

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

I, Michaelia Cash, Minister for Employment, make the following instrument.

Dated 3 October 2017

Michaelia Cash

Minister for Employment

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Safety, Rehabilitation and Compensation (Specified Diseases) Notice 2007 (1) 17

1 Name

 This instrument is the *Safety, Rehabilitation and Compensation (Defence-related Claims) (Specified Diseases and Employment) Instrument 2017*.

2 Commencement

 This instrument commences on the earlier of:

1. the day after this instrument is registered on the Federal Register of Legislation; and
2. 1 October 2017.

3 Authority

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

4 Definitions

 In this instrument:

***Act*** means the *Safety, Rehabilitation and Compensation Act 1988*.

***disease*** has its ordinary meaning.

***substance*** means any natural or artificial substance, whether in the form of a solid, liquid, gas or vapour.

5 Application

 This instrument applies in relation to a disease that an employee sustains on or after the day this instrument commences.

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 Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

7 Specification

 For the purposes of paragraph 7(1)(b) of the Act, a disease of a kind specified in column 1 of an item of the table in Schedule 1 is a disease related to employment of a kind specified in column 2 of that item.

Schedule 1—Specification

|  |  |  |
| --- | --- | --- |
|  | Column 1 | Column 2 |
| Item  | Disease | Employment |
| Infectious diseases |
|  | Anthrax | Employment involving work with:1. animals; or
2. animal carcasses; or
3. animal parts.
 |
|  | Brucellosis | Employment involving work with:1. animals; or
2. animal carcasses; or
3. animal parts; or
4. animal waste.
 |
|  | Hepatitis A | Employment involving work with human waste. |
|  | Hepatitis B or Hepatitis C | Employment involving work with human body fluids. |
|  | Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS) | Employment involving work with:1. needles in a healthcare services setting; or
2. sharps in a healthcare services setting.
 |
|  | Leptospirosis | Employment involving work with:1. animals; or
2. animal carcasses; or
3. animal parts; or
4. animal waste.
 |
|  | Orf | Employment involving work with:1. goats; or
2. goat carcasses; or
3. sheep; or
4. sheep carcasses.
 |
|  | Q-fever | Employment involving work with:1. animals; or
2. animal carcasses; or
3. animal parts.
 |
|  | Tuberculosis | Employment involving work with:1. animals:

(i) in a farming setting; or (ii) in a veterinarian setting; or 1. animal carcasses:

(i) in a farming setting; or(ii) in a veterinarian setting; or1. human corpses:

(i) in a healthcare services setting; or (ii) in a mortuary setting; or1. persons (individuals) in a healthcare services setting.
 |
| **Malignant diseases** |
|  | Primary malignant disease of the salivary gland | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary malignant disease of the nasopharynx  | Employment for at least 5 years (whether consecutive or not) involving work with:1. formaldehyde; or
2. wood.
 |
|  | Primary malignant disease of the oesophagus | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary malignant disease of the stomach | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary malignant disease of the colon or rectum | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary malignant disease of the liver | Employment for at least 5 years (whether consecutive or not) involving work with vinyl chloride monomer. |
|  | Primary malignant disease of the nasal cavity or para-nasal sinuses | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation; or
3. nickel; or
4. leather; or
5. wood.
 |
|  | Primary malignant disease of the larynx | Employment for at least 5 years (whether consecutive or not) involving work with:1. asbestos; or
2. asbestos-containing material; or
3. acid mist (strong inorganic).
 |
|  | Primary malignant disease of the lung caused by asbestos | Employment for at least 5 years (whether consecutive or not) involving work with: 1. asbestos; or
2. asbestos-containing material.
 |
|  | Primary malignant disease of the bone | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary malignant disease of the mesothelium | Employment for at least one year (whether consecutive or not) involving work with: 1. asbestos; or
2. asbestos-containing material.
 |
|  | Primary malignant disease of the breast | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary malignant disease of the ovary | Employment for at least 5 years (whether consecutive or not) involving work with: 1. asbestos; or
2. asbestos-containing material.
 |
|  | Primary malignant disease of the kidney | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation; or
3. trichloroethylene.
 |
|  | Primary malignant disease of urothelial tissue lining the urinary tract | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation; or
3. 2-naphthylamine; or
4. benzidine; or
5. cyclophosphamide; or
6. ortho-toluidine; or
7. polycyclic aromatic hydrocarbons during aluminium production.
 |
|  | Primary malignant disease of the brain | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary malignant disease of the thyroid | Employment for at least 5 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
|  | Primary leukaemia (excluding chronic lymphatic leukaemia) | Employment for at least 2 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation; or
3. benzene; or
4. butadiene; or
5. cyclophosphamide; or
6. formaldehyde.
 |
|  | Primary non-Hodgkins lymphoma | Employment for at least 2 years (whether consecutive or not) involving work with:1. equipment that produces ionising radiation; or
2. substances that emit ionising radiation.
 |
| **Diseases of the nervous system** |
|  | Parkinson’s disease | Employment for at least one year (whether consecutive or not) involving work with manganese. |
|  | Peripheral neuropathy | Employment for at least one year (whether consecutive or not) involving work with:1. acrylamide; or
2. arsenic; or
3. carbon disulphide; or
4. lead; or
5. mercury; or
6. n-hexane; or
7. organophosphates; or
8. trichloroethylene.
 |
| **Respiratory diseases** |
|  | Occupational asthma | Employment for at least 4 weeks (whether consecutive or not) involving work with an agent or thing specified in column 2 of an item of the table in Schedule 2. |
|  | Coal workers’ pneumoconiosis | Employment for at least 5 years (whether consecutive or not) involving work with coal. |
|  | Asbestosis | Employment for at least 5 years (whether consecutive or not) involving work with: 1. asbestos; or
2. asbestos-containing material.
 |
|  | Silicosis | Employment for at least 5 years (whether consecutive or not) involving work with: 1. material containing crystalline silica; or
2. silica.
 |
|  | Other pneumoconiosis | Employment for at least 5 years (whether consecutive or not) involving work with:1. aluminium; or
2. barium; or
3. beryllium; or
4. cobalt; or
5. iron oxide; or
6. tin; or
7. tungsten.
 |
|  | Byssinosis | Employment for at least 4 weeks (whether consecutive or not) involving work with:1. unprocessed cotton; or
2. unprocessed flax; or
3. unprocessed hemp; or
4. unprocessed sisal.
 |
|  | Extrinsic allergic alveolitis | Employment for at least 4 weeks (whether consecutive or not) involving work with:1. feathers; or
2. grain; or
3. hay; or
4. straw.
 |
| **Hepatic disease** |
|  | Non-infectious hepatitis | Employment involving work with:1. acrylonitrile; or
2. alcohols; or
3. amino-derivatives of benzene; or
4. antimony; or
5. aromatic hydrocarbons; or
6. arsenic; or
7. benzene; or
8. benzoquinone; or
9. beryllium; or
10. cadmium; or
11. carbon disulphide; or
12. carbon monoxide; or
13. chromium; or
14. copper; or
15. fluorine; or
16. glycols; or
17. hexane; or
18. hydrogen cyanide; or
19. hydrogen sulphide; or
20. ketones; or
21. lead; or
22. manganese; or
23. mercury; or
24. methylene chloride; or
25. mineral acids; or
26. nitric acid esters; or

(za) organochlorine compounds; or(zb) organophosphate; or(zc) osmium; or(zd) oxides of nitrogen; or(ze) ozone; or(zf) phosgene; or(zg) phosphorus; or(zh) selenium; or(zi) styrene; or(zj) thallium; or(zk) tin; or(zl) toluene; or(zm) toxic halogen derivatives of aliphatic; or(zn) toxic nitro-derivatives of benzene; or(zo) vanadium; or(zp) zinc. |
| **Skin diseases** |
|  | Irritant contact dermatitis | Employment for at least 4 weeks (whether consecutive or not) involving work and contact with:1. alcohols; or
2. cutting fluids; or
3. cleaners; or
4. degreasers; or
5. disinfectants; or
6. liquids (frequent contact); or
7. liquids (prolonged contact); or
8. petroleum products; or
9. soaps; or
10. solvents.
 |
|  | Allergic contact dermatitis | Employment for at least 4 weeks (whether consecutive or not) involving work and contact with:1. 2,5-diaminotoluene sulfate; or
2. 4-phenylenediamine base; or
3. ammonium persulfate; or
4. cobalt chloride; or
5. cocamide diethanolamide; or
6. coconut diethanolamide; or
7. colophonium/colophony/rosin; or
8. diazolidinyl urea; or
9. epoxy resin; or
10. formaldehyde; or
11. fragrance mix I:

(i) amylcinnamaldehyde; or(ii) cinnamic alcohol; or(iii) cinnamic aldehyde;(iv) eugenol; or(v) geraniol; or(vi) hydroxycitronellal; or(vii) isoeugenol; or(viii) oakmoss absolute; or1. fragrance mix II:

(i) citral; or(ii) citronellol; or(iii) coumarin; or(iv) farnesol; or(v) hexyl cinnamic aldehyde; or(vi) hydroxyisohexyl 3-cyclohexene carboxaldehyde; or1. glyceryl monothioglycolate; or
2. hydroxyethyl methacrylate; or
3. mercaptobenzothiazole; or
4. methyl chloroisothiazolinone; or
5. mixture of methylchloroisothiazolinone and methylisothiazolinone; or
6. nickel sulfate; or
7. potassium dichromate; or
8. quaternium 15; or
9. thiuram mix:

(i) tetramethylthiuramdisulfide; or(ii) tetramethylthiuram monosulfide; or(iii) tetraethylthiuram disulfide. |
|  | Occupational vitiligo | Employment for at least 4 weeks (whether consecutive or not) involving work with:1. hydroquinone; or
2. monobenzyl ether of hydroquinone; or
3. monobutyl ether of hydroquinone; or
4. para-amylphenol; or
5. para-tertiary-butylcatechol; or
6. para-tertiary-butylphenol.
 |
| **Musculoskeletal diseases** |
|  | Raynaud’s disease | Employment for at least 12 weeks (whether consecutive or not) involving work with:1. powered equipment that produces vibration; or
2. powered tools that produce vibration.
 |
|  | Bursitis at the elbow or knee | Employment for at least 6 months (whether consecutive or not) involving a work activity that:1. for bursitis at the elbow:

(i) involves prolonged external friction at or about the elbow; or(ii) involves prolonged external pressure at or about the elbow; or(iii) involves recurrent external friction at or about the elbow; or(iv) involves recurrent external pressure at or about the elbow; or1. for bursitis at the knee:

(i) involves prolonged external friction at or about the knee; or(ii) involves prolonged external pressure at or about the knee; or(iii) involves recurrent external friction at or about the knee; or(iv) involves recurrent external friction at or about the knee. |
| **Acute diseases** |
|  | Acute poisoning or toxicity affecting the heart, lungs, liver, kidney, nervous system or blood | The same as for item 38. |

Schedule 2—Occupational asthma

|  |  |  |
| --- | --- | --- |
|  | Column 1 | Column 2 |
| Item  | Class of agent or thing | Specified agent or thing |
|  | Arthropods | 1. acarian; or
2. barn mite; or
3. caddisfly; or
4. cricket; or
5. *Ephestia kuehniella* (Mediterranean flour moth); or
6. fowl mite; or
7. fruit fly; or
8. grain mite; or
9. flour mite; or
10. lesser mealworm; or
11. locust; or
12. sheep blowfly; or
13. silkworm.
 |
|  | Acids | 1. dodecanedioic acid; or
2. glacial acetic acid; or
3. hydrochloric acid; or
4. peroxyacetic acid; or
5. sulphuric acid; or
6. sulphur dioxide.
 |
|  | Acrylates | 1. acrylic acid; or
2. cyanoacrylates; or
3. methyl methacrylate; or
4. polymethyl methacrylate; or
5. trimethylolpropane triacrylate/2-hydroxypropyl acrylate.
 |
|  | Aldehydes | 1. formaldehyde; or
2. gluteraldehyde; or
3. paraformaldehyde; or
4. urea formaldehyde.
 |
|  | Amines | 1. aminoethyl ethanolamine; or
2. diethanolamine; or
3. dimethylethanolamine; or
4. ethanolamines; or
5. ethylenediamine; or
6. monoethanolamine; or
7. surfactant-specific amines; or
8. triethanolamine; or
9. triethylenetetramine; or
10. trimethylhexane-1; or
11. 6-diamine/isophorondiamine mixture.
 |
|  | Ammonias | 1. anhydrous ammonia; or
2. ammonium hydroxide; or
3. ammonia solution 10%; or
4. ammonia solution 29%.
 |
|  | Anhydrides | 1. hexahydrophthalic anhydride; or
2. himic anhydride; or
3. maleic anhydride; or
4. methyl tetrahydrophthalic; or
5. anhydride; or
6. phthalic anhydride; or
7. tetrachlorophthalic anhydride; or
8. trimellitic anhydride.
 |
|  | Bio-aerosols | 1. *Alternaria*; or
2. *Chrysonilia sitophilia*; or
3. *Neurospora*; or
4. *Penicillium*; or
5. cutting oils.
 |
|  | Biological enzymes | 1. *Bacillus subtilis* enzymes; or
2. bromelain; or
3. egg lysozyme; or
4. esperase; or
5. flaviastase; or
6. fungal amylase; or
7. fungal amyloglucosidase; or
8. fungal hemicellulose; or
9. pancreatin; or
10. papain; or
11. pepsin; or
12. trypsin.
 |
|  | Epoxy | 1. epoxy; or
2. epoxy adhesive.
 |
|  | Ethylene oxide | ethylene oxide. |
|  | Flours | 1. buckwheat flour; or
2. rye flour; or
3. soya flour; or
4. wheat flour.
 |
|  | Flowers | 1. baby’s breath; or
2. freesia; or
3. *Limonium tataricum*; or
4. sunflower.
 |
|  | Foods | 1. Brazil ginseng; or
2. castor bean; or
3. chamomile; or
4. cinnamon; or
5. *Dioscorea batatas* (Chinese yam); or
6. egg protein; or
7. fenugreek; or
8. garlic dust; or
9. green beans; or
10. guar; or
11. hops; or
12. paprika; or
13. pectin; or
14. rose hips; or
15. soybean lecithin; or
16. tea; or
17. thiamine (vitamin B); or
18. thyme.
 |
|  | Industrial cleaning and sterilising agents | 1. alkyl dimethyl benzyl ammonium chloride; or
2. benzyl-C10-16-alkyldimethyl, chlorides; or
3. benzyl-C12-16-alkyldimethyl, chlorides; or
4. benzyl-C12-18-alkyldimethyl, chlorides; or
5. benzyl-C16-18-alkyldimethyl, chlorides; or
6. benzyldimethylstearyl ammonium chloride; or
7. cetalkonium chloride; or
8. chlorhexidine; or
9. chlorine; or
10. dialkyl methyl benzyl ammonium chloride; or
11. dicumyl-peroxide; or
12. dodecyl dimethyl ammonium chloride; or
13. dimethyl ethyl benzyl ammonium chloride; or
14. dodecyl-dimethylbenzylammonium; or
15. fluorine; or
16. n-alkyl dimethyl benzyl ammonium chloride; or
17. persulphate salts; or
18. sodium hypochlorite; or
19. sodium metabisulfite.
 |
|  | Isocyanates | 1. diisocyanates; or
2. hexamethylene diisocyanate prepolymers; or
3. isocyanates; or
4. toluene diisocyanate prepolymers.
 |
|  | Latex | 1. latex; or
2. natural rubber.
 |
|  | Medications | 1. ampicillin; or
2. amprolium; or
3. cimetidine; or
4. codeine; or
5. colistin; or
6. hydralazine; or
7. ipecacuanha; or
8. hydrocodone; or
9. isonicotinic acid hydrazide; or
10. methyldopa; or
11. morphine; or
12. opiate compounds; or
13. oxycodone; or
14. papaverine; or
15. penicillamine; or
16. penicillins; or
17. phenylglycine acid chloride; or
18. psyllium; or
19. salbutamol intermediate; or
20. spiramycin; or
21. tetracycline; or
22. thebaine; or
23. tylosin tartrate; or
24. vancomycin.
 |
|  | Metals | 1. aluminium; or
2. aluminium chloride; or
3. aluminium oxide; or
4. aluminium compounds; or
5. ammonium dichromate; or
6. ammonium hexachloroplatinate (IV); or
7. chromium; or
8. chromium, metal; or
9. chromium, hexavalent; or
10. chromium, non-hexavalent; or
11. cobalt; or
12. cobalt compounds; or
13. nickel; or
14. nickel compounds; or
15. platinum; or
16. rhodium; or
17. soluble halogenated platinum compounds; or
18. titanium oxide/dioxide; or
19. tributyl tin oxide; or
20. tungsten carbide; or
21. tungsten carbide/cobalt; or
22. vanadium; or
23. welding fumes – gas metal arc welding on uncoated mild steel; or
24. welding fumes – stainless steel; or
25. stainless steel; or
26. zinc oxide.
 |
|  | Other reactive chemicals | 1. chlorofluorocarbon refrigerants heated; or
2. fluoride; or
3. furfuryl alcohol mixed with a catalyst; or
4. isolyzer; or
5. polyethylene terephthalate/polybutylene terephthal; or
6. polyfunctional aziridine; or
7. polypropylene heated; or
8. polyvinyl chloride heated; or
9. polyvinyl chloride non-heated; or
10. polyvinyl chloride thermally degraded; or
11. radiographic fixative; or
12. resin containing furfuryl alcohol; or
13. styrene; or
14. trigylicidyl isocyanurate.
 |
|  | Pesticides | 1. 3-amino-5-mercapto-1;2;4-triazole; or
2. acephate; or
3. chloramine T; or
4. chlorothalonil (bravo, echo); or
5. diazinon; or
6. dimethoate; or
7. fenthion; or
8. malathion; or
9. nemacur; or
10. piperazine; or
11. piperazine citrate; or
12. piperazine hydrochloride; or
13. pyrethrins; or
14. pyrfon; or
15. safrotin; or
16. tetramethrin.
 |
|  | Plants and sensitising agents or irritants derived from plants | 1. almond dust; or
2. *Arabidopsis thaliana*; or
3. *Chlorella* algae; or
4. gum arabic; or
5. henna; or
6. kapok; or
7. linseed oilcake; or
8. *Pinellia ternata*; or
9. quillaja bark; or
10. rice dust; or
11. tall oil crude; or
12. tall oil – rosin; or
13. tobacco leaf; or
14. tragacanth; or
15. turpentine; or
16. *Vicia sativa* (vetch); or
17. weeping fig.
 |
|  | Reactive dyes | 1. Cibachrome Brilliant Scarlet 32; or
2. Drimarene Brilliant Blue K-BL; or
3. Drimarene Brilliant Yellow K-3GL; or
4. Lanasol Yellow 4G; or
5. Levafix Brilliant Yellow E36; or
6. Methyl Blue; or
7. Rifacion Orange HE 2G; or
8. Rifafix Yellow 3 RN; or
9. Rifazol Black GR; or
10. Rifazol Brilliant Orange 3R.
 |
|  | Sensitising agents or irritants derived from animals | 1. bat guano; or
2. bovine serum albumin; or
3. casein; or
4. cat antigens; or
5. chicken antigens; or
6. cow antigens; or
7. frog antigens; or
8. guinea pig antigens; or
9. lactoserum; or
10. mice antigens; or
11. pig antigens; or
12. rabbit antigens; or
13. rat antigens.
 |
|  | Sensitising agents or irritants derived from fish or shellfish | 1. *Anisakis simplex* (herring worm) antigens; or
2. clam antigens; or
3. crab antigens; or
4. cuttlefish antigens; or
5. fishmeal; or
6. nacre dust; or
7. octopus antigens; or
8. prawn antigens; or
9. red soft coral antigens; or
10. salmon antigens; or
11. shrimp meal; or
12. trout antigens.
 |
|  | Soldering fluxes | 1. colophony soldering flux; or
2. alkyl aryl polyether soldering flux; or
3. zinc soldering flux.
 |
|  | Wood | 1. *Triplochiton scleroxylon* (African maple); or
2. *Acacia melanoxylon* (blackwood); or
3. *Sequoia sempervirens* (California redwood); or
4. *Juglans olanchana* (Central American walnut); or
5. *Thuja occidentalis* (eastern white cedar); or
6. *Shoreal sp.* (mahogany); or
7. *Quercus robur* (oak); or
8. *Thuja lpicata* (western red cedar).
 |

Schedule 3—Repeals

Safety, Rehabilitation and Compensation (Specified Diseases) Notice 2007 (1)

1 The whole of the instrument

Repeal the instrument

Note: The name of this instrument was amended on registration as the instrument as lodged did not have a unique name (see subsection 10(2), *Legislation Rule 2016*).