



Safety, Rehabilitation and Compensation (Defence-related Claims) (Specified Diseases and Employment) Amendment Instrument 2021

I, Andrew Gee, Minister for Veterans' Affairs, make the following instrument.

Dated 17 September 2021.

Andrew Gee
Minister for Veterans' Affairs

Contents

1 Name	2
2 Commencement	2
3 Authority	2
4 Schedules	2
Schedule 1—Amendments relating to firefighters	3
Part 1—Amendments	3
<i>Safety, Rehabilitation and Compensation (Defence-related Claims)</i> <i>(Specified Diseases and Employment) Instrument 2017</i>	3
Part 2—Application provision	7

1 Name

This instrument is the *Safety, Rehabilitation and Compensation (Defence-related Claims) (Specified Diseases and Employment) Amendment Instrument 2021*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	20 September 2021.	20 September 2021

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under paragraph 7(1)(b) of the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Amendments relating to firefighters

Part 1—Amendments

Safety, Rehabilitation and Compensation (Defence-related Claims) (Specified Diseases and Employment) Instrument 2017

1 Section 4

Insert:

ICD-10-AM reference, short for International Statistical Classification of Diseases and Related Health Problems, 11th edition, Australian Modification, means the reference in the alphanumeric coding scheme for diseases and external causes of injury set out in ICD-10-AM, as in force on 1 July 2019.

Note: The text of the ICD-10-AM, could in 2021, be viewed on the Independent Hospital Pricing Authority’s website, (<http://www.ihpa.gov.au>).

2 Section 5 (heading)

Repeal the heading, substitute:

5 Application—general

3 Section 5

After “disease”, insert “specified in Schedule 1”.

4 After section 5

Insert:

5A Application—firefighters

- (1) This instrument applies in relation to a disease specified in Schedule 3 that an employee sustains in relation to:
 - (a) the employee’s service as a firefighter; or
 - (b) the employee’s participation in a firefighter training course; or
 - (c) the employee’s role as an instructor of a firefighter training course; at the RAAF Base Point Cook between 1 January 1957 and 31 December 1986.
- (2) For the purposes of subsection (1), it does not matter whether the disease was sustained by the employee during the period mentioned in that subsection or at a later time.

5 Section 7

Before “For the purposes of”, insert “(1)”.

6 At the end of section 7

Add:

- (2) For the purposes of paragraph 7(1)(b) of the Act, a disease of a kind, including an aggravation of a disease of a kind, specified in column 1 of an item of the table in Schedule 3 by reference to the ICD-10-AM reference in column 2 of

that item is a disease related to employment of a kind specified in column 3 of that item.

7 Schedule 1 (heading)

Repeal the heading, substitute:

Schedule 1—Specified diseases relating to specified employment

8 At the end of the instrument

Add:

Schedule 3—Specified diseases relating to firefighters

	Column 1	Column 2	Column 3
Item	Disease	ICD-10-AM reference	Employment
Skin diseases			
1	Dysplastic naevus	D22/M8727/0	Employment involving work relating to: (a) firefighting; or (b) participating in a firefighting training course; or (c) instructing participants in a firefighter training course; at RAAF Base Point Cook between 1 January 1957 and 31 December 1986.
2	Eczema or dermatitis	L20-L30	The same as for item 1.
Diseases of the nervous system			
3	Multiple sclerosis	G35	The same as for item 1.
4	Parkinson's disease	G20	The same as for item 1.
5	Peripheral neuropathy	G62	The same as for item 1.
6	Spinal muscular atrophy	G12	The same as for item 1.
7	Erectile dysfunction	N48.4	The same as for item 1.
8	Cauda equina syndrome	G95.9	The same as for item 1.
9	Neurogenic bladder	N31.9	The same as for item 1.
10	Non-alcoholic toxic encephalopathy	G92	The same as for item 1.
11	Acquired colour vision deficiency	H53.5	The same as for item 1.
Mental diseases			
12	Depression	F32.0-F33.9, F34, F38 and F39	The same as for item 1.
13	Sleep disorders with a neurological basis	G47.31	The same as for item 1.
14	Bi-polar affective disorder	F31	The same as for item 1.
15	Vertigo	R42	The same as for item 1.
16	Memory loss	F04	The same as for item 1.
17	Anxiety	F41	The same as for item 1.
18	Panic disorders	F41.0	The same as for item 1.
19	Impaired cognition	F03	The same as for item 1.
20	Agoraphobia with panic disorder	F40.01	The same as for item 1.
Malignant diseases			
21	Malignant neoplasms	C00-C96	The same as for item 1.
22	Myeloproliferative disorders	C81-C96, D45 and D47	The same as for item 1.

Liver diseases			
23	Liver disease (excluding diabetes)	K71	The same as for item 1.
24	Pancreatic disease	K85–K86	The same as for item 1.
Gastrointestinal diseases			
25	Irritable bowel disorder	K58	The same as for item 1.
26	Ulcerative colitis/Crohn's disease	K50–K51	The same as for item 1.
27	Diverticulitis	K57	The same as for item 1.
28	Bowel polyps	D12	The same as for item 1.
Diseases of the immune system			
29	Mixed connective tissue disease	M35.1	The same as for item 1.
30	Systemic lupus erythematosus	M32	The same as for item 1.
31	Sarcoidosis	D86	The same as for item 1.

Part 2—Application provision

9 Application

- (1) The amendments made by Part 1 of this Schedule apply in relation to a claim for compensation under the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988* that is made on or after 20 September 2021 by:
 - (a) a firefighter; or
 - (b) the personal representative of a firefighter whose death occurred on or after 11 May 2021.
- (2) In this item:

firefighter means a person who:

- (a) served as a firefighter; or
 - (b) participated in a firefighter training course; or
 - (c) was an instructor of a firefighter training course;
- at the RAAF Base Point Cook between 1 January 1957 and 31 December 1986.