

REPATRIATION MEDICAL AUTHORITY

INSTRUMENT NO. 39 OF 2010

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) & (8) of the *Veterans' Entitlements Act 1986* (the VEA) Statement of Principles Instrument No. 39 of 2010.
2. This instrument amends Statement of Principles Instrument No. 40 of 2007, as amended by Instrument No. 81 of 2008, concerning **intervertebral disc prolapse** by:
 - revising factors 6(da) & 6(ka) concerning 'flying a powered aircraft';
 - adding new factors 6(daa) & 6(kaa) concerning 'flying in a helicopter'; and
 - revising the definition of 'high performance aircraft' in clause 9.
3. It should be noted that in revising factors 6(da) & 6(ka) the Authority intended that they be restricted to 'flying' as opposed to 'flying in' a powered aircraft.
4. This Instrument also specifies a date of effect for the amendment in accordance with sub-section 12(1)(a) of the *Legislative Instruments Act 2003*.
5. Prior to determining this instrument, the Authority advertised its intention to undertake an investigation in relation to intervertebral disc prolapse in the Government Notices Gazette of 29 April 2009, and circulated a copy of the notice of intention to investigate 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. Four submissions were received for consideration by the Authority during the investigation.
6. The determining of this instrument finalises the investigation in relation to intervertebral disc prolapse as advertised in the Government Notices Gazette of 29 April 2009.
7. A list of references relating to the above condition is available to any person or organisation referred to in subsection 196E(1)(a) to (c) of the VEA. Any such request must be made in writing to the Repatriation Medical Authority at the following address:

The Registrar
Repatriation Medical Authority Secretariat
GPO Box 1014
BRISBANE QLD 4001