



Office of Hon Rick Barker

Minister of Internal Affairs
Minister for Courts
Minister of Civil Defence
Minister of Veterans' Affairs
Member of Parliament

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14 August 2007

Mr John Campbell
National President
Royal New Zealand Returned and Services' Association (Inc.)
P O Box 27 248
WELLINGTON

Dear John

I am writing in regard to the introduction of presumptive lists to the War Pensions process.

With the introduction of presumptive lists, a veteran's disability will be automatically deemed to be attributable to service for the purpose of pensions under the War Pensions Act 1954 if the veteran has service in one of the deployments for which there is a presumptive list in place and the disability is included in the relevant list. Presumptive lists will be introduced to cover veterans of the following declared War and Emergencies under the War Pensions Act 1954:

- Former Prisoners of War of World War Two;
- Viet Nam Veterans;
- Veteran Exposed to Nuclear Radiation (J-Force, Operation Grapple and Mururoa Veterans); and
- Gulf Conflict Veterans.

The presumptive lists are based on those which operate in the United States and are based on medical and scientific evidence, primarily from the National Academies of Sciences Institute of Medicine. The information sheet explaining the lists is attached for your information.

The presumptive lists will mean that there will not be a requirement to obtain a medical opinion regarding the attributability of a claimed disability. War Disablement Pension claims for disabilities included on the presumptive lists will be accepted on the basis that they are attributable to service. The only medical information required by War Pension Claims Panels in order to award War Disablement Pensions will be verification that the veteran suffers from the claimed disability and an opinion on the

degree of disablement, so that the percentage pension can be determined. It is likely that claims for presumptive list conditions will be able to proceed quickly, especially as GPs may be able to provide the required medical information at first instance or when contacted directly by a Claims Panel.

Yours sincerely

A handwritten signature in black ink, appearing to read "Rick Barker", written over a horizontal line.

Hon Rick Barker
Minister of Veterans' Affairs



Presumptive Lists

In order to assist with the resolution of War Disablement Pension claims, presumptive lists have been introduced. These lists allow for the automatic acceptance of certain disabilities for a War Disablement Pension if you have served in certain theatres. These lists are based on medical and scientific research which indicates that if a veteran of one of these theatres is suffering from one of the disabilities on the presumptive list for that theatre, it is likely that the disability is attributable to the veteran's service.

If you have been diagnosed as having one of the disabilities which appear on a list that corresponds with your theatre of service, this disability will be accepted automatically as attributable to your service.

Former Prisoners of War

If you were imprisoned as a prisoner of war for any length of time during World War II, the following disabilities are presumed to be attributable to service:

- Psychosis
- Any of the anxiety states
- Dysthymia
- Organic residuals of frostbite
- Post-traumatic osteoarthritis
- Heart disease or hypertensive vascular disease and their complications
- Stroke and residuals of stroke
- Hypovitaminosis
- Beriberi
- Chronic dysentery
- Helminthiasis (intestinal vermiform parasites)
- Malnutrition (including optic atrophy)
- Pellagra and/or other nutritional deficiencies
- Irritable bowel syndrome
- Peptic ulcer disease
- Peripheral neuropathy
- Cirrhosis of the liver

Veterans Exposed to Nuclear Radiation

The following disabilities are presumed to be attributable to service if you are a veteran of:

- J Force - the British Occupation Force of Japan between 1946 and 1952; or
- Operation Grapple - service on HMNZS Rotoiti and HMNZS Pukaki between 1957 and 1958; or
- Mururoa - service on HMNZS Otago on 22 July 1973 or on HMNZS Canterbury on 28 July 1973;



- All forms of leukaemia (except for chronic lymphocytic leukaemia)
- Cancer of the thyroid, breast, pharynx, oesophagus, stomach, small intestine, pancreas, bile ducts, gall bladder, salivary gland, urinary tract (renal, pelvis, ureter, urinary bladder and urethra), brain, bone, lung, colon, and ovary
- Bronchiolo-alveolar carcinoma
- Multiple myeloma
- Lymphomas (other than Hodgkin's disease)
- Primary liver cancer (except if cirrhosis or hepatitis B is indicated)

Viet Nam Veterans

If you served in Viet Nam between 29 May 1964 and 31 December 1972, or were a member of the civilian surgical team at the Qui Nhon Provincial State Hospital Viet Nam from December 1963 until March 1975, the following disabilities are presumed to be attributable to service:

- Chronic lymphocytic leukaemia
- Soft-tissue sarcoma
- Non-Hodgkin's lymphoma
- Hodgkin's disease
- Chloracne
- Porphyria cutanea tarda
- Multiple myeloma
- Respiratory cancers (lung, bronchus, larynx, trachea)
- Prostate cancer
- Acute and subacute peripheral neuropathy
- Type 2 diabetes
- Hypertension
- AL-type primary amyloidosis

Gulf Conflict Veterans

If you served in the Gulf Conflict between 20 December 1990 and 13 April 1991, the presumption of attributability applies to medically unexplained chronic multi-symptom illnesses defined by a cluster of signs or symptoms that have existed for six months or more, such as:

- Chronic fatigue syndrome;
- Fibromyalgia;
- Irritable bowel syndrome.

Signs or symptoms of an undiagnosed illness include fatigue, skin symptoms, headaches, muscle pain, joint pain, neurological symptoms, respiratory symptoms, sleep disturbance, gastro-intestinal symptoms, cardiovascular symptoms, weight loss and menstrual disorders.



What evidence is needed?

In order for the presumption of attributability to apply the War Pensions Claims Panel will:

- Verify your service (War Pension Services will access your Service file directly).
- Obtain a medical diagnosis to confirm that your disability is one of the disabilities on the applicable presumptive list.
- Assign a level of disablement.

What do you need to do?

You need to complete an application form for a War Disablement Pension, indicating the theatre of service and the disability you are making a claim for.

Get your GP or medical specialist to confirm that you have the disability that you are claiming for by completing the part of the War Disablement Pension application form entitled "Doctor to Complete this Section".

If your GP or medical specialist has any medical reports that are under 6 months old and relate to the claimed disability, please attach them to your application. This will speed up the process. If there is sufficient information supplied with your application, the War Pensions Claims Panel may be able to make a decision on your claim without the need to seek further information from your doctor or sending you to a specialist for an assessment.

If the Claims Panel needs more medical evidence in order to confirm that you have the disability on the presumptive list, or to determine what percentage War Disablement Pension to award, the Panel will write to your GP or medical specialist to find this out. If your doctor can not provide the information, you may be sent to a specialist for an assessment.

Previously Declined Claims

If you have one of the disabilities on a presumptive list which you are covered by but this claim has previously been declined as not attributable to your service, you are entitled to apply to have your claim reopened on the basis of the introduction of the presumptive lists.

To apply, you need to submit an application for reopening, along with medical confirmation that you are suffering from the disability on a presumptive list.