



Safety Rehabilitation and Compensation Act 1988

Section 7 - Provisions relating to diseases

Diseases suffered by firefighters

(8) If an employee:

- (a) suffers a disease mentioned in the following table; and
- (b) before the disease was sustained, was employed as a firefighter for the qualifying period mentioned for that disease; and
- (c) was exposed to the hazards of a fire scene during that period; and
- (d) in the case of a cancer of a kind covered by item 13 of the following table—satisfies the conditions (if any) prescribed for such a cancer;

the employment is, for the purposes of this Act, taken to have contributed, to a significant degree, to the contraction of the disease, unless the contrary is established.

Item	Disease	Qualifying period
1	Primary site brain cancer	5 years
2	Primary site bladder cancer	15 years
3	Primary site kidney cancer	15 years
4	Primary non-Hodgkins lymphoma	15 years
5	Primary leukemia	5 years
6	Primary site breast cancer	10 years
7	Primary site testicular cancer	10 years
8	Multiple myeloma	15 years
9	Primary site prostate cancer	15 years
10	Primary site ureter cancer	15 years
11	Primary site colorectal cancer	15 years
12	Primary site oesophageal cancer	15 years
13	A cancer of a kind prescribed for this table	The period prescribed for such a cancer

(9) For the purposes of subsection (8):

- (a) an employee is taken to have been employed as a firefighter if the relevant authority is satisfied that firefighting or related duties made up a not insubstantial portion of his or her duties; and
- (b) an employee who was employed as a firefighter for 2 or more periods that add up to the qualifying period is taken to have been so employed for the qualifying period; and
- (ba) for an employee of the Australian Capital Territory specified in a declaration under subsection 5(15)—the employee is taken to have been employed as a firefighter during any period for which the employee was a member of a firefighting service; and



- (c) an employee is taken to have been employed as a firefighter only if he or she was employed as a firefighter by the Commonwealth, a Commonwealth authority or a licensed corporation.

8A Prescribed kinds of cancer

For the purposes of item 13 in the table in subsection 7(8) of the Act, a kind of cancer specified in an item of the following table, and the qualifying period specified in the item for that kind of cancer, are prescribed.

Prescribed kinds of cancer		
Item	Disease	Qualifying period
1	Primary site lung cancer	15 years
2	Primary site skin cancer	15 years
3	Primary site cervical cancer	10 years
4	Primary site ovarian cancer	10 years
5	Primary site penile cancer	15 years
6	Primary site pancreatic cancer	10 years
7	Primary site thyroid cancer	10 years
8	Malignant mesothelioma	15 years

Post-traumatic stress disorder suffered by certain employees

(11) If:

- (a) an employee has been diagnosed by a legally qualified medical practitioner or psychologist as suffering, or having suffered, from post-traumatic stress disorder in accordance with the diagnostic criteria in:

- (i) the *Diagnostic and Statistical Manual of Mental Disorders*, fifth edition text revision (DSM-5-TR), published by the American Psychiatric Association in 2022; or
- (ii) if a later edition of the *Diagnostic and Statistical Manual of Mental Disorders* is specified by the Minister by legislative instrument—that later edition of the Manual; and

- (b) at any time before symptoms of post-traumatic stress disorder became apparent, the employee:

- (i) was employed as a first responder in accordance with subsection (13); or
- (ii) was a member of a class of employees declared by the Minister, by legislative instrument made under subsection (13A), to be a class to which this subparagraph applies;

the employee's employment as a first responder or as a member of the class of employees declared under subsection (13A) is, for the purposes of this Act, taken to have contributed, to a significant degree, to the contraction of the post-traumatic stress disorder, unless the contrary is established.



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- (13) For the purposes of subparagraph (11)(b)(i), an employee was employed as a first responder at a time if, at that time, the employee:
- (a) was the Commissioner of the Australian Federal Police, a Deputy Commissioner of the Australian Federal Police or an AFP employee (all within the meaning of the *Australian Federal Police Act 1979*); or
 - (b) was employed as a firefighter; or
 - (c) was employed as an ambulance officer (including as a paramedic); or
 - (d) was employed as an emergency services communications operator; or
 - (e) was a member of an emergency service (within the meaning of the *Emergencies Act 2004* (ACT)); or
 - (f) was the Australian Border Force Commissioner; or
 - (g) was an APS employee in the Australian Border Force.