Statement of Principles concerning MALIGNANT NEOPLASM OF THE URETHRA (Balance of Probabilities) (No. 50 of 2016)

The Repatriation Medical Authority determines the following Statement of Principles under subsection 196B(3) of the Veterans’ Entitlements Act 1986.

Dated 22 April 2016

The Common Seal of the Repatriation Medical Authority was affixed to this instrument at the direction of:

[Signature]

Professor Nicholas Saunders AO
Chairperson
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1 Name
This is the Statement of Principles concerning malignant neoplasm of the urethra (Balance of Probabilities) (No. 50 of 2016).

2 Commencement
This instrument commences on 23 May 2016.

3 Authority
This instrument is made under subsection 196B(3) of the Veterans’ Entitlements Act 1986.

4 Revocation
The Statement of Principles concerning malignant neoplasm of the urethra No. 2 of 2008 made under subsection 196B(3) of the VEA is revoked.

5 Application
This instrument applies to a claim to which section 120B of the VEA or section 339 of the Military Rehabilitation and Compensation Act 2004 applies.

6 Definitions
The terms defined in the Schedule 1 - Dictionary have the meaning given when used in this instrument.

7 Kind of injury, disease or death to which this Statement of Principles relates
(1) This Statement of Principles is about malignant neoplasm of the urethra and death from malignant neoplasm of the urethra.

Meaning of malignant neoplasm of the urethra
(2) For the purposes of this Statement of Principles, malignant neoplasm of the urethra means:
   (a) a primary malignant neoplasm arising from the cells lining the urethra; and
   (b) includes urethral diverticular carcinoma and urethral melanoma; and
   (c) excludes malignant neoplasm of the urethral orifice of the bladder, soft tissue sarcoma, carcinoid tumour, non-Hodgkin's lymphoma and Hodgkin's lymphoma.
(3) While malignant neoplasm of the urethra attracts ICD-10-AM code C68, in applying this Statement of Principles the meaning of malignant neoplasm of the urethra is that given in subsection (2).

**Death from malignant neoplasm of the urethra**

(5) For the purposes of this Statement of Principles, malignant neoplasm of the urethra, in relation to a person, includes death from a terminal event or condition that was contributed to by the person’s malignant neoplasm of the urethra.

Note: *terminal event* is defined in the Schedule 1 – Dictionary.

8 **Basis for determining the factors**

On the sound medical-scientific evidence available, the Repatriation Medical Authority is of the view that it is more probable than not that malignant neoplasm of the urethra and death from malignant neoplasm of the urethra can be related to relevant service rendered by veterans or members of the Forces under the VEA, or members under the MRCA.

Note: *relevant service* is defined in the Schedule 1 – Dictionary.

9 **Factor that must exist**

The factor that must exist before it can be said that, on the balance of probabilities, malignant neoplasm of the urethra or death from malignant neoplasm of the urethra is connected with the circumstances of a person’s relevant service is inability to obtain appropriate clinical management for malignant neoplasm of the urethra.

10 **Relationship to service**

The existence in a person of the factor referred to in section 9, applies only to material contribution to, or aggravation of, malignant neoplasm of the urethra where the person’s malignant neoplasm of the urethra was suffered or contracted before or during (but did not arise out of) the person’s relevant service.
Schedule 1 - Dictionary

Note: See Section 6

1 Definitions

In this instrument:

malignant neoplasm of the urethra—see subsection 7(2).


relevant service means:
(a) eligible war service (other than operational service) under the VEA;
(b) defence service (other than hazardous service and British nuclear test defence service) under the VEA; or
(c) peacetime service under the MRCA.

terminal event means the proximate or ultimate cause of death and includes the following:
(a) pneumonia;
(b) respiratory failure;
(c) cardiac arrest;
(d) circulatory failure; or
(e) cessation of brain function.

VEA means the Veterans’ Entitlements Act 1986.