



Statement of Principles

concerning

CHRONIC LYMPHOCYTIC LEUKAEMIA/SMALL LYMPHOCYTIC LYMPHOMA

No. 84 of 2014

made under subsection 196B(2) of the

Veterans' Entitlements Act 1986

This compilation was prepared on 21 March 2016 taking into account Amendment
Statement of Principles concerning CHRONIC LYMPHOCYTIC
LEUKAEMIA/SMALL LYMPHOCYTIC LYMPHOMA (*Instrument No. 38 of 2016*)

Prepared by the Repatriation Medical Authority Secretariat, Brisbane

Compilation date – 4 April 2016

Compilation number 1

Statement of Principles

concerning

CHRONIC LYMPHOCYTIC LEUKAEMIA/SMALL LYMPHOCYTIC LYMPHOMA

No. 84 of 2014

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 chronic lymphocytic leukaemia/small lymphocytic lymphoma No. 84 of 2014.

Determination

2. The Repatriation Medical Authority under subsection **196B(2)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 9 of 2005, as amended by Instrument No. 28 of 2014, concerning chronic lymphoid leukaemia; and
 - (b) determines in their place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **chronic lymphocytic leukaemia/small lymphocytic lymphoma** and **death from chronic lymphocytic leukaemia/small lymphocytic lymphoma**.
 - (b) For the purposes of this Statement of Principles, "**chronic lymphocytic leukaemia/small lymphocytic lymphoma**" means a malignant lymphoproliferative disorder, characterised by the progressive accumulation of small, morphologically mature, but functionally incompetent monoclonal B lymphocytes in the lymph

nodes, bone marrow and peripheral blood, admixed with prolymphocytes and paraimmunoblasts (pseudofollicles), usually expressing CD5 and CD23, and that persists for at least three months. It can present as either a leukaemia or a lymphoma. Clinical manifestations may include lymphadenopathy, organomegaly or signs of bone marrow failure.

This definition includes hairy cell leukaemia and B cell prolymphocytic leukaemia. This definition excludes other B cell lymphoproliferative disorders, adult T cell lymphoma/leukaemia, T cell prolymphocytic leukaemias, and non-Hodgkin's lymphoma other than small lymphocytic lymphoma.

Basis for determining the factors

4. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **chronic lymphocytic leukaemia/small lymphocytic lymphoma** and **death from chronic lymphocytic leukaemia/small lymphocytic lymphoma** 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 *Military Rehabilitation and Compensation Act 2004* (the MRCA).

Factors that must be related to service

5. Subject to clause 7, at least one of the factors set out in clause 6 must be related to the relevant service rendered by the person.

Factors

6. The factor that must as a minimum exist before it can be said that a reasonable hypothesis has been raised connecting **chronic lymphocytic leukaemia/small lymphocytic lymphoma** or **death from chronic lymphocytic leukaemia/small lymphocytic lymphoma** with the circumstances of a person's relevant service is:
 - (a) being exposed to benzene as specified:
 - (i) for a cumulative total of at least 2 500 hours within a continuous period of five years before the clinical onset of chronic lymphocytic leukaemia/small lymphocytic lymphoma; and
 - (ii) where the first exposure in that period occurred at least five years before the clinical onset of chronic lymphocytic leukaemia/small lymphocytic lymphoma; or
 - (aa) receiving greater than ten ppm-years of cumulative exposure to benzene before the clinical onset of chronic lymphocytic leukaemia/small lymphocytic lymphoma, and where the first exposure occurred at least five years before the clinical onset of chronic lymphocytic leukaemia/small lymphocytic lymphoma; or

- (b) having chronic hepatitis C virus infection at the time of the clinical onset of chronic lymphocytic leukaemia/small lymphocytic lymphoma; or
- (c) inability to obtain appropriate clinical management for chronic lymphocytic leukaemia/small lymphocytic lymphoma.

Factors that apply only to material contribution or aggravation

- 7. Paragraph 6(c) applies only to material contribution to, or aggravation of, chronic lymphocytic leukaemia/small lymphocytic lymphoma where the person's chronic lymphocytic leukaemia/small lymphocytic lymphoma was suffered or contracted before or during (but not arising out of) the person's relevant service.

Inclusion of Statements of Principles

- 8. In this Statement of Principles if a relevant factor applies and that factor includes an injury or disease in respect of which there is a Statement of Principles then the factors in that last mentioned Statement of Principles apply in accordance with the terms of that Statement of Principles as in force from time to time.

Other definitions

- 9. For the purposes of this Statement of Principles:

"being exposed to benzene as specified" means:

- (a) having cutaneous contact with liquids containing benzene greater than 1% by volume; or
- (b) ingesting liquids containing benzene greater than 1% 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;

"death from chronic lymphocytic leukaemia/small lymphocytic lymphoma" in relation to a person includes death from a terminal event or condition that was contributed to by the person's chronic lymphocytic leukaemia/small lymphocytic lymphoma;

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

"ppm-years" means parts per million multiplied by years of exposure;

"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;

"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

- 10.** This Instrument applies to all matters to which section 120A of the VEA or section 338 of the MRCA applies.

Date of effect

- 11.** This Instrument takes effect from 22 September 2014.

Notes to Statement of Principles concerning chronic lymphocytic leukaemia/small lymphocytic lymphoma No. 84 of 2014

The Statement of Principles concerning chronic lymphocytic leukaemia/small lymphocytic lymphoma No. 84 of 2014 in force under subsection 196B(2) of the *Veterans' Entitlements Act 1986*, as shown in this compilation is amended as indicated in the Tables below.

Table of Instruments

Title	Date of FRLI registration	Date of commencement	Application, saving or transitional provisions
<i>Statement of Principles concerning chronic lymphocytic leukaemia/small lymphocytic lymphoma No. 84 of 2014</i>	27 August 2014 F2014L01146	22 September 2014	
<i>Amendment Statement of Principles concerning chronic lymphocytic leukaemia/small lymphocytic lymphoma No. 38 of 2016</i>	8 March 2016 F2016L00273	4 April 2016	

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
Clause 9 – "'being exposure to benzene"....'	rs. No. 38 of 2016
Clause6 (a)	rs. No. 38 of 2016
Clause 6 (aa)	ad. No. 38 of 2016
Clause 9 – "'being exposed to benzene as specified".....'	rs. No. 38 of 2016
Clause 9 – "'ppm-years"'	ad. No. 38 of 2016