



# Presumptive Liability

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Changes under the Veterans' Entitlements, Treatment and Support  
(Simplification and Harmonisation) Act 2025

# Topics

Compensation claims from 1 July 2026

Overview of presumption under MRCA from 1 July 2026

Transitional provisions

Hierarchy of liability tests from 1 July 2026

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# Compensation claims from 1 July 2026



The *Veterans' Entitlements, Treatment and Support (Simplification and Harmonisation) Act* (VETS Act) comes into effect on 1 July 2026.

This means the *Veterans' Entitlements Act 1986* (VEA) and the *Safety, Rehabilitation and Compensation (Defence-related Claims) Act 1988* (DRCA) will close to new compensation claims.

Compensation claims received prior to 1 July 2026 will continue to be processed under the legislation under which the claim was submitted.

All compensation claims received from 1 July 2026, regardless of period of service, will be assessed under MRCA.



# What is presumptive liability?

Presumptive Liability will mean claims for certain conditions lodged from 1 July 2026 can be accepted on an automatic basis, where relevant criteria are met and unless proven otherwise.

Presumptive Liability will still require formal diagnosis of the claimed condition.

In some cases a relevant onset timeframe and duration or type of service will also need to be met.

The initial tranche of medical conditions and associated service requirements will capture a broad range of existing presumptive or deeming arrangements under the DRCA, as well as current conditions coming under DVA's 'decision-ready' (Streamlining and Straight Through Processing) policies.

Where the relevant criteria have not been met, a connection to service will be investigated under the other heads of liability.

# Hierarchy of liability tests from 1 July 2026

1

Presumptive Liability will be considered as the first liability investigation, where the claimed condition and service allow.

2

Medical Event on Duty, a second new head of liability, will be applied as the second liability test (if applicable).

3

If neither presumptive or medical event on duty apply, the existing liability processes will be considered (i.e. SoPs).

# Which conditions will be under presumption?

## ADF Firefighter Cancers

- 20 cancers currently prescribed under subsection 7(8) of DRCA for ADF Firefighters

## Point Cook Firefighters

- Over 30 conditions for eligible ADF Firefighters (Point Cook) between 1 January 1957 and 31 December 1986

## F-111 Deseal/Reseal Workers

- Over 30 conditions which currently apply to deseal/reseal workers

## DRCA specified diseases

- Over 40 conditions prescribed under the DRCA Specified Diseases and Employment Instrument 2017

## 'Decision Ready' conditions

- Over 80 conditions, including sequelae conditions

# ADF Firefighters Cancers



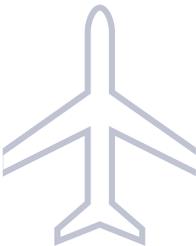
Condition	Qualifying Period	Service
Malignant mesothelioma	15 years	RAAF
Multiple myeloma	15 years	RAAF
Primary leukemia	5 years	RAAF
Primary non-Hodgkins lymphoma	15 years	RAAF
Primary site bladder cancer	15 years	RAAF
Primary site brain cancer	5 years	RAAF
Primary site breast cancer	10 years	RAAF
Primary site cervical cancer	10 years	RAAF
Primary site colorectal cancer	15 years	RAAF
Primary site kidney cancer	15 years	RAAF
Primary site lung cancer	15 years	RAAF
Primary site oesophageal cancer	15 years	RAAF
Primary site ovarian cancer	10 years	RAAF
Primary site pancreatic cancer	10 years	RAAF
Primary site penile cancer	15 years	RAAF
Primary site prostate cancer	15 years	RAAF
Primary site skin cancer	15 years	RAAF
Primary site testicular cancer	10 years	RAAF
Primary site thyroid cancer	10 years	RAAF
Primary site ureter cancer	15 years	RAAF

# Point Cook Firefighter & Deseal/Reseal



Employment involving

- Firefighting; or
- Participating in a firefighting training course; or
- Instructing participants in a firefighter training course at RAAF Base Point Cook between 1 January 1957 and 31 December 1986



Employment involving work relating to

- F111 Deseal/Reseal

Condition	Service	Condition	Service
acquired colour vision deficiency	RAAF	mixed connective tissue disease	RAAF
agoraphobia with panic disorder	RAAF	multiple sclerosis (MS)	RAAF
anxiety	RAAF	myeloproliferative disorders	RAAF
bipolar affective disorder	RAAF	neurogenic bladder	RAAF
bowel polyps	RAAF	non-alcoholic toxic encephalopathy	RAAF
cauda equina syndrome	RAAF	pancreatic disease	RAAF
depression	RAAF	panic disorders	RAAF
diverticulitis	RAAF	Parkinson's' Disease	RAAF
dysplastic naevus	RAAF	peripheral neuropathy	RAAF
eczema/dermatitis	RAAF	sarcoidosis	RAAF
erectile dysfunction	RAAF	sleep disorders with neurogenic basis	RAAF
impaired cognition	RAAF	spinal muscular atrophy	RAAF
irritable bowel disorder	RAAF	systemic lupus erythematosus	RAAF
liver disease (excluding diabetes)	RAAF	ulcerative colitis/Crohn's disease	RAAF
malignant neoplasms	RAAF	vertigo	RAAF
memory loss	RAAF		



# DRCA Specified Diseases and Employment Instrument 2017



The 2017 DRCA Occupational Diseases instrument has a focus on employment requirements and diseases related more to the civilian realm, reflecting the genesis of the *Safety, Rehabilitation and Compensation Act 1988*, as the Commonwealth's compensation coverage for public servants. Many of medical conditions and employment requirements reflect civilian exposures.



On 1 July 2026, the conditions and employment requirements will be transferred to the MRCA without change.



DVA will consult Defence for guidance on the application of this element to ADF employment and to translate the employment requirements to real-world ADF employment categories in policy guidance.

# DRCA Specified Diseases Examples

Item	Disease	Employment
<b>Infectious diseases</b>		
1	Anthrax	Employment involving work with: (a) animals; or (b) animal carcasses; or (c) animal parts.
2	Brucellosis	Employment involving work with: (a) animals; or (b) animal carcasses; or (c) animal parts; or (d) animal waste.
3	Hepatitis A	Employment involving work with human waste.
4	Hepatitis B or Hepatitis C Human Immunodeficiency Virus (HIV) or Acquired Immune Deficiency Syndrome (AIDS)	Employment involving work with human body fluids.
5		Employment involving work with: (a) needles in a healthcare services setting; or (b) sharps in a healthcare services setting.
6	Leptospirosis	Employment involving work with: (a) animals; or (b) animal carcasses; or (c) animal parts; or (d) animal waste.

# Decision Ready Conditions

Currently, some decision-ready conditions are assessed by DVA using the branch of Service, Rank, and Special Forces and have a prescribed timeframe of exposure based on analysis showing when it is known that causal exposures will occur from service-requirements.  
An example (on the right), shows the BOP and RH timeframes for a condition.



From 1 July 2026, timeframes (or length of service) required will be simplified to use a single, consolidated timeframe, regardless of the individual's Branch of Service or whether they were Officer or other rank.

ARMY			NAVY			RAAF		
OFFICER	OTHER RANK	SPECIAL FORCES	OFFICER	OTHER RANK	SPECIAL FORCES	OFFICER	OTHER RANK	SPECIAL FORCES
343 days	200 days	28 days	258 days	937 days	78 days	1360 days	1137 days	331 days
252 days	133 days	28 days	125 days	599 days	78 days	867 days	758 days	221 days

# Decision Ready Examples #1

Condition	Service Type	Service Duration (note service refers to full-time service periods)	Timeframe/condition requirements
<a href="#">Achilles tendinopathy</a>	Any	At least 28 days service	With onset after the first 28 days of service, and <ul style="list-style-type: none"> <li>the condition onsets during service, or</li> <li>within of 4 weeks of the last day of service.</li> </ul>
<a href="#">Acquired cataract</a>	Peacetime	At least 56 weeks service	At any time prior to onset
	Operational	At least 29 weeks service	At any time prior to onset
<a href="#">Acute articular cartilage tear</a>	Any	At least one day	With onset during service
<a href="#">Acute meniscal tear of the knee</a>	Any	At least one day	With onset during service

# Decision Ready Examples #2

Condition	Service Type	Service Duration (note service refers to full-time service periods)	Timeframe/condition requirements
<a href="#">Adjustment disorder</a> (warlike service only)	Warlike	Rendering at least 28 days of Warlike Service	Within the 3 months before the onset of the condition
<a href="#">Anxiety disorder</a> (warlike service only)	Warlike	Rendering at least 28 days of Warlike Service	Within the 5 years before the onset of the condition
<a href="#">Osteoarthritis</a> (of a joint of a lower limb)	Peacetime	At least 200 days service	Where the clinical onset occurs after the 200 <sup>th</sup> day of service and within 25 years of service
	Operational	At least 133 days service	At any time prior to onset
<a href="#">Posttraumatic Stress Disorder</a> (Warlike service only)	Warlike	Rendered at least 28 days of Warlike Service	At any time prior to onset
<a href="#">Rotator cuff syndrome</a>	Peacetime	At least 210 days service	With onset after the first 210 days of service and <ul style="list-style-type: none"> <li>• during service or</li> <li>• within 1 month of service.</li> </ul>
	Operational	At least 120 days service	With onset after the first 120 days of service and <ul style="list-style-type: none"> <li>• during service or</li> <li>• within 1 month of service.</li> </ul>



# Decision Ready Examples #3

<b>Sequela condition</b>	<b>Causal service-related condition which must previously have been accepted</b>	<b>the causal service-related condition must be present...</b>
acquired cataract	diabetes mellitus	Before clinical onset of sequela
alcohol use disorder*	substance use disorder	At the time of clinical onset of sequela
	depressive disorder	At the time of clinical onset of sequela
anosmia	alcohol use disorder	At the time of clinical onset of sequela

# Benefits of the Change

- Existing arrangements which currently sit in various policies and legislation will be centralised in one or more legislative instruments
- Transparency of the conditions and service requirements will provide certainty of coverage for claimants and delegates
- Reduced need for evidence of link to service
- No engagement with Statements of Principles
- No requirement for completion of questionnaires
- Faster claims processing times
- Earlier access to treatment and compensation
- Easier claim determinations

# Scenario - Andrew



Andrew served as a full-time member in the Army from 25 January 1996 and discharged on 1 June 2004.



On 1 July 2026, he submits an initial liability claim for two conditions, Shin Splints and Internal Derangement of the Knee



Diagnosis of conditions were confirmed by his General Practitioner, along with Defence medical documents confirming they onset during service and the injuries were sustained while on an exercise.



As both Shin Splints and Internal Derangement of the Knee are streamlined conditions and relevant service and onset timeframes are met both conditions would be assessed as presumptive.

# Scenario - Jack



Jack was as a full-time RAAF Firefighter at Point Cook from 1 January 1981 and posted out on 31 December 1986.



He was later diagnosed with malignant neoplasm of the bowel.



Jack submitted an initial liability claim with DVA after 1 July 2026.



As this is a defined condition and service requirements are met, it can be assessed as a presumptive condition.

# Scenario - Jeremy



Jeremy commenced continuous full-time service in 1998. He discharged after only three months.



He lodges an initial liability claim on 3 July 2026 for rotator cuff syndrome which onset in 2010.



Presumptive Liability covers rotator cuff syndrome but requires a minimum of 210 days service.



Whilst rotator cuff syndrome is a Presumptive Liability condition, Jeremy's circumstances do not meet the specified service requirements. The claim would be processed under standard liability arrangements, requiring the link to service to be established via a Statement of Principles.

# Scenario - Louise



Louise is currently a permanent serving Naval Officer.



She suffers a myocardial infarction (heart attack) while on duty on the 20 June 2025. Louise subsequently submits an initial liability claim for this medical event on 1 July 2026.



If Louise had lodged a claim in 2025, shortly after the medical event, for the condition to be accepted as service-related she would be required to meet a factor under the SoP.



Myocardial infarction is not listed as one of the conditions for presumptive arrangements for a claim after 1 July 2026.



However, the claim may come under the Medical Event on Duty provisions that will apply from 1 July 2026, regardless of the date of injury or event, and the claim may be accepted.

# Future Expansions



Any future changes or additions to presumptive liability will require approval from Government. There will be consultation with ESOs on potential expansions as part of an ongoing body of work.

There will be specific criteria for further expansions of presumption to be investigated or proposed.

Commissions may consider future changes to Presumptive Liability conditions and service requirements, including new conditions, where there is supporting research-based evidence, data analysis and/or epidemiological studies that support the change.

Presumption may be considered if there is a clearly established common causation, or an unusual issue affecting an identified cohort of veterans. An inability to meet a SOP factor in individual cases will not in itself be sufficient.

# Time to test your learning



# Quiz

## Question 1

A veteran lodges their claim on 25 June 2026, will presumptive liability apply?

(a) Yes

(b) No

# Quiz

## Question 2

Will all claims for conditions that fall under the presumptive legislation be automatically accepted?

(a) Yes

(b) No

# Quiz

## Question 3

A veteran lodged a claim after 1 July 2026 for a condition that is not covered under the presumptive liability arrangements. Will the claim be considered further?

(a) Yes

(b) No