



Specialist Medical Review Council

Declaration

*Section 196W
Veterans' Entitlements Act 1986*

Re: Statements of Principles Nos. 9 and 10 of 2005

as not amended on 14 April 2008

In Respect of Chronic Lymphoid Leukaemia

Matter Nos. 2011/1 & 2

Requests for Review Declaration No. 22

1. In relation to the Repatriation Medical Authority (the RMA) Statement of Principles No. 9 of 2005, as not amended on 14 April 2008 in respect of chronic lymphoid leukaemia and death from chronic lymphoid leukaemia, made under subsection 196B(2) of the *Veterans' Entitlements Act 1986* (the VEA), the Specialist Medical Review Council (the Council) under subsection 196W of the VEA:

DECLARES that there is sound medical-scientific evidence on which the RMA could have relied to amend the Statement of Principles to include small lymphocytic lymphoma as the same disease as chronic lymphocytic leukaemia;

and

DECLARES that there is sound medical-scientific evidence on which the RMA could have relied to amend the Statement of Principles to include factors applying to chronic lymphocytic leukaemia as set out below;

Non-Ionising Radiation;

Benzene;

Herbicides, Pesticides and Dioxin (separately or in combination);

Asbestos;

and

DECLARES that the sound medical-scientific evidence available to the RMA is insufficient to justify any amendment to the Statement of Principles to include as factors exposure to tobacco smoking or any other factor;

and

2. In relation to the RMA Statement of Principles No. 10 of 2005 in respect of chronic lymphoid leukaemia and death from chronic lymphoid leukaemia, made under subsection 196B(3) of the VEA the Council under section 196W of the VEA:

DECLARES that there is sound medical-scientific evidence on which the RMA could have relied to amend the Statement of Principles to include small lymphocytic lymphoma as the same disease as chronic lymphocytic leukaemia;

and

DECLARES that the sound medical-scientific evidence available to the RMA is insufficient to justify an amendment of the Statement of Principles to include as a factor applying to chronic lymphocytic leukaemia exposure to:

Non-ionising Radiation;

Chemicals - Benzene, Toluene, Xylene, Carbon Tetrachloride;

Aircraft fuel (AVGas) and associated chemicals (MEK, sealants) and exposure due to F111 fuel tank repairs;

Herbicides, Pesticides and Dioxin;

Asbestos; and

Tobacco (by which the Council understands the Applicant to mean tobacco smoking); or

any other factor;

and

3. In relation to the RMA Statement of Principles No. 9 of 2005 in respect of chronic lymphoid leukaemia and death from chronic lymphoid leukaemia, made under subsection 196B(2) of the VEA:

DIRECTS the RMA to amend the Statement of Principles concerning chronic lymphoid leukaemia No. 9 of 2005 by including factors applying to chronic lymphocytic leukaemia for;

Non-Ionising Radiation,

Benzene,

Herbicides, Pesticides and Dioxin (separately or in combination),

Asbestos,

at an exposure level, duration of exposure and period of time from exposure to onset of disease to be ascertained by the RMA;

and

4. In relation to the RMA Statements of Principles Nos. 9 and 10 of 2005 in respect of chronic lymphoid leukaemia and death from chronic lymphoid leukaemia, made under subsection 196B(2) and (3) of the VEA the Council under section 196W of the VEA:

REMITTS the matter for RECONSIDERATION by the RMA in accordance with the following DIRECTIONS and RECOMMENDATIONS:

A DIRECTION to the RMA to conduct an investigation taking account of the following recommendations:

- a. to determine new Statements of Principles concerning chronic lymphocytic leukaemia and small lymphocytic lymphoma as the same (that is, a single) disease,
- b. to excise small lymphocytic lymphoma from the non-Hodgkin's lymphoma Statements of Principles in force;

AND for that purpose, include in its investigation;

- i. information available to the RMA when it last determined, amended, or last amended, or decided, or last decided, not to determine, or not to amend a Statement of Principles concerning chronic lymphoid leukaemia and chronic lymphocytic leukaemia in particular,
- ii. information available to the RMA when it last determined, amended, or last amended, or decided, or last decided, not to determine, or not to amend a Statement of Principles concerning non-Hodgkin's lymphoma so far as that information relates to chronic lymphocytic leukaemia or small lymphocytic lymphoma, and
- iii. information available to the RMA when it last determined, amended, or last amended, or decided, or last decided, not to determine, or not to amend any Statements of Principles concerning haematopoietic cancers so far as that information relates to chronic lymphocytic leukaemia or small lymphocytic lymphoma, and
- iv. any new information concerning chronic lymphocytic leukaemia or small lymphocytic lymphoma and particularly any new information concerning the factors as directed in paragraph 3 above as well as;

Other Aromatic Hydrocarbons; and

AV Gas and associated chemicals in relation to aircraft fuel tank de-seal / reseal activities,

to determine new Statements of Principles for chronic lymphocytic leukaemia and small lymphocytic lymphoma as the same (that is, a single) disease.

David John	Andrew	Stephen	Constantine	Andrew
Longstaff	Edwin	Peter	Si Lun	Wirth
Joske	Grulich	Mulligan	Tam	
Presiding Councillor	Councillor	Councillor	Councillor	Councillor

The Common Seal of the)
Specialist Medical Review)
Council was affixed to this)

document by authority of the)
Council in the presence of:)

John O'Connor Whyte
ADIR SMRC Secretariat

Dated this 26th day of November 2013

The Council's Reasons for Decisions in relation to this Declaration can be obtained from its website at www.smrc.gov.au, or on request by writing to the Specialist Medical Review Council Secretariat, PO Box 895, Woden ACT 2606 or by telephoning (07) 3223 8840.