

REPATRIATION MEDICAL AUTHORITY

INSTRUMENT NO. 48 of 2008

***VETERANS' ENTITLEMENTS ACT 1986***  
***MILITARY REHABILITATION AND COMPENSATION ACT 2004***

**EXPLANATORY NOTES FOR TABLING**

1. The Repatriation Medical Authority (the Authority) has determined, under subsection 196B(3) of the *Veterans' Entitlements Act 1986* (the VEA), Statement of Principles Instrument No. 48 of 2008 concerning **eating disorder** and **death from eating disorder**.
2. The Authority is of the view that on the sound medical-scientific evidence available it is more probable than not that **eating disorder** and **death from eating disorder** can be related to particular kinds of service. The Authority has therefore determined this Statement of Principles concerning eating disorder pursuant to subsection 196B(3) of the VEA.
3. Pursuant to the provisions of the VEA and the *Military Rehabilitation and Compensation Act 2004* (the MRCA), claims for pension under the VEA or compensation under the MRCA are determined by the Repatriation Commission or the Military Rehabilitation and Compensation Commission by reference to Statements of Principles issued by the Authority pursuant to the VEA.
4. The Statement of Principles sets out the factors that must exist, and which of those factors must be related to the following kinds of service rendered by a person:
  - eligible war service (other than operational service) under the VEA;
  - defence service (other than hazardous service) under the VEA;
  - peacetime service under the MRCA,

before it can be said that, on the balance of probabilities, eating disorder or death from eating disorder is connected with the circumstances of that service.

5. The Repatriation Commission, Military Rehabilitation and Compensation Commission, Veterans' Review Board, or Administrative Appeals Tribunal cannot accept any claim for pension; or a claim for liability or compensation relating to **eating disorder** or **death from eating disorder** that was lodged on or after 1 June 1994 in the case of VEA, or 1 July 2004 in the case of MCRA respectively, unless this Statement of Principles upholds that claim (subsection 120B(3) of the VEA or subsection 339(3) of the MRCA).

6. This new instrument results from an investigation notified by the Authority in the Government Notices Gazette of 15 June 2005 concerning binge eating disorder and an investigation notified by the Authority in the Government Notices Gazette of 14 November 2007 concerning eating disorders, in accordance with section 196G of the VEA. The investigation involved an examination of the sound medical-scientific evidence now available to the Authority.
7. This new instrument incorporates by reference the Diagnostic and Statistical Manual of Mental Disorders, Fourth Edition, Text Revision (DSM-IV-TR), American Psychiatric Association, Washington DC 2000. A copy of this document is available from the offices of the Repatriation Medical Authority, Level 8, Bank of Queensland Building, 259 Queen St, Brisbane Queensland 4000, by contacting the Registrar on telephone (07) 3815 9404.
8. Prior to determining this instrument, the Authority advertised its intention to undertake an investigation in relation to binge eating disorder in the Government Notices Gazette of 15 June 2005. As a consequence of the investigation into binge eating disorder and prior to determining this instrument, the Authority also advertised its intention to undertake an investigation in relation to eating disorders in the Government Notices Gazettes of 14 November 2007. The Authority circulated a copy of both these notices of investigation to a wide range of organisations representing veterans, service personnel and their dependants. The Authority invited submissions from the Repatriation Commission, organisations and persons referred to in section 196E of the VEA, and any person having expertise in the field. No submissions were received for consideration by the Authority.
9. The determining of this new instrument finalises the investigations in relation to binge eating disorder and eating disorders as advertised in the Government Notices Gazettes of 15 June 2005 and 14 November 2007 respectively.
10. A list of references relating to the above condition is available, on written request, from the Repatriation Medical Authority Secretariat.