1. The Repatriation Medical Authority (the Authority), under subsection 196B(8) of the Veterans' Entitlements Act 1986 (the VEA), revokes Instrument No. 11 of 2000, as amended by Instrument No. 43 of 2003, determined under subsection 196B(2) of the VEA concerning gout.

2. The Authority is of the view that there is sound medical-scientific evidence that indicates that gout and death from gout can be related to particular kinds of service. The Authority has therefore determined pursuant to subsection 196B(2) of the VEA a Statement of Principles, Instrument No. 30 of 2010 concerning gout. This Instrument will in effect replace the revoked Statements of Principles.

3. The provisions of the Military Rehabilitation and Compensation Act 2004 (the MRCA) relating to claims for compensation commenced on 1 July 2004. Claims under section 319 of the MRCA for acceptance of liability for a service injury sustained, a service disease contracted or service death on or after 1 July 2004 are determined by 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 as a minimum exist, and which of those factors must be related to the following kinds of service rendered by a person:

- operational service under the VEA;
- peacekeeping service under the VEA;
- hazardous service under the VEA;
- warlike service under the MRCA;
- non-warlike service under the MRCA,

before it can be said that a reasonable hypothesis has been raised connecting gout or death from gout, with the circumstances of that service.

5. This new instrument results from an investigation notified by the Authority in the Government Notices Gazette of 9 January 2008 concerning gout in accordance with section 196G of the VEA. The investigation involved an examination of the
sound medical-scientific evidence now available to the Authority, including the sound medical-scientific evidence it has previously considered.

6. The contents of the new Instrument are in similar terms as the revoked Instruments. Comparing the new and the revoked Instruments, the differences include:

- adopting the latest revised Instrument format, which commenced in 2005;
- deleting the ICD code from the Instrument header;
- revising the definition of 'gout' in clause 3;
- revising factors 6(a) & 6(t) concerning 'specified haematological disorder';
- revising factors 6(b) & 6(u) concerning 'a drug or a drug from a class of drugs';
- revising factors 6(c) & 6(v) concerning 'overweight';
- revising factors 6(d) & 6(w) concerning 'lead nephropathy';
- revising factors 6(e) & 6(x) concerning 'chemotherapy for a malignant tumour';
- revising factors 6(f), 6(g), 6(y) & 6(z) concerning 'alcohol';
- new factors 6(h), 6(i), 6(aa) & 6(bb) concerning 'red meat or offal';
- new factors 6(j), 6(k), 6(cc) & 6(dd) concerning 'seafood';
- new factors 6(l) & 6(ee) concerning 'fructose';
- new factors 6(m) & 6(ff) concerning 'being postmenopausal';
- new factors 6(n) & 6(gg) concerning 'solid organ or bone marrow transplant';
- new factors 6(o) & 6(hh) concerning 'chronic renal failure';
- new factors 6(p) & 6(ii) concerning 'hypertension';
- new factors 6(q) & 6(jj) concerning 'dyslipidaemia';
- new factors 6(r) & 6(kk) concerning 'type 2 diabetes mellitus';
- new factors 6(s) & 6(ll) concerning 'fasting';
- new definitions of 'a specified haematological disorder', 'alcohol', 'being overweight', 'being treated with a drug or a drug from a class of drugs as specified', 'chronic renal failure', 'dyslipidaemia', 'red meat' and 'seafood' in clause 9;
- revising definitions of 'ICD-10-AM code' and 'relevant service' in clause 9;
- deleting definitions of 'alcohol (contained within alcoholic drinks)', 'being obese', 'being treated with a specified drug', 'chemotherapy', 'lead nephropathy' and 'specified list of diseases'; and
- specifying a date of effect for the Instrument in clause 11.

7. Further changes to the format of the Instrument reflect the commencement of the MRCA and clarify that pursuant to subsection 196B(3A) of the VEA, the Statement of Principles has been determined for the purposes of both the VEA and the MRCA.

8. Prior to determining this instrument, the Authority advertised its intention to undertake an investigation in relation to gout in the Government Notices Gazette of 9 January 2008, 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. One submission was received for consideration by the Authority during the investigation.


10. 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