1. The Repatriation Medical Authority (the Authority), under subsection 196B(8) of the Veterans’ Entitlements Act 1986 (the VEA), revokes Instrument No. 112 of 1996, determined under subsection 196B(3) of the VEA concerning conjunctivitis.

2. The Authority is of the view that on the sound medical-scientific evidence available it is more probable than not that conjunctivitis and death from conjunctivitis 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. 2 of 2012 concerning conjunctivitis. This Instrument will in effect replace the revoked Statement 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 (other than hazardous service and British nuclear test defence service) under the VEA;
- peacetime service under the MRCA,

before it can be said that, on the balance of probabilities, conjunctivitis or death from conjunctivitis 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 conjunctivitis 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 Instrument. Comparing this Instrument and the revoked Instrument, 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 'conjunctivitis' in clause 3;
- revising factors 6(a) & 6(m) concerning 'blepharitis';
- revising factors 6(b) & 6(n) concerning 'infection of the conjunctiva';
- revising factors 6(c) & 6(o) concerning 'a condition of the affected eye';
- revising factors 6(d) & 6(p) concerning 'ocular or periocular exposure to an allergen';
- revising factors 6(e) & 6(q) concerning 'a condition from the specified list';
- revising factors 6(f) & 6(r) concerning 'therapy to the affected eye with topically applied medication' for iatrogenic conjunctivitis only;
- revising factors 6(g) & 6(s) concerning 'ocular or periocular exposure to an irritant substance';
- revising factors 6(h) & 6(t) concerning 'mustard gas exposure';
- revising factors 6(i) & 6(u) concerning 'a foreign body';
- revising factors 6(j) & 6(v) concerning 'an injury to the conjunctiva';
- revising factors 6(k) & 6(w) concerning 'a benign or malignant neoplasm';
- new factor 6(l) concerning 'being in an immunosuppressed state' for clinical onset;
- revising factor 6(x) concerning 'being in an immunosuppressed state' for clinical worsening;
- deleting factors concerning 'acute blepharitis' and 'chronic blepharitis', as they are now covered by factors 6(a) & 6(m);
- deleting factors concerning 'bacterial infection', 'chlamydial infection', 'viral infection', 'Rickettsial infection', 'fungal infection' and 'parasitic infection', as they are now covered by factors 6(b) & 6(n);
- deleting factors concerning 'xerosis conjunctivae', as they are now covered by factors 6(c) & 6(o);
- deleting factors concerning 'a hypersensitivity reaction', as they are now covered by factors 6(d) & 6(p);
- deleting factors concerning 'an autoimmune disease', 'psoriasis' and 'dermatitis herpetiformis', as they are now covered by factors 6(e) & 6(q);
- deleting factors concerning 'external burn', as they are now covered by factors 6(j) & 6(v);
- new definitions of 'a condition from the specified list', 'a condition of the affected eye from the specified list', 'an allergen', 'an infection of the conjunctiva', 'an injury to the conjunctiva', 'an irritant substance', 'being in an immunosuppressed state', 'death from conjunctivitis', 'ICD-10-AM code' and 'terminal event' in clause 9;
- revising definitions of 'iatrogenic conjunctivitis' and 'relevant service' in clause 9;
• deleting definitions of 'acute blepharitis', 'autoimmune disease', 'bacterial conjunctivitis', 'chlamydial conjunctivitis', 'chronic blepharitis', 'dermatitis herpetiformis', 'external burn of the affected eye', 'foreign body on the affected eye', 'fungal conjunctivitis', 'hypersensitivity reaction', 'ICD code', 'immuno-compromised state', 'immunologic conjunctivitis', 'injury of the conjunctiva', 'irritant conjunctivitis', 'parasitic conjunctivitis', 'psoriasis', 'Rickettsial infection', 'viral infection' and 'xerosis conjunctivae'; 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 conjunctivitis 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.

9. This instrument is compatible with the Human Rights and Freedoms recognised or declared in the International Instruments listed in Section 3 of the Human Rights (Parliamentary Scrutiny Act 2011).


11. 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