



## Radiation claims arising from British Nuclear Tests in Australia

### Can I claim compensation from Comcare for a medical condition resulting from the British nuclear tests in Australia?

- If you were involved in the British nuclear tests in Australia between 1952 and 1967 and you are suffering from a medical condition as a result of those tests, then you may be entitled to claim compensation.  
OR
- If you were dependant on a deceased person who was involved in the British nuclear tests in Australia and that person suffered from a medical condition as a result of those tests, then you may be entitled to claim compensation. You must have been dependant on that person at the time of their death.

### How do I claim compensation?

Claims would normally be lodged directly with the employer involved i.e. Commonwealth agencies, the Department of Defence (for service personnel), Australia Post or Telecom (Telstra). Commonwealth agencies refer the claims to Comcare. Department of Defence, Australia Post and Telecom (Telstra) deal with their claims rather than referring to Comcare.

There are several things you need to do to allow Comcare to make a decision about your claim.

### What if I was personally involved?

- You should provide Comcare with the name of your employer at the time of the tests, the dates you were employed and the duties you performed. If appropriate, you may wish to provide the names of any witnesses who can confirm you were involved in the tests i.e. other employees, doctors, friends or family.
- You should provide Comcare with as much information as possible on the circumstances of your exposure - areas visited, dates, duties, whether protective clothing or dosimeters were worn etc.
- You will need to advise your treating doctor/specialist about your compensation claim and ask them to provide medical reports to support your claimed condition. Your doctor should also confirm the relationship between your condition and the British nuclear tests in Australia. A specialist, for example an Oncologist, will be able to provide an opinion on the probable cause of your claimed condition if a treating doctor is unable or unwilling to do so.



## What if I am a dependant of a deceased employee who was affected?

- If you are claiming as a dependant you will need to provide Comcare with the following information about the deceased employee. We understand that you may not be able to provide all the requested information, however please provide as much information as possible;
  - The employee's name, date of birth and condition claimed,
  - The name of their employer at the time of the tests and the dates they were employed,
  - The employee's duties and whether they wore protective clothing or dosimeters,
  - Any witnesses who can confirm they were involved in the tests i.e. other employees, doctors, friends or family,
  - Medical evidence to support the employee's medical condition and to confirm the relationship between the condition and the British nuclear tests.
  - You will need to provide Comcare with a copy of the employee's death certificate.
  
- If you are claiming to be a **dependant** of a deceased employee you will need to provide evidence to Comcare to show that you were '**dependent**' on the deceased at the time of their death.

The *Safety, Rehabilitation & Compensation Act 1988* defines 'dependant' and 'dependent' as;

**"dependant"**, in relation to a deceased employee, means:

(a) the spouse, father, mother, step-father, step-mother, father-in-law, mother-in-law, grandfather, grandmother, son, daughter, step-son, step-daughter, grandson, grand-daughter, brother, sister, half-brother or half-sister of the employee; or

(b) a person in relation to whom the employee stood in the position of a parent or who stood in the position of a parent to the employee;

being a person who was wholly or partly dependent on the employee at the date of the employee's death;

**"dependent"** means dependent for economic support;

## What could I be entitled to?

For information on Comcare entitlements please visit Comcare's website

[www.comcare.gov.au](http://www.comcare.gov.au)

Go to the section titled 'information for employees' and have a look through Comcare's publications.



The publications such as 'All about workers' compensation - a guide for employees and 'What do I do if I do not agree with a decision made by Comcare?' should answer any questions you have about your entitlements and Comcare's procedures.

### **How do I find out more?**

To find out more about claiming compensation for a condition resulting from the British nuclear tests in Australia, please contact Comcare on 1300 366 979.