is mostly covered in dust, for an average of at least 20 hours per week for two years, before clinical onset;
- (3) having exposure of the affected eye to arc welding radiation and fumes, while welding without eye protection, for an average of at least 20 hours per week for at least the 2 years, before clinical onset;
- (4) having Meibomian gland dysfunction at the time of clinical onset;

- (5) inability to obtain appropriate clinical management for pinguecula before clinical worsening.

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(5) applies only to material contribution to, or aggravation of, pinguecula where the person's pinguecula 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:

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

pinguecula—see subsection 7(2).

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*.