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	Document No.:	ORG-BRD-013
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# TERMS OF REFERENCE

## ANIMAL ETHICS COMMITTEE

The Animal Ethics Committee's membership, terms of reference, functions and responsibilities and operation must conform to the requirements of the current *Australian Code for the Care and Use of Animals for Scientific Purposes 8<sup>th</sup> Edition 2013* ("the Australian Code of Practice"), the Victorian *Prevention of Cruelty to Animals Act 1986* ("the Act"), and the Victorian *Prevention of Cruelty to Animals Regulations 2019* ("the Regulations").

A copy of the code is available at: [www.nhmrc.gov.au/guidelines/publications/ea28](http://www.nhmrc.gov.au/guidelines/publications/ea28)

### 1. Membership

The Phillip Island Nature Parks (Nature Parks) must appoint a chairperson of the Animal Ethics Committee (AEC), who may be a category A-D member.

The AEC must comprise at least four people, independent from the Nature Parks, including a separate person appointed to each of the following categories in accordance with the requirements of the Australian Code of Practice:

**Category A**—a person with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to the institution's activities or the ability to acquire relevant knowledge.

**Category B**—a suitably qualified person with substantial and recent experience in the use of animals for scientific purposes relevant to the institution and the business of the AEC. This must include possession of a higher degree in research or equivalent experience.

**Category C**—a person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with the institution, and who is not currently involved in the care and use of animals for scientific purposes. Veterinarians with specific animal welfare interest and experience may meet the requirements of this category. While not representing an animal welfare organisation, the person should, where possible, be selected on the basis of active membership of, and endorsement by, such an organisation.

**Category D**—a person not employed by or otherwise associated with the institution and who has never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their undergraduate education. Category D members should be viewed by the wider community as bringing a completely independent view to the AEC and must not fit the requirements of any other category.

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*(for additional detail see section 2.2 of the Australian Code of Practise 2013)*

## **Procedures for Appointment, Re-appointment or Retirement of Members**

Members can be nominated by the AEC or by the Nominated Person of the Nature Parks Scientific Procedures Fieldwork Licence (SPFL). Category B members should be nominated by the Nominated Person to ensure their research experience is relevant to the institution and the business of the AEC.

Membership must be endorsed by the AEC and approved by the Nature Parks Board (the Board).

The chairperson of the AEC must be appointed by the Board. The chairperson may be a category A-D member.

Members are required to acknowledge in writing their acceptance of the terms of reference of the AEC and any requirements for confidentiality, including how advice may be sought without breaching confidentiality.

The Regulations requires AEC members to complete mandatory training offered by Animal Welfare Victoria, within six months of joining the Committee.

Unless otherwise determined by the institution, the term of office of each member shall be 3 years. Current members may be reselected.

## **Meeting Procedures**


The time and venue of meetings of the AEC shall be determined by the AEC but should meet at least four times per year, unless Animal Welfare Victoria has provided an exemption.

At least one member from each of the membership categories A, B, C and D must be present at meetings to establish a quorum for the conduct of a meeting and must be present throughout the meeting. Attendance of quorate meetings may be facilitated by video-linking or teleconferencing of some members in circumstances, where face-to-face attendance is not possible.

If the AEC has more than four members, Categories C plus D must represent at least one-third of those members present.

The AEC may establish an executive at any time from the available members and must include the chairperson and at least one member from category C or D. The executive may only approve minor modifications to projects for review and ratification at the next meeting of the AEC and specify urgent action required in response to reports of adverse events or emergencies.

AEC members must declare any conflicts of interest before any business pertaining to a particular interest is considered by the Committee. The affected member(s) must absent themselves from any

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decision pertaining to their particular conflict of interest and, albeit at the Committee's discretion, shall ordinarily not be present when any such decision is determined.

AEC members must treat the contents of all AEC applications as confidential, and respect and observe the strict confidentiality of all discussions in AEC meetings.

The AEC must maintain a register of approved AEC research proposals at the Nature Parks in accordance with the requirements of the Code of Practice and the Act, and to ensure that reports on AEC projects (from researchers) are received and reviewed.

## 2. Functions and Responsibilities

*(for additional information see section 2.3 of the Australian Code of Practise 2013)*

On behalf of the Nature Parks: to provide general oversight of all matters pertaining to animal welfare, the care and use of animals (that are under the jurisdiction of the Nature Parks) by Nature Parks staff conducting research (for scientific purposes), and to provide advice to the Board and make recommendations on any aspect of animal research authorised by the Nature Parks SPFL.

To discuss and make recommendations to the Nature Parks Board on any aspect needed to ensure that the standards of the Australian Code of Practice and the Act and Regulations are maintained. This includes examination and comment on all Nature Parks plans and policies within the AEC's sphere of authority that might impact the welfare of animals.

To a) examine and approve, b) approve subject to revision, or c) not approve AEC applications for the use of animals for research (scientific purposes). This process must ensure that only those studies for which animals are essential and justified, and which conform to the requirements of the Australian Code of Practice 2013 and the Act and Regulations are approved. Approved projects must also be reviewed annually and be endorsed for continuation. Each member is responsible for deciding whether, in their own judgement, an application or other matter under consideration by the AEC is ethically acceptable and meets the requirements of the Code. The AEC may withdraw approval for any project or authorise the emergency treatment or euthanasia of any animal within its sphere of authority.

For non-Nature Parks researchers, or those who are principle investigators in collaboration with Nature Parks staff (i.e. with AEC approval from their home institution): the Nature Parks AEC retains the right to oversee, have input to project design (i.e. power to request revisions etc.) to AEC applications approved externally, and have veto over projects being conducted on animals under the jurisdiction of the Nature Parks (i.e. all animals inhabiting Nature Parks managed lands). An additional application to the Nature Parks AEC is not required, however a copy of the externally approved AEC application must be submitted to the Nature Parks AEC for consideration and endorsement (and revision if deemed necessary) prior to the commencement of that research. The AEC may request copies of annual reports, final reports and incident reports arising from all endorsed projects.

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To approve and review guidelines and standard operating procedures (SOPs) pertaining to animal welfare, including the care and management of all animals used for scientific purposes under the Nature Parks SPFL and ensure animal care and management is conducted according to the standards of the Australian Code of Practice 2013, the Act and Regulations. This care includes that occurring during the acquisition, transport, handling and monitoring of wild animals, breeding, housing, care, use and fate of animals.

To ensure that research personnel are appropriately qualified and experienced to perform the animal research that they are proposing to conduct, that relevant legislative and regulatory requirements are adhered to, and that all approved AEC procedures are adhered to.

To ensure that any adverse incident associated with research is reported immediately to AEC Secretary and Chair and resolved as quickly as possible, including input and advice from a veterinarian with appropriate wildlife experience where required. In addition, a formal incident report, including information on how the incident was resolved, and details of how such incidents will be avoided in the future, must also be submitted to the next AEC meeting on the AEC incident report form.

When projects or activities that are in breach of the Code are detected, the AEC must ensure that actions are taken to ensure that animal wellbeing is not compromised, the issue is addressed promptly, and activities that have the potential to adversely affect animal wellbeing cease immediately. Actions may include suspending or withdrawing approval for the project or activity. Actions must be taken to address the issues in consultation with the person(s) involved. When considered necessary, such matters are to be referred to the institution (Nature Parks) for action. The AEC must ensure non-compliance receives appropriate follow-up and resolution.

### **3. Mechanisms of Reporting**

The AEC must report in writing and in person to the Nature Parks Board with an annual review of the activities of the AEC, and additionally as required.

To report to regulatory authorities as required. Reporting includes, but is not limited to, Animal Use Returns submitted via the Secretary each year and occasional audits of the AEC by Animal Welfare Victoria.