

Statement of Principles
concerning

ANIMAL ENVENOMATION

No. 66 of 2008

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 animal envenomation No. 66 of 2008.

Determination

2. The Repatriation Medical Authority under subsection **196B(2)** and **(8)** of the *Veterans' Entitlements Act 1986* (the VEA):
 - (a) revokes Instrument No. 162 of 1995 concerning animal envenomation; and
 - (b) determines in its place this Statement of Principles.

Kind of injury, disease or death

3.
 - (a) This Statement of Principles is about **animal envenomation** and **death from animal envenomation**.
 - (b) For the purposes of this Statement of Principles, "**animal envenomation**" means experiencing the toxic or hypersensitivity effects of contact with animal venom.
 - (c) Animal envenomation attracts ICD-10-AM code X20-X27.
 - (d) In the application of this Statement of Principles, the definition of "**animal envenomation**" is that given at paragraph 3(b) above.

Basis for determining the factors

4. The Repatriation Medical Authority is of the view that there is sound medical-scientific evidence that indicates that **animal envenomation** and **death from animal envenomation** 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 **animal envenomation** or **death from animal envenomation** with the circumstances of a person's relevant service is:
 - (a) having external contact with venom from a venomous animal at the time of the clinical onset of animal envenomation; or
 - (b) having internal absorption of venom from a venomous animal within the three days before the clinical onset of animal envenomation; or
 - (c) inability to obtain appropriate clinical management for animal envenomation.

Factors that apply only to material contribution or aggravation

7. Paragraph 6(c) applies only to material contribution to, or aggravation of, animal envenomation where the person's animal envenomation 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:

"a venomous animal" means a member of the subkingdom Metazoa with specific glands for the production of venom, connected to specialised apparatus for delivering that venom by such means as a bite, sting, or injection. Such organisms include:

- (a) venomous snakes and lizards;
- (b) venomous spiders, scorpions and ticks;
- (c) venomous insects (hornets, wasps, bees, ants, caterpillars);
- (d) venomous centipedes and millipedes;
- (e) venomous marine animals (including shellfish, jellyfish, stingrays, venomous fish);
- (f) venomous frogs and toads; and
- (g) platypus;

and excludes animals with toxins distributed within their bodily tissues that cause toxic effects or death after ingestion;

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

"ICD-10-AM code" means a number assigned to a particular kind of injury or disease in The International Statistical Classification of Diseases and Related Health Problems, 10th Revision, Australian Modification (ICD-10-AM), Sixth Edition, effective date of 1 July 2008, copyrighted by the National Centre for Classification in Health, Sydney, NSW, and having ISBN 978 1 74210 016 6;

"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.

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 3 September 2008.

Dated this **twentieth** day of
 August 2008

The Common Seal of the)
Repatriation Medical Authority)
was affixed to this instrument)
in the presence of:)

KEN DONALD
CHAIRPERSON