1. The Repatriation Medical Authority (the Authority), under subsection 196B(8) of the Veterans’ Entitlements Act 1986 (the VEA), revokes Instrument No. 46 of 1997, as amended by Instrument No. 75 of 1998 and Instrument No. 42 of 2003, determined under subsection 196B(3) of the VEA concerning acute pancreatitis.

2. The Authority is of the view that on the sound medical-scientific evidence available it is more probable than not that acute pancreatitis and death from acute pancreatitis can be related to particular kinds of service. The Authority has therefore determined pursuant to subsection 196B(3) of the VEA a Statement of Principles, Instrument No. 86 of 2011 concerning acute pancreatitis. 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 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, acute pancreatitis or death from acute pancreatitis is connected with the circumstances of that service.

5. This Instrument results from an investigation notified by the Authority in the Government Notices Gazette of 25 June 2008 concerning acute pancreatitis 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 this Instrument are in similar terms as the revoked Instruments. Comparing this Instrument 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 'acute pancreatitis' in clause 3;
- revising factor 6(a) concerning 'cholelithiasis';
- new factor 6(b) concerning 'biliary microlithiasis or biliary sludge';
- revising factor 6(c) concerning 'drinking alcohol';
- revising factor 6(d) concerning 'acute infection with an organism from the specified list';
- revising factor 6(e) concerning 'ascariasis or clonorchiasis';
- revising factor 6(f) concerning 'human immunodeficiency virus';
- revising factor 6(g) concerning 'pancreatic outflow obstruction';
- revising factor 6(h) concerning 'a drug from the specified table';
- new factor 6(i) concerning 'being treated with a drug';
- new factor 6(j) concerning 'smoking';
- revising factor 6(k) concerning 'intra-abdominal or intrathoracic surgery';
- revising factor 6(l) concerning 'solid organ transplantation';
- revising factor 6(m) concerning 'penetrating or major blunt trauma';
- revising factor 6(n) concerning 'endoscopic retrograde cholangiopancreatography, endoscopic sphincterotomy or manometry';
- revising factor 6(o) concerning 'hypertriglyceridaemia';
- revising factor 6(p) concerning 'hypercalcaemia';
- new factor 6(q) concerning 'a disease from the specified list' which subsumes the previous factor concerning 'systemic vasculitis';
- revising factor 6(r) concerning 'envenomation by a snake or scorpion';
- revising factor 6(s) concerning 'oral ingestion of mushrooms containing alpha-amanitin';
- new factor 6(t) concerning 'ingesting an agent from the specified list', which subsumes the previous factors concerning 'oral ingestion of methyl alcohol', 'oral ingestion of organophosphorus or carbamate insecticides' and 'paracetamol overdose';
- revising factor 6(u) concerning 'a disorder resulting in disseminated intravascular coagulation and/or profound systemic hypotension';
- new factor 6(v) concerning 'a course of peritoneal dialysis';
- new definitions of 'a disease from the specified list', 'a snake or scorpion from the specified list', 'an agent from the specified list', 'being treated with a drug from the specified table', 'biliary microlithiasis or biliary sludge', 'ICD-10-AM code' and 'pack-years of cigarettes, or the equivalent thereof in other tobacco products' in clause 9;
- revising definitions of 'acute infection with an organism from the specified list', 'pancreatic outflow obstruction due to a disorder from the specified list' and 'relevant service' in clause 9;
• deleting definitions of 'a disorder resulting in disseminated intravascular coagulation and/or profound systemic hypotension', 'ascariasis', 'being infected with human immunodeficiency virus (HIV)', 'cholelithiasis', 'clonorchiasis', 'endoscopic retrograde cholangio-pancreatography (ERCP)', 'endoscopic sphincterotomy (of the sphincter of Oddi)', 'hypercalcaemia', 'ICD code', 'manometry of the sphincter of Oddi', 'methyl alcohol', 'organophosphorus or carbamate insecticides', 'penetrating or major blunt trauma' and 'systemic vasculitis' from clause 9;
• deleting the Schedule from clause 9; 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 acute pancreatitis in the Government Notices Gazette of 25 June 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. No submissions were 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                                    

Explanatory Statement to F2011L01444