



# Statement of Principles

Concerning

## **MACULAR DEGENERATION**

**Instrument No. 13 of 2009 as amended**

made under section 196B(2) of the

*Veterans' Entitlements Act 1986*

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This compilation was prepared on 5 September 2012 taking into account Amendment of Statements of Principles concerning MACULAR DEGENERATION (*Instrument No. 47 of 2012 & Instrument No. 68 of 2012*)

Prepared by the Repatriation Medical Authority Secretariat, Brisbane

Statement of Principles  
concerning  
**MACULAR DEGENERATION**  
**No. 13 of 2009**

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 macular degeneration No. 13 of 2009.

**Determination**

2. The Repatriation Medical Authority under subsection **196B(2)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
  - (a) revokes Instrument No. 25 of 2003 concerning macular degeneration; and
  - (b) determines in its place this Statement of Principles.

**Kind of injury, disease or death**

3.
  - (a) This Statement of Principles is about **macular degeneration** and **death from macular degeneration**.
  - (b) For the purposes of this Statement of Principles, "**macular degeneration**", also known as age-related macular degeneration, means degenerative changes involving the macula of the eye, either involving soft drusen or pigmentary abnormalities (early age-related macular degeneration) or geographic atrophy or choroidal neovascularisation (late age-related macular degeneration). This definition excludes toxic maculopathy.

**Basis for determining the factors**

4. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **macular degeneration** and **death from**

**macular degeneration** 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 **macular degeneration** or **death from macular degeneration** with the circumstances of a person's relevant service is:
- (a) smoking at least 10 pack years of cigarettes or the equivalent thereof in other tobacco products, before the clinical onset of macular degeneration, and where smoking has ceased, the clinical onset has occurred within 20 years of cessation; or
  - (aa) for late macular degeneration only, being in an atmosphere with a visible tobacco smoke haze in an enclosed space for at least 10 000 hours within the 20 years before the clinical onset of late macular degeneration, and where the person was a non-smoker during the entire period of exposure; or
  - (b) consuming a total of 100 kg of alcohol within the ten years before the clinical onset of macular degeneration; or
  - (c) being obese for at least the five years before the clinical onset of macular degeneration; or
  - (d) having moderate to severe chronic renal failure before the clinical onset of macular degeneration; or
  - (e) for late age-related macular degeneration only,
    - (i) undergoing cataract surgery involving the affected eye within the five years before the clinical onset of macular degeneration; or
    - (ii) having anticoagulant therapy or thrombolytic therapy, within the one week before the clinical onset of macular degeneration; or
  - (f) smoking at least 10 pack years of cigarettes or the equivalent thereof in other tobacco products, before the clinical worsening of macular

degeneration, and where smoking has ceased, the clinical worsening has occurred within 20 years of cessation; or

- (g) consuming a total of 100 kg of alcohol within the ten years before the clinical worsening of macular degeneration; or
- (h) being obese for at least the five years before the clinical worsening of macular degeneration; or
- (i) for late age-related macular degeneration only,
  - (i) undergoing cataract surgery involving the affected eye within the five years before the clinical worsening of macular degeneration; or
  - (ii) having anticoagulant therapy or thrombolytic therapy, within the one week before the clinical worsening of macular degeneration; or
- (j) inability to obtain appropriate clinical management for macular degeneration.

#### **Factors that apply only to material contribution or aggravation**

7. Paragraphs **6(f) to 6(j)** apply only to material contribution to, or aggravation of, macular degeneration where the person's macular degeneration 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:

**"anticoagulant therapy"** means therapeutic administration of a pharmacological agent which suppresses, delays or nullifies blood coagulation (such as heparin, warfarin or dicumarol), but excludes antiplatelet therapy (such as aspirin, clopidogrel, ticlopidine or monoclonal antibodies and recombinant and chemically synthesised peptides that block platelet adhesion or aggregation);

**"being obese"** means an increase in body weight by way of fat accumulation which results in a Body Mass Index (BMI) of thirty or greater.

The  $BMI = W/H^2$  and where:

W is the person's weight in kilograms and

H is the person's height in metres;

**"death from macular degeneration"** in relation to a person includes death from a terminal event or condition that was contributed to by the person's macular degeneration;

**"moderate to severe chronic renal failure"** means a glomerular filtration rate which is consistently less than 60 millilitres per minute;

**"pack years of cigarettes, or the equivalent thereof in other tobacco products"** means a calculation of consumption where one pack year of cigarettes equals twenty tailor made cigarettes per day for a period of one calendar year, or 7300 cigarettes. One tailor made cigarette approximates one gram of tobacco or one gram of cigar or pipe tobacco by weight. One pack year of tailor made cigarettes equates to 7300 cigarettes, or 7.3 kg of smoking tobacco by weight. Tobacco products means either cigarettes, pipe tobacco or cigars smoked, alone or in any combination;

**"relevant service"** means:

- (a) operational service under the VEA;
- (b) peacekeeping service under the VEA;
- (c) hazardous service under the VEA;
- (d) warlike service under the MRCA; or
- (e) 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;

**"thrombolytic therapy"** means therapeutic administration of a pharmacological agent which breaks up or dissolves blood clots (such as streptokinase or tissue plasminogen activator).

## **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 6 May 2009.

## Notes to Statement of Principles concerning macular degeneration (Instrument No. 13 of 2009)

The Statement of Principles concerning macular degeneration (Instrument No. 13 of 2009) in force under section 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 macular degeneration (Instrument No. 13 of 2009)</i>	30 April 2009 F2009L01580	6 May 2009	
<i>Amendment of Statement of Principles concerning macular degeneration (Instrument No. 47 of 2012)</i>	28 June 2012 F2012L01373	4 April 2012	
<i>Amendment of Statement of Principles concerning macular degeneration (Instrument No. 68 of 2012)</i>	31 August 2012 F2012L01813	4 April 2012	

### Table of Amendments

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

Provision affected	How affected
Clause 6(fa) – 'for late macular degeneration only...'	ad. Instrument No. 47 of 2012
Clause 6(aa) – 'for late macular degeneration only...'	am. Instrument No. 68 of 2012