

TASMANIA

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**WORKERS REHABILITATION AND  
COMPENSATION (DEEMED DISEASES) NOTICE  
2017**

**STATUTORY RULES 2017, No. 118**

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## **WORKERS REHABILITATION AND COMPENSATION (DEEMED DISEASES) NOTICE 2017**

The WorkCover Tasmania Board makes the following notice under section 26(1) of the *Workers Rehabilitation and Compensation Act 1988*.

### **1. Short title**

This notice may be cited as the *Workers Rehabilitation and Compensation (Deemed Diseases) Notice 2017*.

### **2. Commencement**

This notice takes effect on the day on which the *Workers Rehabilitation and Compensation Amendment Act 2017* commences.

### **3. Interpretation**

(1) In this notice –

*Act* means the *Workers Rehabilitation and Compensation Act 1988*;

*occupational asthma* includes immunologically mediated asthma;

*Safe Work Australia* has the same meaning as in section 26 of the Act.

(2) The *Acts Interpretation Act 1931* applies to the interpretation of this notice as if it were rules.

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**4. Presumption as to cause of disease**

- (1) An occupation, or exposure, specified in column 2 of an item of a table in Schedule 1 is specified, for the purposes of section 26(3) of the Act, to be presumed to contribute to a substantial degree to the disease specified in column 1 of that item of that table.
- (2) Unless the contrary intention appears, the *Deemed Diseases in Australia* report, published in August 2015 by Safe Work Australia, may be used in the interpretation of an occupation, exposure or disease specified in Schedule 1.

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**SCHEDULE 1 – DISEASES WHERE THERE IS A  
PRESUMPTION AS TO CAUSE**

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**PART 1 – INFECTIOUS DISEASES**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Anthrax	Occupations involving work with animals or animal carcasses (including, but not limited to, animal handlers, pelt handlers, abattoir workers and meat inspectors).
2.	Brucellosis	Occupations involving work with animals or animal carcasses (including, but not limited to, veterinarians, farmers or farm workers, abattoir workers and laboratory workers).
3.	Hepatitis A	Occupations involving contact with human waste (including, but not limited to, child care workers, carers of intellectually disabled persons, workers in rural or remote Indigenous communities, sewage workers and plumbers).

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
4.	Hepatitis B or C	Occupations involving contact with human bodily secretions (including, but not limited to, health care workers, embalmers, persons who handle body substances, clinical laboratory staff, workers in long-term correctional facilities, members of the police service, members of the armed forces and emergency services workers).
5.	HIV/AIDS	Health care workers or laboratory workers if the worker has become HIV positive after a needle-stick injury that occurs while at work.
6.	Leptospirosis	Occupations involving – <ul style="list-style-type: none"> <li>(a) work with animals or animal carcasses (including, but not limited to, farmers or farm workers, abattoir workers, forestry workers, hunters, veterinarians and livestock transport operators); or</li> <li>(b) work with animal or human waste (including, but not limited to, plumbers).</li> </ul>

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
7.	Orf	Occupations involving work with sheep, goats or sheep or goat carcasses (including, but not limited to, sheep farmers or farm workers, goat farmers or farm workers, abattoir workers and meat inspectors).
8.	Q-fever	Occupations involving contact with animals or animal parts in a rural setting (including, but not limited to, abattoir workers, stock workers, livestock transport operators, shearers, hide processors, farmers and veterinarians).
9.	Tuberculosis	Occupations –  <div style="margin-left: 40px;">(a) involving contact with persons or animals in situations where the prevalence of tuberculosis is likely to be significantly higher than the general community (including, but not limited to, health workers, clinical laboratory workers, funeral parlour staff, farmers and veterinarians); or</div>

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
		(b) that have resulted in the worker being diagnosed with silicosis, if that occupation is presumed under the Act to have contributed to the silicosis.

**PART 2 – CANCERS**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Salivary gland cancer	Exposure to ionizing radiation.
2.	Nasopharynx cancer	Exposure to formaldehyde or wood dust.
3.	Oesophagus cancer	Exposure to ionizing radiation.
4.	Stomach cancer	Exposure to ionizing radiation.
5.	Colon, or rectum, cancer	Exposure to ionizing radiation.
6.	Liver cancer	Exposure to –  (a) hepatitis B or hepatitis C; or  (b) vinyl chloride monomer.



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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
7.	Nasal cavity, or paranasal sinuses, cancer	Exposure to ionizing radiation, leather dust, wood dust or nickel.
8.	Lung cancer	Exposure to arsenic, asbestos, beryllium, bis(chloromethyl) ether, cadmium, chromium VI, diesel engine exhaust, environmental tobacco smoke, ionizing radiation, nickel, polycyclic aromatic hydrocarbons (including coal gasification, coal tar pitch and coke production), Radon-222 and its decay products, silica dust (crystalline) or soot (chimney sweeping).
9.	Bone cancer	Exposure to ionizing radiation.
10.	Skin cancer – melanoma	Exposure to solar radiation or polychlorinated biphenyls.
11.	Skin cancer – non-melanoma	Exposure to ionizing radiation, solar radiation or polycyclic aromatic hydrocarbons (including topical exposure from coal tar distillation, coal tar pitch, mineral oils whether untreated or mildly treated, shale oils or soot (chimney sweeping)).

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
12.	Breast cancer (female)	Exposure to ionizing radiation.
13.	Kidney cancer	Exposure to ionizing radiation or trichloroethylene.
14.	Bladder cancer	Exposure to – <ul style="list-style-type: none"> <li>(a) 2-naphthylamine, benzidine, cyclophosphamide, ionizing radiation or ortho-toluidine; or</li> <li>(b) polycyclic aromatic hydrocarbons during aluminium production.</li> </ul>
15.	Brain cancer	Exposure to ionizing radiation.
16.	Thyroid cancer	Exposure to ionizing radiation.
17.	Leukaemia (other than chronic lymphatic leukaemia)	Exposure to – <ul style="list-style-type: none"> <li>(a) benzene, butadiene, cyclophosphamide, formaldehyde or ionizing radiation.</li> <li>(b) hepatitis C.</li> </ul>

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
18.	Non-Hodgkin's lymphoma	Exposure to ionizing radiation.

**PART 3 – DISEASES OF THE NERVOUS SYSTEM**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Parkinson's disease	Exposure to manganese.
2.	Peripheral neuropathy	Exposure to – <ul style="list-style-type: none"> <li>(a) metals such as lead, mercury and arsenic; or</li> <li>(b) organic solvents such as n-hexane, carbon disulphide and trichloroethylene; or</li> <li>(c) pesticides such as organophosphates; or</li> <li>(d) acrylamide.</li> </ul>

**PART 4 – RESPIRATORY DISEASES**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Occupational asthma other than pre-existing asthma	Exposure to sensitising agents or irritants (including, but not limited to, arthropods or mites, biological enzymes, bioaerosols, products derived from fish/shellfish/animal, flour, sensitising foods, flowers, latex, wood dusts, soldering, reactive dyes, anhydrides, acrylates, epoxy, ethylene oxide, aldehydes, pesticides, amines, ammonia, industrial cleaning agents, acids, isocyanates, other reactive chemicals, sensitising metals and sensitising drugs).
2.	Coal workers' pneumoconiosis	Exposure to coal.
3.	Other forms of pneumoconiosis	Exposure to known causes of pneumoconiosis (including, but not limited to, beryllium, tin, iron oxide, barium, aluminium, cobalt and tungsten).
4.	Silicosis	Exposure to silica.
5.	Byssinosis	Exposure to cotton, flax, hemp or sisal dust.

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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
6.	Extrinsic allergic alveolitis	Exposure to damp material of biological origin (including, but not limited to, mouldy hay, straw, grain and feathers).

**PART 5 – HEPATIC DISEASES**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Non-infectious hepatitis	Exposure to agents known to cause hepatitis (including, but not limited to, organic solvents).
2.	Chronic active hepatitis	Occupations that have resulted in the worker being diagnosed with hepatitis B, or hepatitis C, if that occupation is presumed under the Act to have contributed to the hepatitis.
3.	Hepatic cirrhosis	Occupations that have resulted in the worker being diagnosed with hepatitis B, or hepatitis C, if that occupation is presumed under the Act to have contributed to the hepatitis.

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**PART 6 – SKIN DISEASES**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Contact dermatitis – irritant or allergenic	Exposure to sensitising agents or irritants (including, but not limited to, alcohols, cutting fluids, degreasers, disinfectants, petroleum products, soaps and cleaners, solvents, wet work, chromates, cobalt, cosmetics and fragrances, epoxy resin, latex, nickel, plants, preservatives, resins and acrylics).
2.	Occupational vitiligo	Exposure to para-tertiary-butylphenol, para-tertiary-butylcatechol, para-amyphenol, hydroquinone or the monobenzyl, or monobutyl, ether of hydroquinone.

**PART 7 – MUSCULOSKELETAL DISEASES**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Raynaud’s disease	Occupations involving vibrations from powered tools or equipment.

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	<b>Column 1</b> <b>Disease</b>	<b>Column 2</b> <b>Exposure or occupation</b>
2.	Bursitis of the knee or elbow	Occupations involving prolonged external friction, pressure or repetitive motion at, or about, the elbow or knee.

**PART 8 – POISONING OR TOXICITY**

	<b>Column 1</b> <b>Disease</b>	<b>Column 2</b> <b>Exposure or occupation</b>
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	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Acute poisoning or toxicity (including acute damage to the heart, lungs, liver, kidney, nervous system and blood)	Exposure to acrylonitrile, alcohols, antimony, arsenic, benzene, beryllium, cadmium, carbon disulphide, chromium, copper, fluorine, alcohol, glycols, ketones, hexane, lead, manganese, mercury, mineral acids, nitroglycerine (or other nitric acid esters), osmium, oxides of nitrogen, ozone, pesticides (including, but not limited to, organophosphate and organochlorine compounds, herbicides, and related compounds), pharmaceutical agents, phosgene, phosphorus, selenium, styrene, thallium, tin, toluene, vanadium, zinc, chemical asphyxiants (including, but not limited to, carbon monoxide, hydrogen cyanide, hydrogen sulphide and methylene chloride), irritants (including, but not limited to, benzoquinone and other corneal irritants), toxic halogen derivatives, aliphatic or aromatic hydrocarbons or toxic nitro-derivatives and amino-derivatives of benzene (and other less common substances not specifically included here).



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**PART 9 – OTHER DISEASE**

	<b>Column 1</b>	<b>Column 2</b>
	<b>Disease</b>	<b>Exposure or occupation</b>
1.	Nystagmus	Occupations involving working in or about an active mining area.
2.	Compressed air illness – including avascular necrosis	Exposure to increased or reduced atmospheric pressure (including, but not limited to, working underground or underwater and working at high altitude).

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This notice was made by the WorkCover Tasmania Board on 19 December 2017.

BRADLEY W. PARKER  
Secretary

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 27 December 2017.

**EXPLANATORY NOTE**

*(This note is not part of the notice)*

This notice specifies, for the purposes of the *Workers Rehabilitation and Compensation Act 1988*, the occupations, and exposures, that are presumed to contribute to specified diseases.