

General Meeting

Tuesday, 11 February 2014
9.00am – 4.30pm

Ministry for Primary Industries
Pastoral House (level 10, meeting room 5)
25 The Terrace
Wellington

MINUTES

Part One

Present: V Williams (Chairperson), Peter Larsen, Bruce Warburton, Terry Burrell, Stephen Cairns (from 9.15 am until 2.45 pm), Malcolm Tingle, Craig Johnson.

In Attendance: s 9(2)(a) (Secretary); s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) for various parts of the meeting; s 9(2)(a) (Professor of Animal Welfare at the Swedish University of Agricultural Sciences) and s 9(2)(a) (Manager, Regulatory Reform and Animal Welfare Policy) for agenda item O 14 at 11.30 am.

Apologies: An apology for absence was received from Karen Booth. An apology for lateness was received from S Cairns who had been held up in traffic.

V Williams opened the meeting at 9.05 am and welcomed attendees including s 9(2)(a). s 9(2)(a), on sabbatical in New Zealand, was working with MPI's animal welfare team on the intersection between animal welfare science and policy.

V Williams invited committee members to introduce themselves to s 9(2)(a).

O 1. Election of Deputy Chair

The Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)) requires the committee to elect one of its members as its deputy chairperson, at its first meeting each year. V Williams nominated P Larsen who confirmed his willingness to accept the appointment.

Moved (V Williams/B Warburton):

That Peter Larsen be elected deputy chairperson of the committee for 2014, pursuant to the Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)).

The motion was put: carried.

O 2. Feedback from annual review of committee performance

The committee reviewed feedback from the annual review of committee performance which was circulated prior to the meeting. The following comments were noted:

Committee administration - It was agreed that if interaction with MPI Legal was required it would be appropriate to have a face to face meeting to discuss specific issues.

Committee function - In response to the comment about challenging the committee's ethical views, it was agreed to ask an external person to present a mini-tutorial on their view of animal use in research, testing and teaching. Nominated individuals included s 9(2)(a) and s 9(2)(a). V Williams agreed to approach s 9(2)(a) in the first instance.

External communication - It was agreed that the Director-General of MPI be invited to a NAEAC general meeting or to the AEC workshop.

Specific issues in 2013 - The issues that were identified as needing attention included the following: *Consideration of independent reviews of AECs* – It was noted that the independent reviews of code holders had been quite variable in 2013. The comments made by one reviewer (about grading manipulations) in relation to a specific code holder were noted. s 9(2)(a) agreed to find MPI's letter to the code holder in question to see if the reviewer's comments had been addressed. In the future, NAEAC would review the independent reports prior to MPI deciding whether a satisfactory level of compliance had been achieved by the code holder.

C Johnson reported that the *Animal Use Statistics* publication had been of use to his animal ethics committee (AEC) when trying to ascertain grading manipulations. It was agreed that use of the publication could be promoted in the next newsletter.

The pros and cons of accredited reviewers being independently appointed as opposed to being selected by the code holder were discussed. s 9(2)(a) reminded committee members that code holders were only able to select the same reviewer twice. If an extra review was required by a code holder the same reviewer would need to be selected.

s 9(2)(a) made a comment about whether the reviewers and the review process could be standardised or calibrated in some way. V Williams reported on the accredited reviewers' face to face meeting which had been held the previous year. s 9(2)(a) (from MPI Verification Services) had attended part of that meeting to discuss ways of ensuring consistency across accredited reviews. A face to face meeting would be scheduled biennially in future (in the years that reviews were undertaken) and reviewers would be invited to attend AEC workshops.

V Williams suggested that the review instructions (accredited reviewers checklist and performance standards) be reviewed. P Larsen, B Warburton and V Williams agreed to take on this task and asked s 9(2)(a) to send them the relevant information.

NAEAC Three Rs award – It was generally agreed that the Three Rs award required attention in terms of sponsorship and profile and would be discussed separately later in the meeting.

Auckland site visit and meeting with AEC members – the Auckland AEC evening function had been disappointing due to the low number of people who attended.

Actions:

V Williams to contact s 9(2)(a) about mini-tutorial at November meeting.

s 9(2)(a) to send independent review documentation to NAEAC.

V Williams to mention 'Animal Use Statistics' publication in next AEC newsletter.

s 9(2)(a) to send V Williams, P Larsen and B Warburton reviewers' checklist and performance standards.

V Williams, P Larsen and B Warburton to review reviewers' checklist and performance standards.

O 3. Discussion and approval of draft Strategic Plan for 2014

At the November 2013 general meeting the committee adopted a new strategic plan for 2014-2019. However, upon circulation of the final plan, more minor changes, including an amendment to the vision were suggested. V Williams referred committee members to the further amended plan which had been circulated prior to the meeting. The following comments were noted:

The Vision: It was agreed to make a small change to the last sentence of the first paragraph in the Vision Statement.

Advice to the Minister and the Director-General: It was agreed to accept additional action points 4 and 9 in this section.

Advice to AECs and code holders: M Tingle suggested that the actions relating to the occasional papers be reworded.

It was agreed that NAEAC members endeavour to attend an AEC meeting on an annual basis.

Promote best practice in RTT using animals: It was agreed to accept the additional action point numbered 3 in this section.

In addition to the above, it was agreed to change references to 'best practice' to 'good practice' throughout the document.

Moved (V Williams/M Tingle):

That the agreed amendments to the draft Strategic Plan are made and that the amended document be adopted as the committee's updated Strategic Plan for 2014.

The motion was put: carried.

Action – s 9(2)(a) to amend strategic plan and circulate to committee members and Minister.

O 4. Discussion and approval of draft Operational Plan for 2014

V Williams referred committee members to the draft Operational Plan for 2014, circulated for committee members' review prior to the meeting. The same changes which had been suggested for the Strategic Plan would need to be incorporated into the Operational Plan. Apart from some minor editorial changes the committee was satisfied with the content and format of the plan.

Moved (V Williams/M Tingle):

That the agreed amendments to the draft Operational Plan are made and that the amended document be adopted as the committee's updated Operational Plan for 2014.

The motion was put: carried.

Action – s 9(2)(a) to amend operational plan and circulate to committee members and Minister.

O 5. Review of publication *Animal Use Statistics*

An action arising out of the October 2013 code of ethical conduct meeting was for NAEAC to read the publication titled *Animal Use Statistics*. The action had arisen as a result of a query from an AEC about whether gradings should be applied to entire research periods as opposed to just the manipulations. The committee agreed that a grading should apply to the entire research period but there was no mention of this in the current version of the publication. The committee decided not to review the publication now but wait until the legislative changes had been passed first. s 9(2)(a) reported that the committee was not due to review the publication until next year anyway.

Under the heading *Purpose* on page 6 of the publication it was agreed that a more detailed description of basic biological research was needed when the text was reviewed. It was generally agreed that it was difficult to know when to transition from basic biological research to medical research.

It was agreed to flag this change now (and any others the committee may have) and review the document again after the Animal Welfare Amendment Bill had been passed.

O 6. NAEAC guidelines on emergency management

It was recalled that at the October 2013 codes of ethical conduct meeting, there had been some discussion about whether it was the code holder or AEC's responsibility to establish procedures for the welfare of research animals during emergencies and whether such plans should be referenced in codes of ethical conduct. Previous NAEAC advice on this issue had been circulated to AECs and code holders in 2009. That letter, and advice from s 9(2)(a), Senior Adviser Animal Welfare, had been circulated to committee members prior to the meeting.

The committee did not agree with s 9(2)(a) advice that emergency management plans should be considered as one of the criteria in assessing a project for approval because organisational policies on emergency management would already cover all manipulations considered by AECs. For clarity it was agreed not to make reference to 'laboratory animals' because animal use in research, testing and teaching was much wider than the 'laboratory' situation. Rather, any guidelines issued by NAEAC should refer to research, testing and teaching animals in a facility.

It was agreed to reformat the 2009 letter as NAEAC guidelines and circulate the draft to committee members for comment and approval.

Action – s 9(2)(a) to amend guidelines and circulate draft to committee members.

O 7. NAEAC content on MPI website

V Williams reported that K Booth's details on the MPI website had been amended as requested. The link to an example of a code of ethical conduct was still bringing up Massey University's old code of ethical conduct not the one that was approved at the end of 2013.

O 8. Discussion on whether NAEAC should post a summary of meeting minutes on the MPI website

It was noted that the National Animal Welfare Advisory Committee (NAWAC) had recently posted a summary of their meeting minutes on the MPI website in order to increase transparency and communication with stakeholders. V Williams sought opinion from the committee about NAEAC doing the same thing.

The committee was generally supportive of this initiative noting that the information would prove useful to AECs. There was some discussion about recording the number of 'hits' the NAEAC meeting summary would elicit, but as there was no purpose for using the results it was considered unnecessary to monitor the site.

V Williams agreed to highlight the subject of meeting summaries on the MPI website to AECs via the newsletter and prepare a summary of the meeting and send it to the rest of the committee for comment.

Actions:

V Williams to advise AECs that a summary of NAEAC's minutes will put on the MPI website.

V Williams to prepare summary of NAEAC February meeting minutes for website and circulate to committee.

O 9. Mini-tutorial – Minimal anaesthesia for pain research

V Williams invited C Johnson to give his mini-tutorial titled *The Minimal Anaesthesia Technique and Animal Welfare Research*.

C Johnson provided a summary of how the minimal anaesthesia technique was developed and a brief history of his pain research to date, which included:

- Comparing the effect of different inhalation agents on the electroencephalogram (EEG) of the horse.
- Antler compression, generating three data sets - compression, control and local anaesthetic. Antler compression via a band caused an increase in EEG and thus some level anaesthesia although not as much anaesthesia as was produced by the use of local anaesthetic.
- Investigating whether age had any effect on the perception of pain. EEG responses were recorded against the following procedures: tail clamping in anaesthetised rat pups 5-22 days after birth; toe clamping in anaesthetised joeys between 95 and 260 days; and castration in anaesthetised lambs from 3 hours to 36 days after birth. Conscious perception and suffering may not occur until sometime after birth even in precocious mammals but negative effects of pain (perception and hyperalgesia).
- Investigating the effects of slaughter on ventral neck incision in calves.

On behalf of the committee, V Williams thanked C Johnson for his valuable presentation.

O 10. Identification of topics for mini-tutorials at May, August and November general meetings

In light of K Booth's absence, it was agreed that the mini-tutorial on animal-based regulatory testing be given at the May general meeting. M Tingle would give a presentation on psychoactive substances at the August meeting and s 9(2)(a) would be invited to speak at the November general meeting. V Williams asked s 9(2)(a) to let K Booth know that she was due to speak in May.

Action – Advise K Booth she is due to give mini-tutorial in May.

O 11. Topic/author for next issue of *Welfare Pulse*

s 9(2)(a) reported that the March issue of *Welfare Pulse* would contain articles/material on the new NAEAC committee members; the AEC service award which was presented to s 9(2)(a) last year; an article by P Larsen and Martin Kennedy (former NAEAC member) on negative research results; codes of ethical conduct update and call for nominations for the 2014 NAEAC Three Rs award.

s 9(2)(a) asked committee members to think about topics for the coming year and not just for the next (June) issue. The zebrafish article promised by s 9(2)(a) from the University of Auckland had not been received in January for publication in March. If copy was not received by the next due date s 9(2)(a) reported she would not pursue the article further. M Tingle agreed to speak to s 9(2)(a) about the article and if he was not available to write something, ask someone else to do so.

P Larsen reported that s 9(2)(b)(ii) was freezing embryonic lines instead of breeding animals and that this work might make an interesting article. It was agreed to approach s 9(2)(b)(ii) to see if they were interested in writing an article.

V Williams also agreed to mention *Welfare Pulse* in the next AEC newsletter.

Actions:

**P Larsen s 9(2)(a) to approach s 9(2)(b)(ii) about writing an article for 'Welfare Pulse'.
V Williams to mention contributions to 'Welfare Pulse' in the next AEC newsletter.**

O 12. NAEAC occasional paper series

Occasional paper number 10 was a reprint of the article on environmental enrichment by V Baumans et al that had been originally published in *The Veterinary Journal*. V Williams had received permission from the publishers to print 200 copies and had also written a foreword. s 9(2)(a) reported she had received the second proof back from MPI Communications.

P Larsen reported that he had not started work on the paper about overcoming resistance to changing existing animal models in experimental design.

O 13. NAEAC Three Rs Award for 2014

s 9(2)(a) reported she had circulated the call for nominations form and a copy of the current version of the application form to committee members prior to the meeting. The application form still showed SPCA as being a sponsor even though their sponsorship for 2014 had not been confirmed.

The committee discussed possible venues for the award presentation including the AEC workshop, the ANZCCART conference and Queenstown research week. To lift the profile of the award it was considered preferential to present at a meeting other than the AEC workshop, but of course, this was dependent on who the winner might be.

Possible sponsors suggested for the award included the RNZSPCA, Landcare Research, the New Zealand Vice-Chancellors Committee, the Royal Society of New Zealand, AgResearch, the New Zealand Veterinary Association, and biotechnical companies Invitrogen New Zealand and BioLegend. It was agreed to go back to the RNZSPCA in the first instance to ascertain their interest in continuing sponsorship. P Larsen agreed to liaise with s 9(2)(a) about the sponsorship letters after RNZSPCA had been contacted in the first instance.

The committee wanted to see sponsorship secured for the next two years and the prize money increase from \$2,000 to between \$5,000 and \$10,000.

Action – Write to SPCA about sponsoring 2014 NAEAC Three Rs Award.

O 14. Update on review of the Animal Welfare Act 1999

V Williams welcomed s 9(2)(a) to the meeting for this agenda item. s 9(2)(a) reported that approximately 1,700 submissions had been received on the Animal Welfare Amendment Bill, all of which were available for viewing on Parliament's website. The Departmental Report, prepared by MPI had been sent to the Select Committee.

The amendments NAEAC wished to see go through (reporting of animals killed for their tissue and ethical oversight of breeding welfare compromised animals for example) continued to be supported by MPI and thus was reflected in the Departmental Report.

The Supplementary Order Paper (SOP) put forward by Hon Trevor Mallard was noted as being a health policy matter not an animal welfare policy matter. Protection for animals was already available under the current regulatory system. While there was support for the intent of Mojo Mathers' SOP, there was concern that it would generate some unintended consequences.

An acknowledgment of animal sentence (the word already appearing in the Animal Welfare Strategy) was also to be included in the preamble of the Act but not included in any of the definitions.

In terms of timing, the Select Committee is due to report back to the House by the end of March. The second and third readings of the Bill will occur after that.

On behalf of the committee, V Williams thanked s 9(2)(a) for his update after which he departed the meeting.

O 15. Update on NAEAC research proposal

V Williams invited P Larsen to provide an update on the NAEAC research proposal looking into how AECs go about making their decisions. P Larsen reported that the research was slightly (4 to 6 weeks) behind schedule because the student involved in doing the work had had to deal with family illness over the summer period.

Of the preliminary results available, no one had voiced views that they were being intimidated or not listened to. In fact there had been positive comments about how particular AECs functioned. There was some indication however, that individuals on the same committee had differing opinions on their assessment of whether a cost-benefit analysis was carried out.

P Larsen reported that it was his intention to have the research published in a peer reviewed publication and or as an occasional paper. P Larsen was also interested in the content analysis of letters that were sent back to researchers by the AEC.

C Johnson reminded committee members about the ANZCCART research proposal that would involve sending a fictitious application (not too controversial in the first instance) to a number of AECs and analysing the responses received. While the research had not yet started C Johnson would keep the committee updated on its development.

O 16. Update for Minister for Primary Industries

No topics were identified to update the Minister about.

O 17. Update on new technologies

The draft NAEAC operational plan required that monitoring of new technologies be assigned to a NAEAC member. V Williams asked for volunteers to monitor new technologies and their implications for animal welfare in RTT. It was agreed that s 9(2)(a) and the committee do this together.

O 18. Update on alternatives to animal-based regulatory testing

In light of K Booth's absence, no update was provided on alternatives to animal-based regulatory testing.

O 19. Update on Three Rs initiatives

s 9(2)(a) reported that she had circulated the Three Rs presentation s 9(2)(a) had made at the Animal Sciences Practitioner seminar at Massey University in November 2013.

s 9(2)(a) and s 9(2)(a) had also met with ANZCCART on 30 January 2014 to further discuss the Three Rs repository of examples they had been working on. The Three Rs example of refinement using blood sucking insects was circulated prior to the meeting. Other examples were still under development.

In order to facilitate information exchange it was noted that s 9(2)(a) would be meeting with s 9(2)(a), V Williams, s 9(2)(a) and s 9(2)(a) on a fortnightly basis to discuss all matters relating to animal use in research, testing and teaching including the Three Rs.

V Williams asked C Johnson for an update on the Massey Three Rs programme. Due to an internal management change at the university the programme was not currently up and running.

s 9(2)(a) reported that in Sweden grant money was distributed to those working on alternatives. V Williams reported that in New Zealand more work was done on refinement.

As s 9(2)(a) was the former NAEAC member responsible for liaising on matters relating to the Three Rs, V Williams asked who in the committee would like to take over this role. C Johnson agreed to take on this role and V Williams asked s 9(2)(a) to convey this back to s 9(2)(a) and s 9(2)(a).

Action – s 9(2)(a) to advise s 9(2)(a) and s 9(2)(a) that C Johnson is the new NAEAC contact in relation to the Three Rs.

O 20. MPI summary of CEC approvals, notifications and revocations

The summary of code of ethical conduct approvals, notifications and revocations that was circulated prior to the meeting was noted. s 9(2)(a) confirmed that s 9(2)(b)(ii) had not applied for a new code because they were currently contracting out their research.

The s 9(2)(b)(ii) re-structure and the effect it would have on AECs' workload if some committees were disestablished, was noted. The organisation's code of ethical conduct, approved last year, allowed AECs to change location.

s 9(2) left the meeting at 12.15 pm to attend another appointment.

O 21. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

S Cairns asked s 9(2)(a) if she could limit the number of emails she sent through to just once a week. s 9(2)(a) agreed to continue sending the weekly mail outs on Wednesday and other correspondence via email, just once a week (Monday or Friday).

O 22. Committee members' reports on recent presentations and attendance at conferences

V Williams reported she was going to Australia at the end of February to participate in the Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC) International accreditation of an Australian institution. It was recalled that a number of years ago s 9(2)(a), Global Director of AAALAC International had come to New Zealand to speak to various institutions about the benefits of becoming accredited. To date, no New Zealand institution had been accredited.

Any Other Business Part One

No other items of business were identified for discussion under Part One of the Agenda.

Any Other Business Part Two

No other items of business were identified for discussion under Part Two of the Agenda.

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no further items of business for discussion under Part One of the agenda it was moved (V Williams/P Larsen):

- A. *That the public be excluded from the following parts of the proceedings of this meeting, namely:*
 - C 1. *Confirmation of previous minutes*
 - C 2. *Action list review*
 - C 3. *Accredited reviewers teleconference to discuss 2013 reviews*
 - C 4. *2013 reviews of code holders – summary of findings*

- C 5. NAEAC Annual Report for 2013
- C 6. Discussion of arrangements for AEC site visits in May
- C 7. Discussion of November 2014 workshop for AECs
- C 8. AEC service awards
- C 9. MPI update

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1982 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review	As above.	As above.
C 3.	Accredited reviewers teleconference to discuss 2013 reviews	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) of the OIA.
C 4.	2013 reviews of code holders – summary of findings	As above.	As above.
C 5.	NAEAC Annual Report for 2013	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.
C 6.	Discussion of arrangements for AEC site visits in May	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 7.	Discussion of November 2014 workshop for AECs	As above.	As above.

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 8.	AEC service awards	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 9.	MPI update	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.

B: That that s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary) and s 9(2)(a) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

PUBLIC EXCLUDED AGENDA

Part Two

C 1. Confirmation of previous minutes

The draft minutes of the general meeting held on 12 November 2013 were reviewed. One typographical error was noted on page 3 of the minutes. There were no other amendments.

Moved: (V Williams/B Warburton):

That, subject to the correction being made, the draft minutes of the general meeting held on 12 November 2013 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Ethical decision making framework (action 2): V Williams agreed to contact former NAEAC member s 9(2)(a) to ascertain if she had done any work on this action.

Review of NAEAC and MPI publications (action 4): It was noted that NAEAC and MPI publications would be discussed at the next general meeting. s 9(2)(a) reported that the *Blood Harvesting Guidelines* and NAEAC's wiki page were due to be reviewed this year. V Williams asked s 9(2)(a) to send committee members the link to the electronic copy of the guidelines prior to the next meeting.

Arrangements for 2014 site visit (action 19): V Williams reported that all the Wellington-based AECs and parented organisations she had contacted were happy for NAEAC to visit them. s 9(2)(b)(ii) had two facilities though so it was anticipated that NAEAC would visit them first in the morning.

Committee members discussed ways in which they could encourage Wellington-based AEC members to attend the evening function at the end of the site visit as in recent years these had been poorly attended. The most popular suggestion involved a visit/talk about s 9(2)(b)(ii). It was agreed to investigate this option further.

Actions:

s 9(2)(a) to send committee members the link to the 'Blood Harvesting Guidelines'.

V Williams to investigate AEC evening function at s 9(2)(b)(ii).

C 3. Accredited reviewers teleconference to discuss 2013 reviews

s 9(2)(a) reported that most of the accredited reviewers had not wanted to participate in a teleconference to discuss the 2013 reviews because they had already met in person to discuss their findings in September of last year.

s 9(2)(a) reported that accredited reviewers teleconferences were usually held at the beginning of the year following the previous years' reviews. Participants had also included NAEAC and MPI members. Because a face to face meeting had been held last year, s 9(2)(a) had sought feedback from reviewers about the value in holding a teleconference as well. Most had not thought it necessary as their findings had already been discussed. The only accredited reviewer who wanted a teleconference to go ahead was John Schofield. J Schofield had only recently been accredited as a reviewer and had not participated in last year's meeting. V Williams agreed to talk to J Schofield about why no teleconference was to go ahead.

The committee briefly discussed training for new reviewers. The only information received by the reviewers was the reviewers check list and the performance standards produced by MPI. It was noted that new reviewers had in the past, been invited to observe reviews conducted by more experienced reviewers.

Action – V Williams to contact J Schofield.

s 9(2) returned to the meeting at 2.00 pm.

C 4. 2013 reviews of code holders – summary of findings

s 9(2)(a) reported that one matter raised during MPI audits of accredited reviewers was a recommendation that the Animal Welfare Team have a process for monitoring issues in the reports prepared by accredited reviewers to identify any trends.

s 9(2)(a) had prepared a list of the findings from all the reviews carried out in 2013 which had been circulated prior to the meeting.

V Williams reported that she had previously prepared papers on the accredited review process which had been presented at the Alternatives Congress and suggested she could do the same in respect to trying to ascertain trends within different institutions. V Williams agreed to discuss this further with s 9(2)(a).

NAEAC had also not previously had the opportunity to view letters from code holders that came back to s 9(2)(a). The committee considered there was merit in doing so in future. V Williams also agreed to raise the matter with s 9(2)(a). In the meantime, s 9(2)(a) reported she would send the committee the letters they had not previously seen.

In respect to monitoring, NAEAC had guidelines on the subject and if code holders and AECs were not meeting these it was considered they were not meeting the required standards. There was certainly provision to grant temporary approvals, such as for one year, if considered necessary.

Actions

s 9(2)(a) to circulate relevant letters to NAEAC.

V Williams to talk to s 9(2)(a) about code holder letters and continuing with her accredited reviewers' research.

C 5. NAEAC Annual Report for 2013

V Williams reported that she had begun drafting the NAEAC annual report and had asked committee members to notify her about the conferences they had attended during 2013.

V Williams reported she would send out the first part of the report (excluding the animal use statistics) to committee members in due course. s 9(2)(a) volunteered to check whether she had any suitable photos of the 2013 site visit that could be incorporated into the report.

M Tingle asked committee members to consider the length of the annual report in future.

Action – s 9(2)(a) to send photos to committee members.

C 6. Discussion of arrangements for AEC site visits in May

The AEC site visit had been discussed previously under agenda item C2. It was noted that s 9(2)(b)(ii), s 9(2)(b)(ii), the s 9(2)(b)(ii) and s 9(2)(b) had all been receptive about a visit from NAEAC. The schedule for the day now required further development.

C 7. Discussion of November 2014 workshop for AECs

V Williams invited T Burrell to lead the discussion of this agenda item. T Burrell referred committee members to the draft programme that was circulated prior to the meeting. There were a number of key sections of the workshop that required further development. The first of these was the key note address.

The committee discussed possible key note speakers, ultimately agreeing on s 9(2)(a). It was suggested s 9(2) could speak on his perspectives of animal ethics and its challenges over the last 20 years. T Burrell agreed to approach s 9(2) to ascertain his availability to speak at the workshop.

It was agreed that the main session after morning tea would be dedicated to a discussion of a mock AEC proposal. It was suggested that the external statutory AEC members be separated out into each of their groups – veterinary nominees together, SPCA nominees together and local government nominees together. A fourth group would comprise institutional AEC members. Each group would require a chair and someone to

facilitate the discussion. Outcomes would be compared at the end of the session which would hopefully give each group an insight into how the other groups view matters.

M Tingle and P Larsen agreed to bring some protocols to the next meeting for committee members to select from.

S Cairns departed the meeting at 2.45 pm to catch a flight to attend another meeting.

It was agreed to run a dedicated workshop for non-statutory members in the first session after lunch. Other workshop topics agreed upon included ethical decision making; wildlife grading, statistical analysis and monitoring.

In the session after afternoon tea it was agreed that the entire group come together to hear a series of small talks (maybe 3 or 4).

T Burrell agreed to circulate an amended programme based on committee discussion.

Action – T Burrell to amend AEC workshop programme.

C 8. AEC service awards

§ 9(2)(a) reported that § 9(2)(a) nomination by the § 9(2)(b)(ii) AEC had been considered between the November 2013 and February 2014 meetings. All committee members had supported the nomination and the award was presented to § 9(2)(a) by the Chair of the § 9(2)(b)(ii) AEC on 5 December 2013. An item about the award would feature in the next issue of *Welfare Pulse*.

It had come to MPI's attention that § 9(2)(a) from § 9(2)(b)(ii) had attended 100 AEC meetings. MPI had approached § 9(2)(a) to ascertain if they wanted to nominate him for a NAEAC AEC service award.

The nomination from § 9(2)(a) from § 9(2)(b)(ii) for § 9(2)(a) to receive the NAEAC AEC service award had been received and circulated to committee members prior to the meeting.

P Larsen noted that he had worked with § 9(2)(a) previously. V Williams acknowledged this and invited P Larsen to remain at the meeting to continue with the discussion of the nomination. All committee members considered § 9(2)(a) was deserving of the award.

Moved: (V Williams/B Warburton):

That the nomination from § 9(2)(b)(ii) is accepted and that § 9(2)(a) receives the NAEAC AEC service award in recognition of an outstanding contribution.

The motion was put: carried.

P Larsen volunteered to present the award to § 9(2)(a) on behalf of the committee.

Actions:

§ 9(2)(a) to contact § 9(2)(a) accordingly.

§ 9(2)(a) to prepare certificate.

P Larsen to present award.

C 9. MPI update

§ 9(2)(a) and § 9(2)(a) provided an update on items of direct and indirect interest and relevance to committee members. In particular, § 9(2)(a) reported on the new procedure for appointing committee members. In future, committee vacancies would be advertised publically (on the MPI website) in addition to seeking nominations from the usual bodies. Advertising positions would not apply to members who were willing to be nominated to serve a second three year term.

As the meeting was drawing to an end, § 9(2)(a) took the opportunity to thank committee members for allowing her to attend the meeting. § 9(2)(a) reported that in Sweden, regional committees were responsible for reviewing protocols and that inspection and compliance was carried out by the State. § 9(2)(a) offered to provide V Williams with the contact details for the Chair of their Board.

Action – § 9(2)(a) to provide V Williams with contact details for Chair of the Board.

There being no other items of business, the Chair thanked committee members for their attendance and declared the meeting closed at 3.40 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

General Meeting

Tuesday, 13 May 2014
9.00am – 4.30pm

Ministry for Primary Industries
Pastoral House (Level 17, meeting room 2)
25 The Terrace
WELLINGTON

MINUTES

Part One

Present: V Williams (Chairperson), Peter Larsen, Bruce Warburton, Terry Burrell, Stephen Cairns, Malcolm Tingle, Craig Johnson, Graeme Nind.

In Attendance: s 9(2)(a) (Secretary); s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy) for Part One of the meeting; s 9(2)(a) (European Commission Directorate General for Health and Consumer Affairs) as an observer; Martyn Dunne (Ministry for Primary Industries (MPI) Director-General) at 10.00 am to meet committee members.

Apologies: An apology for absence was received from Karen Booth.

V Williams opened the meeting at 9.10 am and welcomed attendees including G Nind who was attending his first NAEAC general meeting and s 9(2)(a) who was attending the meeting in place of s 9(2)(a). G Nind, nominated by the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA) had been appointed to the committee to succeed s 9(2)(a) who resigned from the committee last year. It was noted that Martyn Dunne would be attending the meeting briefly at 10.00 am to meet committee members.

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress against milestones in the Operational Plan. The following updates were provided:

A typographical error was noted in section 2 of the Operational Plan. s 9(2)(a) agreed to amend it.

It was agreed that the publication *A Guide for Lay Members of Animal Ethics Committees* be sent to the main contacts of animal ethics committees (AECs) for distribution to all lay members.

V Williams sought clarification about the intention of operational milestone 3(e). P Larsen reported that alerting universities to funding opportunities (especially involving significant amounts of money) would likely influence or change their behaviour whereas smaller monetary amounts would be less likely to do so.

Actions:

s 9(2)(a) *to amend typographical error in Operational Plan.*

s 9(2)(a) *to add operational milestones to current actions list.*

O 2. NAEAC content on MPI website

V Williams reported that she had reviewed NAEAC content on the MPI website and had discovered some minor matters which required updating, including reference to the PDF version of the *Guide to the Preparation of Codes of Ethical Conduct* and matters relating to the New Zealand Three Rs Programme. V Williams agreed to send s 9(2)(a) her complete list of changes.

s 9(2)(a) reported that MPI was currently redeveloping its website. The new site, being developed to make it easier for stakeholders to navigate and get the information they required, was due to be launched in either September or October of this year. The new website would replace the six legacy websites currently being used.

Actions:

V Williams to send s 9(2)(a) *list of changes required to website.*

s 9(2)(a) *to update NAEAC content on MPI website.*

O 3. Review of draft NAEAC guidelines on emergency management of animals used in RTT

V Williams referred committee members to the draft guidelines which were circulated prior to the meeting. The committee reviewed the document and agreed:

- The first paragraph remain unchanged;
- At the end of the third paragraph, a sentence is added about disaster management being incorporated into animal facilities standard operating procedures;
- Section 5.1.1 of the *Good Practice Guide* required updating to include disaster management being incorporated into the animal facility standard operating procedure;
- Reference to Environmental Risk Management Authority is removed as it no longer exists.

Moved (V Williams/M Tingle):

That the agreed amendments to the draft guidelines are made and that the amended document is adopted as the committee's guidelines on emergency management of animals used in research, testing and teaching.

The motion was put: carried.

Action - s 9(2)(a) *to amend guidelines and advise AECs of their existence.*

O 4. Review of Blood Harvesting Guidelines

A link to the publication *Guidelines for the welfare of livestock from which blood is harvested for commercial and research purposes* was circulated prior to the meeting. According to the NAEAC/MPI publications list, the guidelines were due for review in 2014.

V Williams reported that it was difficult to find references on this type of work because those organisations harvesting blood from animals would not make their data publically available. Given that NAEAC did not have any data on blood harvesting, P Larsen asked whether it was appropriate for NAEAC to be updating the publication at all. V Williams was of the opinion that the document was still a useful reference for AECs. If the guidelines were to contain accurate and up to date information it was considered worthwhile asking those stakeholders that undertook the practice to comment on the text.

V Williams agreed to send out the guidelines after she had made some small, minor changes to the text.

The committee briefly discussed whether guidelines for other manipulations were required but eventually agreed this was not necessary.

Action - V Williams to amend guidelines and send out to stakeholders.

O 5. Review of NAEAC wiki page

A link to the NAEAC wiki page on the New Zealand regulatory system was circulated prior to the meeting. V Williams agreed to ask s 9(2)(a) (former NAEAC member) how to ascertain how many times the page was accessed and how to transfer the 'ownership' of it.

Action – V Williams to contact s 9(2)(a) about NAEAC wiki page.

O 6. Review of AEC Induction Pack

Committee members reviewed the list of contents for the AEC new member induction pack, circulated prior to the meeting. The review would decide whether any items should be added to, or removed from the pack. It was agreed to:

- add the ANZCCART New Zealand publication *Animal Research Saves Lives*;
- remove item 14, the Royal Society of New Zealand Beta publication *Animals and Society* as it was no longer available in hard copy.

The volume of reading material in the induction pack had grown significantly as a result of the publication of the NAEAC occasional papers. It was generally agreed that all the information in the pack was useful but that receiving it in hard copy might be too overwhelming for new committee members. It was agreed therefore to make the induction pack available to AECs electronically. s 9(2)(a) agreed to advise AEC contacts about the new system.

Actions:

s 9(2)(a) to update contents of NAEAC AEC induction pack.

s 9(2)(a) to advise AEC primary contacts that the AEC induction pack is now available electronically.

O 7. Topic/author for next issue of Welfare Pulse

The topic/author(s) of articles for future issues of *Welfare Pulse* were discussed. V Williams agreed to write an article on Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC) accreditation and C Johnson also agreed to prepare something although the topic of his article was yet to be determined.

Action – V Williams and C Johnson to write article for ‘Welfare Pulse’.

O 8. NAEAC occasional paper series

Committee members discussed future topics for the NAEAC occasional paper series. It was suggested that the blood harvesting guidelines could be turned into an occasional paper. It was agreed to tell blood harvesting users about this decision when the amended version of the guidelines was sent for review.

M Dunne arrived at the meeting 10.25 am to briefly meet with committee members. It was noted that V Williams and s 9(2)(a) had met with M Dunne prior to the meeting. After introductions were made, M Dunne briefly discussed the new alignment of MPI which had come into force the previous day and thanked committee members for their hard work and contribution to committee business. M Dunne departed the meeting at 10.33 am.

Action – V Williams to advise users that the ‘Blood Harvesting Guidelines’ could be reprinted as an occasional paper.

O 9. NAEAC Three Rs Award for 2014

V Williams invited P Larsen to provide an update on the NAEAC Three Rs award for 2014. It was noted that the RNZSPCA had agreed to sponsor the award again this year, to the value of \$2,000. s 9(2)(a) reported that there had already been some interest in the award. One application from a previous nominee had already been received and there had been several requests for the application form. P Larsen asked if the application received was from s 9(2)(b)(ii) or not. P Lemow reported it was not – one application had been resubmitted by s 9(2)(b)(ii). P Larsen agreed to contact the s 9(2)(b)(ii) applicant to see if he was interested in resubmitting his application.

P Larsen took the opportunity to remind committee members about the process for selecting the winner of the award. The subcommittee would receive the applications and rank them individually before recommending a winner to the rest of NAEAC.

Action – P Larsen to contact s 9(2)(b)(ii) applicant.

O 10. Update on New Zealand Three Rs Initiatives

The work being undertaken by s 9(2)(a), to document some real life examples of the Three Rs was noted. Committee members wondered if it would be possible to invite s 9(2)(a) to a future NAEAC meeting so that she could present her work to them. As s 9(2)(a) was currently overseas, s 9(2)(a) agreed to ask her about this after she had returned to New Zealand.

C Johnson reported that the ‘audience’ for the work was wider than just researchers. It was also intended to educate and inspire Three Rs thinking. ANZCCART New Zealand intended to put the work on their website.

C Johnson also reported that there had been increasing interest to restart Three Rs work at s 9(2)(b)(ii) due to the input/resource allocated to it by MPI. s 9(2)(a) would be visiting s 9(2)(b)(ii) in the near future to talk about this further.

Action – s 9(2)(a) to contact s 9(2)(a) about presenting her Three Rs work to the committee.

O 11. Mini-tutorial – *Psychoactive Substances*

V Williams invited M Tingle to give his mini-tutorial on the subject of psychoactive substances.

M Tingle provided some background information regarding his interest in psychoactive substances. This included details of his research, teaching history, service to external agencies as a consultant, membership of The s 9(2)(b)(ii) AEC, and personal interests.

Data from the Ministry of Health showed that New Zealanders, especially 18 to 30 year olds, had a strong desire to use psychoactive substances.

s 9(2)(a), from s 9(2)(b)(ii) introduced legal highs (benzylpiperazine (BZP) 'dance pills') to New Zealand in 1999 as an alternative to methamphetamine. BZP was:

- first used as a recreational drug in 1999 in Europe;
- claimed to mimic the stimulant effects of methylenedioxymethamphetamine (MDMA, and also known as Ecstasy);
- described as having a 'natural' composition or 'herbal' origin despite being purely synthetic.

Subsequently, articles (by M Tingle and colleagues), relating to the nature of ingredients in party pills such as BZP and their metabolic interactions, were published in various journals including *The New Zealand Medical Journal*.

New Zealand continued to have a large legal market for BZP party pills until 2008, when it was made a Class C (moderate risk) drug under the Misuse of Drugs Act 1975. In 2008, there were 120 brands of party pills in New Zealand. In the 9 years that it was on the market, it is estimated that 1 in 7 adults in New Zealand had used BZP party pills. Post BZP, synthetic cannabis and phenazepam started increasing in use.

The Psychoactive Substances Bill was a unique piece of legislation in that it sought to make party pills illegal unless the manufacturer could prove a low risk of harm to the individuals using it. This meant proving psychoactive substances were:

- unlikely to cause death after a low single dose;
- had no cumulative effect on repeated exposure;
- not genotoxic (cancer causing);
- not teratogenic (harmful to an unborn child);
- low in addiction potential.

M Tingle discussed the ethics of using animals to test the safety of non-therapeutic compounds highlighting an excerpt which was supplied to the Interim Psychoactive Substances Expert Advisory Committee (IPSEAC) from the Ministry of Health. The excerpt was supposedly taken from NAEAC's submission to the Health Committee on the Psychoactive Substances Bill. The excerpt read: ".....NAEAC would view the testing of recreational psychoactive substances without therapeutic merit as justifying the use of animals." V Williams reported that this was not accurate and in fact NAEAC's submission to the Health Committee had been the exact opposite. The NAEAC members involved in the drafting of the submission were unhappy that this had been presented to IPSEAC, of which M Tingle was a member. V Williams asked M Tingle to send her a copy of the document which he had used to obtain the excerpt so she could discuss it further with MPI officials at a meeting to be held later in the afternoon.

IPSEAC considered the regulatory regimens currently applied to various types of chemical substances and agreed that the medicines regulatory model was the best fit for psychoactive substances. By adopting a pharmaceutical approach to the regulation of psychoactive substances, IPSEAC could review guidelines published by the International Conference on Harmonisation of Technical Requirements for Registration of Pharmaceuticals for Human Use (ICH) and regulators of medicines.

Following its review, IPSEAC concluded that psychoactive substances should be considered as products that meet the ICH description of products intended for acute intermittent use. While some safety studies for acute intermittent use could utilise in-vitro methods, others required the use of animal models.

The Psychoactive Substances Bill was passed in July 2013 and set out the functions of the Psychoactive Substances Expert Advisory Committee in section 11.

M Tingle outlined the limitations of both in-vitro and in-vivo testing. Of the approximately 80 Organisation for Economic Co-operation and Development Guidelines available for testing health effects of chemicals, validated in-vitro tests were currently only available for genotoxicity, skin irritation, estrogenic activity and photosensitivity. No validated alternatives currently exist for systemic toxicity or teratogenesis. The views of s 9(2)(a), on alternatives to animal testing were noted.

A political decision to amend the Psychoactive Substances Act and ban the use of animal testing data in support of product approvals came into force on 8 May 2014.

V Williams thanked M Tingle and P Larsen for their recent assistance with media inquiries and interviews in relation to animal testing and psychoactive substances.

Action – M Tingle to send V Williams document which contained excerpt.

O 12. Mini-tutorial for November general meeting

V Williams reminded committee members that at the February general meeting, the committee agreed to invite s 9(2)(a) to the November general meeting to give a mini-tutorial on his views on animal use in research, testing and teaching. When V Williams discussed this with s 9(2)(a) (to ascertain if MPI would meet s 9(2)(a) travel costs) s 9(2)(a) had suggested other people (with different views) attend as well. The committee discussed the merits of having more than one person attend at one time to talk to the committee. It was agreed to limit the mini-tutorial to one person for the sake of time and personality clashes. Rather than inviting s 9(2)(a) it was agreed to invite s 9(2)(a) instead.

A historical letter received by the New Zealand Anti-Vivisection Society (Inc) from s 9(2)(a) regarding LD50 testing was noted.

V Williams reported that s 9(2)(a) AEC) sought feedback from NAEAC on their site visit the previous day. Committee members discussed the visit s 9(2)(b)(ii) noting that conditions in the s 9(2)(b)(ii) rodent facility were less than ideal. Poor ventilation, unsecure racks holding animal cages and minimal environmental enrichment for rats were some of the concerns shared by committee members.

V Williams agreed to draft a letter to s 9(2)(a) on their visit and circulate it to the rest of the committee for comment.

Actions:

V Williams to invite s 9(2)(a) to November general meeting.

V Williams to draft letter to s 9(2)(a) about NAEAC visit.

O 13. Update on NAEAC research proposal

P Larsen reported that all of the telephone interviews had now been completed. All individuals interviewed had acknowledged their role on an AEC as being important. Their focus appeared to be enabling the research community to carry out research as opposed to protecting animals.

One of the questions in the interview related to how protocols were reviewed. The responses indicated a structured methodology during the review of protocols, the process being led by one person. All members interviewed felt they were able to contribute to the discussion and considered their opinions were heard and valued. There was an indication however, that some individuals did not fully understand the proposals they were considering.

Everyone stated they understood or were aware of the Three Rs. Reduction and refinement were two of the three Rs which appeared to be done well. A lot of the individuals were unaware that the benefit of using animals was inferred rather than established.

The next steps involved doing a formal content analysis of the interviews. This would involve having the interviews transcribed so that recurrent themes or ideas could be identified and grouped together. P Larsen reported he would be enlisting the help of a university colleague who had expertise in the field of grounded theory, to do this.

The various options available for P Larsen to present the findings of the research were noted.

s 9(2)(a) was very interested in the results of the research from a policy perspective and offered to be of assistance to P Larsen if required.

O 14. Review of NAEAC research priorities

V Williams referred committee members to NAEAC's list of research priorities which were circulated prior to the meeting. The committee reviewed the list and made the following comments relating to the refinement research priorities:

- C2 – using control animals in vaccine testing was bound by regulation and NAEAC was unable to do anything about it;
- C6 – the cost of this would be too expensive;
- C7 – many animal models were being used in the field of neuro-degenerative research.

For the benefit of new committee members it was noted that the only research conducted on behalf of NAEAC, (which was completed in 2009) was exploring the use of tissue banking as a means of reducing animal use.

The committee discussed whether they should delete the current list and start again; submit a funding application to MPI; or have a NAEAC member take on a particular piece of work. It was eventually decided to delete the list. The research undertaken by P Larsen would inform the committee about what they wanted to do next in terms of research.

Action – s 9(2)(a) to advise s 9(2)(a) about NAEAC's research priority list.

O 15. Update on Animal Welfare Amendment Bill

V Williams invited s 9(2)(a) to provide an update on the Animal Welfare Amendment Bill. s 9(2)(a) reported that the Primary Production Select Committee was due to report back to Parliament on 26 June 2014. It was unlikely that the Bill would be passed prior to the September election even though all parties were in agreement over the content of the Bill. It was anticipated that the Bill would be passed early next year instead.

It was noted that issues relating to the use of animals in research, testing and teaching had generated a lot of discussion. The Green Party had been concerned about animal facilities and facility management and the public concerned about matters relating to accountability. The three Supplementary Order Papers (prohibiting the use of animals in research or testing for the purposes of gaining approval under the Psychoactive Substances Act 2013; suitable alternatives; and banning the use of cosmetic testing) were noted. To address the issue of cosmetic testing, MPI could make regulations to prohibit the production of certain kinds of tests.

V Williams thanked s 9(2)(a) for her update.

O 16. Update for Minister for Primary Industries

V Williams reported that there had been a 26% decrease in the number of animals used in research, testing and teaching in 2013 compared with 2012. When the report was closer to being completed, V Williams agreed to ask the Minister whether he wanted to meet with her.

O 17. Update on alternatives to animal-based regulatory testing

In light of K Booth's absence, no update was provided on alternatives to animal-based regulatory testing.

O 18. Update on new technologies

No update was provided under this agenda item.

O 19. MPI summary of CEC approvals, notifications and revocations

The summary of code of ethical conduct approvals, notifications and revocations was circulated prior to the meeting. Apart from the amendment to Living Cell Technologies code of ethical conduct, it was noted that four new arrangements were in place; s 9(2)(b)(ii) had changed its name to s 9(2)(b)(ii); and s 9(2)(b)(ii) had purchased s 9(2)(b)(ii) but sold the s 9(2)(b)(ii) part of the company to s 9(2)(b)(ii).

O 20. Discussion of information circulated by MPI

M Tingle raised two items for discussion arising from the information circulated to NAEAC since the last general meeting.

In the *Understanding Animal Research* Quarterly Update (March 2014) there had been an article on a recently organised vet schools road show. M Tingle asked if there were similar seminars available in New Zealand veterinary schools.

V Williams reported that she and s 9(2)(a) were developing training tools for veterinarians to use who were on AECs. The New Zealand Veterinary Association also had an animal welfare strategy. C Johnson reported that ethics was a topic discussed with first year veterinary students. Ethics and animal welfare was also embedded in other programmes and was an option for final year veterinary students with an interest in the subject. These students spent a day in Wellington meeting with Ministry staff and learning about the regulatory environment relating to animal use. This included learning about the two ministerial committees – NAEAC and the National Animal Welfare Advisory Committee.

In regards to the correspondence relating to reviews carried out in 2013, M Tingle sought clarification on the powers and limitations of subcommittees. Was it appropriate, for example, to have only one external member on a subcommittee? Also, what constituted 'urgency' in regards to research proposals. M Tingle was of the opinion that there was a need to rule out certain practices involving subcommittees, (for example on-line protocol submissions). P Larsen reported that the use of subcommittees would be covered in individual codes of ethical conduct.

It was agreed to develop guidelines on this issue and V Williams would prepare the first draft.

Action – V Williams to draft guidelines on the powers and limitations of subcommittees.

O 21. Committee members' reports on recent presentations and attendance at conferences

T Burrell reported she attended a meeting of the New Zealand Association of Science Educators AEC. Of note was a new chair joining the committee and ANZCCART New Zealand putting resources together to counter Save Animals from Exploitation material that was already available to students.

C Johnson reported that ANZCCART New Zealand would be meeting in Wellington on 12 November 2014, the same day that NAEAC would also be meeting to hold their fourth general meeting. C Johnson invited committee members to hold their meeting at the Royal Society so that they could have lunch with ANZCCART. V Williams reported that the acting chair of the s 9(2)(b)(ii) AEC had also invited committee members to tour facilities there at a future point in time. It was agreed to meet at the Royal Society in November rather than at s 9(2)(b)(ii) at this time. C Johnson asked s 9(2)(a) to discuss meeting arrangements with s 9(2)(a).

It was noted that s 9(2)(a) would no longer be involved with ANZCCART New Zealand business following the end of the ANZCCART conference. It was agreed to present s 9(2)(a) with a NAEAC service award at the conference to recognise her outstanding contribution and service to the Board. V Williams agreed to discuss this further with s 9(2)(a) or s 9(2)(a) (ANZCCART New Zealand Board Members) in the first instance.

Moved P Larsen/V Williams:

That s 9(2)(a) receives a NAEAC service award in recognition of an outstanding contribution.

The motion was put: carried.

Actions:

s 9(2)(a) to discuss November meeting arrangements with s 9(2)(a)
V Williams to discuss presentation of award with s 9(2)(a) and s 9(2)(a)
s 9(2)(a) to prepare certificate for s 9(2)(a)

Any Other Business Part One

O 22. ANZCCART Conference

V Williams reported that MPI had had an approach from a s 9(2)(b)(ii) student about funding to attend the upcoming ANZCCART conference. The student was advised that NAEAC does not have its own budget and that the MPI is responsible for the committee's expenses. MPI had made a decision not to fund the student to attend the conference.

V Williams asked committee members about other options available to the student. P Larsen reported that \$2,000 of funding was available per annum to post-graduate students from Victoria University. It was suggested that the student either submit an abstract to ANZCCART or approach the Royal Society of New Zealand for funding.

Action – s 9(2)(a) to convey funding information to student.

s 9(2) departed the meeting at 2.35 pm.

Any Other Business Part Two

No other items of business were identified for discussion under Part Two of the agenda.

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no further items of business for discussion under Part One of the agenda it was moved (V Williams/S Cairns):

A. *That the public be excluded from the following parts of the proceedings of this meeting, namely:*

- C 1. *Confirmation of previous minutes*
- C 2. *Action list review*
- C 3. *Amendment to s 9(2)(b)(ii) code of ethical conduct*
- C 4. *October review of codes of ethical conduct*
- C 5. *Discussion/feedback from Wellington site visits*
- C 6. *Discussion of November 2014 workshop for AECs*
- C 7. *NAEAC Annual Report for 2013*
- C 8. *MPI update*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review	As above.	As above.
C 3.	Amendment to s 9(2)(b) of Code of ethical conduct	To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the OIA.
C 4.	October review of codes of ethical conduct	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure and harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 5.	Discussion/feedback from Wellington site visits	As above.	As above.
C 6.	Discussion of November 2014 workshop for AECs	As above.	As above.
C 7.	NAEAC Annual Report for 2013	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.
C 8.	MPI update	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.

B: That s 9(2)(a) (Principal Adviser, Animal Welfare) and s 9(2)(a) (Secretary), be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

PUBLIC EXCLUDED AGENDA

Part Two

C 1. Confirmation of previous minutes

The draft minutes of the general meeting held on 11 February 2014 were reviewed. There were no amendments.

Moved (V Williams/M Tingle):

That the draft minutes of the general meeting held on 11 February 2014 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings.

It was agreed to delete actions 1 and 4 (relating to the ethical decision making framework) and action 11 (relating to public access to research papers).

In respect to action 22 (approaching s 9(2)(g)(ii) to write an article for *Welfare Pulse*) it was agreed that s 9(2)(a) would be the most appropriate person to contact.

C 3. Amendment to s 9(2)(b)(ii) code of ethical conduct

s 9(2)(a) referred committee members to the correspondence circulated prior to the meeting which related to the amendments to s 9(2)(b)(ii) code of ethical conduct.

s had undergone a restructure with the majority of its staff being transferred to s 9(2)(b)(ii) s 9(2) s wanted its current code to be transferred to s and for s to be parented to s for the remainder of the year. The committee reviewed the amendments in the s code of ethical conduct which were highlighted in red s 9(2)(a) reminded committee members that s 9(2) code was due to expire before the end of the year so there would be an opportunity to review a new code in full at the October codes meeting.

Moved (V Williams/M Tingle):

That the amendments to s 9(2)(b)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the amendments under the Animal Welfare Act 1999.

The motion was put: carried.

Action – s 9(2)(a) to advise s 9(2) accordingly.

C 4. October review of codes of ethical conduct

V Williams referred committee members to the list of organisations that had a code of ethical conduct expiring at the end of the year. Committee members discussed who would lead the discussion of each code review. The following allocations were agreed upon:

- s 9(2)(g)(ii) – B Warburton and S Cairns;
- s 9(2)(g)(ii) – V Williams;
- s 9(2)(b)(ii) – V Williams and C Johnson;
- s 9(2)(g)(ii) – P Larsen and G Nind;
- s 9(2)(g)(ii) – s 9(2)(a);
- s 9(2)(g)(ii) – T Burrell;
- s 9(2)(g)(ii) – P Larsen and M Tingle.

s 9(2)(a) reported that she had contacted the above organisations to remind them of their regulatory obligations if they wanted to continue using animals after the end of the year. It was anticipated that NAEAC would receive a copy of all the new codes by the end of September.

V Williams reminded committee members to use the accredited reviewers' checklist as an aid when reviewing the codes. P Larsen advised that this document was available electronically via the drop box under the heading 'resources'.

C 5. Discussion/feedback from Wellington site visits

V Williams sought feedback from committee members regarding the previous day's site visits. Committee members agreed that the visits had been worthwhile and interesting. It was noted that s 9(2)(b)(ii) were planning to build a new rabbit housing facility. V Williams advised that s 9(2)(b)(ii) had had previous interest in becoming AAALAC accredited, but for various reasons this had not gone ahead. It was noted that there was an increasing trend for institutions in Asia to become AAALAC accredited.

M Tingle reported that he had mentioned the topic of information sharing amongst facility managers with s 9(2)(a) (

C 6. Discussion of November 2014 workshop for AECs

V Williams invited T Burrell to provide an update on arrangements for the upcoming AEC workshop. T Burrell referred committee members to the draft programme and summary notes which had been circulated after the February general meeting. The following items were agreed to or discussed:

V Williams agreed to invite s 9(2)(a) (Director, Animal and Animal Products) to open the workshop and present the Three Rs award (if applicable).

The title of s 9(2)(a) keynote address was confirmed as *Positive Welfare States*.

M Tingle reported that he was unable to use previous research protocols submitted to s 9(2)(g)(ii) AEC for the mock AEC meeting at the workshop. C Johnson agreed to look through previous proposals submitted to the s 9(2)(g)(ii) AEC which had not gone ahead. B Warburton agreed to ask s 9(2)(a) AEC chair and former NAEAC member) if he could use or amend any proposals submitted to the s 9(2)(g)(ii) AEC. It was generally agreed that the proposal under consideration should not be too technical.

It was agreed that the chairs of each group facilitating the mock protocol AEC meeting would need to be fully briefed about the process that would need to be followed. It was suggested that a more experienced NAEAC member be paired with one that was new or less experienced in these groups. The chair of each group would be asked to participate in the panel discussion which V Williams volunteered to facilitate.

It was agreed that workshop 1 should focus on emerging issues that arose out of the feedback and discussion from the mock AEC meeting. 15 minutes from the 45 minute slot would be dedicated to feedback to the rest of the group.

Four topics would be available for attendees to choose from for workshop 2. It was suggested that chairs from several organisations be invited to discuss or report on how they carry out or manage monitoring. There was discussion regarding whether this could be done as a panel discussion with involvement from s 9(2)(a) from Dairy-NZ. V Williams agreed to look at s 9(2)(a) decision making tool in comparison to NAEAC guidelines. s 9(2)(a) had confirmed that he would run a workshop on statistics/power analysis. It was agreed that the focus of this workshop should be planning for appropriate numbers of animals to be used in a project although this still had to be communicated to s 9(2)(a). s 9(2)(a) agreed to confirm content with the s 9(2)(g)(ii) regarding the grading of manipulations relating to s 9(2)(a)(ii) workshop. It was suggested that this workshop could include content on what constitutes a manipulation and/or when a s 9(2)(g)(ii) might be sufficient, for example.

The afternoon session comprising the short talks was discussed. P Larsen agreed to present a short talk although he would not confirm the topic at this time. It may or may not include findings from the NAEAC research proposal. V Williams suggested a short talk on recurring themes coming out of the accredited reviews and agreed to discuss this further with s 9(2)(a). C Johnson agreed to do a presentation on euthanasia techniques. The work being undertaken by s 9(2)(a) – highlighting real life examples of the Three Rs, was also suggested as a short talk topic.

T Burrell agreed to update the programme and summary notes for s 9(2)(a) to circulate as a mail out.

Actions:

V Williams to invite s 9(2)(a) to open workshop.

P Larsen, C Johnson, B Warburton to look through previous research proposals.

NAEAC to confirm content of statistics/power analysis workshop with s 9(2)(a).

s 9(2)(a) to confirm content of DOC presentation.

V Williams to discuss short talk topic with s 9(2)(a)

NAEAC/MPI to discuss workshop with s 9(2)(a)

T Burrell to update workshop programme and notes.

C 7. NAEAC Annual Report for 2013

V Williams reported that she had discovered three additional errors in the animal use statistics she was reviewing. As such the statistics would need to be amended again and the reports reprinted.

C 8. MPI update

The MPI update, circulated prior to the meeting was noted.

V Williams reported that she had had several recent requests from people asking if NAEAC had had any guidelines or information about how to chair an AEC meeting. Committee members discussed this briefly noting that there was a wealth of information on this topic already on the internet. It was not considered necessary for NAEAC to develop any specific advice or guidance on this topic.

There being no other items of business, the Chair thanked committee members for their attendance and declared the meeting closed at 4.05 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

General Meeting

Tuesday, 12 August 2014
9.00am – 4.30pm

Royal Society of New Zealand
Level 1, Kete 1
11 Turnbull Street, Thorndon
Wellington

MINUTES

Part One

Present: Virginia Williams (Chairperson); Peter Larsen, Bruce Warburton, Terry Burrell, Stephen Cairns, Malcolm Tingle, Craig Johnson, Graeme Nind, Karen Booth.

In Attendance: s 9(2)(a) (Secretary); s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Manager, Animal Welfare); s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy) for agenda item O 11; s 9(2)(a) (Director, Animal & Animal Products) at 12.30 pm for agenda item C 6.

Apologies: An apology for lateness was received from M Tingle who arrived at the meeting at 9.10 am.

V Williams opened the meeting at 9.00 am and welcomed attendees.

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress against milestones in the Operational Plan. The following updates were provided:

Provide advice to the Minister and the Director-General (action 39): It was agreed to delete the milestone relating to regulations for testing of psychoactive substances due to the Government amending the Psychoactive Substances Act to ban the use of animal testing data to support product approvals.

It was noted that s 9(2)(a) would be providing an update on the Animal Welfare Amendment Bill later in the meeting.

§ 9(2)(a) reported that organisations with a code of ethical conduct due to expire before the end of the year had now arranged their reviews. It was anticipated that the review reports would be available to committee members by the end of September.

In regards to the NAEAC annual report, § 9(2)(a) reported she had reviewed the first proof which had been returned to MPI Communications for further amendment. The need for MPI Communications to start work on the press release was noted.

Provide advice to AECs and code holders (action 40): It was noted that the examination of international best practice documents on animal welfare in research, testing and teaching was still pending.

O 2. NAEAC content on MPI website

V Williams reported she had reviewed NAEAC content on the MPI website and all the links appeared to be working. A link to the New Zealand Three Rs strategy was considered to be out of date and it was agreed that reference to it be removed from the MPI website. C Johnson reported § 9(2)(g)(ii) would be in a position to discuss getting involved again in the Three Rs sometime next year.

It was noted that on the MPI website, the link to the *Blood Harvesting Guidelines* did not contain the front cover. § 9(2)(a) advised committee members that the MPI website was being updated and as such, some content would change. The roll out of the new website was due for September or October this year. Given that NAEAC was reviewing the guidelines it was agreed not to do anything further to the electronic version at the current time.

Action – § 9(2)(a) to remove link to New Zealand Three Rs strategy from MPI website.

O 3. Update on review of *Blood Harvesting Guidelines*

V Williams reported that the *Guidelines for the welfare of livestock for which blood is harvested for commercial and research purposes* were currently out for targeted consultation. § 9(2)(a) confirmed that in order not to miss any key stakeholders the guidelines had been circulated by email to all animal ethics committees (AECs) and organisations with an arrangement to use an AEC. To date, three responses had been received – two from organisations saying the guidelines did not apply to them and one from § 9(2)(b)(ii), commenting on potable water.

§ 9(2)(a) asked the committee why the guidelines were being reviewed. It was noted that the list of MPI and NAEAC publications were reviewed annually by the committee and the guidelines were due to be examined this year, being last reviewed in 2009. V Williams was of the opinion that it would be valuable to have actual data on blood collection. C Johnson advised § 9(2)(a) that reviewing the guidelines was appropriate in terms of transparency even if no actual data was supplied. M Tingle suggested the most important thing AECs could do if they were approving protocols for blood harvesting, was to go and view the blood collection in progress. G Nind, as a member of the § 9(2)(b)(ii) AEC, assured committee members that the animals used there for blood collection were in excellent condition and that he had visited the animals on a number of occasions. It was agreed that once the consultation period was over, all comments received would be circulated to committee members.

Action – § 9(2)(a) to circulate comments on 'blood harvesting guidelines' to committee members.

O 4. Topic/author for next issue of *Welfare Pulse*

V Williams took the opportunity to ask s 9(2)(a) about the future of *Welfare Pulse* given the first issue for 2014 had still not been published. s 9(2)(a) reported that copy was currently with MPI Communications and that it would be available shortly. Only one more issue would be published before the end of the year. The future of the publication was uncertain due to work priorities and more recently, resourcing issues. Committee members generally agreed that the publication was useful and would be of particular interest to external AEC members.

It was recalled that C Johnson had volunteered to write an article for *Welfare Pulse* at the May general meeting. Although the topic had not been identified then, C Johnson now reported he would most probably write a book review.

s 9(2)(a) reported that the October issue of *VetScript* would have an animal welfare focus. s 9(2)(a) (Technical Adviser, Animal Welfare) was coordinating MPI input into the October issue. V Williams asked committee members for ideas relating to NAEAC issues that would be of interest to veterinarians. K Booth suggested an article clarifying when veterinarians needed to seek AEC approval for work they wished to carry out. V Williams reported she had written about this previously and agreed to see if she could find her previous article on this topic. It was noted that V Williams and s 9(2)(a) were developing a training module for New Zealand Veterinary Association nominees on AECs. As the training module was unlikely to be finished before the end of the year, this work could be used as an article for the following year. M Tingle suggested an article focusing on a veterinarian's perspective at a zoo. M Tingle had recently attended an AEC meeting of the s 9(2)(g)(ii) where he had learned that work was approved by the AEC even if it did not meet the definition of 'manipulation' under the Animal Welfare Act 1999. The committee agreed to consider this topic for an article further before assigning an author to it.

Actions:

V Williams to search for her previous *VetScript* article on veterinarians seeking AEC approval for the work they undertake.

NAEAC to decide whether to contribute an article for *VetScript* on veterinarians at zoos and assign appropriate author to draft it.

s 9(2)(a) to convey above information to s 9(2)(a).

O 5. NAEAC occasional paper series

Committee members discussed future topics for the NAEAC occasional paper series. K Booth reported that she had drafted a paper called *Use of animals for registration of veterinary medicines in New Zealand*. V Williams asked K Booth if she could circulate the draft electronically to the rest of the committee for comment. On behalf of the committee, V Williams thanked K Booth for drafting the paper.

It was noted that issues and topics arising out of the recent Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) conference could also lead to the publication of various occasional papers.

Actions:

K Booth to circulate her occasional paper to committee members for comment.

V Williams to consider whether anything arising out of the ANZCCART conference could be published as an occasional paper.

O 6. NAEAC Three Rs Award for 2014

It was agreed to defer discussion of this agenda item until after morning tea as the subcommittee needed some time for deliberation.

O 7. Update on New Zealand Three Rs Initiatives

§ 9(2)(a) reported that § 9(2)(a) was now back in New Zealand and continuing her work on real life examples of the Three Rs. To date the following examples had been completed:

- Use your Mouse. Computer-assisted learning reduces animal use in teaching (Reduction);
- This is how you do it. Mannequins and dummies reduce animal use in teaching (Reduction);
- Parasites as research assistants. Blood-sucking bugs as an alternative to syringes (Refinement).

Examples close to completion included:

- Safe and ethical seafood. An alternative to using mice in shellfish toxicity testing (Replacement);
- How do you feel about that? Non-invasive methods to assess stress in farm animals (Refinement).

Examples in progress included:

- Open your eyes. The search for alternatives to the Draize eye irritancy test (Replacement);
- Enjoying the summer while experiencing the winter. Altering photoperiod to understand seasonality in deer (Refinement).

Examples still to be developed included:

- Glow-in-the-dark bacteria reduce the use of mice in microbiology;
- Telemetry device allowing repeat physiological monitoring in conscious animals.

§ 9(2)(a) reported that the next phase of work for the completed Three Rs examples would be to taking them to a public relations company to be turned into leaflets. ANZCCART would also put the completed examples on their new website. § 9(2)(a) raised the question of how we could engage with people beyond that. C Johnson reported that § 9(2)(a) presentation at the ANZCCART conference, which had described the blood sucking Three Rs example, had received positive feedback.

O 8. Mini-tutorial – *Animal-based regulatory testing*

It was agreed to defer discussion of this agenda item until after morning tea.

O 9. Mini-tutorial for November general meeting

It was recalled at the May general meeting that the committee agreed to invite § 9(2)(a) to give a mini-tutorial at the November general meeting. V Williams reported that § 9(2)(a) had turned down the invitation as he was no longer the § 9(2)(a). § 9(2)(a) had taken over in the position but had not yet responded to the request. V Williams volunteered to ring § 9(2)(a) to ascertain is availability. If he was unavailable she would contact § 9(2)(a) chief executive.

Action – V Williams to contact § 9(2)(a) and arrange mini-tutorial.

O 10. Update on NAEAC research project

P Larsen reported there was no further update to provide on the research project since the one given at the last general meeting. A paper still needed to be drafted on the results of the research. It was anticipated that a summary of the results would be available for the AEC workshop in November.

O 12. Update for Minister for Primary Industries

It was noted that the Minister might want to meet with V Williams prior to the publication of the NAEAC annual report as it contained MPI's animal use statistics. The number of animals recorded as being used was the lowest since 1997. V Williams reported she had recently spoken to Probus and it was evident that the public were unaware that the majority of animals used for research, testing and teaching purposes in New Zealand were agricultural animals.

No other items were identified for the Minister's attention.

O 13. Update on alternatives to animal-based regulatory testing

K Booth reported that regulatory standards and guidelines for getting products registered in New Zealand were revised and updated on a regular basis. The work the Agricultural Compound and Veterinary Medicines (ACVM) Group were doing in this area had been deferred due to other work priorities – in this case, the Feeds Review. New Zealand does subscribe to international standards and is an observer of the International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products (VICH), which sets regulatory guidelines that companies can meet. These guidelines are constantly being updated. V Williams expressed concern about how animal sample sizes for testing were established. K Booth explained that work was carried out within a risk, not prescriptive framework. In reality the number of animals used would be more than the minimum required.

O 14. Update on new technologies

S Cairns raised the topic of 3-D modelling or printing as a means of propagating tissue and reducing animal use in research. P Larsen reported that it was possible to 3-D print certain cell types. The process of 3-D printing was considered to be very interesting and something the committee thought would make a good topic for a future mini-tutorial. The committee, however, could not identify an appropriate speaker at the time.

Action – V Williams to try and identify someone to speak to NAEAC about 3-D printing.

The meeting adjourned at 10.00 am resumed again at 10.30 am.

O 8. Mini-tutorial – Animal-based regulatory testing

V Williams invited K Booth to give her mini-tutorial on the subject of animal use in the registration of animal health products. K Booth reported her presentation would provide an overview of New Zealand's regulatory system and three specific examples of animal health products that had been registered in New Zealand. It was noted that New Zealand had a very robust and timely regulatory system.

Veterinary medicines are regulated under various pieces of legislation including the Agricultural Compounds and Veterinary Medicines Act 1997 administered by the Ministry for Primary Industries, and the Hazardous Substances and New Organisms Act 1996, administered by the Environmental Protection Authority.

The Ministry for Primary Industries ACVM group is responsible for managing trade name products and risks associated with public health, trade in primary produce, animal welfare and agricultural security. The legislation covers veterinary medicines, agricultural chemicals, vertebrate toxic agents, animal and stock feed and fertilisers. Types of ACVM authorisation include research approval, provisional registration, full registration, exemption and special use.

For the full registration of an animal health product, data must be provided in respect of its chemistry and manufacturing, efficacy, safety, residues, toxicology, and antibiotic resistance. The Organisation for Economic Co-operation and Development (OECD) provides guidelines for testing the toxicology of new active ingredients. Once the testing is performed it does not need to be repeated. There is very little animal testing in the chemistry and manufacturing phases except for potency testing for vaccines, although work is underway internationally to find replacements for this.

One has to show that a product is safe to use in each class of animal for the target species. There is also a need to show that a product will do what it says it will do. For example, due to New Zealand's pastoral based agricultural system, drench products need to be able to treat parasites common in New Zealand. Residue studies are expensive to run and one can use overseas data here to support withholding periods in New Zealand. In relation to cross-referencing and deviation, if it is believed we do not need to meet a particular standard or guideline the deviation process can be utilised.

K Booth described the registration process for three products used in New Zealand. These included a new antibiotic for cattle to treat bovine respiratory disease; a new anthelmintic for sheep; and a leptospirosis vaccine for sheep. Discovery development, clinical efficacy, target animal safety, and drug residues were described for each of the examples. It was noted that a challenge model was still required for leptospirosis antigens, and as such there was a high cost to animal welfare. For efficacy studies, a biostatistician is always used.

On behalf of the committee, V Williams thanked K Booth for her informative presentation.

§ 9(2) joined the meeting at 11.40 am.

O 11. Update on Animal Welfare Amendment Bill

§ 9(2) provided an update on the Animal Welfare Amendment Bill. It was noted that two documents, one including a summary of the changes to the Bill, had been circulated prior to the meeting.

§ 9(2) reported that the Bill was likely to pass in the first quarter of 2015 (in light of the upcoming election) and would have full party support even if there was a change of government.

§ 9(2) summarised the key amendments to the Bill as follows:

- The sentience of animals has been recognised.
- The consultation process during the development of regulations has been clarified.
- The term 'compliance order' has been changed to 'compliance notice'.
- The Bill specifies each offence in the Act as either a criminal offence or an infringement offence.
- To enable a knowledge base to be established, exporters of live animals have to report on the welfare of animals not only during the journey but also 30 days after they have arrived at their destination. K Booth asked § 9(2) how exporters were supposed to do this. § 9(2) replied that reporting requirements may be built into contracts and may be developed in regulations in the future.
- Indefinite exemptions are only available for religious and cultural practices but will be subject to review every 10 years. Transitional regulations can now only be made for a maximum of 10 years, with the ability to extend this, once only, for an additional 5 years.
- Scientists will have to report on the number of animals killed for research, testing and teaching purposes as the definition of 'manipulation' has been changed to include killing as a manipulation. It was noted that this does not apply to normal husbandry practices.

- AECs will be required to assess whether applicants have sufficiently considered non-sentient or non-living alternatives to the use of live animals in research, testing or teaching projects. It was noted that this should be communicated to AECs and that NAEAC should review its guidelines on application templates used by AECs accordingly.
- Criteria have been included in the Bill to determine whether a procedure is, or is not, significant.
- The Bill allows approved organisations (such as the RNZSPCA) to dispose of animals abandoned in their care; seize an animal if it is at clear risk of imminent harm; and dispose of an animal immediately if it is wild or unsocialised and severely distressed as a result of being contained.

§ 9(2)(a) arrived at the meeting at 12.08 pm.

Some parts of the Bill remain unchanged, including:

- Not allowing MPI to share information with industry on farmers being investigated for animal welfare breaches.
- Inspectors retaining the ability to collect evidence without a warrant as all public law enforcement agencies are subject to the Official Information Act 1982.
- Allowing NAWAC to take 'practicality' and 'economic impact' into account when setting minimum standards in codes of welfare.
- Not allowing an outright ban on live animals for slaughter.
- Permitting the hunting and killing of animals in a wild state provided that the animals are hunted and/or killed in accordance with "generally accepted practice". It was noted that the National Animal Welfare Advisory Committee (NAWAC) will be providing guidelines on this.
- Not adding emergency management to NAWAC's remit. It was noted that MPI has recently become the lead agency responsible for coordinating animal welfare emergency planning and response.
- Not banning specific activities or procedures.

V Williams thanked § 9(2)(a) for her update and welcomed § 9(2)(a) to the meeting.

O 6. NAEAC Three Rs Award for 2014

P Larsen reported that in total, five applications had been received for this year's award. The subcommittee had ranked the applications independently prior to the meeting and had deliberated further during the morning tea session to confirm their decision. It had been agreed that § 9(2)(a), § 9(2)(g)(ii) be awarded the Three Rs Award for 2014 due to his career of refinement using animals in research, testing and teaching. A series of projects was noted against § 9(2)(a) curriculum vitae.

Moved (P Larsen/M Tingle): That David Mellor is awarded the 2014 winner of the NAEAC Three R's Award.

The motion was put: carried.

Actions:

C Johnson to advise § 9(2)(a) accordingly.
§ 9(2)(a) to write to unsuccessful nominees.

O 15. MPI summary of CEC approvals, notifications and revocations

The summary of code of ethical conduct approvals, notifications and revocations was circulated prior to the meeting. The name changes to organisations formerly known as s 9(2)(b)(ii) were noted. M Tingle reported he would be attending a s 9(2)(b)(ii) AEC meeting in the near future.

O 16. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 17. Committee members' reports on recent presentations and attendance at conferences

V Williams reported that she, along with C Johnson, s 9(2)(a) and s 9(2)(a) had attended the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) conference in Queenstown. There had been several presentations on experimental design including the issues of blinding and randomisation which were often not well implemented. Of note, were the two presentations by s 9(2)(a), from Stanford University relating to behavioural management and enrichment and attrition rates in drug discovery.

V Williams reported that s 9(2)(a) had opened the conference and asked him to provide a summary of his presentation. s 9(2)(a) reported that his presentation had focused on the animal welfare system and all those with an interest in it including 'citizens'. The concept of animal 'dignity' was highlighted at the end of the presentation.

Other items of note included s 9(2)(a) impromptu presentation on the Psychoactive Substances Act under the 'delegates' choice' section of the programme and s 9(2)(a) presentation on the Association for Assessment and Accreditation on Laboratory Animal Care (AAALAC) International accreditation programme. It was noted that V Williams was an ad-hoc consultant in the Asia/Pacific region for AAALAC and that the University of Western Australia was the first institution in the region to become accredited. The presentation of the NAEAC award to s 9(2)(a) at the conference dinner was noted.

M Tingle reported that he had attended an AEC meeting of the s 9(2)(g)(ii). The AEC was going to seek an amendment to their code of ethical conduct but had eventually decided against it. Most of the work the AEC was approving was external to their organisation and every decision had to be approved by consensus. Of note was the committee's poor appreciation of what constituted a manipulation under the Act. The s 9(2) was going to set up a separate committee to look at issues not related to Part 6 of the Act. V Williams agreed to mention this issue in the next AEC newsletter.

Action – V Williams to raise issue of definition of manipulation in next AEC newsletter.

Any Other Business Part One

V Williams reported she wanted to discuss some possible actions for NAEAC, which had arisen out of discussions at the ANZCCART conference at the end of the meeting.

Any Other Business Part Two

No additional items of business were identified for discussion under Part Two of the agenda.

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC
Section 48, Local Government Official Information and Meetings Act 1987

There being no further items of business for discussion under Part One of the agenda it was moved (V Williams/S Cairns):

A: That the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes
- C 2. Action list review
- C 3. October review of codes of ethical conduct
- C 4. Discussion of November 2014 workshop for AECs
- C 5. NAEAC Annual Report for 2013 and future format
- C 6. MPI update

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review	As above.	As above.
C 3.	October review of codes of ethical conduct	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure and harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 4.	Discussion of November 2014 workshop for AECs	As above.	As above.
C 5.	NAEAC Annual Report for 2013	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.

	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 6.	MPI update	<p>To protect the privacy of natural persons; and/or:</p> <p>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</p>	<p>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.</p>

B: That s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy), s 9(2)(a) (Manager, Animal Welfare), s 9(2)(a) (Director, Animal & Animal Products) s 9(2)(a) (Principal Adviser, Animal Welfare) and s 9(2)(a) (Secretary), be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

PUBLIC EXCLUDED AGENDA

Part Two

C 6. MPI update

V Williams invited s 9(2)(a) to address the paper he had drafted titled *Getting the most out of our regulatory councils – expectations and principles to guide our interactions*, which was circulated prior to the meeting.

s 9(2)(a) described some of the councils and committees MPI worked with across the dairy, animal welfare, meat, sea-food, honey, and live animal export sectors. The importance of these stakeholder relationships was acknowledged and detailed in MPI business plans.

The paper circulated prior to the meeting was the result of a panel discussion whereby four representatives from regulatory councils/committees had been invited to participate in a brain-storming session on how they saw the operations of these councils and also what they wanted from MPI. s 9(2)(a) welcomed committee members' comments or questions on the paper.

V Williams asked s 9(2)(a) whether any thought had been given to disengaging with particular groups or committees. While previous 'stock-takes' had been carried out in the past, it was not MPI's intention to disengage with stakeholders. The number of additional committees set up as a result of new priorities (for example following the findings of the Whey Protein Concentrate Inquiry) was noted.

s 9(2)(a) provided an update on a recent workshop to develop a cohesive approach for leadership within New Zealand's animal welfare sector. The output was produced with representatives from MPI and four external people for fresh thinking. A summary of the workshop was circulated for committee members' information, prior to the meeting.

The other items in the MPI update were noted.

The meeting adjourned at 1.00 pm for lunch followed by the meeting with ANZCCART at 1.30 pm and resumed again at 2.30 pm. s 9(2)(a) departed the meeting after lunch and s 9(2)(a) departed after the joint meeting with ANZCCART.

C 1. Confirmation of previous minutes

The draft minutes of the general meeting held on 13 May 2014 were reviewed. There were no amendments.

Moved (V Williams/B Warburton):

That the draft minutes of the general meeting held on 13 May 2014 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Paper on animal-based regulatory testing (action 5): K Booth had now drafted an occasional paper on animal-based regulatory testing.

Amendment to *Animal Use Statistics* Publication (action 10): It was noted that this action had not been completed and was in fact pending until such time as the Animal Welfare Amendment Bill was passed.

Topic author for next issue of *Welfare Pulse* (action 16): s 9(2)(a) reported she had contacted Malaghan Institute about their interest in writing an article for *Welfare Pulse* although a definite answer had not yet been received. In light of the recent irregularity of publication for the on-line magazine, V Williams reported she would not ask for contributions from AECs in her next newsletter.

Reviews of code holders – summary of findings (action 20): s 9(2)(a) reported he was happy for NAEAC to review MPI's letters to code holders outlining whether or not they had achieved a satisfactory level of compliance following their review.

Draft guidelines on emergency management (action 23): This action had now been completed, and the guidelines added to the NAEAC resources on the MPI website.

Review of NAEAC wiki page (action 25): V Williams reported she had contacted former NAEAC member, s 9(2)(a) about how to ascertain the number of views the site had generated. There had been 1134 views in the first six months of 2014 compared to 758 for the previous six months. T Burrell reported that her students had been using the NAEAC wiki page to learn about the regulatory system for animal use in research, testing and teaching.

Review of AEC induction pack (action 26): The changes NAEAC wanted for the AEC induction pack had been completed. AECs had since been advised that the packs would only be available electronically.

ANZCCART Conference (action 36): V Williams reported she had been contacted by s 9(2)(a) the s 9(2)(g)(ii) student who was looking for NAEAC sponsorship to attend the ANZCCART conference, and asked to review some material she had put together for university students working with animals in research. V Williams was happy to review the material on behalf of the committee.

November AEC workshop (action 38): It was noted that s 9(2) was not available to open the workshop in November. V Williams had confirmed s 9(2)(a) availability to attend the conference and had passed on his details to T Burrell so she could confirm presentation content with him.

C 3. October review of codes of ethical conduct

The review reports of those organisations with a code of ethical conduct due to expire before the end of the year were due to MPI before the end of September. V Williams reminded committee members which codes they were responsible for. Each committee member would have one week to look at the relevant review report and provide comment back to s 9(2)(a)

C 4. Discussion of November 2014 workshop for AECs

V Williams invited T Burrell to provide an update on the upcoming AEC workshop. T Burrell referred committee members to the draft workshop notes and programme that were circulated after the May general meeting. The following items were discussed/agreed upon:

- The theme/title of the workshop would be *Empowering ethical decision making*.
- In light of s 9(2)(a) unavailability, V Williams would open the workshop and present the Three Rs Award.
- T Burrell would contact s 9(2)(a) to confirm the title and outline of his keynote address.
- P Larsen would introduce and chair the two hour mock AEC session and 20 minutes would be allocated to the introduction. Committee members reviewed the 'mock' application which was circulated prior to the meeting. B Warburton reported that the application had initially been approved by an AEC but that one of the research providers had pulled out of the work prior to it commencing. As a result, the application was resubmitted to another AEC but was not approved the second time. As the topic of 1080 poisoning was very much in the public domain it was considered a good option for the workshop and one which all the different AECs could discuss. The outcomes for the session would include individual views on the application and also how their AEC would review it. There was some discussion about whether to circulate the application form prior to workshop but it was eventually agreed not to, so as to avoid discussion beforehand. It was suggested that some notes or instructions for participants be attached to the application form to highlight the objectives of the session.
- It was noted that G Nind had submitted an apology for not being able to attend the workshop and November general due to other commitments. s 9(2)(a) from ANZCCART New Zealand Board was suggested as a replacement to facilitate the SPCA nominees discussion of the mock protocol. As ANZCCART New Zealand had already indicated their interest in attending the workshop, T Burrell agreed to contact s 9(2)(a) to ascertain if she would be in a position to help on the day.
- The first workshop after lunch would focus on emerging issues that arose from the mock AEC meeting. Territorial nominees would join SPCA nominees in this session so that AEC chairs could form a separate group to discuss issues such as running an effective AEC meeting and ensuring full participation of lay members.
- Participants would have a choice of three workshops following the first. The topics included applying gradings to wildlife species; statistics/power analysis; and monitoring. Depending on registrations, individual AEC members would be asked to form a panel to report on how their organisation manages monitoring.

- Presenters and topics for the short talks at the end of the day would include: P Larsen talking about his research; C Johnson talking about euthanasia techniques; s 9(2)(a) talking about her Three Rs work; s 9(2)(a) talking about the Science Media Centre; and s 9(2)(a) talking about his trip to Vancouver last year.
- V Williams reported that s 9(2)(a) wanted to give s 9(2)(a) an award on behalf of the Animal Welfare Science and Bioethical Analysis Centre. NAEAC agreed to endorse the award.

Actions:

T Burrell to confirm title and outline of keynote address with s 9(2)(a).

P Larsen to draft instructions for mock protocol discussion.

T Burrell to contact s 9(2)(a).

s 9(2)(a) M Tingle to approach relevant AEC members, registered for the workshop, to make up a panel to discuss monitoring.

s 9(2)(a) to contact s 9(2)(a) about talking at the workshop.

V Williams to contact s 9(2)(a) about talking at the workshop.

C 5. NAEAC Annual Report for 2013 and future format

V Williams reported that NAWAC had discussed the future of their annual report and had decided to reduce its volume to just a couple of pages. s 9(2)(a) showed committee members NAEAC's first report to the Minister which covered the period from NAEAC's establishment in August 1984 to 30 June 1989.

M Tingle was supportive of shortening NAEAC's annual report as it seemed to him aimed at people who already knew the regulatory system governing animal use in research, testing and teaching as opposed to those who did not. The focus should be on what is different this year compared to the previous year. After some discussion, it was agreed to produce a minimal annual report, including the MPI animal use statistics, to be sent to the Minister and which would be put on the MPI website as opposed to being printed in hard copy.

PART ONE (OPEN TO THE PUBLIC)

O 18. NAEAC Actions following ANZCCART Conference

V Williams reported that NAEAC had been asked at the conference what it could do to disseminate information about experimental design, randomisation and blinding. Some of the suggestions put forward by V Williams had been amending the NAEAC policy on application templates, drafting or re-printing a published paper on the subject as an occasional paper, writing something in the AEC newsletter and talking about it at AEC workshops.

It was agreed that NAEAC could review its guidelines on application templates used by AECs in the first instance. M Tingle and P Larsen agreed to join V Williams in reviewing the guidelines. It was also agreed to convey the information from the conference to s 9(2)(a) who was going to be presenting a workshop on study design.

Actions:

M Tingle, P Larsen and V Williams to review guidelines on application templates used by AECs.

V Williams to convey ANZCCART material to s 9(2)(a)

O 17. Committee members' reports on recent presentations and attendance at conferences continued

B Warburton reported he had attended the National Education and Training Seminar (NETS) run by National Pest Control Agencies (NPCA) and the New Zealand Biosecurity Institute (NZBI) the previous month. The focus of the meeting had been on generally accepted practice.

B Warburton had also attended the Australian Vertebrate Pest Conference but had been disappointed that the key note animal welfare address had not pushed the boundary. Camel and kangaroo culling had been a focus of the conference.

V Williams reported she had been invited to speak at a seminar next year by the New Zealand Hunts' Association Inc to talk about hounds, not hunting. It was noted that the greyhound racing industry were moving towards self-regulation and had been proactive about improving the welfare and quality control of their racing dogs.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 4.05 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Codes of Ethical Conduct Meeting

Tuesday, 14 October 2014
10.00 am – 4.30 pm and
Wednesday, 15 October 2014
9.00 am – 1.00 pm
The Executive Boardroom
James Cook Grand Chancellor Hotel
147 The Terrace
Wellington

MINUTES

PART ONE

Present: Virginia Williams (Chairperson), Peter Larsen, Malcolm Tingle, Karen Booth, Terry Burrell, Graeme Nind, Craig Johnson, Bruce Warburton.

In attendance: s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary).

Apologies: An apology was received from Stephen Cairns (14 and 15 October 2014).

V Williams opened the meeting at 9.45 am and welcomed attendees.

s 9(2)(a) advised committee members that in light of the legal problem identified with Gazette notices last year, two code holders s 9(2)(b)(ii) wanted their current code extended until 31 December 2014 so that their new approved code could come into force on 1 January 2015. As such, the committee would need to pass a resolution to recommend the approval of those existing codes prior to considering their application for a new code.

Any Other Business Part One (Public Excluded Agenda)

The NAEAC annual report was identified as a further item of business for discussion under Part One of the agenda.

Any Other Business Part Two (Open to the Public)

No further items of business were identified for discussion under Part Two of the agenda.

**PART ONE
(PUBLIC EXCLUDED AGENDA)**

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no other items of business for discussion under Part One of the agenda, it was moved (V Williams/G Nind):

A: *That the public be excluded from the following parts of the proceedings of this meeting, namely:*

- C 1. *Confirmation of previous meeting minutes*
- C 2. *Actions list review*
- C 3. s 9(2)(g)(ii) [redacted] *code of ethical conduct*
- C 4. s 9(2)(b)(ii) [redacted] *code of ethical conduct*
- C 5. s 9(2)(g)(ii) [redacted] *code of ethical conduct*
- C 6. s 9(2)(g)(ii) [redacted] *code of ethical conduct*
- C 7. s 9(2)(g)(ii) [redacted] *code of ethical conduct*
- C 8. s 9(2)(g)(ii) [redacted] *code of ethical conduct*
- C 9. s 9(2)(g)(ii) [redacted] *code of ethical conduct*
- C10. *Format of accredited reviewers report*
- C11. *NAEAC workshop for AECs*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution being as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	<i>Confirmation of previous meeting minutes</i>	<i>To protect the privacy of natural persons.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).</i>
C 2.	<i>Actions list review</i>	<i>As for item C1.</i>	<i>As for item C1.</i>
C 3.	s 9(2)(g)(ii) [redacted] <i>code of ethical conduct</i>	<i>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(g)(ii) of the Official Information Act 1982.</i>

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 4. s 9(2)(b)(ii) code of ethical conduct	To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the Official Information Act 1982.
C 5. s 9(2)(g)(ii) code of ethical conduct	As for item C3.	As for item C3.
C 6. s 9(2)(g)(ii) code of ethical conduct	As for item C4.	As for item C4.
C 8. s 9(2)(g)(ii) code of ethical conduct	As for item C3.	As for item C3.
C 9. s 9(2)(g)(ii) code of ethical conduct	As for item C3.	As for item C3.
C 10. s 9(2)(g)(ii) code of ethical conduct	As for item C4.	As for item C4.
C 11. Format of accredited reviewers report	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.
C 12. NAEAC workshop for AECs	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure and harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.

B: That s 9(2)(a) (Principal Adviser Animal Welfare), and s 9(2)(a) (Secretary), be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

C 1. Confirmation of previous meeting minutes

The draft minutes of the quarterly general meeting held on 12 August 2014 were reviewed. s 9(2)(a) reported that on page 2, the minutes made reference to the *Blood Harvesting Guidelines* going out for 'public' consultation when in fact they were sent out for 'targeted' consultation. It was agreed to amend the minutes to reflect that the guidelines were only distributed to animal ethics committees (AECs) and organisations with an arrangement to use an AEC.

Moved (V Williams/B Warburton):

That the draft minutes of the quarterly general meeting held on 12 August 2014 be adopted as a true and accurate record of that meeting subject to the above amendment being made.

The motion was put: carried.

Action – s 9(2)(a) to amend the August 2014 meeting minutes and circulate updated version to committee members.

C 2. Actions list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Amendment to *Animal Use Statistics Publication* (action 3): V Williams reported that at the Animal Behaviour and Welfare Consultative Committee (ABWCC) meeting held the previous day, attendees had been advised that the Animal Welfare Amendment Bill was likely to have its second reading before Christmas and its third reading early in 2015.

NAEAC occasional paper series (action 13): V Williams reported that she had advised users that the *Blood Harvesting Guidelines* could be printed as an occasional paper.

Send letter to s 9(2)(a) about NAEAC visit (action 16): V Williams advised committee members that she had reservations about sending s 9(2)(a) a letter about NAEAC's site visit to s 9(2)(g)(ii). V Williams did not want AECs to think of NAEAC visits as 'audits'. V Williams invited committee members to comment on the issue. It was generally agreed that while NAEAC was in a difficult position, the committee still had a responsibility to respond about the s 9(2)(g)(ii) animal facility because s 9(2)(a) had specifically asked for feedback about the visit. It was noted that the letter might actually help the AEC bring about change to have the animal facility rebuilt or upgraded.

Confirm content of statistics/power analysis workshop with s 9(2)(a) (action 20): T Burrell reported that s 9(2)(a) attendance at the workshop had now been confirmed.

s 9(2)(a) provided an update on workshop registrations to date including the number of people who had registered, AEC representation, and workshop preferences. It was noted that MPI Animal Welfare Policy had a number of new staff members who might also like to attend. s 9(2)(a) reported that she would send a reminder email to AECs the following week.

Consider whether anything arising out of the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) conference could be published as an occasional paper (action 24): It was agreed to wait until the proceedings of the conference were available before doing anything further.

Try and identify someone to speak to NAEAC about 3-D printing (action 26): P Larsen reported that he had approached § 9(2)(a) about speaking to NAEAC about this topic as one of his professional interests was stem cell and scaffold-based regeneration of cartilage and bone. P Larsen had also sent V Williams one of his research papers. T Burrell reported she had attended one of his talks at the Hutt Library and had found it very interesting.

Raise issue of definition of manipulation in next AEC newsletter (action 28): V Williams sought clarification from committee members on how this action came about. M Tingle reported that when he visited the § 9(2)(b)(ii) AEC he had become aware that routine husbandry procedures were being assessed by the AEC as manipulations when they need not have been.

Although the § 9(2)(g)(ii) code of ethical conduct was first on the agenda for discussion, because B Warburton had not previously led a code review V Williams agreed to lead the discussion of her code § 9(2)(g)(ii) instead.

C 5. § 9(2)(g)(ii) code of ethical conduct

The code of ethical conduct for § 9(2) expires on 25 November 2014. The Institute was happy for their new code to be approved for 5 years from 26 November 2014.

V Williams led the discussion of this code noting that it had been well drafted but that a number of matters still required attention. The following points were noted for clarification/amendment (adopting the references in the code):

K Booth pointed out that there was no date on the code to allow users to know they were operating under a current approved code. It was agreed that this should be added, perhaps to the front page. M Tingle noted that codes approved by MPI were stamped 'Code of Ethical Conduct Approved' and in the case of § 9(2)(g) this approved PDF version was the only one available to users.

Section 2.1.1(b): The statutory internal § 9(2) AEC member is required to have the knowledge to evaluate each proposal, the qualifications and skills of the proposer, and the scientific value of each project. This cannot be delegated to a number of individuals

Section 2.2.1(c): The code holder has chosen to have an additional non-statutory external member but the quorum must not include this member. Clarification as to how § 9(2) appoint and reappoint this member was requested.

Section 2.1.4: M Tingle expressed concern that the CEO of § 9(2) could attend any AEC meeting and potentially exert undue influence on the committee's decisions. A certain degree of independence should be maintained by the AEC. V Williams agreed to bring this matter to the attention of AECs in her next newsletter by asking for feedback on when the attendance of the CEO at an AEC meeting might be appropriate.

Section 2.2.1(d): In addition to the NAEAC AEC induction pack, new members should be given a copy of the § 9(2) code of ethical conduct.

Section 3.2.1: The quorum must include at least two of the external statutory members.

Section 3.2.2: The voting membership should be defined.

Section 5.2.2: It was agreed that the phrase 'well in advance' was vague and inconsistent with the earlier provision that some applications may be considered urgently. It was suggested this section be reworded or deleted.

Section 6.1.2: The external member referred to in this section should be the statutory one.

Section 9.5.1: This section made reference to a 'Protocols Register'. It was the opinion of NAEAC that the AEC should be approving and reviewing standard operating procedures (SOPs).

There should also be provisions for reporting adverse events.

NAEAC endorsed the reviewer's recommendation that s 9(2) use an owner consent form when animals not owned by s 9(2) are used.

Moved (V Williams/P Larsen):

That the s 9(2)(g)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of the Chair.

The motion was put: carried.

Actions:

s 9(2)(a) to write to advise s 9(2) accordingly.

V Williams to ask AECs for feedback on when CEO attendance at an AEC meeting might be appropriate.

V Williams to note in next AEC newsletter that AEC members should have access to the code of ethical conduct stamped 'code of ethical conduct approved'.

C 3. s 9(2)(g)(ii) code of ethical conduct

The code of ethical conduct for the s 9(2)(g)(ii) expires on 16 December 2014. The Department was happy for their new code to be approved for 5 years from 17 December 2014.

B Warburton led the discussion of this code. The committee agreed with B Warburton that the code was very repetitive and confusing. The following points were noted for clarification/amendment (adopting the references in the code):

Under Part 1 (description of general nature and extent of work) more clarity is required about what is exempted under the s 9(2)(g)(ii) and therefore does not require AEC approval. Incorporation of the flow chart referred to in the code might assist with the clarification.

Reference is made to 'Standard Operating Procedures, best practice and guidance' in various places in the code. Best practice and guidance seemed vague and NAEAC asked if these were documented.

Section 2.1: An animal ethics committee must be appointed (rather than may be appointed).

Section 2.2.1: NAEAC considered that the appointment process should be incorporated in the code.

Section 2.2.5: The external members may not be associated with s 9(2)

Sections 2.4.5-2.4.8: For the sake of clarity it was suggested that these sections state that subcommittees do not have the power to make decisions.

Sections 2.9.1 and 3.11.3: There may be circumstances where an AEC member is unable to notify the Chair or provide comment.

Section 2.9.6: The terms 'face to face meetings' and 'in person' are used interchangeably in the code. Consistency is required and NAEAC considered 'in person' was preferable as 'face to face' might be interpreted as including videoconferencing.

Section 2.10.2: Documentation supplied to AEC members should also include the code of ethical conduct.

Section 3.3.2: A section in the code stating what is in the code seemed unnecessary.

Section 3.5.1: Stating the actual dates of meetings means that the meeting dates could not be changed without amending the code. This section also seemed to conflict with sections 2.9.3 and 3.10.5 of the code.

Section 3.6: It is not clear what happens when modifications are required e.g. can minor ones be approved by someone with delegated authority and more substantial ones reconsidered by the whole committee?

Section 3.7.1: NAEAC was unclear about the need for a minimum approval period.

Section 3.7.4: The AEC needs to decide what constitutes a minor variation. These should be restricted to variations which do not increase the animal welfare impact grade or numbers of animals being used.

Section 3.8: The impact grading should be reassessed after the project is completed as sometimes the reality differs from what was expected. In addition it would be more useful to refer to MPI's *Animal Use Statistics* booklet rather than the regulations.

Section 3.9: Insert 'by the AEC' after 'No approval of an application'.

Section 4.1.1 and 4.2: Under this section, anyone not using the correct form would be in breach of the code. It was suggested that something along the lines of 'In order to be considered, all applications must be on the standard application form which meets the requirements of section 100 of the Act' be included. Section 4.2 could then be deleted.

Section 4.3.2: It would be more accurate and consistent with wording elsewhere to refer to approval holders rather than applicants.

Sections 4.4 and 4.5: These matters should be dealt with on the application form.

Section 4.6.3: The purpose of this section was unclear and probably unnecessary.

Section 5.2.1: The term 'methodology' did not seem appropriate.

Section 5.3.5: It is suggested this be moved to follow 5.3.2.

Section 5.4: What will be done about non-compliances determined to be minor?

Section 8.3: The use of the term 'approval' could be seen to imply that approval is automatic.

Facilities: There is no mention in the code of animal facilities. While acknowledging that most of s 9(2)(a)(ii) work is carried out in the wild, the review report mentioned wallabies being housed in pens. The code should therefore cover any facilities – monitoring of them, approval of SOPs relating to animals contained in them and the like.

Moved (P Larsen/B Warburton):

That the s 9(2)(g)(ii) redraft their code of ethical conduct incorporating the recommended amendments and submit it to NAEAC by 7 November 2014, for reconsideration at the 12 November general meeting.

The motion was put: carried.

Action - s 9(2)(a) to write to advise s 9(2) accordingly.

C 4. s 9(2)(b)(ii) code of ethical conduct

s 9(2)(b)(ii) had requested their current code of ethical conduct be extended until 31 December 2014, so that their new approved code could come into force on 1 January 2015.

Moved (V Williams/P Larsen):

That NAEAC recommend that the current code of ethical conduct for s 9(2)(b)(ii) be approved under the Animal Welfare Act 1999 for the period 5 November 2014 to 31 December 2014.

The motion was put: carried.

V Williams and C Johnson were both responsible for leading the discussion of this code. V Williams was of the opinion that key topic 1 documented in the review report had not actually been addressed by the code holder. Both committee members considered the code lacked structure and detail and should be substantially revised and resubmitted to NAEAC for review in November. V Williams asked s 9(2)(a) to send the code holder the link to the *Guide for the Preparation of Codes of Ethical Conduct* and advised she would be available to talk to the code holder if required.

Moved (V Williams/B Warburton):

That s 9(2)(b)(ii) redraft their code of ethical and submit it to NAEAC by 7 November 2014 for reconsideration at the 12 November general meeting.

The motion was put: carried.

Action - s 9(2)(a) to write to advise s 9(2)(b)(ii) accordingly.

C 6. s 9(2)(g)(ii) code of ethical conduct

The code of ethical conduct for the s 9(2)(g)(ii) expires on 25 November 2014. s 9(2)(g)(ii) was happy for their new code to be approved for 5 years from 26 November 2014.

P Larsen led the discussion of this code. The following points were noted for clarification/amendment (adopting the references in the code):

Section 3.1: 'Animal Welfare Act' should be added to the end of the last sentence in this section.

Sections 6.9: The abbreviation 'AWO' is used in this section but is not explained until section 6.12.

Section 6.10: As well as the induction pack, members should be supplied with a copy of s 9(2) code of ethical conduct. NAEAC also suggested that in terms of ensuring that there is the opportunity to make an effective contribution, some reference could be made to the chairperson ensuring all members have the opportunity to contribute to the meeting and express their views.

Section 7.1(b): Applications to the AEC for the use of animals in research, testing and teaching should cover all the proposed manipulations and be made on the appropriate s 9(2) application form.

Section 7.1(f): NAEAC suggested that this be split into two sentences with the first ending after 'approved the protocol'. The second sentence could be amended to read 'Any deviations from this protocol must receive prior approval of the AEC.'

Section 7.1(i): With regard to the minimum meeting frequency, 'should' should be 'must'. In addition there should be a requirement for meeting in person if there are any applications graded C, D or E. It may also be useful for some brief outline of the process for triggering meetings.

Section 7.1(j): NAEAC did not think it appropriate to consider new applications by post or email. If they are to be considered between 'in person' meetings they should be discussed via teleconference or videoconference. There was no objection to amendments being considered by post or email.

Section 8.1: Rather than occurring with projects that AEC members 'wish to lead', conflicts can also exist if they are involved in particular projects.

Section 9.2: This section needs to be expanded to cover things like the responsibility of facility managers to develop SOPs which are subject to approval by the AEC as is described under section 5.1.1 of NAEAC's *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*.

Section 10.3: The AEC should develop an annual monitoring plan. This should include visiting each facility once a year plus some monitoring of projects. In addition there should be a requirement to report back to the AEC (if not done by the whole AEC) or to keep records of the monitoring undertaken.

It might also be helpful to have some sort of description or flow chart outlining matters that fall within Part 6 of the Animal Welfare Act (and therefore need AEC approval) and matters which do not.

In light of the key issues identified by the reviewer in relation to meetings and monitoring NAEAC was of the opinion that the code holder should be reviewed again in a year's time.

Moved (K Booth/V Williams):

That the s 9(2)(g)(ii) undergo another review in one year's time.

That the s 9(2)(g)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of the Chair, P Larsen and G Nind.

The motions were put: carried.

Action - § 9(2)(a) to write to advise § 9(2)(a)(ii) accordingly.

C 10. Format of accredited reviewers report

§ 9(2)(a) accredited reviewer, sought feedback from NAEAC and MPI on the format of his reports which had been based directly around the reviewer's checklist. The advantages and disadvantages of this format were identified as follows:

Advantages -

- more clearly indicates that all matters have been considered
- possibly easier to find particular items

Disadvantages -

- narrative is less 'flowing'
- more time-consuming initially for the reviewer in setting up the template
- font size is small to accommodate text
- harder to accommodate information for multi-site reviews so longer, narrative-style reports may be preferable for such reviews

V William invited committee members to comment on § 9(2)(a) review reports. It was generally agreed that the reviewer's checklist format was very good as it highlighted which parts of a code were or were not compliant with the Animal Welfare Act. While this format could be offered to other reviewers to use, it could not be made compulsory. It was noted that the performance standards for accredited reviewers were currently with MPI Legal for review.

Actions:

V Williams to provide § 9(2)(a) with feedback about his review format.

§ 9(2)(a) to advise accredited reviewers about availability of new review format.

C 12. NAEAC annual report

V Williams provided an update on the NAEAC annual report. The report had mistakenly been dispatched to those on the mailing list by the printers prior to the Minister receiving the briefing. Since the release of the report V Williams had been approached to participate in a number of radio interviews. § 9(2)(a) advised that the various transcripts would be distributed in the weekly mail outs.

C 7. § 9(2)(g)(ii) code of ethical conduct

The code of ethical conduct for § 9(2)(g)(ii) expires on 9 December 2014. The § 9(2)(a)(ii) was happy for their new code to be approved for 5 years from 10 December 2014.

K Booth led the discussion of this code. The following points were noted for clarification/amendment (adopting the references in the code):

The approval date (4.05.2011) was incorrect on the first page of the code.

Purpose: The opening paragraph of this section gave the impression that it was § 9(2)(a)(ii) chief executive, rather than MPI's Director-General who was responsible for approving the code.

Scope: It was agreed that the list of species be removed from this section.

Definitions: Under this section, 'AEC' should be defined and the use of it used consistently throughout the code.

Parenting arrangements: More detail was required in this section, including notification of any parenting arrangements to MPI.

Animal Ethics Committee (b)(iv): The approved organisation must be an approved animal welfare organisation.

Animal Ethics Committee (d): Rather than specifying a specific remuneration rate, it was suggested that the code holder pay external members according to 'market value'.

Animal Ethics Committee (g): Clarification about how the AEC manages meetings via teleconference was required.

Animal Ethics Committee (h): It was suggested that 'off-site premises' be replaced with 'facilities' and that a provision for any monitoring be recorded or minuted.

Animal Ethics Committee (j): Reducing the quorum to 4 enables the AEC to still make decisions if there is a vacancy in the membership.

Responsibility (d)(viii): Reference to the *Good Practice Guide for the Use of Animals in Research, Testing and Teaching* should be made in this section.

Functions, duties and powers of the committee (h): The committee is responsible for considering all proposals not automatically approving them.

A section on adverse event reporting should be included in the code.

Moved (P Larsen/M Tingle):

That the s 9(2)(g)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of the Chair.

The motion was put: carried.

Action s 9(2)(a) to write to advise s 9(2) accordingly.

C 8. s 9(2)(g)(ii) code of ethical conduct

s 9(2)(g)(ii) had requested their current code of ethical conduct be extended until 31 December 2014, so that their new approved code could come into force on 1 January 2015.

Moved (V Williams/G Nind):

That NAEAC recommend that the current code of ethical conduct for s 9(2)(g)(ii) be approved under the Animal Welfare Act 1999 from the period 26 November 2014 to 31 December 2014.

The motion was put: carried.

T Burrell led the discussion of this code. The following points were noted for clarification/amendment (adopting the references in the code):

Part 1, AEC membership: The third bullet point should be broadened to 'a recognised tertiary institution'. In the fourth bullet point the term 'veterinary surgeon' should be replaced by 'veterinarian'.

Part 1, Training of new members: This section should specify the code of ethical conduct as one of the documents supplied.

Part 2, Possible fast track provisions: The subcommittee should include two external members (rather than just two members). NAEAC also considered that the use of subcommittees should be restricted to projects which have an A or B grading.

Part 2, Terms of Reference 2: The term 'shall be responsible for advising' could impose unrealistic requirements on the AEC. It was suggested changing this to 'may provide advice' and moving the sentence to the end of the section.

Part 2, Terms of reference 5: It was suggested that this sentence be changed to read 'In order to change an approved protocol, applicants must request permission from the AEC'. NAEAC also queried where the 'guidelines' were.

Part 2, Terms of reference 6, 7 and 8: There should be a stated requirement for all applicants to provide a written report back to the AEC at the end of the project and for this to include reporting of any adverse events.

Part 4, Monitoring of manipulations 1: 'each AEC' should be 'the AEC' since there is only one. In addition, NAEAC considered there should be an annual monitoring plan. For example, any applications graded C, D or E should be monitored and say 10% of those graded B. Any monitoring of projects or site visits done by AEC members or on behalf of the AEC should be reported back to the AEC.

There was some discussion about how the AEC could carry out monitoring. § 9(2)(g)(ii) [redacted]
[redacted] The possibility of asking local SPCA inspectors to carry out monitoring was also suggested. T Burrell agreed to contact the AEC regarding potential ways monitoring could be carried out.

Part 4, The operation of animal facilities 2: NAEAC considered that 'are encouraged' should be 'must'.

Part 6, Approval terms: § 9(2)(g)(ii) [redacted]
[redacted]

Moved (P Larsen/C Johnson):

That the § 9(2)(g)(ii) [redacted] code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of the Chair.

The motion was put: carried.

Actions:
§ 9(2)(a) [redacted] to write to advise N § 9(2) (a)(ii) [redacted] accordingly.
T Burrell to contact § 9(2) (a)(ii) [redacted] about monitoring.

The meeting was adjourned at 4.30 pm on Tuesday 14 October 2014 and resumed at 9.00 am on Wednesday, 15 October 2014.

C 9. s 9(2)(g)(ii) code of ethical conduct

The code of ethical conduct for the s 9(2)(g)(ii) expires on 9 December 2014. The s 9(2)(g)(ii) was happy for their new code to be approved for 5 years from 10 December 2014.

P Larsen and M Tingle led the discussion of this code. The following points were noted for clarification/amendment (adopting the references in the code):

Research, testing and teaching terminology: In the title of the code reference was made to 'teaching & research'; in the preamble there was reference to 'teaching, research or production of biologically active agents'; in the Aims section there was reference to 'research, teaching and biotechnology'; and in section 9(a) reference was made to 'research, experimental, diagnostic, toxicity, or potency testing work ... or teaching'. NAEAC regarded this as inconsistent and confusing and suggested the use of 'research, testing and/or teaching'.

References to MAF: MAF became the Ministry for Primary Industries over two years ago so all references need to be updated.

In some places the code referred to 'staff and students' whereas in other places 'researchers and teachers' are mentioned. NAEAC regarded this as inconsistent.

Section 2: 'Committee' is defined but then in some places in the body of the code 'animal ethics committee' is used.

NAEAC did not see the need to quote the legal definitions of 'manipulation' and 'animal' but thought that if they were retained, the definition of 'research, testing and teaching' should also be included.

Section 3: The last three bullet points relate to the Three Rs but NAEAC did not agree with some of the phrasing. There is a responsibility for the AEC to do more than just 'promote an attitude which will encourage ...'. It was suggested that this be replaced with some reference to embracing the Three Rs or something similar.

Section 4: If the penalties in the Act or regulations are amended during the next five years the code will be incorrect. It was suggested that a reference to the relevant section of the Act and regulation be used instead.

Section 5, 1st paragraph, last sentence: It was thought this should be clarified by adding 'by staff or students' after 'undertaken'.

Section 5, 5th paragraph: It was not clear who makes the judgement about whether welfare is adversely affected so it was suggested that 'by the Chair' be added after 'judged'. In addition 'of this code' should be added after 'rule 7'.

Section 5, 6th paragraph: NAEAC considered that there should be a fuller policy on adverse event reporting and actions. Also, it did not consider that the secretary was the appropriate person to report to especially if events occurred outside normal working hours. If there is no animal welfare officer, the chairperson would be the most appropriate person to contact.

Section 7(a): This seemed somewhat historic as the AEC already existed. It was suggested that 'immediately after the coming into force of this Code, appoint, and thereafter' is deleted.

Section 7(b)(i): It was suggested that 'qualifications and skills' replace 'standing' to better reflect the Act.

Section 7(b)(iv), (v) & (vi): The Act requires that these people are not associated with the organisation, which is somewhat broader than not being a staff member.

Section 7(c): It was considered helpful to state a minimum number of meetings.

Section 7(g): If the committee was inquorate this would invalidate its actions. It was suggested that 'forthwith' be changed to 'as soon as possible' otherwise the code would be breached if the vacancy was not filled immediately.

Section 7(i): NAEAC did not consider it appropriate to make some types of decisions by teleconference or email and wanted to see some restrictions on the use of these. It considered teleconferences could be used for new applications so long as they were graded only A or B or for modifications to approved projects. Any project graded higher than B should be considered at a face to face meeting. Emails could be used for modifications to projects where the grades were not altered or for other animal welfare issues that may require discussion.

Section 7(j)(i): NAEAC should be spelt out since it does not appear to have been mentioned earlier. In addition, new members should be given a copy of the code of ethical conduct.

Section 7 (j)(iii): While it is the s 9(2)(g)(ii) prerogative to decide on frequency of appointment, NAEAC had concerns that annual appointment risks loss of institutional knowledge and for the external members places an unnecessary burden on nominating bodies.

V Williams reported she would raise this issue in the next AEC newsletter.

Section 7(j)(v): For the sake of clarity s 9(2)(g)(ii) should be inserted before s 9(2)(g)(iii).

Section 7(j)(vi): NAEAC considered that external members receive some remuneration as well as expenses and reference should be made to this.

Section 8(b): In the opening sentence it was suggested that after 'account' the phrase 'the purposes of Part 6 of the Act and' be inserted.

Section 8(b)(iii): 'ethical' would be a more appropriate word than 'humanitarian'.

Section 8(b)(ix): NAEAC did not see the need for 'or to conditions' in the second bullet point.

Section 8(c): The position of Chief Veterinary Officer no longer exists. It was suggested that the term Director-General of the Ministry for Primary Industries replace it.

Section 8(d): AEC members are likely to err on the side of caution in declaring possible conflicts of interest and there could be situations where the AEC decides there is no need for the member concerned to withdraw. It was suggested that 'the member should take no part in the decision-making in the matter of interest' be replaced by 'the committee should decide on the appropriate way to manage it'.

Section 8(e): NAEAC did not see the need to restrict this to experimental work. Teaching should also be included. In addition, NAEAC did not consider the monitoring regime (of 3 projects or facilities a year) to be adequate. It recommended annual inspections of each facility plus, 10% of approved projects including all projects graded C, D or E. It was noted that NAEAC reacted positively to the final sentence.

Section 8(g): 'may' should be replaced by 'shall'.

Section 8(k): There should be reference to the requirement to notify MPI of any arrangements.

It was noted that s 9(2)(g)(ii) used the s 9(2)(g)(ii) AEC as opposed to the s 9(2)(g)(ii) AEC. M Tingle was of the opinion that the s 9(2)(g)(ii) should be using the s 9(2)(g)(ii), not making arrangements to use another. V Williams asked s 9(2)(a) to get a legal opinion on this from MPI.

Section 9(h): NAEAC raised the question of how realistic it was that the s 9(2)(g)(ii) could be compelled to do anything the AEC decided. M Tingle was of the opinion that when the code holder was next reviewed, the accredited reviewer should check compliance with this section of the code.

SOPs: There was no mention of SOPs in the code so it was suggested that the code holder refer to Part 3 of the sample code in the *Guide to the Preparation of Codes of Ethical Conduct* (page 13).

Public attendance at meetings was not dealt with.

Section 10(b): It should be explicit that if the impact experienced by the animals differs from what was expected when the project was approved (whether less impact or greater impact) this should be recorded and reported back to the AEC.

Moved (V Williams/P Larsen):

That the s 9(2)(g)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of the Chair, P Larsen and M Tingle.

The motion was put: carried.

Actions:

s 9(2)(a) to write to advise s 9(2)(g)(ii) accordingly.

V Williams to write about AEC appointment terms in the next AEC newsletter.

s 9(2)(a) to obtain legal opinion on whether s 9(2)(g)(ii) can use the s 9(2)(g)(ii) AEC instead of the s 9(2)(g)(ii)

P Larsen asked NAEAC to consider how it could help institutions improve their codes of the ethical conduct so they were not only easy for NAEAC to review, but also easy for users to follow and easy for accredited reviewers to review. C Johnson suggested that in addition to a code template, NAEAC could develop guidelines about why relevant sections needed to be included in the code. K Booth volunteered to draft a code template based on the example given in the *Guide to the Preparation of Codes of Ethical Conduct* and asked whether s 9(2)(a) or s 9(2)(a) could send her a Word version of the document. V Williams thanked K Booth for volunteering to undertake the review in the first instance and asked s 9(2)(a) to put the issue on the meeting agenda for the November 2014 and February 2015 general meetings. It was noted that a realistic time frame for having a first draft available for the committee to review was likely be at the first meeting next year.

Actions:

s 9(2)(a) to send K Booth Word version of 'Guide to the Preparation of Codes of Ethical Conduct'.

K Booth to develop code template.

C 11. NAEAC workshop for AECs

V Williams invited T Burrell to provide an update on the upcoming AEC workshop. T Burrell referred committee members to the most recent workshop notes and programme that had been circulated prior to the meeting. The following items were discussed/agreed upon:

- In relation to the presentation of the Three Rs award, P Larsen agreed to prepare some notes for V Williams as to why the subcommittee had selected s 9(2)(a) as the recipient. P Larsen also agreed to organise a photographer to be at the workshop for the award presentation.
- s 9(2)(a) agreed to check whether s 9(2)(a), recipient of the Animal Welfare Science and Bioethics Centre award would be attending just the morning session or staying for the whole workshop. V Williams reported that s 9(2)(a) wife would also be in attendance for the award presentations.
- s 9(2)(a) agreed to check whether a technician would be available on the day to run the power point presentations. It was noted that the caterer (Food Envy) did not have a website that was up and running so it was agreed that s 9(2)(a) should contact them directly by phone.
- V Williams asked s 9(2)(a) to arrange tea and coffee to be made available during registration.
- s 9(2)(a) sought feedback from the committee about having a security guard on the door. It was generally agreed that this would be a good idea just in case there was any disturbance.
- The mock AEC protocol would be emailed to attendees a week or so prior to the workshop to enable everyone to have enough time to consider it properly. A hard copy of the proposal would also be available in the registration pack.
- To date, only one territorial nominee had registered for the workshop. It was suggested that rather than having a territorial nominee workshop group, AEC chairs could be grouped together instead. Any territorial nominees could be grouped with the SPCA nominees.
- K Booth sought clarification as to what emerging issues would be discussed in the breakout session. V Williams reported the session was to enable issues arising out of the protocol to be discussed among the different AEC groups.
- T Burrell agreed to prepare a worksheet for the 'emerging issues' session that would provide a summary of the intention of the session and what should be discussed. Feedback from these sessions would need to be captured by committee members themselves and then fed back to the entire committee at the next general meeting.
- It was agreed to select three chairs for the monitoring workshop once the registrations had closed.
- s 9(2)(a) offered to send the workshop programme and invitation to the new chair of the s 9(2)(a)(ii) AEC just in case she had not already received the information.
- It was noted that the short talks at the end of the day would include question time. Presenters would have six minutes to talk and four minutes to answer any questions. T Burrell agreed to convey this to s 9(2)(a) and s 9(2)(a) to s 9(2)(a). B Warburton agreed to chair the session.

P Larsen suggested Mac's Brewery as a venue for the joint dinner with ANZCCART as it had a large function room upstairs. § 9(2)(a) agreed to make some inquiries on behalf of the committee about this. V Williams agreed to also invite § 9(2)(a) to the dinner.

Because the committee was required to reconsider two codes of ethical conduct at the November general meeting it was agreed that the mini-tutorial by § 9(2)(a) be postponed for another time. V Williams asked § 9(2)(a) to convey this to § 9(2)(a).

The committee briefly discussed next year's AEC site visit and the fact that § 9(2)(g)(ii) had never been visited by NAEAC. § 9(2)(a) also brought up the possibility of a joint meeting with the National Animal Welfare Advisory Committee (NAWAC) in 2015.

The errors in the latest issue of *Welfare Pulse*, picked up by K Booth, were noted.

Actions:

P Larsen to draft notes for V Williams about why § 9(2)(a) was selected as the recipient of the Three Rs award.

P Larsen to organise photographer for award presentation.

§ 9(2)(a) to contact § 9(2)(a).

§ 9(2)(a) to organise technician for venue.

§ 9(2)(a) to contact caterer.

§ 9(2)(a) to organise tea and coffee during registration.

§ 9(2)(a) to organise security.

§ 9(2)(a) to distribute mock protocol prior to workshop.

T Burrell to prepare worksheet for emerging issues session.

§ 9(2)(a) to send workshop programme and invitation to new chair of Schools' AEC.

T Burrell to convey time details of short talk to § 9(2)(a).

§ 9(2)(a) to convey time details of short talk to § 9(2)(a).

§ 9(2)(a) to organise venue for dinner.

V Williams to invite § 9(2)(a) to dinner.

§ 9(2)(a) to contact § 9(2)(a) about November general meeting.

PART TWO (OPEN TO THE PUBLIC)

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress against milestones in the operational plan. The following updates were provided:

Provide advice to the Minister and the Director-General: It was agreed to invite the Minister to a NAEAC meeting next year.

A meeting with the Minister prior to the release of the NAEAC annual report had not been possible this year.

Provide advice to AECs and code holders: Although the survey exploring ethical decision-making by AECs had been completed the results had still to be written up. There was a possibility the results could be published as an occasional paper at a future point in time.

As a result of the codes meeting, it was considered necessary to discuss monitoring with the accredited reviewers rather than just give them feedback. V Williams asked s 9(2)(a) to put this on the November meeting agenda.

V Williams provided an update on a query she had received from an AEC member. K Booth reported on a recent query she had received relating to protocol application forms.

Promote good practice in RTT using animals: The action relating to writing to research funders would be carried over to next year.

M Tingle reported that any funding opportunities should be brought to the attention of code holders as well as AECs.

K Booth volunteered to contact MPI's Agricultural Compounds and Veterinary Medicines (ACVM) Group about the review of their statistical requirements for animal testing. V Williams asked K Booth whether it would be more appropriate for her to do this and after some discussion, agreed to write to MPI on behalf of NAEAC, asking for this work to be prioritised.

Enhance the functioning of NAEAC: V Williams reported she was talking to s 9(2)(a) about creating links with equivalent committees in the UK, Canada and Australia.

s 9(2)(a) reported that any funding requirements for committee members to travel and visit AECs should be put in writing so that approval could be sought. This could also be raised at the NAEAC/MPI quarterly meetings which were attended by V Williams.

Actions:

s 9(2)(a) *to add meeting with accredited reviewers to November meeting agenda.*

V Williams to draft letter to ACVM asking for the review of their statistical requirements for animal testing to be prioritised.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 11.45 am.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

General Meeting

Wednesday, 12 November 2014
8.30am – 4.30pm

Ministry for Primary Industries
Pastoral House (level 18, meeting room 1)
25 The Terrace
Wellington

MINUTES

PART ONE

Present: Virginia Williams (Chairperson), Peter Larsen, Malcolm Tingle, Karen Booth, Terry Burrell, Craig Johnson, Bruce Warburton.

In Attendance: s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary), s 9(2)(a) (Auditor, Systems Audit), s 9(2)(a) (Auditor, Systems Audit), s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy), s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy), s 9(2)(a) (Manager, Animal Welfare) for agenda item O 16.

Apologies: An apology was received from Graeme Nind and Stephen Cairns.

V Williams opened the meeting at 8.30 am and welcomed attendees.

Any Other Business Part One

No further items of business were identified for discussion under Part One of the agenda.

Any Other Business Part Two

No further items of business were identified for discussion under Part Two of the agenda.

PART ONE

(PUBLIC EXCLUDED AGENDA)

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no other items of business for discussion under Part One of the agenda, it was moved (V Williams/P Larsen):

A: That the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes
- C 2. Action list review
- C 3. s 9(2)(g)(ii) code of ethical conduct
- C 4. s 9(2)(b)(ii) code of ethical conduct
- C 5. Meeting with accredited reviewers
- C 6. Feedback from workshop for AECs
- C 7. AEC service award
- C 8. Discussion of arrangements for 2015 site visit
- C 9. MPI update

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1. Confirmation of previous minutes	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2. Action list review	As above.	As above.
C 3. s 9(2)(g)(ii) code of ethical conduct	To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(g)(ii) of the Official Information Act 1982.
C 4. s 9(2)(b)(ii) code of ethical conduct	<p>To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the Official Information Act 1982.

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 5.	Meeting with accredited reviewers	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.
C 6.	Feedback from workshop for AECs	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure and harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 7.	AEC service award	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 8.	Discussion of arrangements for 2015 site visit.	As above.	As above.
C 9.	MPI update	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.

B: That s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary), s 9(2)(a) (Auditor, Systems Audit), s 9(2)(a) (Auditor, Systems Audit), s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy), and s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

C 1. Confirmation of previous minutes

The draft minutes of the code of ethical conduct meeting held on 14 and 15 October 2014 were reviewed. B Warburton reported he had not previously visited s 9(2)(g)(ii) animal ethics committee (AEC) and suggested that the second and third sentence under the heading *Send letter to s 9(2)(a) about NAEAC visit (action 16)* (on page 2), be deleted.

Moved (V Williams/B Warburton):

That the draft minutes of the code of ethical conduct meeting held on 14 and 15 October 20114 be adopted as a true and accurate record of that meeting subject to the above amendment being made.

The motion was put: carried.

Action – s 9(2)(a) to amend October code of ethical conduct meeting minutes and circulate updated version to committee members.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Ask AECs for feedback on when CEO attendance at an AEC meeting might be appropriate (action 14):

V Williams reported that this issue would be raised in the AEC newsletter due to be drafted before the end of the year. M Tingle was of the opinion that the Chief Executive Officer (CEO) of a company should not be attending an AEC meeting without an invitation. It was noted that s 9(2)(b)(ii) allowed this to happen even though it was not specified in their code of ethical conduct. Instances where it would be appropriate for a CEO to attend an AEC meeting were if he or she was the chair of that committee or if he or she was attending a meeting as a learning experience.

s 9(2)(a) arrived at the meeting at 8.45 am.

P Larsen reported that at the AEC workshop held the previous day he had been made aware of one member operating under an old code of ethical conduct. s 9(2)(a) reminded the committee that she asked code holders to supply their AEC members with a copy of their new code once it had been approved by the Director-General of the Ministry for Primary Industries (MPI).

Format of accredited reviewers report (action 18): For the benefit of s 9(2)(a) and s 9(2)(a) V Williams reported that accredited reviewer s 9(2)(a) had submitted the review reports he had completed in 2014 in a tabular format rather than in a detailed text format. NAEAC were pleased with the format of this reporting as it enabled them to easily identify whether the code holder had complied with the legislation and their code. It was agreed to send a copy of one of s 9(2)(a) review reports to s 9(2)(a) and s 9(2)(a) for their information.

Action – s 9(2)(a) to send s 9(2)(a) and s 9(2)(a) a copy of s 9(2)(a) review report.

C 3. s 9(2)(g)(ii) code of ethical conduct

The revised code of ethical conduct for the s 9(2)(g)(ii) had been circulated prior to the meeting. M Tingle had reviewed s 9(2)(a)(ii) code against the *Guide for the preparation of codes of ethical conduct* and circulated a checklist to committee members prior to the meeting. B Warburton had also reviewed the code in detail and had circulated his comments to committee members prior to the meeting. It was agreed that while some of the points NAEAC had raised previously with the code had been addressed the code was still difficult to read.

B Warburton led the discussion of this code. The following points were noted for clarification/amendment (adopting the references in the code):

Sections 1.2.5 and 1.2.6: NAEAC was not sure of the accuracy of the statement that s 9(2) never kills animals as part of research, testing and teaching. The planned changes to the Act relate to the killing of animals in order to undertake research on the dead animal or its tissue. Either this should be made clear or these provisions be omitted from the code until such time as any legislative amendments are made.

Section 1.3.11: It was suggested that 'relevance' would be more appropriate than 'interest' in this section.

Section 4.3.2: Adverse events should be reported as soon as practicable. There should also be a requirement that these events should be reported to the next AEC meeting.

Section 5.2.3: Monitoring of facilities should involve an inspection at least annually. In addition, with regard to best practice, NAEAC considered that some reference be made to the provisions of the *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*.

M Tingle reported that he had raised the question of annual inspections of facilities at the workshop during the monitoring session that he chaired. Feedback from the session had indicated some AECs considered an annual report from a facility as 'monitoring'. It was agreed that this was not the case and that codes of ethical conduct needed to address monitoring specifically. V Williams agreed to write about this in the next AEC newsletter.

C Johnson reported that the issue of monitoring on fishing boats was also raised at the workshop. Was a fishing boat a facility? It was generally agreed that if a fishing vessel was holding fish for the purposes of research, testing or teaching then it was a facility. Fishing vessels could be inspected once they had returned to land. It was noted that a topic for a future AEC workshop could be: *What is a facility?*

Section 5.4.1: In this section there is no mention of what happens in regard to non-compliances that are not significant.

Section 5.5.1: MPI's Animal Welfare Section does not undertake investigations and prosecutions. This is done by MPI's Compliance Directorate.

Section 7: This section needs to be expanded to outline how complaints will be dealt with.

Appendix 1: NAEAC previously commented that more clarity was needed about what is exempted under the s 9(2)(g)(ii) and therefore does not require AEC approval. The flow chart reflected the general provisions of the Act rather than helping people identify particular types of activity that s 9(2) might carry out that would be exempted.

Typographical errors:

- section 4.2.1, insert 'of' after 'approval' in the phrase 'approval a project';
- section 5.3.3, final bullet point, NAEAC is misspelt;
- sections 7.1.2 & 7.4.2, s 9(2)(g)(ii) has a hyphen elsewhere but it is missing in these sections;
- section 7.2, the term s 9(2)(g)(ii) has been used but the plural is s 9(2)(g)(ii).

Moved (V Williams/M Tingle):

That the s 9(2)(g)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of MPI approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of NAEAC.

The motion was put: carried.

Actions:

§ 9(2)(a) to write to advise § 9(2) accordingly.

V Williams to write about monitoring of facilities in next AEC newsletter.

C 4. § 9(2)(b)(ii) code of ethical conduct

V Williams reported that she had had some correspondence with the chair of the § 9(2) AEC, § 9(2)(a) regarding ways to improve their code of ethical conduct. The result of that interaction was a re-submitted code that was virtually identical to the sample code in the *Guide to the Preparation of Codes of Ethical Conduct*.

The committee discussed conflict of interest in relation to commercial companies having their own code of ethical conduct and AEC. The issue of the CEO attending AEC meetings was raised again. At the workshop held the previous day it was also discovered that some AECs allowed principal investigators to stay at AEC meetings during deliberations. It was noted that if an external AEC member had an issue with the CEO being present at a meeting, that person could make a formal complaint.

K Booth queried whether NAEAC's concerns/interests should be disseminated via the AEC newsletter rather than via codes of ethical conduct.

C Johnson reported that he had noticed some typographical errors in the code and agreed to let § 9(2)(a) know what they were after the meeting. No other points were noted for amendment.

Moved (V Williams/M Tingle):

That the § 9(2)(b)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of MPI approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of § 9(2)(a)

The motion was put: carried.

Action – § 9(2)(a) to write to advise § 9(2) accordingly.

C 5. Meeting with accredited reviewers

It was agreed to hold a teleconference early next year with the accredited reviewers and report the findings back to NAEAC at their first general meeting, if possible. It was noted that the teleconference date would be set after NAEAC had agreed to their 2015 meeting dates. This was due for discussion later in the meeting. V Williams and P Larsen agreed to attend the teleconference to represent NAEAC. It was noted that § 9(2)(a) was no longer a reviewer and that V Williams would apply to go back on the reviewers list after her second term on NAEAC was over. § 9(2)(a) confirmed that reviewers were unable to do more than two consecutive reviews on the same code holder.

Action – § 9(2)(a) to arrange teleconference of accredited reviewers.

C 6. Feedback from workshop for AECs

V Williams invited committee members to comment on the AEC workshop held the previous day.

It was agreed to ask s 9(2)(a) for any notes she might have taken during the mock AEC discussion undertaken by SPCA nominees.

P Larsen thanked T Burrell and s 9(2)(a) for their work in organising the workshop.

The Royal Society of New Zealand was an appropriate venue for the number of people (approximately 70) who attended. If more people had been in attendance, the venue would have felt too small.

It was suggested that colour coding name badges would enable external AEC members to identify each other.

B Warburton reported that he and s 9(2)(a) found the feedback on the 1080 AEC application very useful. It was suggested that reviewing a real AEC application would be a useful exercise to do again at some stage as committees can get 'comfortable' about the types of protocols they review.

C Johnson provided an update on the research proposal the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) was developing – a specific AEC protocol would be sent to different AECs to see how they would assess it. A Masters student was doing the work on a part time basis and it was anticipated that data collection would start next year.

T Burrell noted that the 1080 proposal contained a list of references that AECs should have access to. The committee discussed ways in which this information could be provided. The AEC secretary could for example get the principal investigator to send the relevant research papers out to committee members. It was agreed to mention this in the next AEC newsletter. s 9(2)(a) suggested that a summary of issues arising out of the workshop could be created and sent out separately if there was already enough material for the newsletter.

P Larsen reported that he had talked to the territorial nominees about setting up a network via Local Government New Zealand. M Tingle suggested MPI set up a list of email contacts to put people in contact with each other. s 9(2)(a) reported that MPI was not given contact details for all AEC members but if any were supplied, would keep them. It was suggested that this topic could also be included in the newsletter or workshop summary to ascertain if there was any interest in the network being set up.

s 9(2)(a) reported she would provide a summary of the feedback received from attendees at the February general meeting.

Actions:

s 9(2)(a) to ask s 9(2)(a) for her notes from the workshop.

V Williams to include topic of research papers being supplied to AECs, in the next newsletter.

V Williams, s 9(2)(a) to include topic of territorial support group in the AEC newsletter or workshop summary.

s 9(2)(a) to analyse feedback forms from AEC workshop.

C 7. AEC service award

s 9(2)(a) referred committee members to the memorandum she had circulated prior to the meeting. A nomination had been received from s 9(2)(a) AEC for a service award to be made to s 9(2)(a) – a former local authority nominee and now independent member on the AEC.

P Larsen questioned whether just being a member of an AEC entitled them to the award. It was noted that territorial authority or regional council nominees on AECs must not be associated with the scientific community.

Moved (V Williams/T Burrell):

That s 9(2)(a) is awarded with a NAEAC AEC service award.

The motion was put: carried. P Larsen abstained from the vote.

s 9(2)(a) agreed to contact s 9(2)(a) about the committee's decision and ascertain if he wanted a NAEAC member to present the award. If s 9(2)(a) wanted a NAEAC member to present the award, it was agreed s 9(2)(a) should do it, given his location. It would also provide s 9(2)(a) with the opportunity to look around the s 9(2)(a) facility and attend an AEC meeting.

Action – s 9(2)(a) to write to advise s 9(2)(a) accordingly.

C 8. Discussion of arrangements for 2015 site visit

The committee discussed arrangements for next year's AEC site visit. It was agreed to go to s 9(2)(g)(ii) s 9(2)(b)(ii). V Williams agreed to contact the relevant organisations once the 2015 meeting dates had been set. L Carsons reported that s 9(2)(b) and s 9(2)(b)(ii) parented 12 and 9 other organisations respectively. The parented organisations would be invited to the annual AEC evening function.

Action – V Williams to contact Palmerston North organisations about site visit.

C 9. MPI update

The MPI update was circulated prior to the meeting s 9(2)(a) provided an update on animal welfare recruitment, emergency management and animal welfare and the OIE. It was noted that s 9(2)(a) would talk about MPI's animal welfare project later in the meeting.

s 9(2)(a) and s 9(2)(a) provided an update on the review of the Animal Welfare Act 1999 under this agenda item. It was anticipated that the Animal Welfare Amendment Bill would have its second reading and committee stage in the first half of 2015. The Green Party Supplementary Order Paper (SOP) sought to prohibit the testing of finished cosmetic products and their ingredients on animals in New Zealand.

s 9(2)(a) reported that MPI was assessing the impact and implementation of this SOP on the Bill. s 9(2)(a) was of the opinion that a ban on the testing of finished cosmetic products on animals in New Zealand and the testing in New Zealand of the ingredients used in cosmetics would not cause a significant burden to AECs when they were considering protocols. NAEAC agreed that the SOP if introduced would not materially increase the workload of AECs. NAEAC agreed it could communicate any prohibition around cosmetic testing to AECs. It was noted that AECs would need to have a clear understanding of the definition of 'cosmetic'.

The following questions/issues were put forward by NAEAC:

- If a research proposal claims to have health benefits but appears more cosmetic in nature will it get around the proposed ban?
- Do New Zealand manufacturers/suppliers need to prove anything before their products go on the market?
- Will work-place health and safety compound testing need to be carried out to protect employees?
- It was noted that the definition of 'cosmetic' in the European Union (EU) is not the same as the definition in the Medicines Act 1981.

§ 9(2)(a) agreed to consider the issues raised by NAEAC.

§ 9(2)(a) reported that there had been some staff changes in the policy team and as a result some of the new analysts would be attending NAEAC meetings next year.

Action – § 9(2)(a) to consider issues raised by NAEAC.

PART TWO OPEN TO THE PUBLIC

O 1. Progress against milestones in NAEAC operational plan

The committee reviewed progress against milestones in the operational plan. The following updates were provided:

Provide advice to AECs and code holders (action 25): V Williams reported that the issue of researchers not wanting to change the animal models they used in experiments was raised with her at the workshop the previous day. M Tingle stated that AEC members could refuse to approve an application if they were not satisfied with the work that was being proposed. P Larsen was of the opinion that working cooperatively with researchers was the way in which such conflicts could be managed and animal welfare gains made. P Larsen would consider such issues in association with the analysis of the telephone surveys.

V Williams reported she had talked to § 9(2)(a) about examining international best practice documents on animal welfare in research, testing and teaching and would report on this next year.

The topic of monitoring would be discussed at the February 2015 teleconference of accredited reviewers.

Promote good practice in research, testing and teaching using animals (action 26): V Williams reported that the actions under this heading would be carried out in 2015.

Enhance the functioning of NAEAC (action 27): V Williams reported that creating links with similar committees in the UK, Canada and Australia would be combined with examining international best practice documents on animal welfare in research, testing and teaching (one of the items under action 25).

O 2. NAEAC content on MPI website

V Williams reported that NAEAC content on the MPI website had not been checked since the last general meeting.

O 3. NAEAC guidelines on application templates used by AECs

The guidelines on application templates used by AECs were reviewed by M Tingle, V Williams and P Larsen. The amended version had been circulated prior to the meeting.

K Booth reported that at the AEC workshop § 9(2)(a) from § 9(2)(g)(ii) agreed to send NAEAC the § 9(2)(g)(ii) AEC review template. M Tingle reported that the application form used by the § 9(2)(g)(ii) was now electronic but agreed to see if he could find the old one.

It was agreed that it would be useful to circulate the guidelines with some examples of application forms. Another important feature of the guidelines was to include a question about whether an application had been submitted to another AEC or not.

C Johnson reported that § 9(2)(g)(ii) application form could be downloaded and agreed to share it with the committee.

V Williams asked § 9(2)(a) to put this topic on the agenda for the February general meeting so committee members could consider the application form examples alongside the guidelines.

Actions:

M Tingle to find § 9(2)(g)(ii) old application form and send it to § 9(2)(a) who will then circulate it to the rest of the committee.

C Johnson to send NAEAC a copy of § 9(2)(g)(ii) application form.

§ 9(2)(a) to put this topic on the February meeting agenda.

O 4. NAEAC guidelines on early stage trials combining animal safety and efficacy

V Williams reported that she had received an email from a member of an AEC relating to early stage trials combining animal safety and efficacy. The AEC member had wanted to know if there were any NAEAC guidelines or recommendations around this issue.

There was some discussion around this topic and agreement that combining safety and efficacy studies was not acceptable. It was noted that performing separate tests would use more animals however safety studies needed to be done first before moving onto field efficacy studies. Efficacy studies were not a substitute for safety studies.

V Williams agreed to include this topic in the next AEC newsletter and asked whether K Booth could draft some guidelines on this issue. As the framework for registering veterinary products was already in existence, it was agreed to further consider whether any guidelines were required.

Action - V Williams to mention early stage trials in next AEC newsletter.

O 5. Code of ethical conduct template

K Booth reported she had not made any significant progress on the code of ethical conduct template since the October codes meeting. It was anticipated that a draft would be available for the February general meeting.

O 6. Identification of topics for mini-tutorials in 2015

The committee discussed topics for future mini-tutorials. The following topics for 2015 were identified:

- February – 3D printing and its application to the Three Rs § 9(2)(a)
- May – Sentience of fish (presenter to be confirmed)
- August – Joint meeting with NAWAC (presenter(s)/content of meeting to be confirmed)
- November – Work undertaken by the § 9(2)(g)(ii) (possibly § 9(2)(a)).

P Larsen agreed to contact § 9(2)(a) once the NAEAC meeting dates had been set.

T Burrell reported she could provide an update on the ANZCCART teaching resource if required. § 9(2)(a) reminded committee members that § 9(2)(a) had originally been scheduled to speak at the November

general meeting on his perspectives on animal use in research, testing and teaching so this could be another potential topic.

Action – P Larsen to contact s 9(2)(a) about presenting at February general meeting.

O 7. Topic/author for next issue of *Welfare Pulse*

Copy for the next issue was not due until 31 January 2015. It was noted that s 9(2)(a) had taken over the coordination of the online magazine from s 9(2)(a).

O 8. NAEAC occasional paper series

Committee members discussed future topics for the NAEAC occasional paper series. It was noted that K Booth's paper *Use of animals for registration of veterinary medicines in New Zealand* was the next paper due for publication in the series. K Booth had circulated the paper to committee members following the August general meeting. It was agreed that K Booth incorporate the feedback she had received and send the updated version to s 9(2)(a) so she could circulate it to committee members prior to the February general meeting.

NAEAC was still waiting for the ANZCCART proceedings to see if there was anything appropriate to publish from there.

It was noted that P Larsen's paper on how AECs go about making decisions could also (if considered appropriate) be published as an occasional paper.

The committee adjourned for lunch at 12.08 pm and s 9(2)(a) departed the meeting.

O 9. NAEAC Three Rs Award for 2015

The committee discussed various aspects of arrangement for next year's award. V Williams asked the subcommittee if they were happy to continue in their role, which they were. It was agreed to write to the SPCA to see if they were willing to sponsor the award again in 2015 but not ask for additional money. It was proposed that the presentation of the award be made at Queenstown research week at the end of August (depending on the winner). As an alternative, it was suggested that the award could be presented by the Minister at a NAEAC meeting.

Action – s 9(2)(a) / V Williams to draft sponsorship letter for the Three Rs award and send to SPCA.

O 10. Update for Minister for Primary Industries

V Williams advised that the report she would generate for the Director-General of MPI on NAEAC's review of codes of ethical conduct could also go to the Minister for his information. Once the meeting dates had been set for 2015, these would also be sent to the Minister's office.

Action – s 9(2)(a) to send 2015 NAEAC meeting dates to Minister's office.

O 11. Update on alternatives to animal-based regulatory testing

K Booth provided an update on the use of animals for batch potency testing of vaccines. Five years ago industry decided to move away from in-vivo methods and now the ELISA in-vitro method had been accepted by the European Union (EU).

O 12. Update on New Zealand Three Rs Initiatives

§ 9(2)(a) referred committee members to the Three Rs repository report she had circulated prior to the meeting. The report summarised the progress made by § 9(2)(a) on real life examples of the Three Rs. The eight examples that had been prepared to date were now due to be reviewed by ANZCCART. The report listed a number of ways the resources could be promoted. T Burrell reported she could mention the resource at a teachers' conference next year.

V Williams reported that she had been contacted by § 9(2)(a) from the Science Media Centre about public attitudes towards research, testing and teaching and her intention to hold some workshops for researchers. She was interested in knowing when NAEAC would be meeting next year so that she could coordinate her meetings with the committee. § 9(2)(a) volunteered to advise § 9(2)(a) about the committee's 2015 meeting dates after they had been set.

Action – § 9(2)(a) to advise § 9(2)(a) about NAEAC's 2015 meeting dates.

O 13. Update on emerging/new technologies

K Booth reported on the NZBio Biotechnology in New Zealand Forum that was due to be held on 24 November. The Forum would focus on the regulation of the use of biotechnologies and in particular, genetically modified organisms (GMOs) with a spotlight on the Hazardous Substance and New Organisms Act 1996. K Booth agreed to send details of the meeting to § 9(2)(a).

B Warburton alerted committee members to a technology called the Trojan Female Technique - a novel and cost-effective technology platform for the specific, persistent, non-lethal and non-GMO control of vertebrate and invertebrate pests. The technology is based around naturally occurring mutations that cause male infertility.

O 14. NAEAC research on how AECs make decisions

P Larsen reported that he still had to analyse the findings of the AEC telephone survey results. It was anticipated that an update on this piece of work would be available for the February general meeting.

It was agreed to defer the meeting with ANZCCART until 2016. V Williams agreed to write to § 9(2)(a) chair of ANZCCART and advise him of this.

Action – V Williams to advise § 9(2)(a) that NAEAC is not available to meet with ANZCCART in 2015.

O 15. Review of the Animal Welfare Act 1999

In addition to the work being carried out in relation to cosmetics testing, § 9(2)(a) reported that MPI was already working with the National Animal Welfare Advisory Committee (NAWAC) to develop care and conduct and painful husbandry regulations.

V Williams reported she was leading a NAWAC subcommittee on animal welfare issues relating to breeding.

O 17. MPI summary of CEC approvals, notifications and revocations

The summary of code of ethical conduct approvals, notifications and revocations circulated prior to the meeting was noted.

O 18. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 19. Committee members' reports on recent presentations and attendance at conferences

C Johnson reported that he had attended the American Veterinary Medical Association (AVMA) *Humane Endings Symposium* in Chicago the previous week. The symposium sought to take a look at existing best practices for euthanasia, humane slaughter and depopulation across animal species, while exploring research and innovation in the name of continuous improvement.

Some of the topics discussed at the meeting included: humane endings for fish and invertebrates; cervical dislocation; the use of carbon dioxide and how it can be optimised in terms of delivery; the use of foams to asphyxiate animals for disease control purposes. Foams limit disease spread which is why they are used but work is being carried out to ascertain if certain gases could be added to the foams to improve their delivery and/or effectiveness.

O 20. Committee meeting dates for 2015 including site visit

Tentative meeting dates for 2015 had been circulated prior to the meeting. The following dates were confirmed:

- Tuesday 10 February 2015, in Wellington – quarterly general meeting;
- Monday 18 and Tuesday 19 May 2015, in Palmerston North – AEC site visit and general meeting;
- Tuesday 17 November 2015, in Wellington – quarterly general meeting.

It was agreed to hold a joint meeting with NAWAC in August instead of meeting with ANZCCART. The August general meeting date would be confirmed after V Williams had spoken to the chair of NAWAC.

§ 9(2)(a) reported she would advise § 9(2)(g)(ii) that their code would be considered by NAEAC in February. § 9(2)(b)(ii) code would be considered in August.

§ 9(2)(a) joined the meeting at 1.30 pm.

O 21. Joint meeting with NAWAC

The joint meeting date with NAWAC had been discussed under agenda item O 20. § 9(2)(a) reported that § 9(2)(b)(ii) had approached her about a possible meeting theme – *new technologies*. Detail of the meeting would be arranged closer to the time.

§ 9(2)(a) departed the meeting at 1.37 pm.

O 16. Animal welfare operating model

V Williams welcomed § 9(2)(a) to the meeting for this agenda item.

A summary of the MPI animal welfare operating model was circulated at the meeting. Evolving from the Animal Welfare Amendment Bill and New Zealand's animal welfare strategy, the operating model aims to describe and, where necessary, redesign the animal welfare system.

The four main routes to improved animal welfare include: better planning to prevent problems; better husbandry, science and technology; clear expectations and sanctions, with help for people to comply; measuring animal welfare performance.

The animal welfare system is represented by animals, people in charge of animals, oversight of people in charge of animals, people with an interest in animals and members of the public or citizens. It was noted that the Animal Welfare Act 1999 covered animals, people in charge of animals and oversight of people in charge of animals.

There can be breakdowns within this system and sometimes behaviours may need to change. These include: accepted husbandry practices that cause pain and distress; indifference, cutting corners; ignorance of animals' needs or a lack of knowledge about the law; personal circumstances; those who are 'rascals' in their dealings with animals; those who are 'pathological' in their dealings with animals. We need to recognise that different 'groups' of people will need to be educated in different ways.

Beyond people in charge of animals (i.e. people with an interest in animals and citizens) things that may need to change include: peoples' expectations and knowledge; the best use of experience and resources in addressing priorities; the equity of costs and benefits across the whole system.

The future state for the operating model will be based on the following: regulations, codes of welfare, and guidelines; education; the MPI and SPCA inspectorate; responses; animal welfare assurance; monitoring performance; international engagement; a 'forum' to consider future issues; and governance. In relation to forums, V Williams reported that the Farm Animal Welfare Council used to hold an open forum annually which was facilitated by the Chair.

The road map to get to the future state will include a process of planning and design with stakeholders.

P Larsen asked how the operating model would be applied to research, testing and teaching and who was going to drive this process in New Zealand. The UK Concordat was mentioned as a possible starting point. V Williams reported she had received an email from s 9(2)(a) from the Science Media Centre about talking to researchers about this issue.

Some of the reasons identified by NAEAC about why scientists and researchers may not like to talk about their work included: they are technical people and do not know how to communicate with the public; they use animals and fear people knowing about it; they have a perception that people are not interested in their work.

On behalf of the committee, V Williams thanked s 9(2)(a) for his presentation. It was agreed that s 9(2)(a) would come back to the February general meeting to provide a further update on the project.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 2.40 pm.

General Meeting

Wednesday, 11 February 2015
9.00am – 4.30pm

Ministry for Primary Industries
Pastoral House (level 17, meeting room 2)
25 The Terrace
Wellington

MINUTES

PART ONE (OPEN TO THE PUBLIC)

Present: Virginia Williams (Chairperson), Malcolm Tingle, Karen Booth, Terry Burrell, Craig Johnson, Bruce Warburton, Graeme Nind, Stephen Cairns.

In Attendance: s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary), s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy) and s 9(2)(a) (Manager, Regulatory Form and Animal Welfare Policy) for agenda item O 18.

Apologies: An apology was received from Peter Larsen.

V Williams opened the meeting at 9.10 am and welcomed attendees including s 9(2)(a) from Animal Welfare Policy.

Any Other Business Part One

No further items of business were identified for discussion under Part One of the agenda.

Any Other Business Part Two

No further items of business were identified for discussion under Part Two of the agenda.

O 1. Election of Deputy Chair

The Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)) requires the committee to elect one of its members as its deputy chairperson, at its first meeting each year. V Williams nominated C Johnson who confirmed his willingness to accept the appointment.

Moved (V Williams/B Warburton):

That C Johnson be elected deputy chairperson of the committee for 2015, pursuant to the Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)).

The motion was put: carried.

O 2. Feedback from annual review of committee performance

The committee reviewed feedback from the annual review of committee performance which was circulated prior to the meeting. There had been some comment that reviewing codes would be much easier if there was a degree of standardisation. At the October codes meeting, K Booth had undertaken to review the code template in the NAEAC publication *Guide to the Preparation of Codes of Ethical Conduct*. V Williams agreed to write to code holders suggesting that they use the template next time they were required to submit an application for a code to the Ministry for Primary Industries (MPI).

It was agreed that the template should include a summary of what information is required in each section. Also, the sections should be numbered and page numbers inserted in the code so it is easier to follow.

K Booth reported she had been unable to have a draft of the template available for the February meeting. V Williams asked for volunteers to join K Booth in completing this piece of work. M Tingle and C Johnson agreed to join K Booth on the subcommittee responsible for this project.

C Johnson asked whether there was a role for NAEAC to get other people, apart from animal ethics committee (AEC) members, such as chief executives or vice chancellors to become familiar with their code of ethical conduct.

Action – V Williams to write to code holders about code template.

O 3. Discussion and approval of updated Strategic Plan for 2014-19

V Williams referred committee members to the updated strategic plan which had been circulated prior to the meeting. The committee reviewed the plan section by section. There were no amendments.

Moved (V Williams/S Cairns):

That the Strategic Plan be finalised and adopted as the committee's updated Strategic Plan for 2014-19.

The motion was put: carried.

Action – s 9(2)(a) to finalise strategic plan and circulate to committee members and Minister.

O 4. Discussion and approval of draft Operational Plan for 2015

V Williams referred committee members to the draft Operational Plan for 2015, circulated for committee members' review prior to the meeting. The same changes which had been suggested for the Strategic Plan had been incorporated into the Operational Plan. Apart from some minor editorial changes the committee was satisfied with the content and format of the plan.

Moved (V Williams/G Lind):

That the agreed amendments to the draft Operational Plan are made and that the amended document be adopted as the committee's updated Operational Plan for 2015.

The motion was put: carried.

Action – s 9(2)(a) to amend operational plan and circulate to committee members and Minister.

O 5. NAEAC content on MPI website

V Williams reported she had met with s 9(2)(a) (Director, Animal & Animal Products) the day before and had raised with him the topic of the MPI website. On the front page of the new MPI website, there was no heading for 'Animal Welfare'. Instead, animal welfare content sat under the heading 'Protection & Responses'. It was generally agreed members of the public would not find it intuitive to search under that heading. In relation to NAEAC content on the MPI website, V Williams reported she had been unable to find the publication *Guide to the Preparation of Codes of Ethical Conduct*. s 9(2)(a) volunteered to investigate this matter and if need be, reinstate the publication.

In regards to the NAEAC wiki page, V Williams reported that there had been 2,419 views of the page in 2014 which was twice as many as in the previous year.

Action – s 9(2)(a) to reinstate codes of ethical conduct publication on MPI website.

O 6. NAEAC guidelines on application templates used by AECs

V Williams referred committee members to the s 9(2)(g)(ii) and s 9(2)(g)(ii) application forms and review template which were circulated prior to the meeting.

M Tingle reported The s 9(2)(g)(ii) application form, was in fact the old one. The new application form, which did not always function properly, was only available online.

The committee agreed that the s 9(2)(g)(ii) application form which contained detailed instructions about what should be included in each of the sections should be put on the MPI website so other code holders could use it to improve their own forms. C Johnson reported that the application form was already on the s 9(2)(g)(ii) website and in the public domain, so saw no reason why it could not also be put on the MPI website. It was agreed to bring this to the attention of other code holders and ask them if they would be willing to also share their own application forms. It was suggested that the AEC newsletter might be one way of doing this.

Actions:

s 9(2)(a) to put s 9(2)(g)(ii) AEC application form on MPI website.

V Williams to ask code holders if they would be willing to share their application forms.

O 7. NAEAC guidelines on the formation and use of subcommittees by AECs

V Williams referred committee members to the draft guidelines that were circulated prior to the meeting. Under the heading *Decision-making between meetings* the committee discussed what would be the appropriate changes to animal numbers in a study. After some discussion it was agreed that any request to change numbers should be the minimum necessary to retain the statistical validity of the original approval. Any larger changes in numbers and any increase over 10% of the original number requested must be agreed by a quorum of the committee.

There were no other amendments.

Moved (V Williams/M Tingle):

That the agreed amendments to the draft guidelines on the formation and use of subcommittees by AECs are made and that the amended document is adopted.

The motion was put: carried.

Action: s 9(2)(a) *to finalise guidelines and circulate to NAEAC and AECs.*

O 8. Code of ethical conduct template

As this topic had been discussed under agenda item O 2, no further update was provided.

O 9. Identification of topics for mini-tutorials in 2015

The committee discussed topics for future mini-tutorials. The following topics for 2015 were identified:

- May – sentience of fish (presenter to be confirmed by C Johnson)
- August – 3D printing and its application to the Three Rs (s 9(2)(a)) at joint meeting with NAWAC
- November – work undertaken by the Department of Conservation (possibly s 9(2)(a))

In light of some of the feedback from the internal performance review regarding legal advice received by MPI, V Williams suggested that s 9(2)(a) could come to a future NAEAC meeting to talk about how legal opinions/decisions are derived.

Action – C Johnson to confirm mini-tutorial speaker for May general meeting.

O 10. Topic/author for next issue of *Welfare Pulse*

s 9(2)(a) provided an update on the NAEAC items that would appear in the next issue of *Welfare Pulse*. It was noted that s 9(2)(a) from the Animal Welfare team had taken over coordination of the online magazine.

V Williams asked T Burrell if she could write an article about being the Ministry of Education nominee on NAEAC or something related to animal use in teaching, for a future edition of the magazine. T Burrell reported she would be happy to draft something later on in the year.

Action – T Burrell to draft article for 'Welfare Pulse'.

O 11. NAEAC occasional paper series

V Williams referred committee members to K Booth's occasional paper that was circulated prior to the meeting. This paper had incorporated earlier feedback by committee members and was presented as the final draft, awaiting approval for publication. B Warburton reported he had not yet read the final draft and asked if he could be given the opportunity to do so after the meeting. V Williams asked those committee members who had not read the paper, to do so by the end of February, and pass on any feedback to K Booth. If there was no feedback on the paper it was agreed it could be published as is.

Moved (V Williams/C Johnson):

That K Booth's paper titled 'Use of animals in the registration of veterinary medicine products in New Zealand', be received and adopted as NAEAC's 11th occasional paper in the series, subject to no further comments being received on it.

The motion was put: carried.

V Williams reported that the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) 2014 conference proceedings were now available but she had not yet gone through them to ascertain if any of the material could be re-printed as an occasional paper.

C Johnson reported that s 9(2)(a), one of the more interesting presenters at the conference had not submitted any papers, only abstracts, which was disappointing.

Actions:

NAEAC to read K Booth's paper by the end of February.

MPI to arrange publication of K Booth's paper.

O 12. NAEAC Three Rs Award for 2015

The letter to s 9(2)(a), seeking sponsorship in 2015, had been dispatched last year. V Williams reported that a positive response from s 9(2)(a) had recently been received. While s 9(2)(a) was confident that s 9(2)(g) would sponsor the award again he wanted to put it to the board first when it meets on 21 February 2015.

s 9(2)(a) referred committee members to the call for nominations form which was circulated prior to the meeting and asked whether the suggested close off date of Friday 24 July 2015 was acceptable. The suggested close off date would only allow the Three Rs award subcommittee a week to deliberate and select a winner before the committee met for their August general meeting. The subcommittee were happy to select a winner in that time frame so s 9(2)(a) confirmed she would get the call for nominations item published in the next issue of *Welfare Pulse* and circulate it by email to AECs and parented organisations. It was anticipated that the award presentation would be made at Queenstown Research Week at the end of August.

V Williams asked committee members if they were aware of any other potential conference venues that would be appropriate to present the award. There were no suggestions.

Action – s 9(2)(a) to advertise Three Rs award in 'Welfare Pulse'.

O 13. Update for Minister for Primary Industries

No items of business were identified to advise the Minister about. It was suggested that NAEAC invite the Minister and Director-General to the August joint meeting with NAWAC.

Action – s 9(2)(a) to invite the Minister and Director-General to the August joint meeting with NAWAC.

O 14. Update on alternatives to animal-based regulatory testing

V Williams invited K Booth to provide an update on alternatives to animal-based regulatory testing. K Booth reported she had no update to give currently.

V Williams reminded committee members that she had had an action to contact the Agricultural Compounds and Veterinary Medicines (ACVM) Group at MPI about the review of the standards relating to trial group sizes to see if this work could be prioritised. V Williams had discussed the matter with s 9(2)(a) and formally written to him as well. The response from ACVM was that they would be discussing the matter internally.

O 15. Update on New Zealand Three Rs initiatives

Further to the November progress report circulated last year, s 9(2)(a) reported that s 9(2)(a) was working on another example called 'Simple refinements' which sought to highlight the fact that even little changes to husbandry can improve animal welfare. The document was nearly finished. All the other completed examples had been sent to teachers for feedback regarding suitability for teenagers/young adults.

T Burrell reported that she was one of the teachers who had been approached to provide feedback and had been allocated three examples to look at. At least two other teachers were reviewing content as well.

O 16. Update on emerging/new technologies

The committee discussed whether one member should take a closer look at emerging/new technologies in relation to animal welfare, as had been done in the past. T Burrell reported that s 9(2)(a) might pick this up, to a degree, in the work she was doing on real life examples of the Three Rs.

It was agreed that s 9(2)(a) continue to send information that may be of interest to the committee.

O 18. Review of the Animal Welfare Act 1999

V Williams welcomed s 9(2)(a) to the meeting for this agenda item.

s 9(2)(a) reported that the Animal Welfare Amendment Bill (the Bill) had had its second reading on 26 November 2014 and was now awaiting its final debate. The Green Party SOP (banning the testing of cosmetics on animals) was still outstanding against the Bill. It was noted that there was strong public opinion on the subject, even though the practice was not carried out in New Zealand. The Government was currently considering its options. The Bill was unable to make its way back into the House until the Government had considered MPI's advice and decided on a course of action. s 9(2)(a) reported that the Bill (as of 5 minutes ago) was sitting at number 3 on the Order Paper. This was surprising as it was not anticipated that the Bill would be back in the House until March or April of this year.

s 9(2)(a) provided an update on the work being undertaken by the animal welfare and policy team in conjunction with members of the National Animal Welfare Advisory Committee (NAWAC), on regulations

relating to significant surgical procedures and care and conduct towards animals. s 9(2)(a) would be the policy lead on the regulation work relating to animal use in research, testing and teaching (RTT) which was just beginning. V Williams reported she had drafted a paper on some of the issues relating to the use of animals in RTT and animal use statistics collection. V Williams asked s 9(2)(a) to send s 9(2)(a) a copy of this paper for her information.

s 9(2)(a) reported that the Animal Welfare (Records and Statistics) Regulations 1999 would need to be amended to accommodate the following issues: the number of animals killed for their tissue or body parts; the number of animals bred with compromised welfare; and the number of animals that are bred for the purposes of RTT but that are not used.

M Tingle asked how MPI would capture the number of animals bred in facilities that did not operate under a code of ethical conduct. s 9(2)(a) reported that NAEAC may need to form a subcommittee to address this and other issues as work on the RTT regulations unfolded. In relation to the development of regulations associated with NAWAC's work, it was noted that MPI was planning to talk to stakeholders in March, July and August of this year.

V Williams asked s 9(2)(a) for an update on the recent policy personnel changes that the committee had been made aware of as this issue had come up in NAEAC's annual performance review. While NAEAC was pleased to have s 9(2)(a) attend NAEAC meetings it was noted that there had been some inconsistency of policy presence/advice across NAEAC issues. s 9(2)(a) noted NAEAC's concerns and advised that the Biosecurity, Food & Animal Welfare Policy Directorate had been 'separated' into Biosecurity & Animal Welfare and Food. As a result, s 9(2)(a) had gone into the Food Policy Directorate following the Whey Protein Concentrate inquiry. s 9(2)(a) was acting as the Animal Welfare Policy Manager, in s 9(2)(a) absence until 30 June 2015. A decision as to whether the 'separation' would be permanent or not would be decided at that time. To accommodate the changes made to the Directorate, four new animal welfare policy staff had been recently employed.

On behalf of the committee V Williams thanked s 9(2)(a) for her update after which she departed the meeting.

Action – s 9(2)(a) to send s 9(2)(a) a copy of V Williams' paper.

O 17. NAEAC research on how AECs make decisions

In light of P Larsen's absence no update was provided in relation to the completed survey of how AECs go about making decisions. V Williams reported she had tried to contact P Larsen for an update prior to the meeting but had been unsuccessful in reaching him.

O 19. MPI summary of CEC approvals, notifications and revocations

s 9(2)(a) provided an update on code of ethical conduct approvals, notifications and revocations since the last meeting, the summary of which had been circulated prior to the meeting.

s 9(2)(b)(ii) code of ethical conduct had been transferred to s 9(2)(b)(ii) last year and as such, s 9(2) entered into an arrangement to use that code. That arrangement had been terminated as s 9(2) was no longer using animals.

This year, three codes of ethical conduct were due to expire. These included s 9(2)(g)(ii) code was currently suspended at the request of code holder, s 9(2)(a) who was overseas. s 9(2)(a) reported she had

contacted s 9(2)(a) who had advised her he would not be coming back to New Zealand or applying for a new code.

M Tingle questioned whether the s 9(2)(g)(ii) had the expertise to parent the s 9(2)(g)(ii). According to s 9(2)(a) the Institute did do some fish work which was why they used s 9(2)(a)(ii) code. K Booth reported that s 9(2)(b)(ii) used s 9(2)(b)(ii) code and the arrangement worked well as there was a lot of dialogue between the two organisations about the work which was being undertaken.

The committee discussed whether the issue of parenting and subject matter expertise needed to be raised with accredited reviewers. The more pertinent question according to C Johnson was what were code holders doing if they are not competent to review parented organisations' protocols?

O 20. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 21. Committee members' reports on recent presentations and attendance at conferences

The following meetings attended by committee members were noted:

- V Williams had attended NAWAC/MPI regulation subcommittee meetings the previous two days;
- B Warburton reported that the New Zealand Veterinary Association had published a special animal welfare edition of their journal which featured a lot of s 9(2)(a) work.
- S Cairns had attended the s 9(2)(g)(ii) AEC meeting in conjunction with presenting the NAEAC service award to s 9(2)(a).
- V Williams had attended a s 9(2)(g)(ii) AEC meeting and had looked at their rodent facility.
- C Johnson had attended an s 9(2)(a) AEC meeting. C Johnson reported it was a much smaller and less busy AEC than his own s 9(2)(g)(ii) and it had been interesting to observe how applications were approached in more reflective way. C Johnson also provided a recap of this trip to Chicago to attend the American Veterinary Medical Association meeting on euthanasia.
- B Warburton had reviewed an article titled *Humaneness of pest control used in Canada* in the online journal *Animal* and had been involved in work relating to the slaughter of kangaroos. In relation to blunt force trauma, V Williams reported that this was no longer an accepted practice for the routine euthanasia of bobby calves in New Zealand.
- As a member of the s 9(2)(g)(ii) AEC, G Nind reported that all AEC members were required to review the reports from some 36 applications that had been approved.

PART TWO (PUBLIC EXCLUDED AGENDA)

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

(V Williams/G Nind):

I move that the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes
- C 2. Action list review
- C 3. s 9(2)(g)(ii) code of ethical conduct
- C 4. 2014 reviews of code holders – summary of findings
- C 5. Feedback from accredited reviewers teleconference
- C 6. Feedback from workshop for AECs
- C 7. Discussion of arrangements for 2015 site visit
- C 8. MPI update

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review	As above.	As above.
C 3.	s 9(2)(g)(ii) code of ethical conduct	To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(g)(ii) of the Official Information Act 1982.
C 4.	2014 reviews of code holders – summary of findings	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) of the OIA.
C 5.	Feedback from accredited reviewers teleconference	As above.	As above.
C 6.	Feedback from workshop for AECs	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure and harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 7.	Discussion of arrangements for 2015 site visit.	As above.	As above.

	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 8.	MPI update	<p>To protect the privacy of natural persons; and/or:</p> <p>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.

I also move that s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary), and s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

C 1. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 12 November 2014 were reviewed. There were no amendments.

Moved (V Williams/B Warburton):

That the draft minutes of the quarterly general meeting held on 12 November 2014 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Topic/author for next issue of Welfare Pulse (action 2): V Williams reported she had drafted her article for *Welfare Pulse* and had submitted it to MPI. C Johnson had drafted an article on euthanasia but had not yet sent it to MPI. C Johnson asked s 9(2)(a) to remind him to submit it the week after next as he would be travelling the following week.

NAEAC occasional paper series (action 4): s 9(2)(a) reported she had circulated the website link to the ANZCCART conference proceedings to AECs and organisations with an arrangement to use an AEC.

Format of accredited reviewers report (action 8): s 9(2)(a) review template had been discussed at the teleconference for accredited reviewers. s 9(2)(a) had invited the other reviewers to use if they thought it would be useful.

s 9(2)(g)(ii) **code of ethical conduct (action 10):** According to MPI Legal, L Carsons reported that s 9(2)(g)(ii) could use the s 9(2)(g)(ii) code and AEC instead of the s 9(2)(a)(ii) AEC.

NAEAC guidelines on early stage trials combining animal safety and efficacy (action 22): V Williams and K Booth had agreed that guidelines on early stage trials combining animal safety and efficacy were not required. V Williams had written to the AEC in question about this issue.

Provide advice to AECs and code holders (action 29): In relation to the AEC newsletter, s 9(2)(a) reported that MPI had received an Official Information Act request from the s 9(2)(a) for copies of the all 2014 newsletters.

Actions:

s 9(2)(a) to remind C Johnson to submit his article for 'Welfare Pulse'.

C 3. s 9(2)(g)(ii) code of ethical conduct

The code of ethical conduct for the s 9(2)(g)(ii) expires on 31 March 2015. The Institute was applying for their new code to be approved for 5 years from 1 April 2015.

C Johnson led the discussion of this code. The following points were noted for clarification/amendment (adopting the references in the code):

Introduction: M Tingle raised the question about what animal productivity had to do with teaching. The application form states that no research is carried out.

Section 1: The definition of 'manipulation' in the Act will be amended when the Animal Welfare Amendment Bill is passed later in the year. Rather than copying the exact definition, it was suggested that the code state that the definition of 'manipulation' is the same as the one in the Animal Welfare Act.

Section 4(b)(i): This section states that the chairperson shall be the s 9(2)(g)(ii), subject to the endorsement of the AEC. What happens if the AEC does not endorse the appointment? It was agreed that a deputy chairperson should also be nominated.

Section 4(b)(ii): There are two 'positions' s 9(2)(g)(ii) that are acting as secretary.

Section 4(c): Three year appointment terms should also be applicable for internal members.

Section 5(c): It was suggested that meeting papers be 'made available' to members at least 5 days prior to each meeting instead of being mailed to members. Mailing meeting documents at least 5 days prior to each meeting does not guarantee that members will receive the documents in good time to prepare for the meeting.

Section 5(d): Including a reference to section 101 of the Act (on membership) should be included.

Section 5(e): Decisions still need to be quorate during vacancies on the committee.

Sections 5(h) and 5(i): It was agreed that these sections should be deleted. They were not consistent with other advice given to AECs by NAEAC.

Section 5(k): What does 'normally' reaching decisions by consensus mean? It was agreed that the last sentence in this section is deleted.

Section 5(l): This section should refer to 'Principal' Investigator not 'Chief' Investigator.

Section 5(m): NAEAC considered it could, if necessary amend the approval period for a project from three years to one year so that the AEC would have to meet annually.

Sections 6(j) and 6(n): The use of the word 'experiment' in these sections seemed inappropriate give the code holder did not carry out research.

Section 6(o): It was agreed that this section should be deleted.

Section 7(b): A reference to the actual impact experienced by the animal should be included in this section. Records should be kept in accordance with the Animal Welfare (Records and Statistics) Regulations 1999.

Section 7(c): s 9(2)(g)(ii) [redacted] should be replaced by 'secretary'.

Section 8(c): In the first sentence 'may' should be replaced with 'will'. The terms 'significant non-compliance' and 'serious non-compliance' should be defined. Any non-compliance needs to be investigated.

Section 8(d): It was not clear in this section who was responsible for monitoring. It was agreed that every AEC member should be able to carry out monitoring and that it should not be limited to specific individuals.

In addition to the above, it was noted that references to MAF in the code should be amended to MPI to reflect the Ministry's name change.

Committee members reviewed the accredited reviewer's report which accompanied the code. The review report identified a number of non-compliances relating to meetings and monitoring. Given that similar non-compliances had been identified in the previous review report, the committee was reluctant to recommend that MPI approve the code even if the changes noted above were made.

The committee discussed the implications of s [redacted] not being able to operate under its own code, including identifying AECs in the South Island who could provide a parenting arrangement. s 9(2)(a) [redacted] advised that MPI was inclined to recommend a parenting arrangement given the circumstances. If the code was to be approved, MPI would probably insist on early reviews for at least three years.

S Cairns asked the committee to consider how its decision to recommend a parenting arrangement could affect the courses taught at s [redacted]. If the s 9(2)(g)(ii) [redacted] course was withdrawn this could have a negative effect on the local community. s 9(2) [redacted]

Moved (V Williams/M Tingle):

That NAEAC recommend that the Director-General of the Ministry for Primary Industries does not approve the code of ethical conduct for s 9(2)(g)(ii) [redacted] under the Animal Welfare Act 1999 due to its history of long-term non-compliance. NAEAC recommends instead, that s 9(2)(g)(ii) [redacted] enters into an arrangement to use another organisations code of ethical conduct and animal ethics committee. If MPI does not agree with NAEAC's recommendation, then NAEAC recommends s 9(2)(g)(ii) [redacted] undergoes a yearly review for three consecutive years. If the code holder is found to be non-compliant again, NAEAC would recommend that their code of ethical conduct be terminated.

The motion was put: carried.

Action – s 9(2)(a) **to write to advise** s 9(2) **accordingly.**

C 4. 2014 reviews of code holders – summary of findings

The summary of findings from the 2014 review of codes of ethical conduct showed that monitoring and procedural issues were the topics the accredited reviewers mostly commented on.

C 5. Feedback from accredited reviewers teleconference

Minutes from the teleconference of accredited reviewers were circulated prior to the meeting. s 9(2)(a) reported that all the reviewers had been able to participate, and V Williams and P Larsen had represented NAEAC. Of interest was the review template developed by s 9(2)(a). There was some discussion about conflict of interest but the reviewers felt they were competent enough to identify if they should stand down from a review. Despite only two codes expiring in 2015 the reviewers were in agreement that it would be a good idea to hold another teleconference at the same time next year.

V Williams reported there had been some discussion about the terms 'key issue' and 'key topic' being used in the review reports. s 9(2)(a) provided an update on the review of the performance standards noting that a number of changes, including those relating to terminology, had been made. The performance standards would be gazetted once the comments from MPI Legal had been discussed and incorporated into the document.

C 6. Feedback from workshop for AECs

The history of AEC attendance at NAEAC workshops and the summary of responses from the workshop evaluation form had been circulated prior to the meeting. On average, 60-70% of AECs normally attend the workshops run by NAEAC. Positive feedback was received in relation to workshop content, format, hand out material, and networking opportunities. There were a variety of responses however, relating to whether topics were omitted or dealt with inadequately. Some people wanted to hear more about particular topics and others wanted more structure in some of the workshops.

C 7. Discussion of arrangements for 2015 site visit

V Williams reported that she had contacted s 9(2)(a) and C Johnson about the May site visit and all had been happy to host NAEAC. C Johnson volunteered to liaise with s 9(2)(a) about the facilities at each site which would be the most appropriate to visit. C Johnson would convey that information back to s 9(2)(a) who would then finalise the programme.

s 9(2)(a) reported she had made a tentative booking with s 9(2)(b)(ii). The hotel had a private bar which would provide a good venue for the AEC function. In addition to code holders in Palmerston North, parented organisations and extra guests would be invited to attend as well.

s 9(2)(a) asked Wellington based committee members how they wished to travel to Palmerston North. T Burrell and K Booth reported they would make their own way there.

Actions:

C Johnson to liaise with s 9(2)(a) **and** s 9(2)(a) **about site visit.**
s 9(2)(a) **to draft programme and organise May meeting arrangements.**

C 8. MPI update

The MPI update, circulated prior to the meeting was noted.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 1.27 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

General Meeting

Tuesday, 19 May 2015

9.00 am – 3.30 pm

Bar 175
Distinction Hotel and Conference Centre
175 Cuba Street
PALMERSTON NORTH

MINUTES

Part One (Open to the Public)

Present: V Williams (Chairperson), Malcolm Tingle, Terry Burrell, Craig Johnson, Bruce Warburton, Graeme Nind and Stephen Cairns.

In Attendance: Grant Shackell (NAEAC Chair Designate as an observer); s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary), s 9(2)(a) (Manager, Regulatory Reform and Animal Welfare Policy); s 9(2)(a) (Graduate Policy Analyst, Animal & Animal Products); and s 9(2)(a) (Massey University) for agenda item O 13 at 11.30 am.

Apologies: Apologies were received from Peter Larsen and Karen Booth.

V Williams opened the meeting at 9.00 am and welcomed attendees including Grant Shackell and s 9(2)(a)

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress against milestones in the actions lists. The following updates were provided:

Provide advice to the Minister and the Director-General - V Williams reported that the Animal Welfare Amendment Act 2015 was passed by Parliament on 5 May 2015 and came into force by Royal assent on 9 May 2015. The animal welfare policy team were drafting an information pack to send out to animal ethics committee (AEC) members outlining the relevant amendments to Part 6 of the Act. It was noted that publications such as *Animal Use Statistics* would need to be updated once the amendments came into force.

s 9(2)(a) joined the meeting at 9.05 am and introduced herself to committee members.

V Williams reported she had begun work on analysing the animal use statistics collected by the Ministry for Primary Industries (MPI). The total number of animals used in 2014 had increased from 2013 but included the lowest number of animals in the 'high' and 'very high' impact grades. V Williams advised she would offer to meet with the Minister, to discuss the statistics, prior to their release.

V Williams mentioned that she and the chair of the National Animal Welfare Advisory Committee (NAWAC), Dr John Hellström, were thinking of meeting the Director-General of MPI to discuss the new MPI website as animal welfare no longer featured as a category on its own. Instead, animal welfare content lay under the heading 'protection and response'.

Provide advice to AECs and code holders – V Williams advised that she would draft the first newsletter for the year after the May general meeting.

Promote good practice in RTT using animals – V Williams agreed to write to research funders encouraging them to assign priority to the support of Three Rs research projects after the May general meeting.

C Johnson reported that s 9(2)(g)(ii) involvement in the Three Rs programme was still limited due to a lack of resources. However, the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) were very involved in the Three Rs work s 9(2)(a) was leading on real life examples of the Three Rs. C Johnson reported that some of the newer ANZCCART New Zealand Board members were very keen to engage with the public via blogs and social media such as Twitter.

Enhance the functioning of NAEAC – V Williams reported she had started work on creating links with similar committees in the UK, Canada and Australia.

Actions:

V Williams to draft AEC newsletter.

V Williams to write to research funding bodies.

O 2. NAEAC content on MPI website

V Williams provided an update on NAEAC content on the MPI website noting she would like to see animal welfare on the front page of the site, and not under the heading 'protection and response'. The links in the research, testing and teaching section of the website were working adequately.

O 3. Review of NAEAC wiki page

A list of NAEAC and MPI publications was circulated prior to the meeting. In respect to the NAEAC wiki page, V Williams reported that 338 'hits' had been recorded in the month of March. It was noted that the page would now need to be amended in light of the changes made to animal welfare legislation.

s 9(2)(a) reminded committee members of the amendments to Part 6 of the Act. These included: an immediate ban on the use of animals to test finished cosmetic products or ingredients for use exclusively in cosmetics; AECs having to consider (as an explicit obligation) whether a project proposal has adequately assessed the suitability of using non-sentient or non-living alternatives and replacements with such alternatives – the requirement coming into force in six months' time; and the definition of 'manipulation' changing to include animals killed for the purpose of undertaking research on their body parts or tissue and breeding animals with compromised welfare. These new manipulations come into force on 1 January 2018 and will require AEC approval.

In respect to AECs having to consider suitable alternatives, M Tingle asked how this could be made to work consistently. s 9(2)(a) reported it would be achieved by providing evidence of consideration of suitable alternatives i.e. having the appropriate paperwork in place to address the issue.

It was noted that tissue collection and breeding animals with potentially compromised welfare would be graded differently to other manipulations and that the breeding changes only related to Part 6 of the Act. Breeders of compromised animals will be required to seek AEC approval so they will either need their own code of ethical conduct or they will need to enter into an arrangement to use one.

s 9(2)(a) reminded committee members that s 9(2)(a) would be leading this work when she returned from holiday.

Action – NAEAC to update wiki page.

O 4. Review of *Animal Use Statistics* publication

The *Animal Use Statistics* publication was due for review in 2015. Given the passage of the Animal Welfare Amendment Bill it was decided not to do any work on this publication until such time as the Animal Welfare (Records and Statistics) Regulations 1999 had been amended. It was agreed to change the review date of this publication from 2015 to 2018.

Action – s 9(2)(a) to change review date of 'Animal Use Statistics' from 2015 to 2018.

O 5. Review of *Good Practice Guide for the use of animals in research, testing and teaching*

This publication was also due for review in 2015. It was generally agreed that this publication needed updating as there was not enough detail in the section relating to facilities.

Action – V Williams to discuss review of 'Good Practice Guide' with s 9(2)(a)

O 6. Update on review of *Guidelines for the welfare of livestock from which blood is harvested for commercial and research purposes*

V Williams reminded committee members that review of this publication had commenced in 2014. The amended draft had gone out to users and some feedback had been received. V Williams was currently waiting to discuss the publication with s 9(2)(a). It was noted that only two companies were currently harvesting blood in New Zealand

Action – V Williams to talk to s 9(2)(a) about 'Blood Harvesting Guidelines'.

O 7. Review of AEC Induction Pack

Committee members reviewed the list of contents for the AEC new member induction pack, circulated prior to the meeting. The review would decide whether any items should be added to, or removed from the pack.

There was some discussion on whether the *Users Guide to Part 6 of the Animal Welfare Act 1999* and the *Good Practice Guide for the Use of Animals in Research, Testing and Teaching* should be combined into one document. s 9(2)(a) reported that the *Guide to Part 6 of the Act* was a publication for the general public not just AECs and that it had been produced by MPI not NAEAC. C Johnson was of the opinion that keeping the publications separate was a good idea. The *Good Practice Guide* provided the opportunity for NAEAC to interpret the Animal Welfare Act and provide more information to AECs.

V Williams asked committee members to read the David Bayvel paper titled *The role and evolution of independent Government advisory committees: the New Zealand experience from 1985 to 2005* before the next meeting to decide whether it should be retained or deleted from the list.

Grant Shackell thought it would be a good idea if researchers were able to get a copy of induction pack.

Stephen Cairns considered that providing new AEC members with all the occasional papers at once was too much. It was generally agreed that there needed to be something in the letter from the Chair to new AEC members, advising them what material they should be reading first so that they could contribute to their role on the committee effectively. V Williams agreed to mention this in the next AEC newsletter and G Shackell agreed to look at the letter to see how it could be amended to convey this information to AECs.

It was agreed to remove the publications *Animal Research Benefits Us – And Animals Too* and *Animal Research Saves Lives* from the induction pack as these were seen by the committee as being pro-animal use and not within the remit of the committee's functions.

B Warburton suggested that the work P Larsen had started on AEC decision making could potentially also be included in the pack.

Actions:

s 9(2)(a) to send committee members the D Bayvel paper.

NAEAC to read the D Bayvel paper prior to next meeting.

V Williams to mention AEC induction pack material in next newsletter.

s 9(2)(a) to send G Shackell AEC induction letter from NAEAC chair.

s 9(2)(a) to update AEC induction pack and advise AEC members.

O 8. Approval of NAEAC guidelines on application templates used by AECs

The guidelines on application templates used by AECs were reviewed last year. It was agreed to make the following additional changes:

Under 1. *Project description (B Background)* – Justification for the need for animals including consideration of suitable alternatives and previous relevant studies

Under 2. *Animals, husbandry and welfare (G)* - Specific requirements of animals bred with potential for compromised welfare e.g. transgenic animals

There was discussion about whether animals with compromised welfare would be used before or after becoming post-symptomatic and whether they would be counted twice in the statistics. s 9(2)(a) reported that there was already a question on the animal use statistics form about whether animals were used previously or not. s 9(2)(a) would be in position to discuss this and other matters relating to the regulations which required amendment, once the work began.

Moved (V Williams/M Tingle):

That the agreed amendments to the draft guidelines on application templates are made and the amended document is adopted.

The motion was put: carried.

Action - s 9(2)(a) to amend policy and distribute to NAEAC and AECs.

O 9. Topic/author for next issue of *Welfare Pulse*

s 9(2)(a) reported that the first issue of the on-line magazine for 2015 was currently with MPI Communications for layout.

It was noted that T Burrell would be writing an article on animal welfare and education as agreed at the previous general meeting.

O 10. NAEAC occasional paper series

The final version of K Booth's paper was circulated prior to the meeting. As K Booth was not at the meeting to discuss it, s 9(2)(a) agreed to contact her directly regarding getting the paper published.

Prior to the meeting, V Williams had sought feedback from committee members about which paper from the 2014 ANZCCART conference should be published next in the series. Of the three papers short-listed it was agreed to re-read the ones by s 9(2)(a)

and s 9(2)(a)

and then make a decision about which one to publish.

Moved (V Williams/S Cairns):

That subject to any final changes, K Booth's paper 'Use of animals for registration of veterinary medicines in New Zealand' be published as the next NAEAC occasional paper.

The motion was put: carried.

Actions:

s 9(2)(a) to ask K Booth to send her the final version of the occasional paper.

NAEAC to re-read the s 9(2)(a) papers and decide which one to publish.

O 11. NAEAC Three Rs Award for 2015

s 9(2)(a) reported that on 13 March 2015 she had sent details of the NAEAC Three Rs award to AECs and parented organisations. To date, only one request for the application form had been received.

V Williams confirmed that the Royal New Zealand SPCA would be sponsoring the award again this year to the value of \$2,000.

Action - s 9(2)(a) to invoice Royal New Zealand SPCA for the 2015 sponsorship money.

O 12. Update on New Zealand Three Rs Initiatives

s 9(2)(a) reported that all the examples were currently with s 9(2)(a) for feedback. C Johnson confirmed that s 9(2)(a) was looking at the examples in respect of the language used. A design company would be looking specifically at layout once s 9(2)(a) comments had been incorporated into the examples.

O 14. Update on NAEAC research project

In light of P Larsen's absence no update was provided on this agenda item.

O 15. NAEAC Secretariat

V Williams invited s 9(2)(a) to provide an update on the work she was doing on the NAEAC Secretariat. s 9(2)(a) reported that she had been asked by s 9(2)(a) (Manager, Animal Welfare) to look at the NAEAC Secretariat – specifically in relation to whether the committee required additional resourcing, including technical advice. A summary of her findings was circulated at the meeting.

In addition to speaking to s 9(2)(a) had carried out interviews with other domestic and overseas secretariats. Four roles for the secretariat had been identified. These included: administration and logistics; general advice, interpretation of the Act and institutional knowledge; technical advice; and coordinating function. It was noted that the work carried out by s 9(2)(a) and s 9(2)(a) fell within the first two of these roles.

The NAEAC secretariat did not currently provide technical advice (such as scientific expertise, questioning the committee, information sharing and horizon scanning) or a coordinating function (such as keeping NAEAC well connected, ensuring liaison between other branches of MPI and NAEAC, and providing support for AECs). Would it be useful for example, to have more regular MPI updates across Legal or Policy areas? In respect to AEC support, it was considered necessary to build on the workshops and newsletters to create more of a conversation with AECs.

Issues to consider further included transparency (engagement with the public) and feedback and review (what does success look like). For example, if more is required by the secretariat this will need to be measured. Ways of doing this include expanding the internal review questionnaire or developing a framework for measuring secretariat success.

It was noted that s 9(2)(a) draft report was currently with s 9(2)(a) for review.

V Williams noted that NAWAC had three technical advisers while NAEAC had none. The area of new technologies and alternatives to animal use could be a gap that the committee might need help with. A technical adviser might be able to research material for the committee. Liaison with overseas bodies could be useful here in this capacity.

The Three Rs, cost benefit analysis, animal housing, facilities and monitoring were all areas V Williams wanted to see NAEAC provide more information on.

S Cairns advised that the committee's primary role was to advise the Minister and Director-General of MPI on matters relating to animal use in research, testing and teaching and codes of ethical conduct. S Cairns was concerned that NAEAC was moving into areas of work it was not mandated to do. V Williams considered that providing AECs with quality advice was one of NAEAC's statutory roles.

s 9(2)(a) asked the committee how well they considered they were performing, and suggested they consult the legislation to take another look at their functions. s 9(2)(a) noted that during the Select Committee process, there was concern over Part 6 of the Act, particularly in relation to consistency between AECs. There was capacity in the Act to make the role of NAEAC more technical. For example: being more active in the oversight of AECs; ascertaining where research, testing and teaching is heading; identifying ethical issues and what MPI should be considering. Was the committee aware of whether the advice they issued to AECs was being implemented.

V Williams thanked committee members for their contributions to this topic and suggested they resume their discussion after the mini-tutorial.

O 13. Mini-tutorial – *The sentience of fish*

V Williams welcomed s 9(2)(a) to the meeting at 11.30 am to give his presentation titled *Phylogeny, cognitive development and the capacity to suffer. A discussion about which animals are included in welfare legislation and why fish represent a critical test taxon?*

s 9(2)(a) presentation would focus on whether fish detected noxious stimuli and how New Zealand's legislation dealt with fish and human interactions with fish.

Sentience is a prerequisite to whether animals feel pain. The consensus amongst the majority of fish researchers is that bony fish can and do feel pain because they have nociceptors. There are five levels of consciousness – three of which are considered primary consciousness and two which are considered higher-order consciousness. Phenomenal consciousness (or sentience) is considered to reside in the cerebral hemispheres of the forebrain. Mammals are known to have evaginated brains while fish are known to have everted brains. Some researchers however (for example s 9(2)(a)) still argue that fish do not feel pain.

Animals with backbones including bony and cartilaginous fishes are covered by the Animal Welfare Act 1999 but there is no mention of chordates such as amphioxus. Assorted aquatic invertebrates such as cephalopod molluscs and decapod crustaceans are included but not bivalve shellfish or amphipods and isopods. In Australian states and territories for example there is a lot of variation about what fish/invertebrates are covered under the legislation. While fish are protected by the intent of the Animal Welfare Act, fishing and other activities with fish are excluded from many of the provisions.

Fishing is a primary animal production industry. Welfare is unregulated in commercial fishing for wild fish and for recreational fishing but is regulated in fish husbandry and slaughter associated with aquaculture. The scope of the welfare problem in wild fisheries is immense as 100 billion fish are affected globally. What is the intent or purpose of recreational fishing? Purposes of recreational fishing reported in surveys include excellence in angling, pursuit of fish, obtaining one's own food, involvement with nature and social interactions. The intention to inflict avoidable harm is not recorded.

In summary, the ethics and value systems of fishers vary; legislation varies between countries and states; and public perceptions of what is acceptable vary as well. High welfare fishing reflect humane treatment of animals at capture and/or slaughter; sustainable fishing and conservation and consumer choices in the marketplace.

It was noted that Germany and Switzerland have legislation in place that prohibits recreational fishers catching and releasing fish. The question of why someone would want to engage in that sort of behaviour was an ethical one.

On behalf of the committee, V Williams thanked s 9(2)(a) for his valuable presentation.

The committee broke for lunch at 12.00 pm and the meeting resumed again at 12.35 pm.

O 15. NAEAC Secretariat

Further to the earlier discussion on this agenda item it was agreed to create a survey to ask AECs and other stakeholders how they perceived NAEAC was performing their functions. T Burrell, S Cairns and B Warburton

agreed to be on the subcommittee to draft the set of questions. It was agreed that the survey should include questions about how NAEAC has served AECs.

It was also suggested to align NAEAC's annual report with NAEAC's functions. Given that the 2014 annual report had already been completed, V Williams agreed to do draft a shadow report which could be used as a template for next year.

M Tingle suggested that information on euthanasia techniques could be something the committee prepared for the Minister.

Actions:

Subcommittee to draft questions for survey.

V Williams to draft a shadow report.

O 16. Update on Animal Welfare Amendment Bill

As the changes to Part 6 of the Act had been discussed previously s 9(2)(a) provided a brief summary of the current work underway to draft care and conduct regulations and surgical and painful procedures regulations. It was noted that the care and conduct regulations would be relevant to animals in the research environment.

In relation to the Animal Welfare (Records and Statistics) Regulations which would need to be amended, M Tingle, V Williams and C Johnson agreed to be on the subcommittee to assist MPI policy with their work.

O 17. Update for Minister for Primary Industries

No items of business were identified to advise the Minister about.

O 18. Update on alternatives to animal-based regulatory testing

In light of K Booth's absence no update was provided under this agenda item.

O 19. Update on new technologies

It was noted that the area of new technologies could be a role for a technical adviser.

O 20. MPI summary of CEC approvals, notifications and revocations

s 9(2)(a) provided an update on code of ethical conduct approvals, notifications and revocations since the last meeting, the summary of which had been circulated prior to the meeting. s 9(2)(g)(ii) code had been approved, there were two new arrangements in place and one termination of arrangement.

O 21. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 22. Committee members' reports on recent presentations and attendance at conferences

The following meetings attended by committee members were noted:

- G Nind had attended the Royal New Zealand SPCA national conference.
- C Johnson had attended and led a workshop on livestock transport and slaughter in South East Asia. He also attended an anaesthesia conference in Australia.
- V Williams had attended an ANZCCART New Zealand Board meeting to talk about the regulatory system governing animal use in research, testing and teaching. The following items/topics had emerged from the discussion:
 - Skill levels within research organisations relating to manipulations. Some institutions have training and others do not. It was suggested that there could be a requirement for researchers to show competency, for example having a summer school for rodent surgery;
 - Only large organisations have an animal welfare officer and they do not appear to be funded to the extent where they can actually make a difference. It was suggested that New Zealand Veterinary Association nominees on AECs could monitor surgical techniques or a new person performing the technique;
 - Knowledge of accredited reviewers. There are few specialised laboratory animal veterinarians in New Zealand;
 - Lesser understanding by polytechnics because they do not meet as often as some other organisations;
 - Monitoring;
 - Attitudes; and
 - Commercial sensitivity.
- As well as the ANZCCART board meeting, V Williams reported she had attended NAWAC regulation meetings which were facilitated by MPI.
- B Warburton reported he was reviewing work by a PhD student on kangaroo harvesting and how the harvesters deal with joeys after their mothers are killed.

C Johnson raised a question from the s 9(2)(g)(ii) AEC relating to birds with transmitters, in light of a falcon which died wearing a harness. Transmitters on birds can actually impede their normal activities and they can become more susceptible to predation. How does one weigh up the ethical cost of this and is NAEAC the appropriate body to ask advice on this issue? V Williams considered that NAEAC was the appropriate body to provide advice on this issue.

Action – V Williams to discuss issue of birds wearing transmitters with C Johnson.

Any Other Business Part One

No further items of business were identified for discussion under Part One of the agenda.

Any Other Business Part Two

One additional item of business was identified for discussion under Part Two of the agenda. This related to the email exchange between members of s 9(2)(g)(ii), in relation to NAEAC's policy on which AEC should assume the approval role.

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no other items of business for discussion under Part One of the agenda, it was moved (V Williams/G Nind):

A: That the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes
- C 2. Action list review
- C 3. s 9(2) and monitoring of animal facilities
- C 4. Discussion/feedback from s 9(2)(b)(ii), s 9(2)(c)(ii) site visits
- C 5. NAEAC Annual Report for 2014
- C 6. MPI update
- C 7. Which AEC should assume the approval role

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review	As above.	As above.
C 3.	s 9(2) and monitoring of animal facilities	To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the OIA.
C 4.	Discussion/feedback from s 9(2)(b)(ii), s 9(2)(c)(ii) site visits	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure and harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 5.	NAEAC Annual Report for 2014	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 6.	MPI update	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.
C 7.	Which AEC should assume the approval role	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).

B: That s 9(2)(a) (Manager, Regulatory Reform and Animal Welfare Policy), s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Graduate Policy Analyst), Grant Shackell (NAEAC Chair Designate) and s 9(2)(a) (Secretary), be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

PUBLIC EXCLUDED AGENDA

Part Two

C 1. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 11 February 2015 were reviewed. There were no amendments.

Moved (V Williams/B Warburton):

That the draft minutes of the quarterly general meeting held on 11 February 2015 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

NAEAC occasional paper series (action 4): The committee was now considering which paper from the ANZCCART conference to publish.

Develop code template (action 6): It was agreed to put this on the agenda for the next general meeting.

Invite the Minister and Director-General to the August joint meeting with NAWAC (action 22): s 9(2)(a) reported that if the committee wanted the Minister to attend the joint meeting they should invite him to speak at it.

Actions:

s 9(2)(a) to add code template to August meeting agenda.

NAEAC to invite Minister to speak at joint meeting with NAWAC.

C 3. s 9(2)(b)(ii) and monitoring of animal facilities

V Williams referred committee members to the email she had received from s 9(2)(b)(ii) about monitoring which had been circulated prior to the meeting. The AEC had debated for some time whether there was sufficient monitoring occurring in their s 9(2)(b)(ii)

The committee discussed this issue and agreed that SPF requirements should not be a barrier to direct monitoring s 9(2)(b)(ii). The committee considered video monitoring to be limited as it did not provide a complete picture of what was occurring at the facility. Provided entrance requirements were upheld at SPF facilities, the committee agreed such sites should be visited.

V Williams reported she would write back to s 9(2)(b)(ii) to convey this information. M Tingle offered to contact the AEC to see if he could attend one of their AEC meetings. It was noted that section 99(d) (relating to monitoring compliance with conditions of project approvals) and section 99(e) (relating to monitoring of animal management practices and facilities to ensure compliance with the terms of the organisations code of ethical conduct) were both functions of the AEC.

Actions:

V Williams to write back to s 9(2)(b)(ii) about monitoring.

M Tingle to request attendance at a s 9(2)(b)(ii) meeting.

C 4. Discussion/feedback from s 9(2)(b)(ii), s 9(2)(a)(ii) site visits

V Williams invited committee members to comment on the three visits which had occurred the previous day. The committee agreed that the day had been very interesting and that they had been exposed to a wide variety of research. The issue of monitoring distant research farms which was alluded to during the s 9(2)(g)(ii) visit was noted. V Williams agreed to highlight this in the next AEC newsletter.

Action – V Williams to highlight issue of monitoring distant sites in the next AEC newsletter.

C 5. NAEAC Annual Report for 2014

V Williams reported that the annual report had been completed and sent to MPI. s 9(2)(a) advised it was now with MPI Communications for layout. As discussed previously, the committee would look to change their report for next year to have it aligned with their statutory functions.

Moved (V Williams/S Cairns):

That the 2015 annual report be drafted to align with NAEAC's statutory functions.

The motion was put: carried.

C 6. MPI update

The MPI update, circulated prior to the meeting was noted.

C 7. Which AEC should assume the approval role

V Williams referred committee members to the email exchanges circulated in confidence prior to the meeting and asked M Tingle to provide some background information on this issue. s 9(2)(a)

It appeared to M Tingle that s 9(2)(g)(ii) AEC was missing the intent of the NAEAC policy *Which AEC should assume the approval role*. The purpose of the policy was to clarify who should be approving an application with respect to section 100 of the Animal Welfare Act when individuals from more than one organisation were involved in a project. The policy had nothing to do with approving work being carried out overseas because the Animal Welfare Act only applied to work being conducted in New Zealand. If the s 9(2)(g) was 'approving' or keeping track of work being carried out overseas they might be in breach of their code of ethical conduct because they were not following the same procedure they would be for approving New Zealand research.

S Cairns was concerned that M Tingle had a conflict of interest since he was a member of s 9(2)(g) staff. M Tingle was happy to leave the room so the committee could discuss the matter further if required. It was generally agreed that this was not required.

Instead, it was agreed that a separate policy be issued on the matter of people working with animals overseas. C Johnson reported that at s 9(2)(g)(ii) any person carrying out work overseas or with another AEC had to notify that work to the s 9(2) AEC. C Johnson agreed to send V Williams some appropriate wording on this which could be used in the advice to AECs.

Actions:

C Johnson to provide some wording to V Williams on research being conducted overseas.

V Williams to draft guidelines/policy.

V Williams provided an update on the guest speakers selected for the joint meeting with NAWAC.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 2.22 pm.

General Meeting

Monday, 3 August 2015

9.00am – 4.00pm

St Andrew's Centre
Conference Room 1
30 The Terrace
Wellington

MINUTES

Part One

Present: V Williams (Chairperson), Terry Burrell, Craig Johnson, Bruce Warburton, Graeme Nind, Stephen Cairns, Peter Larsen, and Karen Booth.

In Attendance: s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary), s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy); and Grant Shackell (NAEAC Chair Designate).

Apologies: An apology was received from Malcolm Tingle.

V Williams opened the meeting at 9.00 am and welcomed attendees. It was noted that this would be the last meeting for V Williams, B Warburton, S Cairns and P Larsen.

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress against milestones in the actions list. The following updates were provided:

Provide advice to the Minister and the Director-General: V Williams reported she would prepare a report on the codes of ethical conduct which were reviewed in 2015 for the Director-General of MPI and the Minister before her term on the committee ended.

Although the Minister had been invited to the joint meeting with the National Animal Welfare Advisory Committee (NAWAC) he was not able to attend.

V Williams provided an update on the 2014 animal use statistics. The total number of animals used for research, testing and teaching (RTT) purposes in 2014 was 310,287. This was an increase of 38.5% compared to the previous year. Cattle were the most prominent species used, followed by mice, sheep and fish. Production animals accounted for 48.1% of animals used which reflected New Zealand's pastoral-based

farming system. V Williams reported she would be available to meet the Minister to discuss the animal use statistics, if he considered it necessary.

Provide advice to AECs and code holders: s 9(2)(a) provided an update on the status of the occasional papers drafted by K Booth and s 9(2)(a). In relation to K Booth's paper, it was noted that the tables which had been included in the publication were of low resolution and difficult to read. K Booth volunteered to insert higher resolution tables into the publication if s 9(2)(a) sent the paper back to her. In relation to the s 9(2)(a) paper, permissions had been received from both the author and the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) to republish. s 9(2)(a) was now waiting for V Williams to write the foreword for the s 9(2)(a) paper before it could be sent to MPI publications for layout.

Another animal ethics committee (AEC) newsletter would be drafted before the end of October.

In relation to committee attendance at AEC meetings, G Nind reported he had attended two meetings of the AEC of which he was a member.

With regards to international best practice documents, V Williams reported that the *Australian code for the care and use of animals for scientific purposes* had become quite prescriptive, especially in relation to training and assessment of competency. V Williams had also been in contact with s 9(2)(a) Head, Animals in Science Regulation Unit, at The Home Office.

Promote good practice in RTT using animals: It was noted that the NAEAC Three Rs award would be discussed later in the meeting.

C Johnson reported he was in discussions with s 9(2)(a) (Manager, Animal Welfare) about how to reinstate s 9(2)(g)(ii) involvement with the Three Rs Programme.

In regards to liaising with the Agricultural Compounds and Veterinary Medicines (ACVM) group at MPI about numbers of animals used in efficacy testing, K Booth reported that consultation on some efficacy guidelines (for example ruminants) had commenced. The guidelines were concentrating more on harmonisation of technical requirements rather than on reducing actual numbers of animals used.

C Johnson reported that a s 9(2)(g)(ii) paper was soon to be published in the journal *Animal Welfare*. The paper was about the use of control and sham surgery control groups for ACVM registration of products to treat osteoporosis. The study had showed that there were no significant differences in bone density between control and sham groups. It was hoped that the findings of this paper would help convince overseas regulators that studies involving sham controls were not necessary. C Johnson agreed to circulate the paper to committee members.

Enhance the functioning of NAEAC: The paper presented by s 9(2)(a) at the last general meeting, on the NAEAC Secretariat providing more technical advice, was noted.

Actions:

s 9(2)(a) to send occasional paper back to K Booth.

K Booth to update tables in her occasional paper and send back to s 9(2)(a)

C Johnson to circulate s 9(2)(g)(ii) paper on sham surgery.

O 2. NAEAC content on MPI website

s 9(2)(a) reported that animal welfare content on the Ministry for Primary Industries (MPI) website went live on Wednesday 29 July 2015. V Williams advised she had looked at the RTT and NAEAC content on the MPI website a day prior to the meeting. In relation to NAEAC content, V Williams was able to find most things including the role of the committee, meeting summaries, annual reports and member details. V Williams reminded MPI officials that when the animal use statistics were published, they should go in the RTT section of the website.

It was agreed that once the NAEAC wiki page had been updated, a link to the page should be put up on the MPI website.

Action – s 9(2)(a) to add link to NAEAC wiki-page to MPI website once updated.

O 3. Topic/author for next issue of *Welfare Pulse*

It was noted that T Burrell had already agreed to write an article for the next issue of *Welfare Pulse*. The biographies for new committee appointments would also be included in the same issue.

O 4. Review of AEC Induction Pack

It was noted that at the last general meeting the committee had agreed to read D Bayvel's paper *The role and evolution of independent Government advisory committees: the New Zealand experience from 1985 to 2005* and decide whether it should remain in the AEC induction pack. There had been some differences of opinion circulated via email prior to the meeting about whether the document should be retained or not. Some members were of the opinion that it should be removed but remain available on line, while others thought it should be kept outright.

It was agreed that while the history of NAEAC and NAWAC was interesting, it did not provide information to AECs to help them fulfil their roles. It was agreed that the list of publications and useful resources which were sent to AECs electronically, be re-ordered so AECs could easily see what was essential reading and what could be looked at later on as they became more comfortable in their roles. It was agreed that a subcommittee be convened to look at regrouping the information sent to AECs. G Shackell, C Johnson and G Nind agreed to join the subcommittee to complete this task.

s 9(2)(a) reported that the *Guide to Part 6 of the Act* had been removed from the website because it was now out of date as a result of the passage of the Animal Welfare Amendment Act 2015. Because it was not anticipated that the Guide would be updated any time soon it was agreed to reinstate it in its current form and add the letter about the amendments to the Act that had already been drafted by MPI and circulated to AECs.

Actions:

s 9(2)(a) to reinstate *Guide to Part 6 of the Animal Welfare Act 1999* on the MPI website.

s 9(2)(a) to revise AEC induction pack and pass to subcommittee for review.

Subcommittee to review AEC induction pack.

O 5. NAEAC occasional paper series

It was noted that the occasional papers referred to in the operational plan – relating to AEC decision-making and overcoming resistance to changing existing animal models in experimental design, would need to be re-examined at a later stage as these had not been progressed during 2015.

O 6. Mini-tutorial for November general meeting

For the benefit of G Shackell, V Williams reported that mini-tutorials provided an opportunity for committee members to upskill or learn about areas of work they were not usually familiar with. T Burrell agreed to talk about animal ethics in teaching at the November general meeting. G Shackell volunteered to talk about research on production animals – i.e. what farmers do every day without ethics approval, at another time.

O 7. NAEAC Three Rs Award for 2015

P Larsen reported that in total, three applications had been received for this year's award – two fewer than the previous year. It was noted that the decline in applications may have come about as a result of the high standard set by Professor David Mellor, who won the award in 2014.

Of the three applications received, one was considered inappropriate as it was more suited to a NAEAC AEC service award. Of the remaining two, one had been received from s 9(2)(a) from Massey University (who had applied in previous years), and the other was from s 9(2)(a) from Victoria University. s 9(2)(a) had developed computer aided learning resources to share with other teaching institutions. C Johnson reported that a result of the resources, the number of animals used in Massey University physiology classes had dropped from 600 to just one. Also, the suite of resources were available for use free of charge, not only here in New Zealand but around the world. s 9(2)(a) was a PhD student studying psychology who had developed a training module for students using animals at s 9(2)(g)(ii). It was noted that such a training module would be a very useful resource to have in all universities and tertiary learning institutions.

The subcommittee had agreed prior to the meeting that the winner of the NAEAC Three Rs award should be s 9(2)(a). P Larsen asked the committee whether NAEAC should give s 9(2)(a) a letter of commendation and AEC service award in recognition of her achievement. The committee was very supportive of this proposal and V Williams volunteered to draft the letter. It was agreed to invite both s 9(2)(a) and s 9(2)(a) to the November general meeting to give mini-tutorials on their work. In addition to the mini-tutorial in Wellington, it was agreed that a formal presentation to s 9(2)(a) be made at s 9(2)(g)(ii) in front of his peers. The committee's decision regarding the winner of the award would need to be conveyed to s 9(2)(a) as sponsor of the award.

Moved (P Larsen/S Cairns):

That s 9(2)(a) is awarded the winner of the NAEAC Three Rs Award for 2015 and that s 9(2)(a) receive a letter of commendation and NAEAC AEC service award.

The motion was put: carried.

Actions:

C Johnson, s 9(2)(a) to advise s 9(2)(a) and s 9(2)(a) accordingly.

V Williams to draft letter of commendation to s 9(2)(a) to write to unsuccessful nominees.

O 8. Update on New Zealand Three Rs Initiatives

As far as s 9(2)(a) was aware, the Three Rs examples s 9(2)(a) was working on were still with ANZCCART for final feedback. C Johnson confirmed this noting that s 9(2)(a) was assessing the visual impact of the examples. It was noted that the resources, when finalised, would be posted on ANZCCART's website. C Johnson asked T Burrell if the examples would require secure resources like the ANZCCART DVD had needed. T Burrell confirmed that they did not.

O 9. Update on drafting code of ethical conduct template

V Williams invited K Booth to provide an update on the development of the code of ethical conduct template. K Booth reported she had started work on the project but had not yet circulated a draft to C Johnson and M Tingle (the other members of the subcommittee) for comment. K Booth reported that she would soon have more time to devote to this piece of work because she was leaving the employment of Zoetis New Zealand on 14 August 2015 due to redundancy.

s 9(2)(a) reminded committee members that as K Booth had been appointed by the Minister, there was no obligation for her to resign or leave the committee. K Booth reported that Agcarm, the organisation which had nominated her for NAEAC was having a board meeting soon to discuss the matter. K Booth asked s 9(2)(a) to advise s 9(2)(a) that the appointment was Ministerial and not made by Agcarm.

For the benefit of G Shackell, V Williams reported that the code template work had been initiated because the quality of the codes the committee had reviewed the previous year had been so variable. It was common for code holders to include information in their code which was not required.

Action – s 9(2)(a) to contact s 9(2)(a) about K Booth's appointment to NAEAC.

O 10. Update on NAEAC research project

V Williams invited P Larsen to provide an update on the research project which commenced in the summer of 2013. P Larsen reported that approximately 18 months ago a medical student undertook some research over the summer to look at how AECs make decisions. The research involved interviewing a number of AEC members. The preliminary results (qualitative not quantitative) showed that some AECs did not perform a cost-benefit analysis when reviewing protocols but rather used the Three Rs to justify animal use. The results of the research now needed to be summarised and made publically available in some form.

V Williams thanked P Larsen for the update and asked whether he would be willing to share his conclusions at next year's AEC workshop. It was noted that this work had already been briefly introduced to AECs at the 2014 AEC workshop. s 9(2)(a) decision-making tool or scoring system for ethical evaluation of protocols was noted but it was agreed that assigning a numerical system to ethical decision making did not remove the need for ethical judgements to be made.

O 11. Update on Animal Welfare Amendment Act

It was agreed to discuss the Animal Welfare Amendment Act and the regulations being developed under the new legislation under agenda item C5.

O 12. Update for Minister for Primary Industries

No new items of business were identified to advise the Minister about. V Williams reported she would make herself available to speak to the Minister about the animal use statistics if necessary.

O 13. Update on alternatives to animal-based regulatory testing

K Booth reported that there was a move among Organisation for Economic Co-operation and Development (OECD) countries to move away from toxicology testing for new compounds as the practice was expensive and had a high animal welfare impact. It was noted however that OECD countries were still a long way away from not using animals.

V Williams reported that the length of the process of developing alternatives lies as much in the validation process as in the development phase.

O 14. Update on new technologies

G Shackell reported that in Australia researchers working with koalas were able to collect information via collars which dropped off with the touch of a button after they were no longer needed. This technology allowed researchers to capture animals only once. In South Africa, some forms of rodents were being replaced with 3-D printed models in teaching situations, as this was able to be done cheaply.

C Johnson reported on a piece of work which would soon be published in the New Zealand Veterinary Journal relating to endoscopy in cattle. Traditionally, to perform research on how cattle contribute to greenhouse gas emissions animals would need to be killed to gain access to their rumen. Now, technology was available which would allow a biopsy of the rumen to be collected from a particular animal over a definite period of time. V Williams reported that this development would be a good candidate for the 2016 NAEAC Three Rs award.

B Warburton reported that global positioning system collars for possums also drop off and have a benefit in terms of cost.

O 15. MPI summary of CEC approvals, notifications and revocations

§ 9(2)(a) reported that § 9(2)(b)(ii) who had an arrangement to use the § 9(2)(b)(ii), § 9(2)(g) code and Wellington AEC, had changed its name to § 9(2)(b)(ii) and entered into another arrangement to also use § 9(2)(b)(ii), § 9(2)(a)(ii) code and § 9(2)(b)(ii) AEC. It was noted that the company used animal products as a bio-scaffold to develop wound healing products.

O 16. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 17. Committee members' reports on recent presentations and attendance at conferences

B Warburton reported that he had attended some MPI workshops on pest control and accepted hunting practices which were positively received by both the pest industry and hunting community.

T Burrell reported she had attended a biology and chemistry teaching conference in Wellington the previous month. P Larsen attended the conference to run a workshop on how to get the most out of a heart dissection. § 9(2)(a), was one of the key note speakers and stayed for the whole conference.

G Shackell, V Williams and § 9(2)(a) had all attended the ANZCCART conference on the Gold Coast in Australia the previous month. G Shackell reported that it was an excellent conference and provided a valuable opportunity for networking. A copy of the abstracts were available for viewing if committee members were interested. It was noted that the conference would be held in Melbourne next year.

§ 9(2)(a) advised committee members that V Williams was a speaker at the ANZCCART conference and that her presentation had been well received. There had been 14 New Zealanders at the conference including § 9(2)(b)(ii), § 9(2)(g)(ii) representatives.

V Williams reported that her presentation entitled *Hidden Holes* examined New Zealand's devolved AEC system. The outcome of accredited reviews had shown an increase in the level of code holders reaching a satisfactory level of compliance over a 15 year period - 73%, 85% and 96% respectively. Issues tended to arise with small AECs. For example, polytechnics failed in the first round of reviews because they were unfamiliar with process.

The committee discussed how people could make complaints without putting their jobs at risk. The committee discussed having a centralised AEC system instead of a devolved one but agreed this would create its own set of problems. K Booth was of the opinion that a culture of trust was required in institutions to allow people the freedom to speak up if they had any concerns about their organisation or AEC.

V Williams noted that the s 9(2)(g)(ii) [redacted] which had received Association for Assessment and Accreditation of Laboratory Animal Care International (AAALAC) accreditation recently had 7 veterinarians and 4 animal welfare officers in employment. Under the *Australian code for the care and use of animals for scientific purposes*, Australian AECs had to be made up of a third of category 'c' (animal welfare) and 'd' (independent) members.

O 18. Welfare and ethics training in RTT institutions

V Williams expressed an interest in knowing how institutions went about training people in the areas of animal welfare and ethics and thought this might be a good topic to discuss at the next AEC workshop.

Any Other Business Part One

No other items of business were identified under Part One of the agenda.

Any Other Business Part Two

s 9(2)(b)(ii) [redacted] code of ethical conduct was identified as an additional agenda item for discussion under Part 2 of the agenda.

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no other items of business for discussion under Part One of the agenda, it was moved (V Williams/G Nind):

A: *That the public be excluded from the following parts of the proceedings of this meeting, namely:*

- C 1. *Confirmation of previous minutes*
- C 2. *Action list review*
- C 3. *s 9(2)(b)(ii) [redacted] code of ethical conduct*
- C 4. *NAEAC Annual Report for 2014 and future format*
- C 5. *MPI update*
- C 6. *s 9(2)(b)(ii) [redacted] code of ethical conduct*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review	As above.	As above.
C 3.	s 9(2)(b)(ii) code of ethical conduct	To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the Official Information Act 1982.
C 4.	NAEAC Annual Report for 2014 and future format	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.
C 5.	MPI update	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.
C 6.	s 9(2)(b)(ii) code of ethical conduct	To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the Official Information Act 1982.

B: That s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy), Grant Shackell (NAEAC Chair Designate), s 9(2)(a) (Principal Adviser, Animal Welfare) and s 9(2)(a) (Secretary), be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

PUBLIC EXCLUDED AGENDA

Part Two

C 1. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 19 May 2015 were reviewed. B Warburton advised there was a typographical error on page 8 under the heading *Update on new technologies*.

Moved (S Cairns/B Warburton):

That the draft minutes of the quarterly general meeting held on 19 May 2015 be adopted as a true and accurate record of that meeting subject to the typographical error which was identified, being amended.

The motion was put: carried.

Action – s 9(2)(a) to amend May 2015 meeting minutes and recirculate to committee members.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

s 9(2)(g)(ii) **code of ethical conduct (action 9):** s 9(2)(a) reported that s 9(2)(a) had to report to s 9(2)(a) every 6 months and send him a copy of their meeting minutes. s 9(2)(a) will decide at the end of the first year whether the code holder is required to undergo another review.

Review of NAEAC wiki page (action 12): V Williams reported that the wiki page was receiving between 250 and 350 views each month. It was agreed that the page needed to be updated in light of the changes to the Animal Welfare Act 1999. Rather than addressing the changes to Part 6 of the Act as they come into force it was agreed that the wiki page be updated to reflect all the changes at once. In light of V Williams' departure from the committee, G Shackell agreed to take over responsibility for the wiki page provided he receive a hand over.

NAEAC Three Rs award for 2015 (action 19): It was agreed that the SPCA would need to be involved in the presentation of the Three Rs award. It was suggested that a SPCA representative present the award to s 9(2)(g)(ii). C Johnson agreed to organise an appropriate meeting at s 9(2)(g)(ii).

Birds wearing transmitters (action 21): It was noted that the issue of birds being adversely affected by wearing transmitters, had been discussed at the May general meeting. C Johnson had asked NAEAC, on behalf of s 9(2)(g)(ii), whether the committee was the appropriate body to be considering or providing

advice on this issue. In the first instance, C Johnson agreed to write a brief issues paper on the topic. It was suggested that MPI's operational research fund could potentially fund this piece of work on behalf of NAEAC.

Provide wording to V Williams on research being conducted overseas (action 25): s 9(2)(a) reminded C Johnson and V Williams that this action arose out of feedback from s 9(2)(g)(ii) about New Zealanders undertaken RTT overseas.

Actions:

V Williams to update wiki page in light of amendments to the Animal Welfare Act 1999.

V Williams to provide handover of wiki page to G Shackell.

C Johnson to arrange a meeting at s 9(2)(g)(ii) for the presentation of the NAEAC Three Rs award.

C Johnson to write an issues paper on birds wearing transmitters.

C 3. s 9(2)(b)(ii) code of ethical conduct

The code of ethical conduct for s 9(2)(b)(ii) expires on 31 December 2015. The organisation was applying for their new code to be approved for 5 years from 1 January 2016. K Booth declared a conflict of interest and left the meeting during the discussion of this code. It was noted that K Booth's employer, s 9(2)(b)(ii), was parented by s 9(2)(b)(ii).

V Williams led the discussion of this code. It was noted that M Tingle had provided his comments on the code in writing to V Williams prior to the meeting. The following points were noted for clarification/amendment (adopting the references in the code):

It was noted that there was inconsistency throughout the code regarding the use of the words research, testing and teaching. As the institution did perform testing, this should be reflected in the code.

Section 3.1.4: The committee agreed the word 'that' be deleted from the beginning of sections (a), (b), (c) and (d) and the word 'or' be deleted at the end of sections (a), (b) and (c).

Section 3.1.5: This section should be deleted because it will be covered by the application form.

Section 3.1.7: The word 'person' should be replaced by the word 'role' in this section.

Section 3.1.13, Note: It was agreed that as the ANZCCART guidelines were out of date, it would be more appropriate for the code to refer to the *American Veterinary Medical Association Guidelines for the Euthanasia of Animals*.

Section 3.1.17: This sentence should be moved to section 3.1.1.

Section 3.1.18: It was suggested that the phrase 'completed MPI statistics form' be changed to '...must have a statistics form attached showing the proposed impact gradings'.

Section 3.1.19: This section referred to seven copies but had 6 in brackets. Also the word 'received' was misspelt.

Section 3.2: NAEAC considered that it would be more accurate to say 'An amendment to an approved application must have prior approval by the AEC.' The second sentence should be deleted.

Section 3.3: The second sentence in this section was considered unnecessary and should be deleted.

Section 5.1.1: Insert the word 'relevant' in front of 'code of welfare' and change 'listed' to 'available'.

Section 6.1.2: It was suggested that this section be replaced by the following statement. 'If the adverse event requires change to an approved manipulation this must be communicated to the AEC as soon as possible.'

Section 7.1.2: To better reflect the requirements of the Act, 'An employee' should be 'A senior employee'.

Section 7.1.10: NAEAC assumed that the deputy chairperson is appointed for the following year, rather than just the meeting at which the election takes place. If so, this needs to be clarified.

Section 7.1.11: In addition to paying external members a fee for each AEC application they considered, it was agreed that they also receive appropriate reimbursement for expenses. It was noted that the committee endorsed the recommendation made by s 9(2)(a) (accredited reviewer) and MPI that AEC members be paid for monitoring activities as well.

Section 7.4: The words 'by the' are repeated in this section.

The meeting adjourned for lunch at 12.40 pm and resumed again at 1.15 pm.

Section 8.1.3: The committee had concerns that if the AEC did not reach consensus then they could arrive at a decision by majority vote. V Williams asked s 9(2)(a) to convey to the code holder that the committee endorsed consensus as the preferable method of decision-making and would encourage s 9(2)(b) to use consensus only.

Section 8.2.2: The beginning of this section should be reworded as follows: 'A subcommittee of the Chairperson or the Deputy Chairperson and at least two ...'.

Section 8.2.3: In addition to section 8.2.2, reference to a subcommittee should also be made here. NAEAC considered it important that there was a discussion between subcommittee members about manipulations graded C.

Section 8.2.5: This section should specify what happens if the pro tem approval is not ratified. Something along the lines of 'If not ratified, the project must be suspended and renegotiated with the AEC' was suggested.

Section 8.5: It was assumed that s 9(2)(b)(ii) was not subject to the Official Information Act. If this was correct either this section should be omitted or a simple statement made to say that it does not apply.

Section 13.1.3: While acknowledging that the General Manager is currently male, this might not always be the case so it was suggested that 'his/her' be inserted.

Section 15: As legal provisions can change and the definition of manipulation will change during the life of the code it was recommended that the definitions be removed and reference just to the Act, be made.

Moved (V Williams/S Cairns):

That the s 9(2)(b)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of the Chair, P Larsen and C Johnson.

The motion was put: carried.

C Johnson noted that the review report for s 9(2)(b)(ii) was very good.

K Booth re-joined the meeting after discussion of this code.

Action – s 9(2)(a) to write to s 9(2)(b)(ii) accordingly.

C 4. NAEAC Annual Report for 2014 and future format

The NAEAC annual report was now on the MPI website and most committee members were happy with the shortened version. P Larsen expressed concern that the history of NAEAC would be lost as a result of the shortened annual report. V Williams noted that the NAEAC minutes also provided a written history of the work undertaken by the committee, if anyone was ever interested.

It was noted that the 'shadow report' referred to in the actions list had come about through discussion of s 9(2)(b)(ii) presentation on the NAEAC secretariat at the May general meeting. It was agreed at that meeting that a report, aligned with NAEAC's statutory functions, be drafted as a comparison to the annual report which had already been completed.

C 5. MPI update

The MPI update, circulated prior to the meeting was noted. In relation to the item on the Animal Welfare Amendment Act, s 9(2)(a) gave an overview of the work that would be done in relation to changing the Animal Welfare (Records and Statistics) Regulations 1999 and the workshop that would be held on 5 August 2015. s 9(2)(a) asked the subcommittee how they might like to provide feedback to the rest of the committee. s 9(2)(a) reported she would add this topic to the next meeting agenda and keep it as a standard item until such time as the regulations had been amended.

Action – s 9(2)(a) to add amendment of RTT regulations to the November meeting agenda.

C 6. s 9(2)(b)(ii) code of ethical conduct

s 9(2)(a) reported that when s 9(2)(b)(ii) applied for their new code last year, it removed its parenting provision because it did not anticipate that its related company, s 9(2)(b)(ii) would be undertaking any work which required AEC approval. However, circumstances had since changed and s 9(2)(b)(ii) wished to amend its code to allow s 9(2)(b)(ii) to use its code and AEC. The amended code had been circulated to committee members prior to the meeting.

Committee members did not have any objections to the amendment to s 9(2)(b)(ii) code of ethical conduct

Moved (V Williams/C Johnson):

That the amendment to the s 9(2)(b)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the amendment under the Animal Welfare Act 1999.

The motion was put: carried.

Action – s 9(2)(a) to seek approval of the amendment to the code and notify s 9(2)(b) (ii) of the decision.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 2.15 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



National Animal Ethics Advisory Committee

General Meeting

Tuesday, 17 November 2015
9.30am – 4.30pm

Ministry for Primary Industries (MPI)
Pastoral House (level 10, meeting room 5)
25 The Terrace
Wellington

MINUTES

PART ONE (OPEN TO THE PUBLIC)

Present: Grant Shackell (Chairperson), Terry Burrell, Craig Johnson, Karen Booth, Malcolm Tingle, Bronwen Connor, Leasa Carlyon, and Craig Gillies.

Apologies: Graeme Nind.

In Attendance: s 9(2)(a) (Principal Adviser, Animal Welfare); s 9(2)(a) (Secretary); s 9(2)(a) (Manager, Regulatory Reform and Animal Welfare Policy); s 9(2)(a) (Manager, Animal Welfare); s 9(2)(a) for agenda item O11 at 11.00 am; s 9(2)(a) for agenda O12 item at 11.30 am; and s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy) for agenda item C4 at 2.30 pm.

Apologies:

G Shackell opened the meeting at 9.30 am and welcomed attendees, including B Connor, L Carlyon, and C Gillies who were attending their first NAEAC meeting. It was noted that this meeting was also G Shackell's first as NAEAC chairperson. s 9(2)(a) reported she would have to leave the meeting from time to time to attend to other work matters.

G Shackell invited meeting attendees to introduce themselves to each other. C Gillies was a scientist with the Department of Conservation (DOC) who had considerable experience in environmental and conservation management including monitoring and managing mammalian pest species. B Connor was a neuroscientist from The University of Auckland who had also served on the university's animal ethics committee (AEC). L Carlyon was a Judicial Justice of the Peace and Restorative Justice Facilitator who also served on a number of statutory boards, including the Dietitians Board of New Zealand and the New Zealand Health Practitioners Disciplinary Tribunal.

Any Other Business Part One (Open to the Public)

Dropbox was identified as an item of business for discussion under Part One of the agenda.

Any Other Business Part Two (Public Excluded Agenda)

§ 9(2)(b)(ii) code of ethical conduct was identified as an additional agenda item for discussion under Part Two of the agenda.

O 1. Progress against milestones in NAEAC operational plan

The committee reviewed progress against milestones in the actions list. The following updates were provided:

Provide advice to the Minister and the Director-General: It was noted that work on the research, testing and teaching (RTT) regulations was ongoing.

G Shackell asked committee members to keep a watching brief on any new technologies which may replace, reduce or refine animal use in RTT.

It was agreed to ask the Minister to attend a NAEAC meeting in 2016 given the committee now had four new members.

Provide advice to AECs and code holders: § 9(2)(a) reported that she had not received a reply from former NAEAC member, § 9(2)(a) regarding the results of the survey (about AEC decision making), that had been completed nearly two years ago. It was noted that § 9(2)(a) had had concerns about the qualitative nature of the results, which has why they had not yet been analysed. § 9(2)(a) agreed to contact § 9(2)(a) again to see if he would be willing to share any of the raw data.

G Shackell asked committee members if they were aware of individuals who were actively resisting new animal models in experimental design. It was generally agreed that older Principal Investigators (PI's) were more resistant to change. G Shackell asked members how as a committee, NAEAC could influence change. C Johnson was of the opinion that this was easier to do on an individual basis and provided an example of how he had challenged a researcher about an application which had been submitted to the § 9(2)(g)(ii) AEC. G Shackell suggested an AEC discussion group could be one way of sharing information on new technologies. M Tingle reported that Animal Welfare Officers (AWOs) were often able to initiate change in this area.

The second AEC newsletter for 2015 had been drafted by former NAEAC chair, § 9(2)(a) and circulated to stakeholders on 30 October 2015.

G Shackell encouraged committee members to continue seeking attendance at AEC meetings and asked § 9(2)(a) to facilitate this for new committee members.

§ 9(2)(a) reported she would ask § 9(2)(a) about the status of the milestone on examining international best practice documents on animal welfare in RTT.

Promote good practice in RTT using animals: K Booth reported that MPI's Agricultural Compounds and Veterinary Medicines (ACVM) group were reviewing their guidance material in relation to the registration of veterinary medicines. It was anticipated that some guidance documentation would be released for public consultation sometime next year. s 9(2)(a) reported he had regular meetings with the ACVM group and would also keep NAEAC updated on any developments in this area.

Enhance the functioning of NAEAC: G Shackell asked committee members to speak directly to him if they had any concerns about the way he was chairing meetings.

s 9(2)(a) departed the meeting at 10.00 am.

G Shackell asked for an update on the Sham surgery paper that was due be circulated to committee members. C Johnson reported it was currently in press and once it had been published he would circulate it.

Actions:

s 9(2)(a) **to invite Minister to meet with NAEAC in 2016.**

s 9(2)(a) **to contact s 9(2)(a) about survey results.**

s 9(2)(a) **to facilitate AEC meeting attendance for new committee members.**

s 9(2)(a) **to contact s 9(2)(a) about milestone on examining international best practice.**

O 2. NAEAC content on MPI website

G Shackell advised committee members to report any matters relating to NAEAC content on the MPI website directly to s 9(2)(a). While information on the MPI website was now easier to find, s 9(2)(a) reported that links to individual documents, including NAEAC publications, were no longer available. Instead, these were now listed on a particular web page and available for download in PDF. G Shackell was of the opinion that this was becoming more frequent among organisations and was done for security reasons.

O 3. Topic/author for next issue of Welfare Pulse

The 2016 publication dates for *Welfare Pulse* had been circulated prior to the meeting. T Burrell agreed to send her article (which was already in draft) to s 9(2)(a) by 1 February 2016 so it could be published in the March 2016 issue.

O 4. Analgesic best practice

s 9(2)(a) reported that she had asked s 9(2)(a) whether the publication she and s 9(2)(a) had produced in 2002 on analgesic best practice should be migrated to the new MPI website or whether it should be replaced by something else. s 9(2)(a) had asked C Johnson to look at the publication to ascertain whether it was still a useful document or whether it was out of date and should be removed entirely or replaced by something else.

C Johnson reported that the publication was out of date but that rather than rewrite it, he would look at finding an alternative. It was agreed to add this topic to the February meeting agenda so C Johnson could provide a further update at that time.

Actions:

s 9(2)(a) to add analgesic best practice to February meeting agenda.

C Johnson to investigate alternatives to the 2002 publication on analgesic best practice.

O 5. NAEAC survey questions

It was recalled that at the May general meeting it was agreed that NAEAC should survey AECs and ask them how they considered NAEAC was performing their functions. A list of questions drafted primarily by T Burrell was circulated to committee members prior to the meeting. The committee reviewed the survey questions and agreed the following changes:

- Question 2: Reword text to ask AEC members whether they were statutory or staff appointments.
- Question 5: Add 'and advice' after the word 'information'.
- Add an additional box asking for any other comments.

T Burrell agreed to make the necessary changes and send the survey questions to s 9(2)(a)

Action: T Burrell to amend survey questions and send them to s 9(2)(a)

O 6. Review of AEC induction pack

At the May general meeting it was agreed that the covering letter in the AEC induction pack be reviewed to highlight what papers and documents were essential reading for new AEC members. The old and new letters were circulated prior to the meeting. The committee reviewed the amended letter and agreed that from now on it should be sent out with the AEC induction packs.

O 7. Code of ethical conduct template

G Shackell invited K Booth to provide an update on the development of the code of ethical conduct template. K Booth reported that she had taken the current version of the *Guide to the Preparation of Codes of Ethical Conduct* and tried to amend it. However, the task was proving more difficult than was anticipated. K Booth was of the opinion that rather than amending the Guide, the committee should start again and draft something completely new. In doing so, NAEAC could incorporate policies (such as those relating to the use of subcommittees, videoconferencing, monitoring, voting, quorums etc.) which they had agreed to during previous code reviews, into the new template. The committee were in agreement with this approach and L Carlyon suggested that consultation with a small focus group might be appropriate once the template was finalised. The 2016 AEC workshop was noted as a possible venue for targeted consultation. On behalf of the committee, G Shackell thanked K Booth for her work to date on the project.

O 8. NAEAC occasional paper series

It was noted that the s 9(2)(a) paper titled *The blind leading the blind: animal facility staff and researchers working together to reduce bias in animal research*, had recently been published as part of NAEAC's occasional paper series and circulated to stakeholders.

G Shackell invited committee members to nominate topics for future papers. C Johnson reported that he, on behalf of the s 9(2)(g)(ii) AEC had asked NAEAC for advice on the effect of transponder/transmitter use on animals in light of an incident where a falcon had died wearing a harness. It was noted that if this became the topic for the next occasional paper, the theme of remote monitoring could also be incorporated.

It was noted for the benefit of L Carlyon that the key audience for occasional papers were AECs and researchers.

O 10. Identification of topics for mini-tutorials in 2016

The following topics for future mini-tutorials were identified: work undertaken by DOC; working with wildlife; working with production animals; animal use in education; pest control; update on the UK concordat on openness on animal research; where animal rights are going; landscape of animal welfare in New Zealand and internationally.

Action – NAEAC to decide on mini-tutorials topics for 2016.

O 15. Update on New Zealand Three Rs Initiatives

According to s 9(2)(a), the Three Rs examples s 9(2)(a) was working on were still with the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) for final feedback. s 9(2)(a) had spoken to s 9(2)(a) chair of ANZCCART about the lack of action to get the resources finalised but as at 2 November 2015 s 9(2)(a) had still not heard from s 9(2)(a) (ANZCCART Board member). s 9(2)(a) agreed to escalate the matter with ANZCCART.

Referring back to the previous agenda item, M Tingle reported that s 9(2)(a) won the 2015 Prime Minister's MacDiarmid Emerging Scientist Prize for his work on animal intelligence and suggested this might be another possible mini-tutorial topic.

Action – s 9(2)(a) to escalate Three Rs examples with ANZCCART.

O 14. Update on alternatives to animal-based regulatory testing

K Booth had emailed committee members a copy of the European Pharmaceutical Industry Update for 2015, called *Putting animal welfare principles and 3Rs into action* prior to the meeting. The update provided examples of the pharmaceutical industry moving toward in-vitro testing.

K Booth reported that the International Cooperation on Harmonisation of Technical Requirements for Registration of Veterinary Medicinal Products (known as VICH) is a trilateral (EU-Japan-USA) programme aimed at harmonising technical requirements for veterinary product registration. Australia and New Zealand have observer status on the VICH Steering Committee.

G Shackell described an occasion where s 9(2)(g)(ii) application and not been convinced that the right number of animals were being used. In this particular case, s 9(2)(g)(ii) that more animals needed to be used instead of the number specified in the protocol. K Booth reported that it was important to take into account the total data package and not just the individual test when animal use involved testing veterinary products. M Tingle also noted that the VICH guidelines were

approved long before they were adopted. K Booth offered to discuss the matter further with G Shackell out of session, if necessary. G Shackell asked s 9(2)(a) to send him five copies of K Booth's occasional paper.

Action – s 9(2)(a) to send G Shackell five copies of K Booth's occasional paper.

O 11. Mini-tutorial 1: Computer-aided learning resources

G Shackell welcomed s 9(2), winner of the 2015 NAEAC Three Rs award, to the meeting and invited C Johnson to formally introduce him to meeting attendees. s 9(2)(a) presentation would cover the application of the Three Rs (replacement, reduction and refinement) by sharing computer-aided learning (CAL) resources. It was noted that s 9(2), was the fourth member of s 9(2)(g)(ii) to receive the NAEAC Three Rs award since its inception in 2003.

s 9(2) began his presentation by talking about the work of William Russell and Rex Burch who in 1954, were appointed by the Universities Federation for Animal Welfare (UFAW) to undertake a systematic review on the progress of humane techniques in the laboratory. Their report was presented to UFAW in 1956, and used as the basis of their book titled *The Principles of Humane Experimental Technique*, which was completed in 1958.

MPI along with ANZCCART and the Animal Welfare Science and Bioethics Centre (AWSBC) at s 9(2)(g)(ii) were noted as supporting and promoting the principles of the Three Rs. Today, the Three Rs must also be considered by AECs when evaluating proposals.

The primary focus of the AWBSC Management Group is to deliver science-based courses at s 9(2)(g)(ii). CALShare (the site where CAL resources are housed) can be used internally by students who can download resources applicable to their science papers. CALShare International allows external people to log into a s 9(2)(g)(ii) mirror site on stream to access the same information which is available to local students. Links to other university resources are also available. Seminars have also been hosted for animal science practitioners. In 2013 s 9(2)(a) attended one of the s 9(2)(g)(ii) seminars to provide a presentation on the Three Rs.

The current and future work plan is to expand the image database on stream; build a searchable video catalogue of teaching videos; and convert stream-based Flash resources into html formats so that the resources can be used anywhere, anytime, and on any device.

The public domain for the resource is s 9(2)(g)(ii) and individuals do not need to log into the system to use it. s 9(2) reported that resource contributions from other individuals or organisations were always welcome. It was noted that having context added to pictures was better than just having pictures alone.

K Booth asked if there had been any feedback on whether the students learnt better by having the resources available to them. s 9(2) reported that previous surveys had been done and most students appreciated having access to the resources so that they did not have to kill an animal.

s 9(2) reported that teachers and polytechnics had also been interested in the resources. It was noted that NAEAC, through its networks, could help find external contributors.

On behalf of the committee, G Shackell thanked s 9(2) (a) for his valuable presentation. s 9(2) (a) was invited to remain at the meeting to hear the presentation by s 9(2) (a).

O 12. Mini-tutorial 2: Training module for research students

G Shackell welcomed s 9(2) (a) to the meeting for this agenda item. Her presentation, titled *Pursuing good science: animal welfare training for university students*, highlighted the journey undertaken to develop a training module for research students at s 9(2)(g)(ii).

s 9(2) (a) studied transient cerebral ischemia in a gerbil model at s 9(2)(g)(ii) before moving to s 9(2)(g)(ii) in 2012 to study genetic risk and how it influences the development of drug addiction. In 2013 she was appointed as the post-graduate student representative on the s 9(2) (g)(ii).

As the post-graduate student representative, s 9(2) (a) began thinking about what was missing for students who worked in animal laboratories on campus. In doing so, the idea of a training module to better support students, was initiated.

s 9(2)(a) re-joined the meeting at 11.40 am.

The first draft of the training module was just an incomplete list of things that should be covered. The second draft incorporated more reading, research and bulking up content. It also included managing practical issues such as moving from a paper based system to an online system. The second draft was tested out on a small group of PIs first with beta testing, feedback and refinement. The final content included presentation material, a student materials package, and covered the following questions and topics: Why use animals in research; is animal research still needed; historical perspective; the Three Rs; experimental logistics; animal behaviour; discussion scenarios; governance; application review; controversy and research integrity; and forms.

Currently, one training session per trimester is being run and it is mandatory for all s 9(2)(g)(ii) students working in animal laboratories to attend it.

It is anticipated that in the future the module will be amended to remain current with new developments and changes to legislation. The instructor will change over time and specific 'hands on' technique modules will be developed.

K Booth asked s 9(2) (a) who owned the training module and who was responsible for keeping it s 9(2)(a) reported that it was the property of the AEC and hoped that someone, in future, would be compensated for improving and delivering it, as her time at the s 9(2)(g) (ii) had come to an end.

K Booth also asked if there had been any feedback from the laboratories about the training. Although there had not been any formal feedback, s 9(2) (a) reported that she had received positive feedback verbally by those who had attended the training.

On behalf of the committee, G Shackell thanked s 9(2) (a) for her valuable presentation and presented her with a NAEAC AEC service award to recognise her significant contribution to the development of the training module.

G Shackell invited s 9(2)(a) to join the committee for lunch.

s 9(2)(a) escorted s 9(2)(a) out of the building at 12.35 pm and returned to join the meeting at 12.40 pm.

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC
Section 48, Local Government Official Information and Meetings Act 1987

There being no other items of business for discussion under Part One of the agenda, it was moved (G Shackell/L Carlyon):

A: That the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes*
- C 2. Action list review*
- C 3. Remote monitoring of traps*
- C 4. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999*
- C 5. Question to NAEAC on use of tissue from retired breeders*
- C 6. Accredited reviewers teleconference*
- C 7. Format of NAEAC annual report*
- C 8. Discussion of arrangements for 2016 site visit*
- C 9. Discussion of arrangements for 2016 AEC workshop*
- C 10. MPI update*
- C 11. s 9(2)(b)(ii) code of ethical conduct*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<i>General subject of each matter to be considered</i>		<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
<i>C 1.</i>	<i>Confirmation of previous minutes</i>	<i>To protect the privacy of natural persons.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).</i>
<i>C 2.</i>	<i>Action list review</i>	<i>As above.</i>	<i>As above.</i>
<i>C 3.</i>	<i>Remote monitoring of traps</i>	<i>To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.</i>

<i>General subject of each matter to be considered</i>		<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
C 4.	<i>Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999</i>	<i>As above.</i>	<i>As above.</i>
C 5.	<i>Question to NAEAC on use of tissue from retired breeders</i>	<i>To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.</i>
C 6.	<i>Accredited reviewers teleconference</i>	<i>To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.</i>
C 7.	<i>Format of NAEAC annual report</i>	<i>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Minister of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.</i>
C 8.	<i>Discussion of arrangements for 2016 site visit</i>	<i>To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.</i>
C 9.	<i>Discussion of arrangements for 2016 AEC workshop</i>	<i>As above.</i>	<i>As above.</i>
C 10.	<i>MPI update</i>	<i>To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.</i>

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 11. s 9(2)(b)(ii) code of ethical conduct	<p>To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or:</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the Official Information Act 1982.

B: That s 9(2)(a) (Principal Adviser, Animal Welfare), s 9(2)(a) (Secretary), s 9(2)(a) (Manager, Animal Welfare), s 9(2)(a) (Manager, Regulatory Reform and Animal Welfare Policy) and s 9(2)(a) (Senior Policy Analyst, Regulatory Reform and Animal Welfare Policy) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

PART TWO (PUBLIC EXCLUDED AGENDA)

C 1. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 3 August 2015 were reviewed. There were no amendments.

Moved (G Shackell/T Burrell):

That the draft minutes of the quarterly general meeting held on 3 August 2015 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Ask code holders if they would be willing to share their application forms (action 2): It was agreed to delete this action as the topic had been included in the 30 October 2015 newsletter to AECs. G Shackell noted however, he could only access three application forms online – those belonging to s 9(2)(g)(ii).

Topic/author for next issue of Welfare Pulse (action 6): In addition to T Burrell's article for the next issue, the committee was in agreement that articles on CALShare and the s 9(2)(g)(ii) student training module should also feature in the issue. s 9(2)(a) reported that during the lunch break he had approached s 9(2)(a) to draft an article which she had agreed to do.

Review of NAEAC wiki page (action 10): Overview of NAEAC content on the MPI website had been allocated to G Shackell in light of s 9(2)(a) departure from the committee. G Shackell reported that he and the other members of the RTT Regulations subcommittee (C Johnson and M Tingle) had received the current page wording and instructions about how to view statistics for the page, from s 9(2)(a) the previous day. G Shackell reported that the total number of views had increased each year since the page was set up with 1,697 views in 2013 and 2,419 views in 2014.

Update on review of Guidelines for the welfare of livestock from which blood is harvested for commercial and research purposes (action 12): s 9(2)(a) reported that s 9(2)(a) had talked to him about this publication. MPI was currently dealing with issues related to new-born calf serum and wondered if that work and review of the publication could be combined into an operational research project. s 9(2)(a) agreed to keep NAEAC updated on any developments in this area.

Draft questions for survey (action 16): In relation to the AEC survey questions which were discussed under agenda item O5, it was agreed that the questions be sent out electronically as well as hard copy to the primary AEC contacts that MPI had details for. The covering email to AECs was to include detail about why the survey was taking place and asking for it to be forwarded to all AEC members.

NAEAC annual report (action 16): It was generally agreed that a refined version of the annual report was appropriate now, given the animal use statistics had been removed from them. It was agreed that membership and financial information should be retained for transparency. It was noted that there were two audiences for the report – the Minister and the public. It was agreed to discuss the report further at the February general meeting.

s 9(2)(a) departed the meeting at 1.00 pm.

Request attendance at s 9(2)(b)(ii) AEC meeting (action 19): M Tingle reported he would be attending the s 9(2)(b)(ii) meeting the following week (Tuesday 24 November 2015).

Draft guidelines/policy on animal use overseas (action 20): There was some discussion about AEC oversight of work carried out overseas and the fact that codes of ethical conduct did not capture this type of work. It was agreed that M Tingle and C Johnson would take responsibility for this action initially and any advice would be circulated to AECs via the newsletter in due course. G Shackell suggested that any guidance material prepared by NAEAC should be reviewed by MPI Legal prior to its distribution.

Write issues paper on birds wearing transmitter (action 27): As discussed earlier in the meeting, it was agreed that this issue would be a good topic to develop into an occasional paper.

s 9(2)(a) departed the meeting at 1.25 pm.

Actions:

s 9(2)(a) to liaise with s 9(2)(a) about articles for 'Welfare Pulse'.

s 9(2)(a) to add NAEAC annual report to February meeting agenda.

C Johnson and M Tingle to draft guidelines an animal use overseas.

s 9(2)(a) to arrange MPI Legal review of guidelines on animal use overseas.

C 3. Remote monitoring of traps

G Shackell referred committee members to the discussion paper on remote monitoring, circulated prior to the meeting. The National Animal Welfare Advisory Committee (NAWAC) was seeking NAEAC's opinion on whether remote monitoring of live traps required AEC approval.

G Shackell reported that s 9(2)(g)(ii) gave a mini-tutorial to NAWAC on remote monitoring of traps. Live traps were being used on small headlands to eradicate pest species such as possums. The traps were set 10 m apart on line that was 600 m in total length. What impressed G Shackell the most was the default setting. If the trap was triggered or went off line, it needed to be physically inspected.

The committee discussed the use of both kill traps and live traps for pest control purposes. Under the current legislation, only live capture traps had to be physically inspected (within 12 hours of sunrise each day, beginning the day after they were set). It was generally agreed that for live trapping it was reasonable to assume that as remote monitoring was not covered under current regulations any use of the technology must be regarded as research to determine the effectiveness and welfare implications of remote monitored traps. As such, remote monitoring of live traps required AEC approval.

G Shackell reported that he wanted to discuss this with s 9(2)(a) before drafting a formal response back to NAWAC.

Actions:

G Shackell to talk to s 9(2)(a) about remote monitoring of traps.

NAEAC to draft formal response to NAWAC.

s 9(2)(a) re-joined the meeting at 1.55 pm along with s 9(2)(a)

C 11. s 9(2)(b)(ii) Code of Ethical Conduct

s 9(2)(a) reported that an urgent code application from s 9(2)(b)(ii) had been received the previous day. At present the code is held by s 9(2)(b)(ii) with s 9(2) having an arrangement to use it. While the two companies are related and share premises, s 9(2) is closing its New Zealand operation at the end of November. s 9(2) asked for the code to be transferred to s 9(2) but legal advice from MPI suggested this was probably not possible so s 9(2) decided to apply for its own code. s 9(2) had advised that the submitted code was exactly the same as the current s 9(2) approved code except for the change of company name and the name of the trademark product in line 3.

G Shackell led the discussion of this code. The following points were noted for clarification/amendment (adopting the references in the code):

Introduction, first sentence: It was suggested that 'the activities of' be changed to 'research, testing or teaching by' or if they did not carry out teaching simply 'research or testing by'.

Introduction, second paragraph: 'As CEO of this company I shall' should be changed to s 9(2) shall...'

Part 2c: NAEAC considered that the quorum should be half the committee plus one (including at least two external members).

Part 2d: NAEAC was of the view that decisions should be made by consensus rather than majority vote.

The committee were of the opinion that s 9(2) had not correctly copied the current version of s 9(2) code. According to M Tingle, who was looking at the electronic version of s 9(2) code which was reviewed at the October meeting the previous year, some of the items the committee had just discussed should have already been incorporated into s 9(2) code. To ascertain what version of s 9(2) code was approved the previous year, s 9(2)(a) agreed to print off a copy which was held by MPI. s 9(2)(a) left the meeting at 2.08 pm to do this.

K Booth asked s 9(2)(a) if she could minute the policy decisions NAEAC required of code holders in the future. NAEAC's recommendations on codes of ethical conduct were already recorded in the meeting minutes but s 9(2)(a) agreed to send M Tingle the actual letters that were sent to code holders from MPI. The letters would contain the information sought by K Booth. M Tingle agreed to distil the policy decisions set out in the letters and send them to K Booth so that they could be incorporated into the code template. It was also agreed to load all the approved codes into dropbox for future reference.

s 9(2)(a) re-joined the meeting at 2.15 pm with s 9(2) approved code. s 9(2) submitted code was in fact based on the code that was approved last year. It was agreed there had been no deception played on the part of s 9(2).

Part 2m: NAEAC issued guidelines (on the formation and use of subcommittees) to AECs earlier this year stating that the use of subcommittees to give temporary consent should be restricted to instances where there was a legitimate requirement for urgency. It was agreed that this section should be amended to reflect that.

Part 2n: This section could be interpreted as meaning that the AEC had no option other than to fully approve very temporary consent. It was agreed that 'approval' should be changed to 'consideration' and as the second sentence was redundant it should be deleted.

Part 4d: In this section 're-approval' should be changed to 'consideration'.

Part 4e: Again, 'approval' should be changed to 'consideration'.

Part 8a: For consistency with the rest of the code it was suggested that 'Chair' be amended to 'Chairperson' in this section.

s 9(2)(a) left the meeting at 2.20 pm.

Moved (G Shackell/C Johnson):

That the s 9(2)(b)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed to the satisfaction of M Tingle.

The motion was put: carried.

Actions:

s 9(2)(a) to write to s 9(2) accordingly.

s 9(2)(a) to send M Tingle MPI letters to code holders.

M Tingle to review MPI letters and distil NAEAC policies for K Booth.

s 9(2)(a) to send NAEAC all approved codes of ethical conduct.

C Johnson to upload approved codes to dropbox.

C 6. Accredited reviewers teleconference

s 9(2)(a) reported that a teleconference with the accredited reviewers was held at the beginning of the year. At the time, it was agreed to hold another one in early in 2016 even though not many codes would have been reviewed in 2015. NAEAC attendees in the past had included s 9(2)(a)

s 9(2)(a) asked committee members who would represent NAEAC in the future. Both G Shackell and K Booth agreed to participate in the teleconference next year. s 9(2)(a) asked G Shackell and K Booth to nominate some dates which she could run past the reviewers. The following dates were nominated: Thursday, 28 January 2015, Thursday, 4 February and Thursday, 11 February.

Action - s 9(2)(a) to arrange teleconference of accredited reviewers.

C 8. Discussion of arrangements for 2016 site visit

The committee discussed arrangements for the 2016 site visit. s 9(2)(a) reported that NAEAC had never visited s 9(2)(g)(ii). Other than that, the region visited longest ago was Hamilton (November 2004) and after that Dunedin (in May 2008). After some discussion the committee agreed to the site visit being held in s 9(2)(g)(iii). The visit date would be discussed under agenda item O 21.

s 9(2)(a) and s 9(2)(a) re-joined the meeting at 2.45 pm.

C 4 Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999

G Shackell invited s 9(2)(a) to provide an update on the amendments to the Animal Welfare (Records and Statistics) Regulations 1999. s 9(2)(a) reported that the NAEAC subcommittee (comprising G Shackell, M Tingle and C Johnson) had meet with MPI officials on 4 August 2015 to discuss the amendments. The key findings from the workshop had been summarised and circulated to committee members prior to the meeting. s 9(2)(a) reported she would go through the document and take questions.

From 1 January 2018 the definition of manipulation will include: animals killed for the purpose of undertaking RTT using their body or tissues; and, the production and breeding of animals that may result in the birth or production of animals with known or potentially compromised welfare.

There is also now the ability to make a regulation requiring code holders to provide information on the killing of animals that were bred, but not used for the purposes of RTT (surplus animals). s 9(2)(a) asked committee members if they wanted a standard code of ethical conduct template mandated in regulation. The committee agreed that this was not necessary as it was too prescriptive and if anything needed to be changed in the future it would be very difficult to do so.

Committee members discussed the section relating to animals killed for the purpose of using their body or tissues for RTT, and suggested some minor amendments to the wording. K Booth raised a concern over animals being counted twice. s 9(2)(a) reminded the committee about the policy intent of the amendment as it related to Part 6 of the Act. This was ethical consideration of animal use and making sure the regulatory system counted those animals.

In section 7, C Johnson reported that using 'potentially compromised welfare animals' as a compound noun was clumsy. This section should be amended to incorporate the feedback that he had already provided prior to the meeting.

Compromised welfare was referred to in section 8 and there was some discussion about how this would be defined. It was noted that 'compromised welfare' would refer only to Part 6 of the Act (and not to compromised companion animals for example). It was suggested that NAEAC could provide some guidance on this once the regulations were in place.

s 9(2)(a) asked committee members how much time AECs would need to prepare for the changes brought about by regulations. It was generally agreed that a year would be sufficient time for AECs to amend their procedures to meet the new reporting requirements. It was noted that transitional provisions would also apply so that approvals given for three years, prior to the regulations coming into force, would not be affected. It was anticipated that AECs might be expecting an update on the regulations at the AEC workshop next year. Rather than leaving it until the end of next year it was considered more appropriate to have a workshop or meeting about the regulations mid-year.

The committee also reviewed the proposed statistical return form for 2018. Some minor editorial changes were noted.

G Shackell thanked s 9(2)(a) for her update after which she departed the meeting.

Action – s 9(2)(a) to incorporate NAEAC feedback into her work on the RTT regulations and statistical form.

C 10. MPI update

s 9(2)(a) provided an update on the development of the Care and Conduct Regulations and Surgical and Painful Procedures Regulations which the group (including MPI and NAWAC) had been working on. It was noted that 67 items had been identified for regulation. s 9(2)(a) invited s 9(2)(a) to circulate the NAWAC update (confidentially) to NAEAC.

s 9(2) also reported that the live animal export regulations would be consulted upon early next year.

Action – s 9(2)(a) to circulate NAWAC update to NAEAC.

C 5. Question to NAEAC on use of tissue from retired breeders

An AEC member had raised a question about the use of tissue from retired breeders in light of the recent amendments to the Animal Welfare Act 1999. Given the previous discussion of the RTT regulations under agenda item C4, G Shackell suggested he, s 9(2)(a) consider the email as a subcommittee, and draft the initial response. The reply would be circulated to the rest of the committee before being sent to the correspondent.

s 9(2) departed the meeting at 3.35 pm.

Action – Subcommittee to draft response on use of tissue from retired breeders.

C 7. Format of NAEAC annual report

The format of the NAEAC annual report had been discussed previously under agenda item C2.

C 9. Discussion of arrangements for 2016 AEC workshop

It was agreed to discuss the workshop in more detail at the February general meeting. It was noted that some ideas for topics (such as a new technologies, the code of ethical conduct template, and RTT regulations) had already been raised at the meeting.

**PART ONE
(OPEN TO THE PUBLIC)**

O 9. NAEAC Three Rs Award for 2016

The committee discussed sponsorship arrangements for the 2016 NAEAC Three Rs award. It was agreed to ask the SPCA whether they would be willing to sponsor the award again in 2016. Given the recent announcement of the 2015 winners of the Prime Minister's Science Prizes, G Shackell asked whether there was any way of tapping into this prize pool or asking the Minister's Office or Prime Minister's Office whether something similar could be started to recognise contributions made in relation to the Three Rs.

Actions:

s 9(2)(a) to draft sponsorship letter to SPCA.

s 9(2)(a) to contact Minister's Office about sponsoring NAEAC Three Rs award.

O 13. Update for Minister for Primary Industries

No new items of business were identified to advise the Minister about.

O 16. Update on emerging/new technologies

No updates were provided under this agenda item.

O 17. NAEAC research on how AECs make decisions

This topic was discussed previously under agenda item O1.

O 18. MPI summary of CEC approvals, notifications and revocations

The summary of CEC approvals, notifications and revocations were circulated prior to the meeting. [REDACTED] reported that [REDACTED] s 9(2)(b) had gone into liquidation and had terminated its arrangement to use another organisation's code and AEC. s 9(2)(a)

O 19. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 20. Committee members' reports on recent presentations and attendance at conferences

G Shackell reported that he had met with [REDACTED] s 9(2)(a) prior to the NAEAC meeting. [REDACTED] s 9(2)(a) had offered policy support to NAEAC if required and was willing to help NAEAC facilitate a meeting with AEC chairs to discuss the amendments to Part 6 of the Act.

G Shackell also noted that he had attended his first NAWAC meeting on 4 November 2015.

O 21. Committee meeting dates for 2016

Proposed committee meeting dates for 2016 had been circulated prior to the meeting. The following dates were agreed:

- Thursday, 18 February 2016 in Wellington - quarterly general meeting
- Thursday, 19 and Friday, 20 May 2016, in Hamilton – AEC site visit and general meeting
- Thursday, 18 August 2016 in Wellington – quarterly general meeting
- Thursday, 17 November and Friday, 18 November 2016 in Wellington – AEC workshop and quarterly general meeting.

O 22. Joint meeting with NAWAC in 2016

The committee discussed whether it would be appropriate to meet with NAWAC again in 2016. While the committee was generally supportive of the idea, it was agreed that there would not be enough time to incorporate a joint meeting with NAWAC given their other commitments during the year. It was agreed therefore to have a short meeting with ANZCCART in 2016 and schedule a joint meeting with NAWAC in 2017.

Action – s 9(2)(a) to notify s 9(2)(a) from ANZCCART about NAEAC meeting dates for 2016.

O 23. Joint meeting with ANZCCART in 2016

As discussed under the previous agenda item, s 9(2)(a) would contact the ANZCCART secretariat about arranging a meeting.

O 24. Dropbox

C Johnson advised committee members to be careful when copying files from dropbox as sometimes this resulted in the file being removed or going missing. L Carlyon asked whether in the future, the agenda and background reading list could be combined into one document. s 9(2)(a) was happy to make that change for the committee.

Action – s 9(2)(a) to combine agenda and background reading list in future.

There being no other items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 4.15 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

General Meeting

Thursday, 18 February 2016
9.30am – 4.30pm

Ministry for Primary Industries
Pastoral House (level 10, meeting room 5 and 6)
25 The Terrace
Wellington

MINUTES

PART ONE (OPEN TO THE PUBLIC)

Present: Grant Shackell (Chairperson), Terry Burrell, Craig Johnson, Karen Booth, Malcolm Tingle, Bronwen Connor, Leasa Carlyon, Craig Gillies and Graeme Nind.

In Attendance: s 9(2)(a) (Manager, Regulatory Reform and Animal Welfare Policy); s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy).

Apologies: s 9(2)(a).

G Shackell opened the meeting at 9.30 am and welcomed attendees including s 9(2)(a) reported that s 9(2)(a) would be NAEAC's new animal welfare policy liaison contact in light of s 9(2)(a) departure from MPI.

G Shackell invited G Nind to introduce himself to B Connor, L Carlyon and C Gillies as he had not been present at the November 2015 general meeting.

C Johnson reported he had to attend a short teleconference at 12.30 pm.

Any Other Business Part One

An email query from s 9(2)(b)(ii) was identified as an additional item for discussion under Part One of the agenda.

Any Other Business Part Two

Remote monitoring was identified as a topic for discussion under Part Two of the agenda.

O 1. Election of Deputy Chair

The Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)) requires the committee to elect one of its members as its deputy chairperson, at its first meeting each year. The committee nominated C Johnson as deputy chairperson. C Johnson confirmed his willingness to accept the nomination.

Moved (M Tingle/G Nind):

That C Johnson be elected deputy chairperson of the committee for 2016, pursuant to the Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)).

The motion was put: carried.

The committee briefly discussed the misinformation reported in media since MPI released the 2014 animal use statistics on 15 February 2015. B Connor reported that Paul Henry's Facebook page contained a photo of cosmetics and a statement saying "do you check for animal testing before you buy", which implied that cosmetic testing was occurring in New Zealand. The committee expressed disappointment that such misinformation had appeared in social media.

G Shackell noted that in regards to the MPI statistics s 9(2)(a) Director Animal and Animal Products, was the official MPI spokesperson.

The meeting was adjourned at 9.40 am. The committee was due to meet with the Minister, at his office, at 10.00 am.

The meeting resumed again at 10.45 am. G Shackell thanked committee members for their attendance at the meeting and their contribution to the discussion held, especially C Johnson for speaking about funding for the Three Rs award. G Shackell expressed his delight that the Minister had agreed to consider whether the Government could contribute financially to the award.

G Shackell invited committee members to comment on whether they should be speaking to the media. M Tingle was of the opinion that any view or comment made to media, should not be personal but represent the committee as a whole. There was some general discussion about whether the committee should draft a strategy for managing urgent political issues but it was agreed that this was not necessary. s 9(2)(a) was of the opinion that while it was appropriate to provide a well-rehearsed response to a standard issue (such as the animal use statistics), it was less appropriate to comment on a topic without sufficient time to consider the issue.

G Shackell invited s 9(2)(a) to provide an update on the animal welfare regulations currently under development. s 9(2)(a) reported that the regulations would encompass standards of animal care, surgical and painful husbandry procedures and live animal exports. A paper was due to Cabinet in March 2016 with public consultation scheduled for a five week period commencing in April. Approximately 70 regulations had been proposed by MPI after consultation with the National Animal Welfare Advisory Committee (NAWAC), the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA) and the New Zealand Veterinary Association (NZVA).

Regulations relating to surgical and painful husbandry procedures would lift the bar on existing practices. It was noted however, that some industry groups would oppose some use of pain relief. It had proven difficult to

regulate competency around the performance of certain procedures by paraprofessionals so this work had not been progressed. C Johnson reported that the veterinary profession were very hesitant to look at this issue. Regulations will be made to implement the Government's policy on prohibiting livestock exports for slaughter (unless specifically exempted) under the Animal Welfare Act, rather than as it is currently under the Customs and Excise Act 1999. Regulations on bobby calves would be in place by August.

The research, testing and teaching (RTT) regulations had been parked until the public consultation period had passed. It was noted that s 9(2)(a) and s 9(2)(a) would be taking over this body of work from s 9(2)(a). Public consultation on the amendments to the Animal Welfare (Records and Statistics) Regulations 1999 were scheduled for November this year.

s 9(2)(a) encouraged NAEAC to be ambitious about money on offer for the Three Rs award and suggested the committee benchmark against other countries' prize pools for similar awards.

s 9(2)(a) departed the meeting at 11.00am.

Action – NAEAC to benchmark against other countries' Three Rs award prize pools.

O 2. Annual review of committee performance

s 9(2)(a) reported that it was normal practice for the secretary to circulate a survey of committee performance to members to complete before the end of the year. s 9(2)(a) had forgotten to do this due to other work commitments which became a priority before the end of 2015. Also, as four new committee members had been appointed in November last year only half the committee would have been able to answer the survey.

s 9(2)(a) agreed to send out the survey questions to committee members to ascertain if any changes needed to be made for the 2016 survey.

Action – s 9(2)(a) to circulate survey questions to committee members for information.

O 3. Discussion and approval of draft Strategic Plan for 2016

G Shackell referred committee members to the updated strategic plan which had been circulated prior to the meeting. The committee reviewed the plan section by section. The following comments were noted:

To provide advice to the Minister and the Director-General: The committee discussed whether there was a need to have a communications plan or media strategy in place in light of the media response to the recently released animal use statistics. K Booth reminded committee members that at the 2013 strategic planning session the committee decided that educating the general public about RTT was not within its remit. M Tingle was of the opinion that this was something NAEAC could do given that individual institutions were not interested in doing so themselves. C Johnson reported that the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) considered education was part of its brief and that NAEAC should work in collaboration with them.

To provide advice to AECs and code holders: M Tingle questioned whether NAEAC actually provided advice to code holders. NAEAC made recommendations on codes of ethical conduct so did provide advice to code holders. It was agreed to leave the title of this section unchanged.

To promote good practice in RTT using animals: The committee discussed how they might engage with research funding bodies to get them to consider the Three Rs when approving funding for projects. B Connor raised the question as to whether it was their responsibility at all. It was suggested that when writing to

research funders in future, a paragraph be included about the value and prestige of the award. It was noted however, that 'prestige' would not be on a list of criteria funders would be obliged to consider. After some discussion it was agreed to amend action plan number 4 from: '....assign priority to the support of Three Rs research projects' to '....support Three Rs research projects'. It was agreed to write to funding bodies again in 2016 and also to code holders asking them to support Three Rs research projects.

To enhance the functioning of NAEAC: It was agreed to add an extra action plan item relating to additional committee meetings, to discuss specific issues, if required.

Moved (G Shackell/M Tingle):

That the agreed amendments to the draft Strategic Plan be made and that the amended document be adopted as the committee's updated Strategic Plan for 2014-19.

The motion was put: carried.

Action - s 9(2)(a) to amend strategic plan and circulate to committee members and Minister.

O 4. Discussion and approval of draft Operational Plan for 2016

G Shackell referred committee members to the updated operational plan which had been circulated prior to the meeting. The committee reviewed the plan section by section. The following comments were noted:

On page two, M Tingle asked s 9(2)(a) to check that section 3(3) of the Act, referenced under bullet (b) was still the same, now that the Act had been amended.

To provide advice to the Minister and the Director-General: It was agreed to amend operational milestone (d) to: 'consider codes of the ethical conduct as required' and (g) to: 'offer to meet with the Minister every year'.

To provide advice to AECs and code holders: s 9(2)(a) reported she had not heard back from s 9(2)(a) regarding the findings of the survey exploring ethical decision making. G Shackell asked s 9(2)(a) to send him s 9(2)(a) contact details so he could talk to him directly. It was agreed to amend operational milestone (c) to reflect that any findings, rather than being published, would be evaluated.

B Connor agreed to draft the occasional paper on overcoming resistance to changing existing animal models in experimental design.

It was agreed that the meeting with the AEC chairs should be held prior to the workshop.

To promote good practice in RTT using animals: The changes made to this section in the strategic plan, would need to be carried over into the operational plan.

To enhance the functioning of NAEAC: It was noted that ANZCCART would be holding their August meeting on 19 August 2016, the day after NAEAC's general meeting. L Carlyon and G Nind agreed to attend.

Moved (G Shackell/G Nind):

That the agreed amendments to the draft Operational Plan be made and that the amended document be adopted as the committee's updated Operational Plan for 2016.

The motion was put: carried.

Action - s 9(2)(a) to amend operational plan and send out to committee members and Minister.

O 5. NAEAC content on MPI website

G Shackell reported that the most recent NAEAC occasional papers (Numbers 11 and 12) were not on the MPI website. s 9(2)(a) reported she would liaise with s 9(2)(a) about getting them reinstated.

Action - s 9(2)(a) to arrange for occasional papers 11 and 12 to go on MPI website.

O 6. Analgesic best practice

C Johnson reported that no recent progress had been made on this agenda item.

In respect to the NAEAC wiki page, G Shackell reported he had not yet updated the page based on the recent amendments to the Animal Welfare Act. It was noted that the number of visits to the page appeared to be decreasing. With the recent media interest in the 2014 animal use statistics it would be interesting to know if those figures increased the following month.

O 7. Update on NAEAC AEC survey

The final survey questions to AECs were circulated prior to the meeting. There were no amendments. s 9(2)(a) agreed to work with MPI Communications to get the survey distributed. It was generally agreed that respondents only needed a short time frame in which to respond back. T Burrell and G Shackell agreed to liaise about the covering letter which would go out with the survey.

Action – G Shackell and T Burrell to liaise about survey covering letter.

O 8. NAEAC policies and guidelines in dropbox

s 9(2)(a) was concerned that some of the policies and guidelines in dropbox might not be the most recent versions held by MPI. It was agreed that any future amendments to NAEAC policy documents and guidelines be updated on the MPI website first and then sent to C Johnson for upload to dropbox.

O 9. Which AEC should assume the approval role/guidelines for animal use overseas

G Shackell invited M Tingle to provide an update on this agenda item. It was the opinion of M Tingle that the current policy did not clearly articulate the restrictions on RTT involving use of animals as defined under section 82 of the Act. AECs should only be considering applications where the applicant has a relationship with the code holder. It was agreed that the current policy should reference the specific sections of the Act which applied. It was also considered appropriate to ensure this topic was included in the code of ethical conduct template and discussed at the meeting with AEC chairs.

Actions:

M Tingle to update policy to include reference to s82 and animal use overseas.

K Booth to add policy to the code of ethical conduct template.

s 9(2)(a) to add topic to meeting agenda with AEC chairs.

O 10. Update on code of ethical conduct template

K Booth reported that she had sent M Tingle and C Johnson the first draft of the template last year. As discussed at the previous meeting, s 9(2)(a) had an action to send M Tingle the feedback MPI sent to code holders over the previous three years. M Tingle had distilled NAEAC's recommendations from that feedback and sent the information to K Booth to include in her template. K Booth reported she was currently working through the material.

The meeting adjourned at 12.30 pm for lunch and resumed again at 1.00 pm.

C Johnson reported that during the lunch break he had been talking to s 9(2)(a). ANZCCART was interested in engaging with MPI and NAEAC prior to the release of the 2015 animal use statistics so that a response/article could be coordinated for the Science Media Centre.

K Booth asked s 9(2)(a) why a media release was not issued when the statistics were released. s 9(2)(a) reported she was not involved in the decision making process so was unaware of the reason.

O 11. Topic/author for next issue of *Welfare Pulse*

s 9(2)(a) reported that T Burrell had submitted her article for the March 2016 issue of *Welfare Pulse*. A request for an article by s 9(2)(a), winner of the 2015 NAEAC Three Rs award, had also been requested but not received.

O 12. NAEAC occasional paper series

It was noted that B Connor had already agreed to draft the occasional paper on overcoming resistance to changing existing animal models in experimental design. It was generally agreed that a paper on monitoring devices (such as proximity locators and telemetry for example) would be valuable as well. While ample literature was available on the subject, C Johnson reported that there was also a wildlife ecology group at s 9(2)(g)(ii) which could provide information. C Johnson agreed to contact the group on behalf of the committee. Given C Gillies' experience in environmental and conservation management, it was agreed that both he and G Shackell take the lead on this paper.

M Tingle reminded committee members that the paper should also cover remote monitoring.

Actions:

C Johnson to contact wildlife ecology group s 9(2)(g)(ii).

C Gillies and G Shackell to draft occasional paper on monitoring devices.

O 13. NAEAC Three Rs Award for 2016

s 9(2)(a) reported that RNZSPCA had not yet responded to NAEAC's request about sponsorship for the 2016 award. s 9(2)(a) volunteered to send s 9(2)(a), a reminder.

The committee discussed future sponsorship arrangements including the proposal for increased funding which would be sent to the Minister. It was agreed that a proportion of money should go to the institution as well as the applicant. A total prize of \$30,000 was suggested with \$25,000 being awarded to the institution and \$5,000 to the applicant. It was noted that whatever prize pool was agreed to, the amount would need to be sustainable in order to bring about a change in the behaviour of those using animals. G Shackell, C Johnson and L Carlyon agreed to draft a proposal for the Minister.

In addition to drafting the proposal, it was agreed to formally invite the Minister to open the AEC workshop and present the 2016 NAEAC Three Rs award.

Actions:

§ 9(2)(a) to contact § 9(2)(a) about 2016 sponsorship arrangements.

G Shackell/C Johnson/L Carlyon to draft Three Rs award funding proposal for Minister. NAEAC to invite the Minister to open the AEC workshop.

O 14. Identification of topics for mini-tutorials in 2016

Given the committee would be in Hamilton for the May general meeting, G Shackell asked committee members if they would be interested in hearing a mini-tutorial on dairy cattle and/or infrared technologies by relevant researchers based in the area. It was agreed that a mini-tutorial on large animals would be educational so G Shackell volunteered to arrange this.

G Shackell also volunteered to present a mini-tutorial on AECs considering applications involving production animals for the August meeting. G Shackell reported that § 9(2)(a) had presented on the topic of rodeos and circuses at the February NAWAC meeting and suggested this might be of interest to the committee in November.

Action – G Shackell to organise May mini-tutorial in Hamilton.

O 15. Update for Minister for Primary Industries

No items were identified to update the Minister about.

O 16. Update on alternatives to animal-based regulatory testing

K Booth reported she would circulate a link from the European Food Safety Authority (EFSA) on alternative methods for regulatory toxicology testing. It was noted that the European Commission and the National Institutes of Health in the United States have some resources in place for validating alternatives.

Action – K Booth to circulate EFSA newsletter link.

O 17. Update on New Zealand Three Rs Initiatives

§ 9(2)(a) reported that § 9(2)(a) had still not heard back from ANZCCART about getting the Three Rs examples finalised.

O 18. Update on emerging/new technologies

Technologies such as proximity loggers (used to record interactions between animals) and mini-brains (that mimic some of the brain's structures and functionality) were noted.

O 19. MPI summary of CEC approvals, notifications and revocations

The summary of CEC approvals, notifications and revocations were circulated to NAEAC prior to the meeting. § 9(2)(a) reported that an application to use non-human hominids had been received by § 9(2)(g)(ii) and forwarded to § 9(2)(a) for interpretation. § 9(2)(g)(ii)

Section 85(5) of the Animal Welfare Act 1999 specifies that the Director-General cannot approve RTT involving the use of a non-human hominid unless he is satisfied that the use of the non-human hominid is in the best interests of that animal or in the interests of the species to which the non-human hominid belongs and that the benefits to be derived are not outweighed by the likely harm to the animal.

Because the research was not going to assist the orangutans or their species the application was not submitted to NAEAC and the Director-General for approval.

O 20. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 21. Committee members' reports on recent presentations and attendance at conferences

C Gillies reported he had attended wetland restoration and lure symposiums.

O 22. Email from the University of Auckland

G Shackell reported that s 9(2)(a) had forwarded an email to him from s 9(2)(g)(ii) regarding a particular research proposal. While the project as described (software development) did not require AEC approval, G Shackell was of the opinion that an animal ethics component in the end suite of tools was necessary.

It was agreed to add a new standing agenda item to future meetings called 'correspondence'.

Action – s 9(2)(a) to add 'correspondence' as a standing agenda item to future agendas.

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no other items of business for discussion under Part One of the agenda it was moved (G Shackell/G Nind):

A. That the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes*
- C 2. Action list review*
- C 3. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999*
- C 4. Meeting with AEC chairs*
- C 5. Feedback from accredited reviewers teleconference*
- C 6. 2015 NAEAC annual report*
- C 7. Discussion of arrangements for 2016 site visit*
- C 8. Discussion of arrangements for 2016 AEC workshop*
- C 9. MPI update*
- C 10. Remote monitoring of traps*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

<i>General subject of each matter to be considered</i>		<i>Reason for passing this resolution in relation to each matter</i>	<i>Ground(s) under section 48(1) for the passing of this resolution</i>
C 1.	<i>Confirmation of previous minutes.</i>	<i>To protect the privacy of natural persons.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).</i>
C 2.	<i>Action list review.</i>	<i>As above.</i>	<i>As above.</i>
C 3.	<i>Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999.</i>	<i>To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.</i>
C 4.	<i>Meeting with AEC chairs.</i>	<i>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.</i>
C 5.	<i>Feedback from accredited reviewers teleconference.</i>	<i>To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.</i>
C 6.	<i>2015 NAEAC annual report.</i>	<i>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.</i>
C 7.	<i>Discussion of arrangements for 2016 site visit.</i>	<i>To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.</i>

	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 8.	Discussion of arrangements for 2016 AEC workshop.	As above.	As above.
C 9.	MPI update.	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.
C 10.	Remote monitoring of traps	As above.	As above.

B: That s 9(2)(a) (Secretary), and s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

PART TWO (PUBLIC EXCLUDED AGENDA)

C 1. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 17 November 2015 were reviewed. s 9(2)(a) reported that she had come across some typographical errors in the minutes after she had distributed them to the committee. These had been amended before the minutes were sent to the Minister's office.

Moved (G Shackell/M Tingle):

That the amended draft minutes of the quarterly general meeting held on 17 November 2015 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Blood harvesting guidelines (action 10): The committee discussed whether the MPI publication *Guidelines for the welfare of livestock from which blood is harvested for commercial and research purposes* should be developed into an occasional paper. The committee asked s 9(2)(a) to discuss this issue with s 9(2)(a) and s 9(2)(a)

Attendance at s 9(2)(b)(ii) AEC meeting (action 12): M Tingle reported that he had attended a s 9(2)(b)(ii) AEC meeting in November last year. The chairperson had been very open and frank with M Tingle about the work being undertaken by the company. However, the SPCA nominee on the s 9(2)(b)(ii) AEC had confided in M Tingle that she had struggled with input on the committee. That situation was now much improved due to the fact that s 9(2)(b)(ii) code of ethical conduct had been revoked in December 2015.

The SPCA nominee in question was now a member of the s 9(2)(b)(ii) AEC, which was being chaired by a different person.

Facilitate AEC meeting for new committee members (action 19): L Carlyon reported that she attended a meeting at s 9(2)(b)(ii) on 17 December 2015. Of note was the difficulty AECs faced to find statutory external members. The committee considered whether they should be providing feedback to code holders on this issue.

Action - s 9(2)(a) to talk to s 9(2)(a) and s 9(2)(a) about blood harvesting guidelines.

C 3. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999

As noted earlier, consultation on the amendments to the Animal Welfare (Regulations and Statistics) Regulations 1999 would occur in November.

C 4. Meeting with AEC chairs

It was agreed to discuss arrangements for this meeting at the end of the general meeting.

C 5. Feedback from accredited reviewers teleconference

Summary notes from the accredited reviewers teleconference (held the previous week) were circulated prior to the meeting. G Shackell reported that most of the agenda was driven by s 9(2)(a), who had completed his first review in 2015.

There was some discussion as to whether reviewers should be concerned with staff safety in relation to matters such as disposal of contaminated waste, for example. It was generally agreed that reviewers had no reason to become involved in Health and Safety in Employment legislation. There was also some discussion about whether reviewers should be providing comment on what they considered to be poor AEC decision making. One reviewer considered it was appropriate and in the purview of the reviewer to provide advice on such matters, if considered necessary. During the teleconference, s 9(2)(a) had reported that under section 106 of the Animal Welfare Act, reviewers were not entitled to criticise an AEC except on issues of non-compliance or poor process.

C 6. 2015 NAEAC annual report

The committee discussed the format of the 2015 NAEAC annual report. It was generally agreed that a short, succinct report which followed the committee's statutory functions, should be drafted. G Shackell volunteered to draft the report.

Action – G Shackell to draft NAEAC annual report.

C 7. Discussion of arrangements for 2016 site visit

G Shackell reported that he had contacted s 9(2)(g)(ii) about NAEAC's proposed visit on 19 May. The AEC was happy to host NAEAC. Given that s 9(2)(g)(ii) parented approximately 20 other organisations G Shackell asked committee members if they would like to visit some of these institutions. Committee members were generally agreed that this would be good idea. K Booth reminded everyone though that one of their statutory functions was to provide information and advice to AECs so it would be disappointing not to engage with or visit some of the other AECs in the area as well. It was generally agreed that visiting a variety of both small and large animal facilities would be educational for the committee.

Action – s 9(2)(a) and G Shackell to organise May site visit.

C 8. Discussion of arrangements for 2016 AEC workshop

G Shackell led a brain-storming session on topics which should be incorporated into the November AEC workshop programme. Various suggestions for topics and speakers were discussed including the following for the morning session:

- Opening address and presentation of the Three Rs award (Minister, Hon Nathan Guy);
- Amendment to the Animal Welfare (Records and Statistics) Regulations 1999 s 9(2)(a) MPI);
- Assessing cost benefit (s 9(2)(a) MPI);
- Use of non-mammalian species – fish (s 9(2)(a)).

For the afternoon session the following topics were proposed:

- Euthanasia and methods of euthanasia (C Johnson, NAEAC)
- Telemetry;
- Parenting and monitoring;
- AEC networking opportunities;
- Compassion fatigue (s 9(2)(a));
- Presentation by Hans Kriek from Save Animals From Exploitation (SAFE);
- Bioethics (s 9(2)(a) and s 9(2)(a));
- 30 minute open session for pre-selected questions at the end of the day.

The committee discussed the email from s 9(2)(a), an AEC member, suggesting that NAEAC run a session on s 9(2)(a) 5 Domain Model (nutrition, environment, health, behaviour and mental state) at the next AEC workshop. s 9(2)(a) had concerns that AECs were not considering the cumulative effects of the manipulations they were approving. M Tingle noted that s 9(2)(a) had presented on this very topic at the previous AEC workshop and s 9(2)(a) had been in attendance. M Tingle was of the opinion that grading the cumulative effects of manipulations was not something that could be taught, but was a skill that could be learnt by observation over time. The committee discussed whether they should publish an occasional paper on the 5 Domains. It was decided instead to direct s 9(2)(a) to a review of the 5 Domains which was already publically available. G Shackell and M Tingle agreed to draft a response back to s 9(2)(a). G Shackell also agreed to mention this issue in the next AEC newsletter.

K Booth suggested that presentation of the Three Rs award, and other notable talks could be live-streamed to a wider audience. The committee was generally supportive of this proposal.

G Shackell asked s 9(2)(a) to draft a programme based on the committee's discussion in the next week so it could be circulated to committee members for comment.

Actions:

G Shackell and M Tingle to draft response to s 9(2)(a)

G Shackell to include topic of grading manipulations in next AEC newsletter.

s 9(2)(a) to draft programme based on discussion and circulate to committee members.

C 9. MPI update

The MPI update circulated prior to the meeting was noted.

C 10. Remote monitoring

It was recalled that the issue of remote monitoring live traps was discussed at the previous general meeting. G Shackell reported that he and John Hellström, chair of NAWAC were to draft a letter to s 9(2)(g)(ii) about their obligations under current animal welfare legislation.

There being no further items of business to discuss, the Chair thanked committee members for their attendance and declared the meeting closed at 4 pm.

G Shackell invited members of the regulations subcommittee to stay behind in order to discuss a possible meeting date with AEC members. Friday, 19 August 2016 was the date agreed upon. The meeting would commence at 11.00 am and conclude at 3.00 pm.

Action – NAEAC to write to code holders inviting them to send a representative to Wellington to discuss amendments to the Animal Welfare Act 1999.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



National Animal Ethics Advisory Committee

General Meeting

Friday, 20 May 2016
8.30am – 3.30pm

Ibis Tainui Hamilton
Huia Room
18 Alma Street

MINUTES

Present: Grant Shackell (Chairperson), Terry Burrell, Craig Johnson, Karen Booth, Malcolm Tingle, Bronwen Connor, Leasa Carlyon, and Craig Gillies.

In Attendance: s 9(2)(a) (Secretary); s 9(2)(a) (Principal Adviser, Animal Welfare); s 9(2) (Policy Analyst, Regulatory Reform and Animal Welfare Policy); and s 9(2)(a) for agenda item O3 at 11.00 am.

Apologies: Graeme Nind.

G Shackell opened the meeting at 8.30 am and welcomed attendees including s 9(2)(a)

Any Other Business Part One (Public Excluded Agenda)

No other items of business were identified for discussion under Part One of the agenda.

Any Other Business Part Two (Open to the Public)

No other items of business were identified for discussion under Part Two of the agenda.

PART ONE

(PUBLIC EXCLUDED AGENDA)

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no further introductory items of business to discuss, it was moved (G Shackell/C Johnson):

- A. That the public be excluded from the following parts of the proceedings of this meeting, namely:
- C 1. Confirmation of previous minutes
 - C 2. Action list review
 - C 3. Discussion/feedback from Hamilton site visits
 - C 4. s 9(2)(b)(ii) code of ethical conduct
 - C 5. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999 including meeting with AEC Chairs
 - C 6. NAEAC annual report for 2015
 - C 7. Discussion of arrangements for 2016 AEC workshop
 - C 8. MPI update

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes.	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review.	As above.	As above.
C 3.	Discussion/feedback from Hamilton site visits.	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 4. s 9(2)(b)(ii) code of ethical conduct.	<p>To protect information where making the information available would be likely unreasonably to prejudice the commercial position of the person who supplied or who is the subject of the information; and/or</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(b)(ii) and/or 9(2)(g)(ii) of the Official Information Act 1982.
C 5. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999 including meeting with AEC Chairs.	<p>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or:</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.
C 6. 2015 NAEAC annual report.	As above.	As above.
C 7. Discussion of arrangements for 2016 AEC workshop.	<p>To protect the privacy of natural persons; and/or:</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 8. MPI update.	<p>To protect the privacy of natural persons; and/or:</p> <p>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.

B: That s 9(2)(a) (Secretary), s 9(2)(a) (Principal Adviser, Animal Welfare) and s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

C 1. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 18 February 2016 were reviewed. s 9(2)(a) reported that her name had been misspelt on page 11. s 9(2)(a) agreed to correct the error.

Moved (G Shackell/M Tingle):

That the draft minutes of the quarterly general meeting held on 18 February 2016 be adopted as a true and accurate record of that meeting subject to the typographical error identified above being corrected.

The motion was put: carried.

Action – s 9(2)(a) to amend February 2016 meeting minutes.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Write issues paper on birds wearing transmitters (action 9) – C Johnson reported that he had identified a s 9(2)(g)(ii) AEC member s 9(2)(a) who would be willing to draft the first version of the paper on monitoring devices before sending it to NAEAC member C Gillies for feedback. It was noted that while transmitters were mostly attached to birds, other animals such as mice, deer and bats were also fitted with such devices.

Remote monitoring of traps (action 14) – G Shackell reported that the Ministry for Primary Industries (MPI) had changed its view on remote monitoring of live traps. Previously, inspection had been interpreted as requiring a human visit to the trap. MPI now considered that remote monitoring can be classed as 'inspection'. The National Animal Welfare Advisory Committee (NAWAC) was of the opinion that if a remote monitoring trap was triggered or went off line, the default setting would be that the trap be physically inspected. This was unlikely to cause logistical problems because it would be very unlikely for the whole network to go down and also trapping would only be occurring in low density possum populations. If remote monitoring of live traps was being used for research, testing or teaching (RTT) it was suggested that the animal ethics committee (AEC) approving the work would have contingency plans in place in case of natural disasters.

Write to code holders (action 35) – G Shackell reported that the letter to code holders and AECs, about a meeting to discuss RTT regulations, was ready for distribution.

C 3. Discussion/feedback from Hamilton site visits

G Shackell invited committee members to comment on the site visits held the previous day.

L Carlyon reported that at the AEC function held the previous evening, a comment had been made about medical clinicians not being able to access analgesic drugs for animal surgery without having to go through a veterinarian first. K Booth reported that restricted veterinary medicines could be accessed by an organisation either by having a veterinarian on staff with an annual practising certificate or by having an operating plan for restricted veterinary medicines approved by the Agricultural Compounds

and Veterinary Medicines Group at MPI. The argument appeared to be that if medical clinicians could prescribe and administer drugs to human patients they should be able to do the same to animals. This however, was not the case.

M Tingle made the observation that there were a lot of different groups and individuals working at s 9(2)(g)(ii). The importance of knowing which AEC people were operating under was noted.

M Tingle and B Connor reported that the facilities at s 9(2)(g)(ii) classified as Physical Containment Level 2 (PC2), were not the same as the PC2 facilities at s 9(2)(g)(ii) in regards to access, dress code and hygiene. M Tingle also questioned whether the room in which a rat surgery was being conducted, was in line with PC1 standards.

B Connor made an observation on the number of rodents housed singly over a long period of time. It was noted that for rodents, contact with other members of the same species was important for animal welfare. The group cage at s 9(2)(g)(ii) which included enrichment was noted as a good addition. In comparison, the rat housed singly at s 9(2)(g)(ii) due to its aggressive nature, would at least have daily contact with students.

The committee was impressed with the post-approval monitoring being performed at s 9(2)(a)(ii).

Action – s 9(2)(a) to write thank you letters to host organisations.

C 4. s 9(2)(g)(ii) code of ethical conduct

G Shackell invited C Johnson to lead the discussion of this code. Committee members reviewed the draft code of ethical conduct for s 9(2)(g)(ii) page by page. The following points were noted for clarification/amendment (adopting the references in the code):

Part 2a: As there are provisions later in the code about possible teleconferences, this section should specify that this meeting must be face to face.

Part 2c: It was suggested that the quorum should be greater than half the members (including at least two of the external statutory members).

Part 2d: NAEAC's preference was for decision-making by consensus rather than majority in this section.

Part 2i: Reference to severity scale should be amended to impact scale in this section. It was agreed that the phrase 'as required' could be deleted.

Part 2j: 'Severity' should be changed to 'impact'.

Part 2l: NAEAC was interested in when and how teleconferencing would occur. It was agreed that NAEAC's guidance on teleconferencing, be referenced in this section.

Part 2m and n: NAEAC was concerned with the wording relating to temporary consent. It was agreed that section *m* should be amended to specify that temporary consents will only be used in cases of

urgency and that section *n* should state that the temporary consent will be brought before a full committee within two weeks.

Part 3g: It was agreed that 'promptly' be added to the end of this section.

Part 3i: In the third sentence add 'as' after 'AEC'.

Part 4d: The word 're-approval' should be changed to 'consideration' as otherwise this could be interpreted as a rubber stamping exercise.

Part 4e: The word 'proposed' should be added to the beginning of this section.

Part 5d: It was suggested that the second sentence be amended to require the information to be supplied to the AEC within one month after the completion of the project.

Moved (C Johnson/L Carlyon):

That the s 9(2)(b)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999 subject to the matters identified by NAEAC being addressed.

The motion was put: carried.

Action: s 9(2)(a) to write and advise s 9(2)(b)(ii) accordingly.

C 6. NAEAC annual report for 2015

A draft copy of the 2015 annual report, prepared by former NAEAC chair, s 9(2)(a), was circulated prior to the meeting. s 9(2)(a) reported that she had gone back to s 9(2)(a) and suggested that the report specify which committee members had replaced those whose terms had expired at the end of October 2015. G Shackell invited committee members to comment on the draft report. There were no further amendments.

Moved (T Burrell/B Connor):

That the draft annual report prepared by s 9(2)(a) be received and adopted as NAEAC's annual report for 2015.

The motion was put: carried.

Action: s 9(2)(a) to arrange publication of NAEAC's annual report.

C 5. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999 including meeting with AEC Chairs.

s 9(2)(a) provided an update on the animal welfare regulations. Public consultation on the care and conduct; painful and surgical procedures; and live animal export regulations closed on 19 May 2016.

Approximately 800–900 submissions had been received. It was anticipated that work would now resume on the RTT regulations with public consultation expected in November.

C 8. MPI update

The MPI update circulated prior to the meeting was noted. s 9(2)(a) highlighted two particular items in the update – the animal welfare team restructure and the inclusion of the late Dr David Bayvel's name in the title of the New Zealand-Australia OIE Collaborating Centre for Animal Welfare.

C 7. Discussion of arrangements for 2016 AEC workshop

A draft programme for the 2016 workshop had been circulated by email after the February general meeting. That programme had been amended after feedback from committee members and circulated again prior to the May meeting. The committee reviewed the draft programme and the following comments/suggestions were noted:

- Hon Nathan Guy still had to be officially invited to open the workshop. If the Minister was unable to attend an alternative guest would need to be identified.
- M Tingle confirmed that s 9(2)(a) had agreed to talk about a non-mammalian species used in RTT.
- It was agreed to hold the same two workshops twice. The topics would be: *assessing impact grade*; and *euthanasia techniques*. It was agreed to ask s 9(2)(a) to run the workshop on assessing impact grade. C Johnson would run the workshop on euthanasia techniques. Workshop attendees would be asked to send in questions relating to these topics so that they could be discussed in groups on the day.
- s 9(2)(a) agreed to contact Ric Odom to see if he was available to present on the topic of compassion fatigue.
- B Connor agreed to talk about animal use in the neurodegenerative field.
- G Shackell agreed to find a speaker to talk about bioethics.
- The panel discussion at the end of the day would focus on AEC networking.

Actions:

s 9(2)(a) to invite Minister to open the workshop.

G Shackell to invite s 9(2)(a) to run a workshop.

s 9(2)(a) to invite s 9(2)(a) to present at the workshop.

G Shackell to arrange for speaker to talk about bioethics.

PART TWO (OPEN TO THE PUBLIC)

O 3. Mini-tutorial - Welfare Considerations for Large Animal Transgenic Pregnancy

G Shackell welcomed s 9(2)(a) to the meeting at 11.00 am to provide a mini-tutorial titled: *Care of transgenic large animals – a veterinary and animal welfare officer perspective.* s 9(2)(a)

Care is required during the various stages of transgenic animal development including embryo, foetus, parturition, growing, maturity and old age. Special considerations must also be recognised. These animals are being bred for research purposes so Part 6 of the Animal Welfare Act including the application of the Three Rs apply. When transgenic animals are developed to produce particular genotypes and phenotypes unexpected outcomes can eventuate. If animals are compromised in any way, they must not be allowed to suffer. Public perception of the production of transgenic animals can be negative.

§ 9(2)(a), § 9(2)(g)(ii)

To obtain a foetus for making cell lines, a 45 day old foetus is removed from a pregnant doe via ventral laparotomy surgery. Eggs are harvested from donor goats and are used to create transgenic embryos (using cells from the foetus). § 9(2)(a), § 9(2)(b)(i)

When the kids are born they are sampled to determine whether or not they are transgenic. In order to obtain a milk sample the young kids are treated with hormones to induce lactation.

§ 9(2)(a), § 9(2)(b)(i)

§ 9(2)(a), § 9(2)(b)(i)

§ 9(2)(a), § 9(2)(b)(i)

§ 9(2)(a), § 9(2)(b)(i)

While veterinary care is straight forward one gets to see syndromes which are not usually seen in commercial medicine. In addition to this, the animal welfare officer decisions are challenging.

On behalf of the committee, G Shackell thanked § 9(2)(a) for her interesting and valuable presentation.

The meeting adjourned for lunch at 12.00 pm and resumed again at 12.40 pm.

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress with the actions in the operational plan. The following comments were noted:

To provide advice to AECs and code holders: G Shackell reported it was his intention to draft a newsletter to AECs after each general meeting.

It was agreed that the action requiring examination of international best practice documents on animal welfare in RTT should be ongoing and based on information when, and if, it becomes available.

To promote good practice in RTT using animals: In respect to the action regarding liaising with the ACVM group at MPI, K Booth reported that s 9(2)(a) had had concerns regarding the use of animals for generating data for the registration of veterinary medicines. MPI were aware of NAEAC's concerns. If there were to be any changes to information requirements for registration of veterinary medicines, MPI would consult with the public on them.

To enhance the functioning of NAEAC: G Shackell reported that there was nothing of immediate concern to NAEAC which came out of his regular meeting with MPI officials. At the meeting, s 9(2)(a) (Manager, Animal Welfare) had reported on the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART's) interest in establishing a New Zealand Concordat on animal use in RTT. A comment regarding a question as to whether Part 6 of the Animal Welfare Act should eventually become a stand-alone piece of legislation was noted.

O 4. Review of draft internal performance questions

G Shackell referred committee members to the draft internal performance questionnaire which had been circulated prior to the meeting. It was noted that M Tingle had wanted a question about timeliness of responses by NAEAC included in the questionnaire. Committee members supported the amendment. There were no further comments or suggestions for additional questions.

Action – s 9(2)(a) to amend internal performance questionnaire.

O 2. NAEAC content on MPI website

There were no particular matters to report in relation to NAEAC content on the MPI website.

The committee briefly started a discussion about the code writing guidelines. It was agreed that code holders should be advised about the policy decisions informing changes to codes of ethical conduct at the time they arise not when they were applying for a new code. It was agreed that the informal list of NAEAC policies which came up in previous code reviews be formalised. G Shackell suggested that he, s 9(2)(a) consider how best to achieve this.

Action – G Shackell, s 9(2)(a) to consider how to formalise NAEAC's policies relating to codes of ethical conduct.

O 5. Review of AEC induction pack

A copy of the current AEC induction pack was circulated prior to the meeting. The committee reviewed its content. There were no amendments. However, it was agreed that links to the NAEAC publications be added to the NAEAC wiki page.

Action – G Shackell to add links to NAEAC publications on NAEAC wiki page.

O 6. Analgesic best practice

C Johnson reported that no recent progress had been made on this agenda item. C Johnson agreed to provide an update on this action at the next meeting.

O 7. Feedback from survey of AEC members

The survey had been circulated to AECs on 22 April 2015 and feedback sought by 13 May 2016. G Shackell reported that in total 44 responses had been received – 39 electronically and 5 in hardcopy. This was not a huge response given that there were 30 AECs in the country. While a couple of individuals had rated NAEAC's advice as poor, most people were relatively happy with the service provided to them by NAEAC.

It was agreed that a summary of the feedback should be made available on the MPI website. There was some discussion about how frequently a survey of AECs should be carried out. It was generally agreed that the survey should be conducted annually in March each year and that the information obtained would be useful to feed into the biennial AEC workshops.

Actions:

G Shackell to summarise findings from survey of AEC members.

s 9(2)(a) to arrange for survey results to go on the MPI website.

O 8. Approval of amended policy *Which AEC should assume the approval role*

It was noted that M Tingle had amended the above named policy to include specific reference to section 82 of the Act. The policy had also been expanded to include consideration of RTT undertaken beyond New Zealand jurisdiction. The committee reviewed the amended policy. There were no further comments.

Moved (M Tingle/B Connor):

That the agreed amendments to the updated policy are made and adopted.

The motion was put: carried.

Action – s 9(2)(a) to update policy and arrange for amended policy to go on the MPI website.

O 9. Discussion on draft code of ethical conduct template

K Booth reported that three documents had been circulated prior to the meeting. These included: the current code writing guidelines; the draft template and the new draft guidelines. Only comments from M Tingle had been received to date.

K Booth's approach to the work had been to incorporate historical material with new guidance which had come about from reviewing codes of ethical conduct over the last three years. Specific headings had been included in the draft guidelines as well as links to NAEAC's policies so that code holders had

flexibility about content when drafting their codes. It was noted that the relevant sections of the Act had been included under the heading topics in the draft guide.

K Booth asked those committee members who had not already provided feedback, to do so within the next two weeks.

On behalf of the committee, G Shackell thanked K Booth for her work on this project to date.

Action – Committee members to provide feedback to K Booth within two weeks.

O 10. Topic/author for next issue of *Welfare Pulse*

s 9(2)(a) reported that T Burrell had submitted her article for the next issue of *Welfare Pulse*. A request for an article by s 9(2)(a), winner of the 2015 NAEAC Three Rs award, had also been requested but not received. It was noted that s 9(2)(a) was now coordinating the magazine on behalf of MPI's animal welfare team.

O 11. NAEAC occasional paper series

B Connor reported that work on her occasional paper about overcoming resistance to changing existing animal models in experimental design, had not yet started.

It was noted that when G Shackell replied to s 9(2)(a) email regarding the 5 domains, the intention of drafting an occasional paper on grading of manipulations was tabled. s 9(2)(a) had been asked whether she wanted to be involved in the work, but to date, a response from her had not been received. It was agreed therefore, to put this particular occasional paper on hold.

O 12. NAEAC Three Rs Award for 2016

s 9(2)(a) reported that the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA) had agreed to sponsor the award again in 2016. s 9(2)(a) had circulated the email from Ric Odom, CEO, to committee members for their information. The call for nominations had been highlighted in the AEC newsletter; circulated separately to AECs and parented organisations via email; and advertised in *Science Alert*. To date, two application forms had been distributed, but no applications/nominations received.

In regards to seeking increased funding for the award from the Minister for Primary Industries, it was agreed that, if successful, prize money should be allocated not only the individual but also to the institution the individual worked for. A monetary split of \$5,000 to the individual and \$20,000 to the institution was preferred. C Johnson agreed to circulate a draft proposal for increased funding to committee members within two weeks.

Action – C Johnson to draft Three Rs award funding proposal.

O 13. Update for Minister for Primary Industries

No items were identified to update the Minister about.

O 14. Update on alternatives to animal-based regulatory testing

K Booth reported there was no update to provide under this agenda item.

O 15. Update on New Zealand Three Rs Initiatives

It was noted that s 9(2)(a) had sent NAEAC draft copies of the first two 'Engaging Three Rs' booklets ANZCCART had produced with designers.

T Burrell reported that the booklets, if all available in time, could be launched at the National Biology conference in Waikato next year.

O 16. Update on emerging/new technologies

No items were identified for discussion under this agenda item.

O 17. MPI summary of CEC approvals, notifications and revocations

s 9(2)(a) reported that two new arrangements had been notified to MPI to use s 9(2)(g)(ii) code of ethical conduct. s 9(2)(g)(ii) had made a minor amendment to their code and one code transfer had occurred due to s 9(2)(g)(ii) merging with s 9(2)(g)(ii) and changing its name to s 9(2)(g)(ii)

G Shackell expressed concern over the number of organisation's using s 9(2)(g)(ii) code of ethical conduct and the difficulties that the organisation may have adequately delivering its responsibilities under the Act.

O 18. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 19. Committee members' reports on recent presentations and attendance at conferences

G Shackell reported he had attended the Animal Behaviour and Welfare Consultative Committee meeting in March, as NAEAC chair; a meeting with senior MPI officials the day of NAWAC's general meeting; and had made a presentation about our relationship with animals to his local branch of the University of the Third Age.

C Gillies reported he had attended a kiwi recovery conference which had included a session on kiwi advocacy activity. A question was raised about the ethics of securing sponsorship money by having kiwis, which are nocturnal animals, handled and patted by people. C Gillies also attended a meeting relating to birds and transmitters. Transmitters attached to some species of birds can actually cause them to abandon their eggs and chicks because they do not like being handled.

O 20. NAEAC correspondence

The following items of correspondence were noted:

- Outgoing letter to s 9(2)(a)
- Email from s 9(2)(b)(ii) asking NAEAC how effective the incorporation of the principle of 'replacement' in Part 6 of the Animal Welfare Act has been in reducing the amount of RTT carried out in New Zealand with the use of animals.
- In-coming letter from ANZCCART about the establishment of a New Zealand Concordat. It was noted that NAEAC had not yet officially replied to ANZCCART's letter so G Shackell agreed to draft a reply. It was noted that similar letters had also gone to MPI, the Ministry of Business, Innovation and Employment (MBIE) and Universities New Zealand. While MPI and MBIE were generally supportive of the initiative, Universities New Zealand was not. It was also noted that a working group comprising two members of ANZCCART, G Shackell and s 9(2)(a) is to be convened to further investigate whether the proposal was firstly appropriate and secondly, whether it could be implemented.

Recent media attention relating to s 9(2)(g)(ii) plans to build a new animal facility had generated some interest in RTT in New Zealand. G Shackell and s 9(2)(a) had worked with MPI Communications to provide some information relating to the regulatory system governing live animal use in RTT for a reporter.

Action – G Shackell to draft a reply to ANZCCART on its proposal for a New Zealand concordat.

There being no further items of business, the Chair thanked committee members for their attendance and declared the meeting closed at 2.40 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



National Animal Ethics Advisory Committee

General Meeting

Thursday, 18 August 2016
9.30am – 4.30pm

The Terrace Conference Centre
Room: Terrace 1
114 The Terrace
Wellington

MINUTES

Present: Grant Shackell (Chairperson), Terry Burrell, Craig Johnson, Karen Booth, Malcolm Tingle, Bronwen Connor, Leasa Carlyon, and Craig Gillies.

In Attendance: s 9(2)(a) (Secretary); s 9(2)(a) (Senior Adviser, Animal Welfare); s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy);

Apologies: Graeme Nind for absence and C Gillies for lateness due to his flight being delayed.

G Shackell opened the meeting at 9.38 am and welcomed attendees including s 9(2)(a). It was noted that the term of appointment for G Nind and K Booth would cease on 31 October 2016.

Any Other Business Part One (Public Excluded Agenda)

s 9(2)(a) reported she had a matter to discuss with committee members (an application for a code of ethical conduct) under Part One of the agenda.

Any Other Business Part Two (Open to the Public)

No other items of business were identified for discussion under Part Two of the agenda.

**PART ONE
(PUBLIC EXCLUDED AGENDA)**

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC
Section 48, Local Government Official Information and Meetings Act 1987

There being no further introductory items of business to discuss, it was moved (G Shackell/L Carlyon):

A. That the public be excluded from the following parts of the proceedings of this meeting, namely:

- C 1. Confirmation of previous minutes
- C 2. Action list review
- C 3. Discussion/feedback from meeting with AEC chairs
- C 4. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999
- C 5. Discussion of arrangements for 2016 AEC workshop
- C 6. MPI update
- C 7. Code of ethical conduct application

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1.	Confirmation of previous minutes.	To protect the privacy of natural persons.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the Official Information Act 1982 (OIA).
C 2.	Action list review.	As above.	As above.
C 3.	Discussion/feedback from meeting with AEC chairs.	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.
C 4.	Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999.	To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.

General subject of each matter to be considered		Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 5.	Discussion of arrangements for 2016 AEC workshop.	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 6.	MPI update.	To protect the privacy of natural persons; and/or: To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.
C 7.	Code of ethical conduct application.	To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.

B: That s 9(2)(a) (Secretary), s 9(2)(a) (Senior Adviser, Animal Welfare) and s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

C 1. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 20 May 2016 were reviewed. There were no amendments.

Moved (M Tingle/B Connor):

That the draft minutes of the quarterly general meeting held on 20 May 2016 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 2. Action list review

The committee reviewed progress with the various items on the list of actions agreed at previous meetings. The following updates were provided:

Circulate paper on sham surgery (action 5): C Johnson emailed the author of the paper about its availability during the meeting and later reported he had received the paper and had circulated it to committee members by email.

Draft Three Rs award funding proposal for Minister (action 14): The proposal had been drafted and sent to the Minister's office in July. The committee was now waiting for a response.

2016 AEC workshop (action 25): s 9(2)(a) was unable to present at the workshop, but s 9(2)(a) had agreed to speak in his place.

It was noted that there was an item called 'Animal Welfare Act 1999 review' on the agenda for the following day's meeting with the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART). G Shackell suspected it may have something to do with ANZCCART's views about Part 6 of the Act becoming a separate piece of legislation.

C 3. Discussion/feedback from meeting with animal ethics committee (AEC) chairs

A summary of the meeting held with AEC chairs at the end of July was circulated to committee members prior to the meeting. G Shackell reported that the meeting had gone well and that he had received some positive feedback from attendees. It was noted that MPI Policy had not appreciated the diversity of work that was considered by AECs.

AEC chairs were generally supportive of participating in an informal network group. G Shackell had suggested that on the years where an AEC workshop was not held, NAEAC could facilitate a face-to-face meeting with the chairs.

It was noted that the 2018 animal use statistics which would be reported in 2019 would be significantly higher than in previous years due to amendments to the Animal Welfare Act and Animal Welfare (Records and Statistics) Regulations. The committee discussed the value of educating people about the different ways animals are used including ways other than for research, testing and teaching (RTT).

There was discussion on animal use overseas and the United Kingdom's (UK's) Concordat on greater openness about animal research. G Shackell asked C Johnson for his opinion on whether establishing a New Zealand Concordat was feasible. C Johnson reported that it could be achieved and would provide an opportunity for animal welfare lay people and researchers to come together without having to do too much work. It was noted that s 9(2)(g)(ii) would be more amenable to a New Zealand Concordat than other universities because it already had a strong international focus on animal welfare through its s 9(2)(g)(ii).

The issue of survival surgeries (for students to practice surgical techniques) was discussed. It was believed that animals used for such surgeries were eventually euthanased.

The issue of whether AECs should be educating the public about humane euthanasia techniques was discussed. Other topics included: variability between AECs, students losing their supervisors, lay summaries and training. In regards to New Zealand Veterinary Association training for veterinarians on AECs, C Johnson reported that he had made a request to undertake the training so he could ascertain what information was included in the module.

C 4. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999

s 9(2)(a) provided an update on the animal welfare regulations. It was anticipated that consultation on the RTT proposals would occur in November this year. The regulations would be in place by mid-2017, coming into force on 1 January 2018.

The current workload of the MPI Policy team (due to work on animal welfare regulations) was noted.

C Johnson reported that an MPI approved research project looking at bobby calf welfare was still in progress despite young calf regulations already being issued. The results of the research might, in due course, have implications for the regulations.

C 5. Discussion of arrangements for 2016 AEC workshop

An amended draft programme for the 2016 workshop had been circulated prior to the meeting. The following updates were provided:

s 9(2)(a) reported she had contacted the Minister's office earlier in the week to ascertain if he was available to attend, but had still not had a response. G Shackell agreed to write to the Minister again. In case the Minister was unable to attend, the committee discussed other possible candidates who might be willing to open the workshop. Names that were put forward included s 9(2)(a) and s 9(2)(a). It was generally agreed that s 9(2)(a) would make an ideal candidate to open the workshop if the Minister was unable to. (

If the Three Rs award was not presented at the workshop, the five-minute time slot would be extended to the presenter opening the workshop.

It was agreed to make s 9(2)(a) presentation on ethical decision making the first key note address. The session on animal welfare regulations would be held in the afternoon. The afternoon presenters who had been allocated a 30-minute time slot would be asked to speak for 20 minutes so that 10 minutes would be available at the end of their talks for questions. It was agreed that the panel for the last discussion session would comprise members of the committee.

Actions:

G Shackell to write to the Minister about opening the workshop.

s 9(2)(a) to finalise times and presentation details with speakers.

s 9(2)(a) to finalise workshop programme.

s 9(2)(a) to send workshop programme and letter of invitation to AECs.

C 6. MPI update

The MPI update circulated prior to the meeting was noted. s 9(2)(a) highlighted the staffing changes relating to the Regulation and Assurance Branch, the Animal and Animal Products Directorate, and the Animal Welfare team.

In regards to the update on animal welfare regulations, M Tingle asked why a regulation was made to specifically ban the transport of bobby calves over the Cook Strait instead of restricting all travel by

sea. s 9(2)(a) reported that young calves may struggle to tolerate a Cook Strait sea crossing. Because this journey was no longer common, prohibiting it would ensure that the practice did not resume.

It was noted that the definition of a 'young calf' was an animal that was 14 days old or younger that had been separated from its mother.

s 9(2)(a) reported that MPI was awaiting advice from the Minister about progressing the remainder of the regulations as a full package by the end of next year.

Any Other Business Part One (Public Excluded Agenda)

C 7. s 9(2)(g)(ii) code of ethical conduct

s 9(2)(a) reported that the s 9(2)(g)(ii) was in the process of becoming a private training establishment and wanted a code of ethical conduct to cover their training. While a code had been submitted to MPI two days earlier, it had not included the mandatory application form. s 9(2)(a) had since requested the missing documentation but it had been too late to get the paper work to NAEAC before the August meeting. After speaking to a representative from the s 9(2) it was agreed that the code would be considered at NAEAC's November general meeting. s 9(2)(a)(ii) noted that according to the Act, if a decision was not made on a code within 40 working days of it being received, it is simply not approved.

M Tingle raised a concern about the s 9(2)(g)(ii). While the concern was acknowledged, it was noted that under the Act, the person nominated by an approved organisation was not allowed to be in the employ of, or otherwise associated with the code holder or a person involved in the use of animals for RTT.

PART TWO (OPEN TO THE PUBLIC)

O 3. Mini-tutorial: *Production animals - what challenges might an AEC face?*

It was agreed to move the mini-tutorial item forward in the agenda so that the presentation could be made ahead of the lunch break. G Shackell's presentation covered production animals and the challenges faced by AECs considering applications to use those animals for the purposes of RTT.

Domestication of animals allowed humans to use them for a variety of different purposes. Production animal numbers in New Zealand included: 3,400,000 beef cattle; 6,500,000 dairy cattle; 900,000 deer; 21,900,000 sheep and 75,000 goats. New Zealand's economy relies significantly on primary products which contribute an estimated value of 25 billion dollars annually.

There are some idiosyncrasies between laboratory animals and production animals. Laboratory animals live in a controlled environment whereas production animals live in nature and are affected by factors such as farm location, weather, shelter availability, and changing patterns of land use (such as dairy conversions).

Normal farming practices do not require AEC approval but when does normal farm practice become research? The primary driver is often increased productivity as most of the animals are being commercially farmed. Industry funding bodies are often farm focused via farmer levies. Most animals have the potential to enter the food chain so other legislation such as the Animal Products Act 1999 and Agricultural Compounds and Veterinary Medicines Act 1997 also apply.

Euthanasia is an issue as animals have residual value. Also, disposal following euthanasia can be difficult as the animals are larger than laboratory rodents.

Some examples of research projects which use production animals included: greenhouse gas emission, specific animal health issues, grazing behaviour, and residual feed intake.

C Gillies joined the meeting at 11.40 am.

There can be costs associated with research gain. For example, changes to the physiology of dairy cows now include productivity gains such as increased milk yield and number of lactation days. These have been associated with increased time to next calving and a decrease in artificial insemination conception to first service. As animals are heavier, and/or production increases, handling and management becomes harder on the workers too.

G Shackell ended his presentation by asking the question "Should humans be changing to other non-animal protein sources?"

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress with the actions in the operational plan. It was noted that a number of actions were ongoing. The following comments were noted:

To provide advice to AECs and code holders: It was noted that a lot of queries from AECs had been coming to NAEAC via various sources.

To promote good practice in RTT using animals: Regarding the Three Rs award, it was agreed that the committee would evaluate the proposals together under agenda item O8.

To enhance the functioning of NAEAC: G Shackell noted he had met with the chair of the National Animal Welfare Advisory Committee (NAWAC) and senior management from MPI the previous day.

O 2. NAEAC content on MPI website

G Shackell reported there were no particular issues to raise in terms of NAEAC content on the MPI website, apart from the fact that it was still difficult to navigate.

In regards to the wiki page, G Shackell reported that the number of 'hits' the page received this year was up again on the previous year. T Burrell reported the increase may be associated with students investigating the subject of animal use in research as part of a school project.

O 4. Analgesic best practice

C Johnson reported that this agenda item was pending.

O 5. Discussion on draft code of ethical conduct template

K Booth reported she had received feedback from a number of committee members but had not yet incorporated that feedback into the template. It was noted that K Booth also had to include a reference about offshore approvals which had been discussed by the committee at previous meetings. Unfortunately, K Booth was not well placed to finish work on the template before the end of her term but was willing to continue work on it when able, even if she was no longer a member. It was agreed that it would be useful to send a copy of the draft template to AECs before it was finalised. K Booth agreed to send s 9(2)(a) a final draft of the template by the end of the following week so she could circulate it to AECs. NAEAC would ask for feedback by the end of September. It was agreed to include a covering letter to AECs with the template when it was circulated.

In light of this meeting being K Booth's last, G Shackell took the opportunity to present K Booth with a commemorative plaque and thank her for all her work on the committee over the past five years.

Actions:

K Booth to send s 9(2)(a) final draft of CEC template.

G Shackell to draft covering letter to send to AECs.

s 9(2)(a) to send covering letter and code template to AECs.

O 6. Topic/author for next issue of *Welfare Pulse*

G Shackell asked committee members for ideas for the next issue of *Welfare Pulse*. M Tingle reported that some of the topics covered in the workshop – such as non-mammalian species and compassion fatigue could make interesting articles.

s 9(2)(a) agreed to approach the relevant workshop speakers to ascertain if they would be willing to draft articles for the magazine.

Action – s 9(2)(a) to approach AEC workshop presenters to ascertain if they would draft articles for 'Welfare Pulse'.

O 7. NAEAC occasional paper series

It was noted that s 9(2)(a) had still not prepared a draft paper for C Gillies and G Shackell to review. G Shackell reminded committee members that the focus of the paper should be on wildlife.

s 9(2)(a) reported that B Connor had submitted a copy of her occasional paper the previous day. B Connor reported that due to end of year teaching commitments she would not be able to finalise the paper before the end of the year unless comments on the draft were received before the end of August.

s 9(2)(a) reported that she would circulate the draft paper to committee members the next day requesting comments back to B Connor by the end of the following week.

Actions:

s 9(2)(a) to circulate B Connor's paper to committee members.
NAEAC members to provide comments to B Connor by the end of the following week.

O 8. NAEAC Three Rs Award for 2016 and funding for future awards

M Tingle reported that two applications had been received for this year's award. One application involved implementing a zebra fish bioassay which was already in use. The in-vitro test was validated in 2013 and the institution was simply adopting it.

The second application nominated a lecturer and teaching fellow who had replaced a pharmacology laboratory with a simulation. The number of animals reduced are small and the impact on student perspective is slight.

Neither application had shown innovative implementation of the Three Rs. M Tingle was of the opinion that awarding a prize to one these applicants would undermine what NAEAC was trying to achieve with the award.

The committee discussed the various options available to them. These included: giving the award to one of the two applicants; not awarding the prize in 2016; or awarding the prize to someone else who was unsuccessful in a previous year. After considering all the options the committee agreed that the award would not be presented in 2016.

It was noted that at the AEC workshop, G Shackell could just make an announcement that the committee agreed not to present the award this year and instead are looking to reposition the award for the future.

Moved (M Tingle/K Booth):

That based on the applications received, NAEAC does not present the Three Rs award in 2016.

The motion was put: carried.

Actions:

s 9(2)(a) /NAEAC to write to unsuccessful candidates.
s 9(2)(a) to advise s 9(2)(a) that sponsorship money for 2016 will no longer be required.

O 9. Update for Minister for Primary Industries

It was agreed to advise the Minister of the committee's decision not to award the Three Rs prize this year. G Shackell and C Johnson agreed to draft the letter.

Action – G Shackell and C Johnson to draft letter to the Minister.

O 10. Update on alternatives to animal-based regulatory testing

K Booth reported there was no update to provide under this agenda item.

O 11. Update on New Zealand Three Rs Initiatives

It was noted that this piece of work was on the agenda for discussion at the liaison meeting with ANZCCART the following day. § 9(2)(a) had no further update to provide.

§ 9(2)(a) reported that it might be appropriate, in its discussions with ANZCCART, to talk about co-funding for the Three Rs award. C Johnson reported that it was unlikely that ANZCCART had any funds to contribute to the award. It was agreed it would not be appropriate to discuss the outcome of NAEAC's deliberations on the Three Rs award until such time as the applicants had been notified.

O 12. Update on emerging/new technologies

G Shackell reported on a new initiative called Lab-in-a-Box, a mobile science lab to help with teaching in rural schools and communities which included 3-D printing. In regards to 3-D printing, C Johnson reported that § 9(2)(g)(ii) to 'print' dog bones. These manufactured bones were supplied to veterinary students for teaching purposes and replaced real bones from dog skeletons. It was noted that the printed bones were very realistic, cheap to produce and posed no biosecurity risk.

C Gillies reported that drone technology was being used for remote monitoring. G Shackell noted that one of the NAWAC committee members was preparing a case study around the use of drone technology, including on farm use, as part of a higher education paper.

O 13. MPI summary of CEC approvals, notifications and revocations

§ 9(2)(a) reported that § 9(2)(b)(ii) code of ethical conduct had been approved and that § 9(2)(g)(ii) had allowed another two organisation to use their code and AEC.

O 14. Discussion of information circulated by MPI

§ 9(2)(a) brought to the committee's attention an international campaign by *Cruelty Free International* to stop governments from using dogs from pounds in research and teaching. A letter addressed to the Prime Minister from *Cruelty Free International*, and ministerial reply circulated prior to the meeting, were noted.

O 15. Committee members' reports on recent presentations and attendance at conferences

G Shackell reported he had attended the combined Australian and New Zealand Societies of Animal Production conference in Adelaide and the ANZCCART conference in Melbourne. G Shackell had also taken the opportunity to visit the zoo in each city and remarked on the difference between the two.

G Gillies reported that he had attended a § 9(2)(g)(ii) AEC meeting and had been impressed by the way that the committee had discussed both the science and ethics of the proposals they were considering.

G Shackell had attended a § 9(2)(g)(ii) AEC meeting. An informal comment made by one of the lay members had been that the AEC sometimes spends too much time trying to redesign the experiment. It was agreed that some benefits could often be gained from refining an experiment.

It was noted that the chair of the § 9(2)(g)(ii) AEC had attended the AEC chairs meeting in Wellington and had welcomed the suggestion of a visit by NAEAC. In regards to § 9(2)(a) § 9(2)(a) acknowledged that the code holder had struggled meeting some of its reporting requirements to MPI. Some of these difficulties had related to a change in chairperson and inadequate communication within the organisation. § 9(2)(a) reported that while the previous chairperson had not been willing to consider a parenting arrangement, the subject was something the new chairperson was willing to explore. NAEAC expressed disappointment at hearing of the issues described by § 9(2)(a) § 9(2)(a) reported she would be in a better position to provide an update on matters relating to § 9(2) at the next meeting.

T Burrell reported that she had attended the national teachers' conference and that the Three Rs resources which had been developed by § 9(2)(a) had been discussed there.

T Burrell also attended the § 9(2)(g)(ii) strategic direction and major initiatives update on behalf of NAEAC.

O 16. NAEAC correspondence

The following correspondence was noted:

NAEAC had drafted a letter to the Chair of the § 9(2)(g)(ii) AEC in relation to questions regarding cryopreservation and rederivation of rats and mice.

G Shackell circulated some written feedback from § 9(2)(g)(ii) in response to some of the questions NAEAC had had after they visited the institution's facilities in May. The committee reviewed and noted the feedback at the meeting.

G Shackell reported that he had received an email from § 9(2)(a) regarding LD50 testing. § 9(2)(a) had come across some information obtained by the § 9(2)(a) under an Official Information Act request in 2013 about the § 9(2)(g)(ii) approving LD50 testing. § 9(2)(a) had wanted to bring this matter to NAEAC's attention.

M Tingle provided some background information on LD50 testing. Test 401 that required the death of half the animals tested was deleted from the Organisation for Economic Co-operation and Development (OECD) Test Guidelines in 2002. This means that test 401 cannot be used by OECD countries, including New Zealand, for toxicology risk assessments and cannot be used to generate industry data to support government regulatory requirements. While test 401 was no longer in use, other tests for acute toxicity still existed. C Gillies reported that risk assessments for pesticides required LD50 testing.

G Shackell invited committee members to comment on how NAEAC should reply to § 9(2)(a) concerns. It was agreed that § 9(2)(a) receive a formal reply from NAEAC and that some advice about LD50 testing be issued to AECs.

A query regarding urine sampling using the respiratory occlusion method was noted. NAEAC's position on the matter was that the practice was not being phased out. The procedure was generally accepted practice for one-off sampling but not for bulk sampling.

An animal welfare officer (AWO) had contacted G Shackell for advice on disbudding calves for protocols involving growth rates. An AEC had approved some work without the use of analgesia. The AWO had not wanted to disbud the calves without pain-relief and had refused to do it. Another veterinarian was brought in but also refused to perform the procedure. In the end though, it was noted that analgesia was administered. If proposed animal welfare regulations relating to painful procedures were passed, pain relief for disbudding may soon become mandatory.

Related to the issue above was that the study was approved by one AEC but carried out at another institution's farm and that institution's AEC had not been aware of all aspects of the research. It was noted that an institutional policy on work being conducted on site should be put in place so that such incidents do not occur again. NAEAC's policy on which AEC should assume the approval role, was noted.

G Shackell reported he had had a request for advice from an animal welfare representative on an AEC who had been told by the chair of their AEC that the Three R's was not applicable in a context where animal manipulation is related to a teaching environment.

The AWO at the s 9(2)(g)(ii) had asked for advice about three year approvals in relation to a software system they had purchased to manage protocols and animal records. G Shackell had responded by saying there was nothing in law that specifies the length of approval for an application, or a period of review for projects but that NAEAC preferred that there was a time limit placed on length of approval.

Actions:

NAEAC to draft response to s 9(2)(a)

NAEAC to draft advice on LD50 testing for AECs.

There being no further items of business, the Chair thanked committee members for their attendance and declared the meeting closed at 3.15 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



National Animal Ethics Advisory Committee

General Meeting

Thursday, 17 November 2016
9.30am – 4.30pm

The Terrace Conference Centre
Room: Lambton 2
114 The Terrace
Wellington

MINUTES

Present: Grant Shackell (Chairperson), Terry Burrell, Malcolm Tingle, Craig Johnson, Bronwen Connor, Craig Gillies, Leasa Carlyon.

In Attendance: s 9(2)(a) (Secretary); s 9(2)(a) (Senior Adviser, Animal Welfare); s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy).

Apologies: Graeme Nind and Karen Booth.

G Shackell opened the meeting at 9.30 am and welcomed attendees including s 9(2)(a). It was noted that because of the recent earthquakes in Wellington, s 9(2)(a) had been unable to attend the meeting to give his mini-tutorial. s 9(2)(a) presentation would be deferred to NAEAC's first meeting of 2017.

Any Other Business Part One (Public Excluded Agenda)

No other items of business were identified for discussion under Part One of the agenda.

Any Other Business Part Two (Open to the Public)

No other items of business were identified for discussion under Part Two of the agenda.

PART ONE (PUBLIC EXCLUDED AGENDA)

DRAFT RESOLUTION TO EXCLUDE THE PUBLIC

Section 48, Local Government Official Information and Meetings Act 1987

There being no further introductory items of business to discuss, it was moved (G Shackell/M Tingle):

A: *That the public be excluded from the following parts of the proceedings of this meeting, namely:*

- C 1. *NAEAC appointments*
- C 2. *Confirmation of previous minutes*
- C 3. *Action list review*
- C 4. *s 9(2)(g)(ii) code of ethical conduct*
- C 5. *s 9(2)(g)(ii) code of ethical conduct (name change and amendments)*
- C 6. *Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999*
- C 7. *AEC service award*
- C 8. *NAEAC annual report for 2016*
- C 9. *Discussion of arrangements for 2016 AEC workshop*
- C10. *Accredited reviewers teleconference*
- C 11. *MPI update*

The general subject of each matter to be considered while the public is excluded, the reason for passing this resolution in relation to each matter, and the specific grounds under section 48(1) of the Local Government Official Information and Meetings Act 1987 for the passing of this resolution are as follows:

General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 1. <i>NAEAC appointments.</i>	<i>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or:</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(f)(iv) of the Official Information Act 1982 (OIA).</i>
C 2. <i>Confirmation of previous minutes.</i>	<i>To protect the privacy of natural persons.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under section 9(2)(a) of the OIA.</i>
C 3. <i>Action list review.</i>	<i>As for C2 above.</i>	<i>As for C2 above.</i>
C 4. <i>s 9(2)(g)(ii) code of ethical conduct.</i>	<i>To protect the privacy of natural persons; and/or: To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</i>	<i>That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.</i>

	General subject of each matter to be considered	Reason for passing this resolution in relation to each matter	Ground(s) under section 48(1) for the passing of this resolution
C 5.	s 9(2)(g)(ii) [redacted] code of ethical conduct (name change and amendments).	As for C4 above.	As for C4 above.
C 6.	Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999.	<p>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or:</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.
C 7.	AEC service award.	<p>To protect the privacy of natural persons; and/or:</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 8.	NAEAC annual report for 2016.	<p>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials; and/or:</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(f)(iv) and/or 9(2)(g)(ii) of the OIA.
C 9.	Discussion of arrangements for 2016 AEC workshop.	<p>To protect the privacy of natural persons; and/or:</p> <p>To maintain the effective conduct of public affairs through the protection of Ministers, members of organisations, officers and employees from improper pressure or harassment.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(g)(ii) of the OIA.
C 10.	Accredited reviewers teleconference.	<p>To protect the privacy of natural persons; and/or:</p> <p>To maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials.</p>	That the public conduct of the relevant part of the proceedings of the meeting would be likely to result in the disclosure of information for which good reason for withholding would exist under sections 9(2)(a) and/or 9(2)(f)(iv) of the OIA.
C 11.	MPI update.	As for C 10 above.	As for C 10 above.

B: That s 9(2)(a) (Secretary), s 9(2)(a) (Senior Adviser, Animal Welfare) and s 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy) be permitted to remain at this meeting after the public has been excluded, because of their knowledge of meeting procedure and the subject matter under consideration. This knowledge is relevant background information to assist the committee in its deliberations.

The motion was put: carried.

C 1. NAEAC appointments

s 9(2)(a) reported that the new appointments and reappointments to the committee had still not been made. It was anticipated that these would be made before the end of the month. It was noted that under the Animal Welfare Act 1999 (the Act), committee members whose terms were due to expire, remained on the committee until such time as their replacements were appointed.

In respect to retiring member G Nind, s 9(2)(a) noted that G Shackell had driven to Timaru to personally deliver his commemorative plaque.

C 2. Confirmation of previous minutes

The draft minutes of the quarterly general meeting held on 18 August 2016 were reviewed. There were no amendments.

Moved (M Tingle/L Carlyon):

That the draft minutes of the quarterly general meeting held on 18 August 2016 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

C 3. Action list review

Investigate alternatives to the 2002 publication on analgesic best practice (action 7): C Johnson reported that he had asked s 9(2)(a) to send committee members some links to web sites which detailed current information relating to analgesic best practice. The committee agreed that the sources contained quality, up-to-date information and that they should be referring animal ethics committees (AECs) to these resources rather than drafting their own. C Johnson reported he would draft a small paper on the topic and investigate the top five links which would be most useful to AECs. It was noted that any links or resources recommended to AECs would require annual review. G Shackell asked s 9(2)(a) to add this piece of work to the committee's 2017 work plan.

Get MPI Legal to review guidelines on animal use overseas once drafted (action 8): s 9(2)(a) provided an update on the feedback she had received from MPI Legal regarding the amended guidelines. It was noted that the guidelines could now be issued.

Draft occasional paper on monitoring devices (action 10): Given that s 9(2)(a) had still not started drafting the paper on monitoring devices, it was agreed that NAEAC should take over this piece of work. G Shackell reported he would be retiring from s 9(2)(g)(ii) next year and would have more free time

to work on NAEAC projects. A tentative deadline of mid-2017 was agreed to have a draft paper prepared by G Shackell and C Gillies agreed to take the lead on the work. C Johnson reported that s 9(2)(g)(ii) and the Ministry for Primary Industries (MPI) were negotiating a student internship. That student might be able to assist NAEAC by doing a literature search on monitoring devices in the first instance to speed up the process. C Johnson agreed to talk to s 9(2)(a) Manager Animal Welfare, about this. It was generally agreed that it would be useful to have some terms of reference prepared before any work started.

Add links to NAEAC publications on NAEAC wiki page (action 14): G Shackell reported that this action had not been completed. It was recalled that former NAEAC member, s 9(2)(a) had set up the wiki page, but that it could be altered by anyone. G Shackell asked s 9(2)(a) if she could forward s 9(2)(a) contact details to him.

Topic/author for next issue of 'Welfare Pulse' (action 22): s 9(2)(a) reported this action was still pending. In regards to future articles for *Welfare Pulse*, G Shackell reported that the National Animal Welfare Advisory Committee (NAWAC) (via s 9(2)(a)) had drafted an item on electric collar use on dogs and that he and Gwyn Verkerk (Chair of NAWAC) would prepare an article on the functions of the ministerial committees (NAWAC and NAEAC).

Actions:

s 9(2)(a) to add analgesic best practice to NAEAC's 2017 work plan.

C Johnson to talk to s 9(2)(a) about student intern doing work for NAEAC.

NAEAC to prepare terms of reference for remote monitoring occasional paper.

s 9(2)(a) to forward s 9(2)(a) details to G Shackell.

C 4. s 9(2)(g)(ii) code of ethical conduct

Before the committee reviewed the code in detail, s 9(2)(a) reported that MPI was of the view that no conflict of interest would exist by having an approved organisation s 9(2)(a) nominee on the s 9(2)(g)(ii) AEC as the nomination would come from the National Office.

Led by G Shackell, the committee reviewed the application for a code of ethical conduct submitted by s 9(2)(g)(ii). The following points were noted for clarification/amendment (adopting the references in the code):

Section 7 f: Given subsection g, section f was considered repetitive and unnecessary.

Section 10: NAEAC suggested referring to the Act for the definition of 'animal' as had been done for the definition of 'manipulation'. Also, NAEAC had been referred to as NAWAC, which was incorrect.

Section 11: In this section activities were restricted to teaching but elsewhere in the code there were references to research activities. NAEAC considered there should be consistency throughout the document. Either s 9(2)(g)(ii) restricted its activities to teaching, in which case references to research needed to be removed or, if the code was to cover research activities too, the scope of the code needed to be amended.

Section 14 and Section 16: The same information was repeated in these sections.

Section 17: The reference to "more than five... members" in this section was considered vague given that only five were specified and others "may be requested". It was suggested that the wording should be changed to "a minimum of five".

Section 17d: The committee considered that the association of the approved organisation nominee should not be with s 9(2)(g)(ii) rather than just s 9(2)(g)(ii) (and it should be "who" rather than "that").

Section 17e: This section should specify that the layperson not be associated with the scientific community (and it should be "who" rather than "which").

Section 19: It was suggested that the phrase "if and when the need for the position arises" be deleted.

Section 31: NAEAC considered that this section should specify that at least one meeting per year will be face-to-face.

Section 36: NAEAC raised the question of whether the s 9(2)(ii) was subject to the Official Information Act 1982.

Section 37: The first sentence should be deleted as it is impossible to enforce AEC members attending all meetings.

Section 38: NAEAC considered this section unclear. It was suggested that it be changed to specify a member missing a certain number of meetings.

Section 39 and 41: These sections should be amended to show that matters relating to quorums and decisions need to involve at least two of the statutory external members.

Section 43: It was suggested that this section be reworded to say that "Every temporary consent shall be brought before the next meeting of the AEC for full consideration."

Section 44: The second sentence was superfluous in this section.

Section 48: This section was a repeat of sections 25-28.

Section 56: It was suggested that this section be reworded to something along the lines of: "The AEC will not consider proposals unless they are received in sufficient time to enable adequate consideration."

Section 58: It was suggested that this section be reworded to insert "recognised" in front of "good practice" and "such" before "as" in the bracket. It was noted that the closing bracket was also missing.

Sections 62 and 63: Failure to provide everything specified in the sections on proposals would result in a breach of the code of ethical conduct so it was recommended that these sections be deleted.

Sections 65 and 66: In regards to grading the impact of proposals, everything after the first sentence of section 65 should be removed and the word "also" be removed from section 66.

Section 67: It was suggested that the word “Live” be removed from this section as the amendment to the Act last year meant that codes would cover the killing of animals for the purposes of dissection or tissue harvesting from 2018. Previous comments about coverage of research also applied in this section.

Section 68: NAEAC was extremely uncomfortable with the idea that applicants may withhold “key” information and how the AEC would know what had been withheld and what difference this information might make to its decision making.

Section 69: This seemed repetitive of section 49.

Section 70: Delete “either” and change “or” to “and”. Earlier comments regarding scope also applied to this section.

Section 73: The committee considered this section might have unforeseen ramifications as the AEC may decide that some expensive piece of equipment needs to be purchased or facilities need to be changed.

Section 75: Delete “and use” from the end of the sentence in this section.

Section 76f: The term “unequivocal” was considered to be too strong.

Section 78e: As it may be months before the next AEC meeting it was suggested that the AEC be notified of any adverse events within a reasonable time.

Section 80: Earlier comments regarding the reference to the Membership section applied in this section so it was suggested that the other member be a statutory external member.

Section 84: If the AEC did not/could not consider all teaching proposals before the beginning of the academic year, as stated in this section, then the code will have been breached.

Section 86: NAEAC suggested that subsection c be amended to “Consider modifications to approved projects” and that subsections d-g be deleted.

Section 90: NAEAC considered the code needed to be more explicit as to what monitoring will be carried out.

Heading – Visits to s 9(2) facilities: A heading of “Monitoring” would be more appropriate than “Visits to s 9(2) facilities”.

Section 91: NAEAC suggested that after “at any time” the rest of the sentence be deleted.

Section 92: The same comments apply here as they do for section 80.

Section 94: The phrase “(if required)” should be deleted. The final sentence can also be deleted as section 95 already covers monitoring findings being reported to the AEC.

Section 106: The phrase “researcher and/or tutor responsible for applications” could be changed to “applicant”.

The following typographical errors were also noted:

- Section 7: The word “To” should be deleted from the beginning of subsections c – h. In subsection c, “emphasis” should be “Emphasise”.
- Section 10: Delete “have” in the opening sentence.
- Section 10: The generally used abbreviation for code of ethical conduct was CEC rather than COEC.
- Section 30: The word “are” should be “as”.
- Section 75: There is a closing bracket but no opening bracket.
- Section 106c: The word “experienced” is misspelt.

Moved (G Shackell/B Connor):

That the s 9(2)(g)(ii) draft code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the code under the Animal Welfare Act 1999, subject to the matters identified by NAEAC being addressed to the satisfaction of Malcolm Tingle and the committee.

The motion was put: carried.

Actions:

s 9(2)(a) to write to advise s 9(2)(g)(ii) accordingly.

M Tingle to review amended code by email.

NAEAC to decide whether or not to recommend MPI approve the code after receiving M Tingle’s feedback.

s 9(2)(a) asked if she could give her update next as she had to leave to attend another meeting at 12 pm.

C 6. Update on amendments to the Animal Welfare (Records and Statistics) Regulations 1999

s 9(2)(a) provided an update on progress with the various animal welfare regulations. A paper, on the remaining 77 regulatory proposals and amendment to the Animal Welfare (Records and Statistics) Regulations had gone to the Minister’s office. MPI officials were currently waiting for Ministerial sign-off before an explanatory paper, outlining the changes to the definition of manipulation, and proposals to require reporting on animals killed that were bred but not used for the purposes of research, testing and teaching, could be circulated to AECs for targeted consultation. s 9(2)(a) took the opportunity to thank committee members for their comments on the draft explanatory paper which had been prepared by s 9(2)(a). It was noted that s 9(2)(a) Manager Regulatory Reform and Animal Welfare Policy would be presenting on the topic the following day at the AEC workshop.

The 77 regulatory proposals had been divided in 10 broad packages. Workshops would be held with affected stakeholders, if required, from November through to February. The regulatory proposals were due to Cabinet in July 2017 with the final regulations taking effect from February 2018.

G Shackell thanked s 9(2)(a) for her update. s 9(2)(a) departed the meeting at 11.55 am and did not return.

C 5. s 9(2)(g)(ii) code of ethical conduct (name change and amendments)

Earlier in the year, s 9(2)(g)(ii) had merged with s 9(2)(g)(ii) to become s 9(2)(g)(ii). The code had been transferred to the new organisation on 1 May 2016. Since then, the organisation had changed its name again to become s 9(2)(g)(ii). As such, the code holder was applying to amend its code again to reflect the new name change as well as enable external organisations to use their code as their current code did not allow this.

The committee discussed the contents of the code in general terms in light of previous amendments NAEAC had suggested to other codes. M Tingle had noted some terminology issues. The inclusion of a general statement that covered any changes to the Animal Welfare Act was also noted. The organisations current code had been approved in October 2013 and was not due for review again until 2018. The committee agreed to the amendments in the code. There were no further comments.

Moved G Shackell/C Gillies:

That the amendments to the s 9(2)(g)(ii) code of ethical conduct be received and that NAEAC recommend that the Director-General of the Ministry for Primary Industries approve the amendments under the Animal Welfare Act 1999.

The motion was put: carried.

Action - s 9(2)(a) to write to advise s 9(2)(g)(ii) accordingly.

C 7. AEC service award

G Shackell declared his conflict of interest in relation to this agenda item and left the room at 12.40 pm. s 9(2)(a)

After G Shackell left the room C Johnson, as Deputy Chair, invited committee members to consider the nomination, from s 9(2)(g)(ii) AEC Coordinator in relation to s 9(2)(a). The committee was in agreement that based on the information provided by s 9(2)(g)(ii) should receive a NAEAC AEC service award.

Moved C Johnson/L Carlyon:

That the award nomination by s 9(2)(g)(ii) be received and that AEC member s 9(2)(a) receive the NAEAC AEC service award.

The motion was put: carried.

Action - s 9(2)(a) to prepare AEC service award certificate.

G Shackell returned to the meeting at 12.43 pm.

C 8. NAEAC annual report for 2016

s 9(2)(a) reported that it was usual practice for a member of NAEAC to draft the committee's annual report as they would be familiar with what had occurred during the year. In recent years, including 2015, the report had been drafted by former s 9(2)(a) G Shackell volunteered to draft the 2016 annual report early in 2017.

Action – G Shackell to draft 2016 NAEAC annual report.

C 9. Discussion of arrangements for 2016 AEC workshop

The committee reviewed the final workshop programme which was circulated prior to the meeting. The following updates were provided:

C Johnson reported his workshop would open with an introduction followed by a brain storming session on euthanasia. Three scenarios representing how research requirements can 'interfere' with the normal way of killing animals would be presented. These included: euthanasia by immersion in liquid nitrogen, decapitation and CO₂ inhalation.

A list of panel questions, which had been submitted by AEC members, had been circulated prior to the meeting. The committee discussed the questions which had been submitted and G Shackell assigned a lead to each question.

C 10. Accredited reviewers teleconference

s 9(2)(a) reported that only one review had been completed this year. If the accredited reviewers wanted to hold a teleconference would NAEAC members be willing to be involved? G Shackell was happy for NAEAC to be involved and invited committee members to volunteer for attendance at the meeting. It was agreed that G Shackell, L Carlyon and T Burrell would participate in the teleconference, if scheduled. s 9(2)(a) reported she would contact the accredited reviewers to ascertain if they wanted a meeting to go ahead.

Action – s 9(2)(a) to contact accredited reviewers about teleconference and arrange meeting if applicable.

C 11. MPI update

The MPI update circulated prior to the meeting was noted. s 9(2)(a) highlighted the fact that Pastoral House would be refurbished next year which required all staff to vacate the building for a period of 15 months. The Regulation and Assurance Branch would be moving to temporary accommodation at 3 The Terrace.

PART TWO (OPEN TO THE PUBLIC)

O 1. Progress against milestones in NAEAC Operational Plan

The committee reviewed progress with the actions in the operational plan. It was noted that a number of actions were ongoing. The following comments were noted:

To promote good practice in RTT using animals: G Shackell reported he had been approached by s 9(2)(a), Manager Agricultural Compounds and Veterinary Medicines (ACVM) Programmes and Appraisals, regarding provisional registration approvals which required the destruction of the trial animals. s 9(2)(a) had wanted to discuss the provision of the research approval to the AEC prior to approval being granted. A meeting between G Shackell and s 9(2)(a) was still pending.

O 2. NAEAC content on MPI website

G Shackell reported that he had reviewed NAEAC content on the MPI website since the last general meeting and believed that NAEAC material had been mixed up with NAWAC material with respect of links to publications. s 9(2)(a) agreed to have a look at both committee's content on the website and report back.

Action – s 9(2)(a) to look at NAEAC and NAWAC content on MPI website.

O 3. Mini-tutorial: *Never let a crisis go to waste – getting animal welfare to the year 3000*

As noted at the beginning of the meeting, s 9(2)(a) would now be presenting his mini-tutorial at the first meeting of 2017.

O 4. Identification of topics for mini-tutorials in 2017

G Shackell invited committee members to consider mini-tutorials topics for next year. The committee was unable to think of any suitable topics at the current time but agreed to give it further consideration.

O 5. Analgesic best practice

It was noted that C Johnson had provided an update on this agenda item previously during the meeting.

O 6. Discussion on draft code of ethical conduct template/guidelines

G Shackell agreed to contact K Booth about the completion of this piece of work. M Tingle offered to help if K Booth required any assistance. s 9(2)(a) agreed to circulate the latest draft of the template and guidelines to committee members.

Actions:

G Shackell to contact K Booth about code template and guidelines.

s 9(2)(a) to circulate most recent version of code template and guidelines to committee members.

O 7. Topic/author for next issue of *Welfare Pulse*

The following topics were identified for future issues of *Welfare Pulse*: NIWA and shark research; schools and their participation in science fairs; and emergency procedures (in light of the recent earthquakes). s 9(2)(a) reported that in respect to the last topic, MPI contractor s 9(2)(a) would be drafting something on this. G Shackell asked s 9(2)(a) to send the *Welfare Pulse* article writing guidelines to both him and L Carlyon so that they could ascertain the appropriate people to contact about drafting the other two articles.

G Shackell asked T Burrell to send him her photo and profile so that he could feature her in the next AEC newsletter.

Actions:

s 9(2)(a) *to send G Shackell and L Carlyon 'Welfare Pulse' article writing guidelines.*
G Shackell and L Carlyon to approach appropriate individuals to write articles.
T Burrell to send G Shackell her photo and profile.

O 8. NAEAC occasional paper series

As noted previously during the meeting, G Shackell and C Gillies would take the lead on the remote monitoring paper. In regards to B Connor's paper on overcoming resistance to changes in animal models, the committee was in agreement that it should be published as part of NAEAC's occasional paper series. G Shackell agreed to draft a foreword for the paper and send it to B Connor for review.

Moved G Shackell/C Johnson:

That B Connor's paper titled 'Animal Models and Drug Discovery: How Can We Improve the Outcome?' be published as the 13th paper in NAEAC's occasional paper series.

The motion was put: carried.

Action – G Shackell to draft foreword and send to B Connor.

O 9. NAEAC Three Rs Award

s 9(2)(a) reported that the Minister was waiting for advice from MPI regarding funding arrangements for the Three Rs award. It was anticipated that this advice would be prepared early next year.

O 10. Update for Minister for Primary Industries

No items of business were identified to update the Minister about.

O 11. Update on alternatives to animal-based regulatory testing

s 9(2)(a) reported that she had circulated links to various articles on alternatives to animal-based regulatory testing on behalf of K Booth prior to the meeting.

O 12. Update on New Zealand Three Rs Initiatives

It was noted that two of the resources on real life examples of the Three Rs, which MPI and the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) had created, had now been completed and published. s 9(2)(a) was unsure however, whether they were available electronically on ANZCCART's website.

O 13. Update on emerging/new technologies

There were no updates on emerging/new technologies.

O 14. MPI summary of CEC approvals, notifications and revocations

The MPI summary of CEC approvals, notification and revocations, circulated prior to the meeting, was noted.

O 15. Discussion of information circulated by MPI

There were no particular matters for discussion arising out of the information circulated to NAEAC since the last general meeting.

O 16. Committee members' reports on recent presentations and attendance at conferences

G Shackell reported that the day after the NAEAC August general meeting, he, T Burrell, and L Carlyon attended a meeting with ANZCCART at the Royal Society of New Zealand. It was noted that ANZCCART New Zealand would be hosting the 2017 conference in Queenstown from 3-5 September. Other items of business which were discussed included the development of a New Zealand concordat (which was progressing slowly) and the training module for New Zealand Veterinary Association nominees on AECs.

At the Animal Behaviour and Welfare Consultative Committee Meeting held in Auckland in September, G Shackell reported that a presentation had been made on the topic of 'social licence to operate'.

G Shackell had attended a meeting in Dunedin, which was facilitated by s 9(2)(a) from MPI, on the future of the New Zealand animal welfare operating model.

Most recently, G Shackell had returned from two weeks overseas where he visited a crocodile farm/zoo in Malaysia and a zoological garden in Thailand.

The previous day, G Shackell had attended a NAWAC meeting.

C Gillies reported he had attended a predatory workshop on using dogs to help recapture cats.

T Burrell reported that she had attended a meeting in which the group called s 9(2)(b)(ii) had presented on their work which included supporting technologies to completely remove rats, possums and stoats from mainland areas.

O 17. NAEAC correspondence

The following pieces of correspondence were noted since the last general meeting:

§ 9(2)(a) from MPI's animal welfare team, had contacted G Shackell about embryo collection wanting to know what sort of para-professional would be performing this type of procedure.

§ 9(2)(a) Museum wanted some advice on three exhibits which contained either live or dead organisms. The exhibits included the following organisms – plankton, bacteria, and chicken embryos (first 7 days of life). G Shackell had advised the museum that Part 6 of the Animal Welfare Act did not apply to any of their proposed exhibits and as such, AEC approval was not required.

G Shackell had received a query from § 9(2)(g)(ii) who are currently revising their code of ethical conduct, asking for advice regarding a section in their current code which referred to the potential for animals to enter the food chain (animal and human). The question asked if the Royal Society Code of Practice, which was quoted in their current code, was still valid. Advice on how other codes refer to the ACVM Act requirements was provided.

The § 9(2)(g)(ii) wanted some advice regarding the definition of 'sentience' in the Animal Welfare Act. G Shackell had advised the § 9(2)(g)(ii) that 'sentient' had not been defined in the Act. However, if an organism fitted the Act's interpretation of 'animal', then it was by definition, sentient.

A response from the Chair of the § 9(2)(a) AEC regarding a conversation she had had with one of their AEC members was noted.

An email from the Animal Welfare Officer (AWO) at § 9(2)(g)(ii) on the topic of embryo rederivation, had been received. It was recalled that G Shackell had already written to the Chair of this AEC on the same topic previously. The committee discussed whether another formal reply was required. It was agreed to acknowledge this piece of correspondence and advise that the matter had already been dealt with.

Action – G Shackell to reply to email from § 9(2)(g)(ii) AWO.

O 18. Committee meeting dates for 2017 and location of AEC site visit

The committee agreed the following meeting dates for 2017:

- General meeting (in Wellington) on 15 February;
- Site visit and general meeting (§ 9(2)(g)(ii)) on 15 and 16 May;
- Workshop with NAWAC on sentience and general meeting (in Wellington) on 17 and 18 August;
- Codes of ethical conduct meeting (in Wellington) on 25 October;
- General meeting and meeting with AEC chairs (in Wellington) on 16 and 17 of November.

B Connor reported that she would be unavailable to attend any meetings in May, due to being on study leave.

With regards to s 9(2)(g)(ii) code of ethical conduct, s 9(2)(a) reported that the organisation was in discussion with s 9(2)(g)(ii) about using their code and AEC instead of having their own.

There being no further items of business, the Chair thanked committee members for their attendance and declared the meeting closed at 2.43 pm.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



National Animal Ethics Advisory Committee

General Meeting

Wednesday, 19 February 2020
9.45 am – 3.30 pm

Ministry for Primary Industries
Charles Fergusson Building, Level 7, meeting room 3
34 - 38 Bowen Street
Wellington

MINUTES

Present

Grant Shackell, Arnja Dale, Craig Gillies, Rachel Heeney, Bronwen Connor, Jacquie Harper, Mike King, Nita Harding.

In Attendance

§ 9(2)(a) (Secretary), § 9(2)(a) (Policy Analyst, Regulatory Reform and Animal Welfare Policy), § 9(2)(a) (Manager, Animal Welfare); § 9(2)(a) (Chair, New Zealand Association of Science Educators animal ethics committee (AEC)) for agenda item O 4 at 10.00 am.

Apologies

Dianne Wepa, Rob Hazelwood, § 9(2)(a) (Senior Adviser, Animal Welfare) and § 9(2)(a) (Principal Adviser, Animal Welfare).

Welcome

G Shackell opened the meeting at 10.12 am with a karakia and introduced himself to attendees via a pepeha. G Shackell invited committee members and meeting attendees to introduce themselves one by one for the benefit of the new members.

Any Other Business Part One (Open to the Public)

No additional items of business were identified for discussion under Part One of the agenda.

Any Other Business Part Two (Public Excluded Agenda)

No items of business were identified for discussion under Part Two of the agenda.

PART ONE (OPEN TO THE PUBLIC)

O 4. Mini-tutorial: Operation of Schools' AEC

G Shackell welcomed s 9(2)(a) Chair of the Schools' animal ethics committee (AEC) to the meeting at 10.15 am to talk to the committee about their AEC. It was noted that a new code of ethical conduct, under which the Schools' AEC operated, was reviewed by NAEAC and approved by the Ministry for Primary Industries (MPI) last year. The AEC was unique in that it dealt with projects submitted by teachers and school children.

s 9(2)(a) reported that the Schools' AEC usually received approximately 60 applications per year. Of those, 90% came from year 7 and 8 students. These students often prepared CREST projects or entered school science fairs and required AEC approval if they were using animals as part of their projects.

Because the Ministry of Education did not want to become a code holder, the New Zealand Association of Science Educators (NZASE) agreed to take on the role instead. NZASE became a code holder in 2005 and set up its AEC the same year. NZASE currently receives s 9(2)(i) of funding per year from the Ministry of Education on a three year rotation. s 9(2)(a) has been chair since 2010. One of the difficulties noted by s 9(2)(a) was finding a Wellington-based Royal New Zealand Society for the Prevention of Cruelty to Animals (SPCA) nominee to sit on the committee.

s 9(2)(a) reported that the highest grade manipulations that the AEC dealt with related to mud crab research where year 13 students subjected the animals to mild physiological changes. This work was monitored by the AEC.

The Schools' AEC had worked hard to get teachers to understand their obligations in relation to animal ethics. However, the AEC was struggling with New Zealand's Predator Free 2050 goal and interest from school children for example wanting to trap possums or kill pest animals without consideration for how they should be treated. s 9(2)(a) reported that in relation to trapping protocols, the Schools' AEC would only be recommending National Animal Welfare Advisory Committee (NAWAC) approved traps. It was noted that NAWAC did not actually 'approve' traps but did publish a test protocol, which provides robust standardised information on welfare performance, with the rider that pass/fail trap results on their own are not an unequivocal determinant of whether the trap should or shouldn't be used. It was noted that Fish and Game New Zealand were also doing work with children.

s 9(2)(a) commented on the membership of the committee, and the work they had done educating teachers and children about their obligations. Some of those initiatives had included: sending mail outs to all schools; emphasising the importance of monitoring; and poster development for science fairs/conferences. It was noted that the Schools' AEC used local veterinarians from other AECs to assist with monitoring.

While some school science fair projects did not involve the manipulation of animals, the Schools' AEC considered that they should always be approached for advice if a student was unsure. If a student did not require AEC approval the committee would let the student know in writing (by email).

§ 9(2)(a) reported that one of the teachers on the Schools' AEC was trying to get a speaking slot at SciCon 2020. G Shackell reported he was already attending and speaking at a workshop session.

M King reported that § 9(2)(a) from the Australian and New Zealand Council for the Care of Animals in Research and Teaching (ANZCCART) was working on an animal ethics flow chart to help children and teachers understand if they needed AEC approval. § 9(2)(a) reported that the chart was being prepared for NZASE.

§ 9(2)(a) reported that the Schools' AEC had introduced a prize for the best student animal ethics application. The prize consisted of a certificate and \$100 gift voucher.

C Gillies commended the Schools' AEC for promoting predator traps that aligned with NAWAC guidelines. It was noted that the Department of Conservation (DOC) was setting up a 'status' list of all traps that are currently used. It was anticipated that this would be available online mid-2020.

A Dale reported that students would be able to opt out of predator free activities at school. B Connor reported that university students could already opt out of using animals in their studies.

§ 9(2)(a) enquired whether the Schools' AEC worked with the Royal Society in relation to making sure children had the proper approvals in place at science fairs and described her experience of judging a fair the previous year. § 9(2)(a) noted that one project that did not have AEC approval should have. Usually science fair organisers would not allow projects to be exhibited at a fair if they did not have AEC approval.

R Heeney advised that the BioTeachers Facebook page was very active and could be used as a way of communicating with teachers if needed.

§ 9(2)(a) noted how difficult it was getting animal use statistics back from students and teachers each year.

G Shackell thanked § 9(2)(a) for her presentation after which she departed the meeting.

O 1. Election of Deputy Chair

The Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)) requires the committee to elect one of its members as its deputy chairperson, at its first meeting each year. G Shackell reported that he had contacted R Hazelwood out of session to ascertain if he was willing to be nominated for the role. R Hazelwood was willing to accept such a nomination and was elected deputy chairperson in absentia.

Moved (G Shackell/A Dale):

That Rob Hazelwood be elected deputy chairperson of the committee for 2020, pursuant to the Animal Welfare Act 1999 (section 67 and Schedule 1, clause 3(1)).

The motion was put: carried.

O 2. Confirmation of previous minutes

The draft minutes of the general meeting held on 14 November 2019 were reviewed. There were no amendments.

Moved (C Gillies/A Dale):

That the draft minutes of the meeting held on 14 November 2019 be adopted as a true and accurate record of that meeting.

The motion was put: carried.

O 3. Action list review

The committee reviewed progress with the actions agreed to at previous meetings. The following updates were provided:

Update 'Good Practice Guide' relating to fish (action 3): G Shackell reported that s 9(2)(a) would complete the occasional paper by the end of the month.

Include section on training material in next AEC newsletter and update 'Good Practice Guide' (action 8): G Shackell reported that the next AEC newsletter was partially drafted. If members had something to add they were encouraged to contact or send G Shackell content. Examples of what was to be featured in the upcoming issue included: new techniques, opinion pieces AECs might find interesting; and a profile of one of the NAEAC members. It was agreed that once the newsletter had been circulated to AECs it should be put on the MPI website.

It was noted that the 'Good Practice Guide' was with R Hazelwood for amendment. R Heeney reported she would be recording future changes that would need to be made to the publication.

Draft a paragraph describing NAEAC's meeting schedule and have it placed on the MPI website (action 14): While this action had been completed it was noted that if anyone contacted MPI to attend a future meeting the chair could place conditions around public attendance. In relation to increased transparency, G Shackell reported that he and chair of the National Animal Welfare Advisory Committee (NAWAC) would be writing a short statement about this for a future issue of *Welfare Pulse*.

Actions:

s 9(2)(a) to put March AEC newsletter on MPI website.

G Shackell to write item for 'Welfare Pulse' on the public attending committee meetings.

O 5. Grading of manipulations

G Shackell referred committee members to the email circulated prior to the meeting from former NAEAC member, s 9(2)(a). The email attempted to summarise NAEAC's recent discussions on whether a manipulation should be graded on its own or whether the impact of the whole research project should be graded including the manipulation. It was noted that section 183(1)(c) of the Act required code holders to collect, and maintain, and to provide to the Director-General or to an inspector, information relating to the severity of the manipulation of the animals. s 9(2)(a) had suggested the committee provide clear guidance around this issue.

In relation to animal use statistics, it was the impact of the manipulation that was reported to MPI. There was some discussion about why the benefits of research, testing and teaching were not reported. [redacted] advised that MPI were starting to think about this for future animal use statistics reports. It was suggested that NAEAC might need to start a work stream to think about the topic of assessing benefits. In relation to the former issue, grading a manipulation versus grading the whole research project, the committee agreed it was the manipulation that should be considered and graded accordingly. This issue was mentioned as a possible topic for the upcoming AEC workshop.

It was agreed to try and provide clarity to AECs on grading manipulations by using a flow chart which contained specific examples – e.g. a farm, veterinary and biomedical example. B Connor agreed to draft the flow chart in the first instance. N Harding offered to provide a farming example.

Actions:

B Connor to draft grading manipulation flowcharts.

N Harding to provide B Connor with a farm-based manipulation example.

O 6. Annual review of committee performance in 2019

The committee reviewed feedback from the annual review of committee performance which was circulated prior to the meeting. It was noted that only four committee members responded. On the issues the committee had responded to over the previous year there appeared to be a range of thoughts as to whether more work was required in a particular area. In relation to legal advice, [redacted] advised this was available even though it technically belonged to the Crown. Rather than going through the survey in detail, the committee discussed other ways it could provide feedback on performance and MPI support.

The committee discussed different tools or surveys that could be used. It was agreed to go through the survey questions in person at the first meeting of 2021 rather than sending out the questions to members to complete prior to the meeting. This would generate debate and engagement at the time.

O 7. Update on review of NAEAC publications including *Good Practice Guide, Code Template, Lay Members Guide, Blood Harvesting Guidelines* etc.

It was noted that the compliance text and decision trees still had to be supplied to R Hazelwood by A Dale so that he could incorporate them into the *Good Practice Guide (GPG)*. The *Guide for Lay Members of Animal Ethics Committees* also had to be incorporated into the revised version of the *GPG*.

O 8. Review of NAEAC AEC induction pack.

The committee reviewed the NAEAC AEC new member letter that was circulated prior to the meeting. The following amendments were noted:

- Second to last sentence in paragraph three – change ‘reviewed on a regular basis’ to ‘reviewed every five years’.
- *A Culture of Care* publication – It was agreed to review this publication as the committee could not think of anything suitable to replace it with.
- *A Guide for Lay Members of Animal Ethics Committees* – it was agreed to delete the reference to ‘March 2007’.

- *Euthanasia of Animals for Scientific Purposes* (ANZCCART 1993) – It was agreed to delete this reference and replace with a reference to the *AVMA Guidelines for the Euthanasia of Animals*: 2020 edition. There was some discussion as to whether the techniques described in this edition were suitable to use in a New Zealand context. As such, an additional note in the letter, noting that AEC chairs should be contacted if there was any uncertainty about a euthanasia technique, was considered appropriate. B Connor agreed that queries about euthanasia techniques could be forwarded to her. It was noted however that B Connor was on research leave from May to August this year.
- MPI's publication *Welfare Pulse* – delete 'is now'.
- Last sentence, last paragraph – replace 'on the committee' with 'on your committee'.

Actions:

NAEAC to update 'Culture of Care' publication.
 s 9(2)(a) to update new AEC member letter.

O 12. NAEAC annual report for 2019

G Shackell referred committee members to the draft NAEAC annual report for 2019 that was circulated prior to the meeting. G Shackell reminded committee members to contact s 9(2)(a) with any amendments to AEC meetings and conferences attended during 2019 and personal information contained in the membership table.

O 10. Zebrafish

A copy of the final zebrafish advice that was prepared and sent to the Minister was circulated for committee members' information prior to the meeting. G Shackell agreed to draft a short article for an upcoming issue of *Welfare Pulse* to 'socialise' the zebrafish issue with stakeholders and researchers. The next steps after that were noted as further consultation with likely affected persons and a literature review. Fish welfare was also now on NAWAC's work programme.

O 9. Update on review of operation of Part 6 of the Act

A Dale provided a summary of this work stream for the benefit of the rest of the committee. The review involved identifying all the 'touch points' involved across the code drafting and code review process and establishing ways to improve those processes. The review was intended to increase the robustness of the research, testing and teaching system as well as increasing transparency.

s 9(2)(a) summarised the previous feedback she had had about codes of ethical conduct in relation to review reports and accredited reviewers.

In relation to accredited reviewers, s 9(2)(a) reported that one new accredited reviewer application had been received. s 9(2)(a) asked NAEAC whether they wanted to review it. The committee agreed that because they had a statutory function *to recommend, for approval by the Director-General under section 109, such persons as are, in the opinion of the Committee, suitable for appointment as accredited reviewers* it would be appropriate to view the application. s 9(2)(a) reported she would check with Legal colleagues as to whether the name of the applicant and documentation relating to the application could be shared.

Action – s 9(2)(a) to check with Legal about sharing information with NAEAC.

O 11. Approval of NAEAC's work plan/priorities for 2020

G Shackell referred committee members to the updated Gantt chart that had been circulated prior to the meeting. It was noted that only two codes of ethical conduct were due for review this year. This meant that the next 'heavy' code review year would be 2022. The following updates were noted:

- 1.1.4 Promote public presence at NAEAC meetings – this was highlighted as an action for commencement in the second quarter of the year and should be added to the work programme.
- 2.2.2 Contribute to development of significant surgical procedures (SSP) regulations – this was highlighted for action during the entire year and should be added to the work programme.
- 2.2.3 Review Part 6 (fit for purpose) – this should also be added to the work programme.
- 4.2.1 Explore the value of the 4th R – it was agreed to move this to the second quarter of 2020.

Regarding NAEAC's relationship with ANZCCART, G Shackell advised that he would be overseas during the 2020 ANZCCART Conference in Queenstown and asked s 9(2)(a) if it were possible for MPI to fund R Hazelwood's attendance at the conference this year. s 9(2)(a) responded that any such requests should be made to her in writing.

Action – G Shackell to write to s 9(2)(a) seeking sponsorship for R Hazelwood to attend the ANZCCART conference.

O 13. Three Rs funding options

s 9(2)(a) referred committee members to the memo on MPI's Sustainable Food & Fibre Futures (SFF) fund that was circulated prior to the meeting. The fund was available to support research relating specifically to the Three Rs. Prior to the meeting NAEAC had been asked to consider how the fund should be promoted and how it would interact with the current Aotearoa New Zealand Three Rs awards given they had been relaunched by NAEAC in 2018.

NAEAC were interested in the SFF criteria for funding Three Rs research and how it could be marketed to the research community. For example, could a link to the Three Rs page on the MPI website redirect people back to the SFF page?

For the benefit of the new committee members, G Shackell provided an update on the development of NAEAC's Three Rs awards since they began in 2003. B Connor was unsure whether both awards/funds could stand together.

s 9(2)(a) asked NAEAC if some of the previous applications submitted for the Aotearoa Three Rs award would be suitable for the new fund. NAEAC considered they would be. Another question was, would NAEAC still want to be involved in supporting the application? If it were possible, NAEAC's preference would be to have one committee member on the evaluation panel.

After some discussion NAEAC agreed it s 9(2)(i) would continue to offer the \$5,000 John Schofield Three Rs Implementation prize every second year, initially. That meant the implementation award would be offered this year so would need to be

advertised. s 9(2)(i)

Thought would now need to be provided on how the transition to the SFF would take place and how it would be marketed to the research community. There was a view that separate guidelines for the Three Rs may need to be developed. It was important to note that the funding was non-contestable. s 9(2)(a) asked NAEAC how much they wanted to be involved in the marketing e.g. advertise in the AEC newsletter or *Welfare Pulse* etc. NAEAC considered that both a NAEAC and an ANZCCART member should be on the panel if at all possible. NAEAC agreed to s 9(2)(i) continue to offer the John Schofield implementation award every second year.

Actions:

s 9(2)(a) to provide NAEAC's feedback to the SFF team.

s 9(2)(i)

O 14. Three Rs John Schofield Award 2020

As discussed under the previous agenda item, it was agreed that the John Schofield implementation award would go ahead in 2020. A call for nominations/applications for the award should be circulated to the research organisations, AECs, parented organisations and ANZCCART.

Action – s 9(2)(a) to circulate details of 2020 John Schofield implementation award.

O 15. May AEC site visit

s 9(2)(a) reported that a trip to s 9(2)(b)(ii) was not going to be possible in May due to its location and the fact that there would not be much animal work occurring at that time of year. Instead, the visit would focus on city based institutions such as s 9(2)(g)(ii)

O 17. Application for approval of research using non-human hominids

Under s85 of the Animal Welfare Act 1999, NAEAC is required to make recommendations to the Director-General relating to use of non-human hominids. G Shackell referred committee members to an application to use non-human hominids that had been circulated prior to the meeting and invited members to comment on it. The following general points about the application as submitted were noted:

- It was not clear to NAEAC what the behaviours were going to be;
- It was not clear to NAEAC what 'abnormal social dynamics' meant;
- There was nothing in the application to describe how long the project was going to last;
- There appeared not be any validation or justification for the work;
- Mitigations techniques/strategies were not outlined;
- Was the research in the best interest of the species?; and
- Were the people doing the work competent to do so?

NAEAC considered that the research group needed to put their application through the AEC they normally used or talk to the AEC chair about how the application could be improved. Until such time as it was amended, NAEAC was not in a position to make a recommendation to MPI. It was agreed that

NAEAC could consider the application again out of session if it was amended before the committee's next general meeting.

Actions - NAEAC to provide feedback on non-human hominid application to MPI.

O 16. AEC workshop planning -

G Shackell referred to the feedback received from the last workshop. Grading, information sharing, standard operating procedures, housing, compliance, killing animals e.g. in colonies (routine husbandry) were all topics that AECs were interested in hearing about.

The committee brainstormed some potential workshop themes. These included *Doing the right thing* and the *Three Cs – compliance, consistency and care*. G Shackell agreed to add a reminder about the AEC workshop in the next AEC newsletter. It was agreed that the committee had to keep thinking about the workshop theme and how they wanted the day to run. More planning would need to be completed at the next meeting.

A Dale left the meeting at 2.50 pm.

Action – Add item on AEC workshop in next AEC newsletter.

§ 9(2) referred back to the accredited reviewer application MPI had received and revealed the name of the applicant to committee members. § 9(2) reported she would confer with Legal colleagues about what other information about the applicant MPI was able to share with NAEAC. M King reported anecdotally on his experience with the candidate. G Shackell encouraged MPI to consider an induction programme for new accredited reviewers including a mentoring system. It was noted that undergoing a review could be stressful for staff employed by the code holder and for members of the AEC and as such, reviewers should maintain positive relationships during the process.

Action – § 9(2) to ascertain if application form can be shared with NAEAC.

O 18. MPI summary of CEC approvals, notifications and revocations

The update on the code approvals and notifications circulated prior to the meeting was noted.

O 19. MPI update including regulations

§ 9(2) provided an update on the development of the significant surgical procedures regulations for the benefit of new committee members.

§ 9(2) left the meeting at 3.08 pm.

O 20. Committee members' reports on recent presentations and attendance at conferences

The following conference and meeting attendance since the last meeting was noted:

- B Connor attended the International Society for Stem Cell Research meeting on organoids in February and the Australasian Society for Stem Cell Research meeting in November;

- N Harding attended the Understanding Animals conference hosted by the International Society for Applied Ethology in Wellington;
- M King attended the New Zealand Bioethics Conference;
- G Shackell attended the s 9(2)(g)(ii) meeting in December 2019.

O 21. NAEAC correspondence

G Shackell reported on the various communications he had had with AECs and external organisations since the last meeting. The following interactions were noted:

- Email from s 9(2)(a) New Zealand Herald via NAEAC mailbox regarding a feature article he was writing on animal testing and research.
- Email from a management consulting firm based in Tel-Aviv wanting information regarding the operation of New Zealand's animal welfare system.
- Email about research from the chairs of two AECs - s 9(2)(g)(ii)
- Query regarding the flow chart for deciding if ethics approval is needed. It was noted that the flow chart originated from an occasional paper.
- Query from the s 9(2)(a) about the forced swim test.
- Query from the s 9(2)(g)(ii) AEC.
- Question from the chair of the s 9(2)(g)(ii) AEC that covered several operational areas.

There being no other items of business to discuss, the chair thanked committee members for their attendance and closed the meeting at 3.30 pm.