

**AgResearch Limited**

**Code of Ethical Conduct  
for the use of Animals  
in Research, Testing and Teaching.**

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# AgResearch Limited Code of Ethical Conduct for the use of Animals in Research, Testing and Teaching.

## Part I: Overview and philosophy

This Code of Ethical Conduct (CEC) for AgResearch Ltd. is designed to implement and give effect to the Animal Welfare Act 1999 (the Act), the Animal Welfare (Records and Statistics) Regulations 1999, and any other relevant legislation.

AgResearch Limited is a Company that is involved with developing and applying technologies for the Pastoral Sector, and therefore conducts research:

- aimed at improving the health and productivity of farmed animals that produce agricultural products
- on laboratory and farmed animals that are models for advancing biological and scientific knowledge
- on vertebrate pests that influence the health and productivity of both farmed animals and humans
- on animals that are models for medical research in the field of improving human health and well-being

AgResearch employees may perform manipulations in the various fields of pastoral agriculture research and life science technology testing on birds, cattle, deer, sheep, rats, camelids, chickens, dogs, mustelids, goats, guinea pigs, horses, mice, possums, pigs, rabbits, and any other species of animal as defined by the Act, that is required for the purposes of research, testing or teaching to be approved by an Animal Ethics Committee (AEC).

AgResearch recognises the need, and is committed wherever possible, to reduce the number of animals manipulated; to refine manipulation techniques with the aim of minimising harm to animal subjects and maximising benefits to human beings, animals or ecosystems; and to replace animals as subjects for research by substituting, where appropriate, non-sentient or non-living alternatives.

AgResearch prides itself on demonstrating an enlightened culture of care which fosters integrity and accountability with regard to the actions and decisions of staff and committee members in all areas of occupation.

All organisations that enter into an Animal Ethics parenting agreement with AgResearch will undertake to comply with this Code of Ethical Conduct.

## Part II: Animal Ethics Principles

All individuals using animals for research, testing or teaching are to be familiar with AgResearch's Code of Ethical Conduct for the Use of Animals for Research, Testing and Teaching

Guidelines for determining the need or otherwise for Animal Ethics Committee approval can be found on the Animal Ethics pages of the AgResearch Gateway website. Should any person require further clarification the Chairman of an AgResearch Animal Ethics Committee (AEC) should be contacted.

Animal manipulations should be proposed only after consideration has been given to the relationship between ethical cost and potential benefit to be obtained, and where those proposing such manipulations are thoroughly conversant with the literature and background information available on the subject.

All such manipulations must be prior approved by an AgResearch AEC.

AgResearch AECs will subscribe to the principles of replacement, reduction and refinement as defined in the Animal Welfare Act 1999 (Section 80).

Before an application is submitted for review by an AEC, careful attention should be given to the following:

- that the manipulation(s) are a necessary part of an on-going research, testing or teaching project
- that there is good reason to believe the findings will add to the scientific understanding of and extend the body of knowledge of biological functions, behaviour, improvement of the health and welfare of animals or humans or improve the productivity of farmed animals
- that alternative methods such as mathematical models, audio-visual means, computer generated simulations and *in vitro* biological systems cannot provide the required result

Animals selected for an experiment should be of an appropriate species and quality.

All research, testing and teaching should be of an appropriate design and performed on the minimum number required to obtain statistically valid results or to meet teaching objectives.

Endangered or threatened species may only be used if the appropriate permits are obtained and the findings are expected to assist the survival of that species.

Manipulations must be undertaken by trained individuals or under the direct supervision of trained individuals. This includes euthanasia of animals.

While the project leader has primary responsibility, all co-applicants and other persons involved in the manipulation, handling and care of animals are responsible for giving due regard to avoiding or minimising discomfort, distress or pain for those animals.

Procedures with animals that may cause more than momentary or minimal pain or distress should be performed with appropriate sedation, analgesia or anaesthesia, including post-surgical analgesia, in accordance with best veterinary practice.

Surgery or other painful procedures must not be performed on un-anaesthetised animals or those paralysed by chemical agents without sufficient justification.

In the absence of information to the contrary, all applicants should assume that any procedure that would cause pain in human beings will cause pain in other vertebrate species.

To minimise distress, no animal should be subjected to more procedures than are necessary to achieve the objectives of the proposed research, testing or teaching. If multiple manipulations are to be performed on individual animals this must be brought to the attention of the AEC when approval for any procedure is requested. Multiple procedures may be carried out on an individual animal only if the applicant can justify that they are necessary and do not cause avoidable harm to the animal. The applicant must also show that, by repeatedly using the same animal, the results from the research, testing or teaching are not compromised.

Animals that suffer severe or chronic pain, distress, discomfort or disablement that cannot be relieved should be euthanased.

Prior approval of the Animal Ethics Committee must be obtained for any manipulation of animals within the facilities of AgResearch or by AgResearch staff on non-AgResearch properties.

Animals must be transported under safe, humane and hygienic conditions appropriate to the species.

If animals must be housed, such housing must be of a standard that ensures that their general health is safeguarded and that undue stress is avoided. Sufficient space, according to the species, should be allocated for each animal. Environmental needs such as temperature, humidity, ventilation, lighting and social interaction should also be consistent with the needs of the species concerned. Animals must receive a supply of foodstuffs appropriate to their requirements and of the quality and quantity adequate to preserve their health, with free access to water, unless the object of the experiment is to study the effects of variation in these nutritional requirements.

Sick or injured animals should immediately, according to circumstances, either receive appropriate veterinary care or be euthanased. When untoward outcomes occur or unplanned euthanasia of animals is required or unplanned deaths of animals occur as a direct result of the research, testing or teaching procedures (or of conditions under which animals are maintained for such procedures), these outcomes, including necropsy reports, must be reported in writing to the AEC as soon as practicable. The report should also advise the steps being taken to avoid further outcomes of this type.

Any event during research, testing or teaching that impacts adversely on animal welfare beyond the approved manipulation(s) will be notified to the AEC as soon as practicable.

At the conclusion of a manipulation, the person undertaking the manipulation, or a senior person responsible for the research, testing or teaching, must make appropriate arrangements for the final disposal of animals either to non-experimental circumstances or by euthanasia. Dead animals must be disposed of in an acceptable manner.

All Acts of Parliament, regulations or by-laws pertaining to the obtaining, holding possession, care and treatment of animals are to be complied with.

### **Part III: Animal Ethics Committees**

AECs shall be established, in accordance with the Act, to consider ethical matters pertaining to the manipulations, as defined by the Act, of animals located at AgResearch campuses, by AgResearch staff, or involving AgResearch animals (on or off station), as well as the manipulation of animals for organisations approved to use AgResearch AECs.

At the time of submission, there are three AgResearch AECs operating under the expiring code. These committees are located at Grasslands (Palmerston North), Invermay (Mosgiel), and Ruakura (Hamilton). The number and location of AECs may change if or when AgResearch's reviews its structure and locations. However, operationally AgResearch AECs operated under a single Code of Ethical Conduct and a single Quality Assurance Management Protocol.

In the event that an AgResearch AEC is disbanded, all projects currently approved, including those of any external party using the disbanded AEC, will be transferred to the most appropriate remaining AgResearch AEC.

#### **Membership**

Each committee shall be appointed by the AgResearch Research Director and consist of the following members:

- A senior member of the AgResearch staff capable of evaluating proposals involving manipulations in terms of such factors as the standing of the proposer and the value of the manipulation; and
- A veterinarian nominated by the New Zealand Veterinary Association who is not affiliated with AgResearch; and
- A nominee of the Royal New Zealand Society for the Prevention of Cruelty to Animals who is neither affiliated with AgResearch nor involved in the use of animals for research, testing or teaching; and

- A nominee of a territorial authority or regional council who is not affiliated with AgResearch, the scientific community or any animal welfare agency.

Further appointments, to be made at the discretion of the Research Director, may include:

- A veterinarian appointed by the Director Science; and
- A member of staff responsible for the procurement, production and maintenance of the animals; and
- A Biometrician capable of assessing the statistical validity of an experiment; and
- Any other persons the Research Director may appoint.
- The committee may second additional members to provide additional appropriate expertise as needed.

For the purposes of establishing a quorum under Part iii of this CEC, an external member is a member of an AEC, appointed by the AgResearch Research Director, who is a statutory appointment (NZVA nominee, RNZSPCA nominee Territorial authority or Regional Council nominee).

### **Appointment and replacement procedures**

Appointments shall be made in compliance with the Act, with the aim of providing a range and balance of skills and experience. Appointments shall be made after consultation between the committee, the Research Director and, in the case of external appointments, the relevant nominating agencies.

Appointment shall be for the term of the Code of Ethical Conduct current at the time of appointment for all internal and external members, renewable by negotiation between AgResearch and the nominating body. Replacement procedures shall follow the appointment procedures.

### **Quality Assurance**

This CEC is supported and supplemented by the AgResearch Animal Ethics Quality Assurance Management Protocol (QA document) applicable to all AgResearch AECs.

This QA document is the authoritative reference that substantiates company policy relating to animal health and welfare operations.

### **AEC Training**

At the time of appointment each new member will be given a one on one training session with either the AEC Secretary or the AEC Chair. At this time the member will be issued with:

- A copy of the current AgResearch CEC
- A copy of the current AgResearch AEC QA Protocol
- External access to the AgResearch Animal Ethics Web-based Database System (hereafter called the Database)
- A copy of the "Guide to the Animal Welfare Act 1999"
- A copy of the "Guide to Part 6 of the Animal Welfare Act 1999"
- A copy of the "Guide for lay members who sit on Animal Ethics Committees"
- A copy of "A culture of care"
- A copy of "Analgesic Best Practice"
- A copy of all Codes of Recommendations and Minimum Standards for Welfare and Codes of Welfare current at the time of appointment
- The MPI Biosecurity website address: <http://www.biosecurity.govt.nz/biosec>

Improvement of the knowledge and skills of AEC members is facilitated by distribution of appropriate literature (such as ANZCCART News), access to the AgResearch libraries, attendance at conferences, and contact with AgResearch staff and outside experts.

Improvement of the knowledge and skills of AgResearch staff is facilitated as appropriate by the AgResearch Training and Development Policy, AECs, and/or through the AgResearch Gateway intranet and the Database.

### **Remuneration for external members**

External members shall be paid a meeting attendance fee and a site visit fee (when specifically requested to assist with laboratory or farm visits) to cover their time and reasonable travel expenses.

A proportional fee may be paid to members who are unable to attend committee meetings, but have given apologies in advance and provided written comments on the applications assigned to them to review.

### **Strategies to ensure effective input by external members**

Literature such as ANZCCART News, NAEAC Reports and Guidelines, and MPI publications are distributed among all internal and external committee members, in addition to the circulation of AEC documents, to complement their knowledge of relevant matters.

All members shall receive full copies of all applications and shall have equal opportunity to contribute to the business of the meeting.

All members, especially external members, are encouraged to have direct contact with the researchers and staff responsible for animal care to obtain all the additional information and answers to questions they have in regard to the applications made to the AECs.

A quorum is defined in Part IV of this code.

Urgent project applications to the AEC shall be considered by a sub-committee of not less than four, of which at least two of whom shall be an external member as defined under section 101 subsections (5), (6) and (8).

In the event of a conflict of opinion which cannot be resolved, members have recourse through:

- Direct access to the Research Director located at Grasslands
- Seeking advice from NAEAC through their secretariat in the Ministry for Primary Industries, Wellington

External members may consider seeking resolution in person or through their nominating body

### **Māori perspectives**

AgResearch is cognisant that Māori have specific interests in the way their land is used and in the indigenous fauna of New Zealand. This Code therefore recognises that AgResearch must operate with tiaki and whakaute when using these resources.

The AgResearch Ruakura Campus, in particular, is leased from the Tainui iwi and this Code recognises that as tangata whenua they have specific interest in the use of their land.

While AgResearch does not undertake research related to indigenous species, it is acknowledged that from time to time some research may impinge on some of these species. Further, this CEC is used by a number of other companies, some of which may also from time to time wish to work with indigenous species.

The work undertaken under this CEC does not routinely necessitate the presence of Māori representation on the AgResearch AECs. However, as a sign of respect, all applicants must identify when Māori perspectives should be addressed.



Specific questions in each proposal require the applicant to identify any area of the proposal that is of specific interest to Māori. Should this occur the applicant is required to discuss these aspects with local iwi or hapu, and include evidence that these discussions have taken place and that Māori perspectives are not compromised.

If there is any uncertainty, it is the applicant's responsibility to approach local Māori representatives for clarification.

### **Amendments to the CEC**

If at any time the AEC determines that this code should be amended, a recommendation will be made to the Research Director as the Codeholder's representative

Minor amendments that are made will be notified to the Animal Welfare Team of the Ministry for Primary Industries.

Any proposed amendments that may significantly alter the intent of this Code of Ethical Conduct will be submitted to the Animal Welfare Team of the Ministry for Primary Industries for review and approval.

## **Part IV: AEC Procedures**

### **Appointment of Chair and Deputy**

Each AEC chairperson shall be appointed by the Research Director upon the recommendation and endorsement of the AEC. Should the Chairperson be unavailable for any meeting, a deputy Chairperson shall be elected by the committee members present.

### **Quorum**

A quorum for scheduled meetings shall consist of three members, at least one of whom shall be a statutory external member as defined under section 101 subsections (5), (6) and (8).

Urgent submissions will be circulated to all members. A quorum for urgent submissions requiring review and approval before the next scheduled meeting shall consist of three members, at least one of whom shall be a statutory external member as defined under section 101 subsections (5), (6) and (8).

A quorum for subcommittees appointed by the committee during a scheduled meeting shall be three members, at least one of whom shall be a statutory external member as defined under section 101 subsections (5), (6) and (8).

### **Conflict of interest**

Committee members must declare any potential conflict of interest to the meeting of the relevant AEC, prior to the matter concerned being discussed.

The committee shall be responsible for establishing the protocol adopted to manage such potential conflict on a case by case basis.

Where a member of the committee is the principal investigator or has a significant contribution on a project being considered, the member may be asked to retire from the discussion, or may be required to abstain from voting on the approval or non-approval of the project.

All declaration of conflict of interest, and the way that conflict was managed, will be minuted by the secretary.



## **Public attendance at AEC meetings**

AgResearch is a Crown Research Institute, and therefore not subject to the Local Government Official Information and Meetings Act 1987. Consequently, AgResearch AEC meetings are not open to public attendance.

Information about AEC meetings is official information in terms of the Official Information Act 1982, and requests by members of the public for its release are to be treated as requests pursuant to that Act.

## **Other procedural matters**

AEC operational procedures are expanded in the AgResearch Animal Ethics Quality Assurance Management Protocol. Such procedures include:

- Frequency of meetings and distribution of agenda
- Preparation of agenda
- Decision making
- Possible urgency provisions
- Treatment of commercially sensitive information
- Use of subcommittees
- The use of electronic meeting procedures.

## **Part V: Additional protocols**

### **Approval criteria**

Criteria that must be taken into account by committees in considering project applications are set out in section 100 of the Act, and further detailed in the AgResearch Animal Ethics Quality Assurance Management Protocol. These criteria specified in section 100 (a-l) of the Act are included in the AE Application form in a way that makes an answer compulsory.

Special emphasis shall be given to the experience and qualifications of staff to ensure proficiency in the subject of the study, its procedures, related information, and animal health and welfare, in addition to the content of this Code of Ethical Conduct and the obligations it contains.

Application forms shall require details of relevant experience and/or qualifications by appropriate personnel. In assessing the suitability of proposed methods of animal manipulation and care, committees shall refer to the recommendations of NAEAC in its "Good Practice Guide for the Use of Animals in Research, Testing and Teaching" and to the relevant "Codes of Welfare" issued under section 75 of the Animal Welfare Act 1999.

### **Submission deadlines**

The date of the next AEC meeting at each campus will be set and the cut-off date for submissions shall be circulated to staff after each meeting of the campus committee.

### **Approval duration**

In general, Approval for manipulations of animals will be for a period of one year unless a specific request is made, and justified, for longer approval.

No Approval for specific manipulations of animals will be for a period of more than three years. For trials of longer duration, new applications for an extension of this period must be made in sufficient time to permit decisions to be made before the original approval expires.

### **Reporting**

As part of its monitoring procedures, AgResearch requires additional reporting on all approved Animal Ethics Applications.

Principal investigators are required to immediately notify the committee of any untoward or unexpected reaction or deaths of an animal or animals during experimental procedures.

In addition to Animal Use Statistics information, end of trial reports are required for every project.

AE ReportA requests information on animal welfare issues and specifically provides for input from those responsible for day-to-day animal care and welfare. This report is due as soon as the project is completed.

A further report that comments on the success (or failure) of the study in scientific terms (AE ReportB) is also required. This report is due no later than 6 months after the project finishes.

Due dates for non-statutory reporting may be given some leeway on application to the committee if there are extenuating circumstances (e.g. delays in processing samples and/or data analysis).

### **Statistics of animal usage**

The Research Director must be able to provide the Director-General (MPI) at 7 days' notice statistics from all locations on the animals manipulated in the course of research, experimental and diagnostic procedures, work for the purpose of producing antisera or other biological agents, toxicity and potency testing and teaching in New Zealand.

Each individual AgResearch AEC must maintain records of the number of animals manipulated in accordance with the requirements of the Animal Welfare (Records and Statistics) Regulations 1999 (AWR).

Project applications must indicate the proposed number of animals and the expected grading of the manipulation.

A completed Animal Use Statistics form is required immediately each project finishes.

### **Restricted Veterinary and Human Medicines**

The AgResearch Institutional Operating Plan for Veterinary and Human Medicines covers matters pertaining to the use of Restricted Veterinary and Human Medicines.

Compliance with this plan and associated AgResearch policies and best practice will enable AgResearch to fulfil its responsibilities under the Agricultural Compounds and Veterinary Medicines Act 1997 and other relevant legislation.

### **Operating guidelines**

To assist project applicants in the submission of their proposals, the following will be available on the Database and may also be accessed via the AgResearch Intranet (Information/Animal Ethics site).

- Templates and standard forms relating to applications for ethics approval *AgResearch Animal Ethics Application Form*, amendment of approved protocols *AgResearch Animal Ethics Project Modification Form* and reporting *AgResearch Animal Ethics Reports*, for completion by investigators.
- Instructions on why and how to complete the Animal Ethics application and other related forms.
- Copies of relevant legislation and regulations
- AgResearch policies and best practice documents in relation to meeting the requirements of the relevant legislation.

## **Part VI: Monitoring and compliance**

### **Monitoring of facilities and manipulations**

Application forms for project approval mandatorily require details as to the husbandry and treatment of animals at all stages of the proposed experiment.

The AEC Application form requires the applicant to specify how animals will be monitored during the project. This question is mandatory, and the application cannot be submitted if it is not answered. In addition, frequency of monitoring must also be indicated.

To help the AEC fulfil its monitoring obligations under section 99 of the Animal Welfare Act, AgResearch requires that every project must also have two reports filed on completion (see part V). These documents (AE ReportA and AE ReportB) monitor the animal welfare and the science of every Application.

From time to time, the committee may also request interim and/or final reports from the principal investigator and may, upon receipt of additional information, rescind its approval for a project.

The committee may seek outside expert advice to help with reviewing projects or request the project leader to attend a committee meeting to explain the manipulation in more detail and answer questions.

The committee, and its individual members, have the authority to inspect animals, their accommodation or experimental records at any time in order to satisfy themselves that procedures are being properly carried out. While such visits are usually notified in advance, this is not a requirement.

All people carrying out manipulations on animals shall immediately notify the committee of any untoward or unexpected reaction or deaths of an animal or animals during experimental procedures.

In accordance with the appropriate QA document the committee will visit animal facilities and view animal manipulations. While such visits are usually prior notified, this is not a requirement. Usually at least the principal investigator is in attendance to answer questions, and to discuss the work. Other staff, including animal carers may also be present.

All AgResearch farms are scheduled to be regularly audited to ensure that they comply with minimum standards for both animals and personnel. Each AEC will receive copies of the audit reports appropriate to sites under their jurisdiction, and will accept these as independent monitoring reports.

### **Corrective action**

Any person employed by AgResearch, or who is a member of an AgResearch AEC, can bring to the notice of an AEC, through the Chair or an Animal Welfare Officer, any instance where they believe that the welfare of animals (whether or not they are under being managed under a current AEC approval) is compromised.

The committee has the power to direct that any procedure, whether approved or not, be stopped or modified on ethical grounds. The committee can also direct that the animals be properly cared for or euthanased. All staff on AgResearch campuses have a responsibility to take appropriate corrective action whenever necessary.

Any inspector appointed under the Animal Welfare Act 1999 Part 7;124 has the power to enter premises to inspect and if necessary remove any animal if the inspector is satisfied on reasonable grounds that an offence is being or has been committed. The committee will investigate suspected or alleged non-compliance with the code.

If a transgression of the Animal Welfare Act and/or the AgResearch Code of Ethical Conduct is evident, then formal written notification shall be given to the person involved, their supervisor and the Research Director. Other action may be taken, as the committee deems appropriate.

AgResearch has a culture of both corporate and individual responsibility to ensure all work involving manipulation of animals conforms to this code.

Disciplinary action for non-compliance with the code shall be in accordance with AgResearch employment (Corrective Action) policy or, in the case of external personnel, with the policy of the organisation concerned.

## **Part VII: Parenting arrangements**

Parenting arrangements with outside organisations shall be considered by AECs on a case by case basis. An AEC may accept such parenting arrangements only if it believes the committee has the appropriate expertise to review the applications that will be submitted by the parent company.

Prior to acceptance of a parenting agreement, the parent company, through its nominated representative, must accept all conditions for monitoring animal manipulations as set out by the committee.

All parenting arrangements shall be notified in writing to the Animal Welfare Team of the Ministry for Primary Industries prior to the lodging of any application to the committee.

Parented organisations shall comply with this code.

Full cost recovery shall apply in the absence of a collaborative research agreement between AgResearch and the parent organisation.

External applicants shall be required to complete the same Application, Modification and Reporting requirements as AgResearch employees.

Members of the AEC concerned shall normally perform local monitoring supervision.

Distant monitoring supervision shall be by a member of the AEC or by arrangement with personnel contracted to act on behalf of the AEC.

Any such contracted personnel shall have appropriate qualifications and experience, as determined by the AEC, to be able to satisfactorily monitor manipulations performed on animals.

As representatives of the AEC, contracted personnel have the same authority as set out for committee members in Part V of the code.

A specific Monitoring Form template is available on the AgResearch Animal Ethics database. All monitoring visits must be recorded on this form and submitted to the AEC in order to document monitoring of parent organisations. Any costs associated with such monitoring must be met by the applicant.

## **Part VIII: Information management**

Persons with appropriate skills shall be employed to act as secretaries to the AEC. The secretary shall prepare the agenda, draft the minutes and circulate the documentation and correspondence used by the committee.

Each secretary shall maintain records of the agenda, minutes, decisions, correspondence with investigators, site visit reports, application forms and all other relevant documentation. Secure storage shall be maintained.

A complete hard copy record of all projects, their approval, any correspondence, all amendments and all reports shall be kept by the Secretary for not less than ten years.

Database records of all relevant information, entered into the AgResearch Animal Ethics database upon receipt by the secretary and updated progressively, are maintained on the AgResearch Computing network for a similar time period.

To ensure the security of commercially sensitive information all members of the AECs, internal and external, shall sign a standard confidentiality agreement, breach of which may give rise to personal liability in civil law. Members are expected to keep all documents in a secure place.

Copies of all projects held by members of the committee shall be returned when no longer required and destroyed by the secretary. No documentation shall be released unless approved by the Chairperson.

## **Part IX: Animal facilities and practices**

Animal facilities and practices (design, hygiene and management) shall be in accordance with good practice and scientific knowledge (as recommended by NAEAC in its revision of "Good Practice Guide for the use of Animals in Research, Testing and Teaching, issued in June 2010" and to the relevant "Codes of Welfare" issued under section 75 of the Animal Welfare Act 1999).

Standards shall be maintained by the provision to animal care staff of in-house training and/or access to external training opportunities. Animal husbandry and care shall be provided at each facility seven days a week. All caged indoor-housed animals shall be checked by visual inspection by an approved operator at least once each day, seven days a week.

It is the responsibility of the appropriate AgResearch Facility Manager and the principal investigator to ensure that the person caring for the day to day needs of the animals is properly trained, and has access to a registered veterinarian should the need arise.

AgResearch is aware that some staff have privileges, under various legislation, for manipulating animals and also for the administering and handling some chemicals, drugs and veterinary medicines. This particularly applies to non-veterinary trained staff.

### **Training of AgResearch staff**

All staff who are responsible for animal manipulations must be trained and declared competent by a trainer approved by the AEC

Training is species and manipulation specific – an operator approved for a particular manipulation for one species is not automatically approved to undertake either an essentially similar manipulation in another species, or another manipulation in the same species

All training must be approved by the appropriate AEC before it is started

A register of all trained personnel is kept on the Database, and is accessible by all users.

All use of drugs and Veterinary Medicines must be specifically approved by the AEC.

## **Part X: Complaints procedures**

All complaints regarding animal welfare must be reported to the Chair of the appropriate AEC.

A Complaint form is available on the Database. Submission of this form automatically notifies the Chairman and the Secretary, via electronic messaging, that a complaint has been lodged.

If the complaint is substantiated (upon investigation by the chair and/or a subcommittee of the AEC responsible for the facility where the animals are housed) then the Research Director shall be notified and a formal investigation initiated.

An investigation will then proceed according to the guidelines of the AgResearch Corrective Action Policy.

For a more specific guide to complaints procedures in relation to complaints from AEC members, applicants, AgResearch employees and members of the public, refer to the AgResearch Animal Ethics Quality Assurance Management Protocol (see Appendix 1).

## **Part XI: Staff responsibilities**

All staff of AgResearch and any Organisation parented to an AgResearch AEC will be responsible for familiarising themselves with this Code of Ethical Conduct, and with all other policies and procedures that are consistent with the use of animals for research testing and teaching.

### **Compliance**

Animal Ethics Approval is solely for the purposes of approving the Welfare aspects of the use of animals for the purposes of Research, Testing and Teaching under the Animal Welfare Act 1999 (Part 6).

Principle investigators are responsible for compliance with all other legislation and regulations.

Specific questions in the Application form (Section 2: Regulatory Approval) are asked to ensure that compliance requirements have been met. This is so that the Animal Ethics Committee can be confident that any potential compliance issues have been dealt with.

An Animal Ethics Committee approval does not override any other obligations that individuals have under legislation or regulation other than the Animal Welfare Act 1999.

### **Administration of Drugs**

Staff who are not trained as Veterinarians may from time to time administer drugs and Veterinary Medicines to animals under Animal Ethics Committee approval.

The AgResearch Animal Ethics Database will be a repository for Internal Drug Administration Orders, which are issued under the AgResearch Institutional Operating Plan for Veterinary and Human Medicines.

### **Adverse event reporting**

From time to time adverse events may occur that were not expected when the project started. These may be as diverse as adverse weather events to unpredicted side effects of a treatment or manipulation or a major natural disaster.

If the health or well-being of an animal or animals is compromised, veterinary advice must be sought.

Where a minor adverse event occurs, it is the responsibility of the person(s) handling the animals (in consultation with a Veterinarian if necessary) to establish and administer appropriate treatments or management practices.



In all cases where a major adverse event occurs, it is the proposer's responsibility to establish and implement a management plan to minimise the effects on animals and to inform the AEC as soon as possible.

Any adverse event, its effects on the study animals and the outcome of the study must be referred to in Reports to the AEC.

## **Part XII: List of Documentation supporting this CEC**

- AgResearch Animal Ethics Quality Assurance Protocol (attached as Appendix 1)
- AgResearch Institutional Operating Plan for Veterinary and Human Medicines
- AgResearch Employment Policy
- AgResearch Training and Development Policy
- Guide to the Animal Welfare Act 1999
- Guide to Part 6 of the Animal Welfare Act 1999
- Guide for lay members who sit on Animal Ethics Committees
- A culture of care
- Analgesic Best Practice
- Codes of Welfare
- NAWAC Minimum standards and recommendations for best practice



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Web: www.agrivet.co.nz  
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Facsimile: +64 6 877 7047**CODE OF ETHICAL CONDUCT**

(31-October-2012)

**Introduction**

This code is to cover the activities of Agrivet Services Limited. The main business of this company is to test agricultural chemicals and veterinary medicines. Veterinary medicines are tested for disease control in sheep, cattle and goats and on occasions other domesticated animals. On most occasions these studies will be for the purposes of generating data for efficacy and residues for registration of the products in New Zealand, Australia and internationally.

As Managing Director of this company, I shall take full responsibility for setting up an animal ethics committee ("AEC") so that any activities that are classified as a "manipulation" under the Animal Welfare Act 1999 ("the Act") can be assessed according to the requirements of the Act.

**Part 1. Membership of the Animal Ethics Committee:**

The AEC will consist of a minimum of five members including:

- a. A chairperson who is the Managing Director of Agrivet Services Limited, subject to endorsement by the AEC
- b. A person nominated by an approved animal welfare organisation, such as the RNZSPCA, who is not employed by or associated with Agrivet Services Limited
- c. A person nominated by a territorial authority or regional council, not employed by or associated with Agrivet Services Limited
- d. A veterinarian nominated by the New Zealand Veterinary Association who is not employed by or associated with Agrivet Services Limited
- e. Up to three additional members appointed by Agrivet Services Limited, including Senior Project Biologist involved with animal health
- f. External members appointed under part 1 b, c and d will be remunerated as per the standard rate set by Agrivet Services Limited
- g. Appointments other than the chairperson and Agrivet staff will be for a period of at least two-three years or as required by personal circumstance. At the end of a 5-year term for each external committee member, a re-appointment process will occur with the appropriate nominating body being contacted regarding the committee member.
- h. The secretary of the committee shall be an Agrivet Services Limited employee appointed under part 1(e)
- i. Vacancies in the membership of the committee will not invalidate its actions, as long as a quorum of members is still available for committee meetings. Vacancies shall be filled promptly in accordance to part 1 a, b, c, d and e of this code

- j. If a member has a protracted absence from the committee of longer than six months this member must resign their position on the committee and a replacement will be recruited. If the replacement is an external member they must be nominated by the appropriate authority
- k. New AEC members will be provided with the NAEAC induction pack for new AEC members
- l. When an appointee wishes to no longer serve on the AEC then he/she is to notify the AEC in writing and Agrivet Services Limited will contact the particular organisation to appoint a replacement

Members may also be required to attend conferences and / or training courses during their term on the AEC.

## Part 2. AEC Procedures

- a. The AEC will meet at least three times a year as organised by the chairperson. At least two week's notice will be given to AEC members of the meeting time and place
- b. The chairperson will ensure that minutes are recorded and kept, and that the agenda, AEC applications and all other appropriate information is forwarded to the AEC at least one week prior to the meeting
- c. A quorum is three members of whom two must be external members appointed under part 1 b, c or d
- d. All decisions of the AEC will be by majority. The majority must include at least two of the three external members
- e. Meetings will not be open to the public
- f. The applicant may be present at the meeting in support of their application and to answer any question the AEC may have
- g. Committee members must declare any conflict of interest to the chairperson, prior to the matter concerned being discussed. When a conflict of interest is declared that member will absent themselves from the discussion and voting pertaining to that matter. If the Chairperson has a conflict of interest, s/he will absent themselves from the discussion and the AEC secretary will perform the duty of acting Chairperson.
- h. To ensure effective input by external members all members will have equal opportunity to contribute to the business of the meeting. Decisions will be made after all committee members present have had the opportunity to express their views. External members will have access to researchers and staff involved in the manipulation of animals so that they can obtain information and answers to questions they have regarding applications made to the AEC
- i. Statistics on animal use and impact of use will be forwarded to MPI each year as required
- j. The impact grading of a project will be assigned by the applicant prior to the meeting and at the completion of the project if changes are required. The AEC will determine if the grading/s assigned to an application are appropriate when the application is being assessed. Grading will be based on the definitions outlined in the MPI document, Animal Use Statistics (2010) or any guidance material which supersedes this. Both the applicant and the AEC should refer to this guide when assigning and assessing impact grades
- k. Committee members will be asked to sign a confidentiality agreement at the time of their appointment and must treat all information submitted for AEC approval with confidentiality
- l. Provided that all members are in agreement, a policy will be set up covering the holding of teleconferences from time to time instead of meetings. Consecutive meetings held in this way will not be permitted

- m. Temporary consent for a proposal involving manipulations that have a grade of A or B must be brought to the attention of all AEC members. Consent may be given by a subcommittee of two members of the AEC of whom at least one shall be of those appointed under part 1 b, c or d. If any AEC member objects to the proposal, they will advise the AEC Chairman who will organise a teleconference for all AEC members. Minutes of the meeting will be recorded and circulated to all AEC members.
- n. Every temporary consent must be brought before the next AEC meeting for full approval. The application must then adhere to the result of the full approval application

### **Part 3. Responsibilities of Agrivet Services Limited**

- a. To ensure that any research involving the manipulation of any live animal is carried out in accordance with this code
- b. To bring all research proposals to the attention of the AEC for prior approval. Research proposals are to be presented in writing on the animal ethics approval application form
- c. To comply with all Acts of Parliament, regulations or bylaws pertaining to the care and treatment of animals. Particular attention will be given to sections 80 and 100 of the Act
- d. To ensure that any research and associated manipulations are undertaken by appropriately qualified personnel or under the direct supervision of appropriately qualified personnel
- e. To ensure that animals are transported under humane and hygienic conditions at all times
- f. When animals are housed, to ensure their health is safeguarded and that undue stress is avoided. Sufficient space should be allocated and environmental needs should be consistent with the needs of the species concerned. Animals must receive free access to water and to adequate feed to meet their nutritional requirements
- g. To ensure that sick or injured animals receive appropriate veterinary care
- h. Agrivet Services Limited will develop standard operating procedures for either animal husbandry practices or routine procedures that relate to the manipulation of animals in research trials. These standard operating procedures will be periodically reviewed by the AEC
- i. Any adverse event during a research trial should be dealt with promptly. If an animal is injured or sick as a result of the adverse event appropriate veterinary care must be sought immediately. The adverse event must be notified to the AEC soon as practicable. The adverse event will be discussed at the next AEC meeting and procedures will be developed to prevent the event happening in future research trials if the AEC believes the adverse event is preventable.

### **Part 4. Approval of protocols by the AEC**

- a. The function of the AEC is to ensure that the highest ethical standards are observed by Agrivet Services Limited and all persons associated with it in relation to the manipulation and use of animals
- b. When considering proposals put forward to it, the AEC shall ensure that the proposal meets the criteria set out in section 100 of the Act and that all personnel involved in the manipulation of animals as outlined in the proposal are appropriately qualified
- c. The AEC may approve a proposal, decline a proposal or direct that a proposal be modified on ethical grounds before approval is given. Decisions will be minuted and given to the applicant in writing
- d. The maximum approval period for an application is two years. After this time the application must be submitted for re-approval

- e. Changes to approved applications that include changing the numbers of animals in a research trial or changing the manipulations performed on animals in a research trial must be submitted for approval by the AEC
- f. The AEC has the power to suspend or revoke approvals or set, vary or revoke conditions of project approval.

#### **Part 5. Monitoring processes**

- a. The AEC has the power to inspect animals, their accommodation, and related experimental records at anytime to satisfy itself that approved procedures are being properly carried out. Between meetings this power is vested in the chairperson and at least one other member appointed according to part 1 b, c or d of this code. Any member of the AEC can request access to animals or facilities at any time, provided either the chairperson or his/her nominee accompanies them
- b. Monitoring visits by the AEC or its nominee must be performed at least once annually. Monitoring visits should be performed on a day that manipulations are being undertaken as part of an approved project. The project location will also be monitored at the time of the monitoring visit. All monitoring visits will be documented and outcomes will be recorded in the minutes of the AEC meeting following the visit
- c. Monitoring of projects may be performed by a veterinarian nominated as representing the AEC. A written report will be prepared and submitted to the AEC at the AEC meeting following the visit
- d. As an additional monitoring procedure the AEC will be informed of the outcome of approved projects at the completion of the project. This information will be supplied at the first AEC meeting after the completion of a project.

#### **Part 6. Arrangements for external parties to use the code and AEC**

Arrangements for external parties to use the Agrivet Services Limited code and AEC are not permitted.

#### **Part 7. Information management**

An Agrivet Services Limited staff member with the appropriate skills will be appointed to ensure that all minutes of AEC proceedings, its decisions, operations and records are stored and maintained in a satisfactory manner for a period of at least five years after the year to which the records relate.

#### **Part 8. Animal facilities and practices**

Animal facilities and practices shall be in accordance with good practice and scientific knowledge (as recommended by NAEAC in its *Good Practice Guide for the Use of Animals in Research, Testing and Teaching* (June 2010) and to the relevant codes of welfare issued under section 75 or the Animal Welfare Act 1999).

It is the responsibility of the Principal Investigator to ensure that the person caring for the day to day needs of research animals is properly trained and has access to a registered veterinarian should the need arise.

## **Part 9. Complaints procedures**

- a. The AEC has the power to inspect animals, their accommodation, and related experimental records at anytime to satisfy itself that approved procedures are being properly carried out. Between meetings this power is vested in the chairperson and at least one other member appointed according to part 1 b, c or d of this code. Any member of the AEC can request access to animals or facilities at any time, provided either the chairperson or his/her nominee accompanies them.
- b. All complaints regarding animal welfare must be reported to the Chair of the AEC and a formal record kept.
- c. Procedural Complaints

In accordance with section 103 of the Act, any member of the AEC who believes that the committee (including the chairperson) or Agrivet Services Limited is failing to comply with the code may report such non-compliance to the Director-General of MPI. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report. A complaint report will be actioned in a timely fashion and discussed at the next AEC meeting

If an applicant submits a complaint to the Chairperson regarding a decision made by the committee in relation to his or her application for ethics approval, the applicant may nominate the Chairperson on another AEC to assist in the resolution of the matter at hand. Where the initial decision is upheld by the surrogate Chairperson, that decision is final. Where the initial decision is reversed by the surrogate Chairperson, it is referred back to the original committee for reconsideration, the resultant decision of which shall be final.

- d. Animal Welfare Complaints

Complaints made by members of the public shall be referred to the AEC Chairperson who may correspond directly with those concerned to inform them of the company's position and / or advise them that further correspondence may be addressed to MPI. A complaint report will be actioned in a timely fashion and discussed at the next AEC meeting.

Complaints made by Agrivet Services Limited employees shall be directed to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the Agrivet Services Limited Managing Director will determine the appropriate correction action to implement. An Agrivet Services Limited staff member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report.

Complaints made by AEC members shall be directed to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the Agrivet Services Limited Managing Director will determine the appropriate corrective action to implement. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report.

Complaints made by AEC members, Agrivet Services Limited staff members or the public that concern the Chairperson of the AEC can be directed to the NZVA nominee who may correspond directly with the chairperson to resolve the issue and / or correspond with MPI if the complaint is of a nature that the NZVA nominee believes justifies this action.

**Part 10. Signature**

*This is to certify that the code holder (Agrivet Services Ltd) undertakes to conform to all the requirements of the Animal Welfare Act 1999 and will ensure that all persons involved in the animal manipulations and carrying out of these activities are appropriate persons according to that Act. It is accepted that Agrivet Services Ltd is also responsible for distributing information on the requirements of the Act to the AEC members to help ensure that the AEC follows the requirements of the law.*

s 9(2)(a)

Signature of applicant

Name of applicant:.....

Date: 31 October 2012

Released under the Official Information Act 1982





# CODE OF ETHICAL CONDUCT

## Alleva Animal Health Limited

### Introduction

This CEC is to cover the activities of Alleva Animal Health Limited ("Alleva") of Auckland. The main business of this company is to develop novel animal remedies. As part of the development and registration of these novel animals remedies clinical trials are required. The animals used will predominantly be sheep and cattle and occasionally horses, cats and dogs.

As managing director of this company, I shall take full responsibility for setting up an animal ethics committee ("AEC") so that any activities that are classified as a "manipulation" under the Animal Welfare Act 1999 ("the Act") can be assessed according to the requirements of the Act.

### Part 1. Membership of the Alleva Animal Ethics Committee:

The AEC will consist of a minimum of four members including:

- a. A Chairperson who is a senior representative of the company, endorsed by the AEC and appointed by the Chief Executive for a period of three years,
- b. A person nominated by an approved animal welfare organisation, such as the RNZSPCA, who is not employed by or associated with Alleva, or involved in the use of animals for research, testing or teaching.
- c. A person nominated by a territorial authority or regional council, not employed by or associated with Alleva, or associated with the scientific community or an animal welfare agency
- d. A veterinarian nominated by the New Zealand Veterinary Association who is not employed by or associated with Alleva
- e. Up to three additional members appointed by Alleva
- f. External members appointed under part 1 b, c and d will be remunerated as per the Alleva standard rate.
- g. Appointments other than the chairperson will be for a period of one, two or three years. The term of appointment will be determined at the time of appointment.
- h. Reappointment of external members at the expiry of their term must be done through a formal nomination by the relevant body as outlined in Part 1 b, c and d.
- i. The Secretary of the committee shall be an Alleva employee appointed under part 1(e)



- j. Vacancies in the membership of the committee will not invalidate its actions, as long as a quorum of members is still available for committee meetings. Vacancies shall be filled promptly in accordance to part 1 a, b, c, d and e of this code.
- k. If a member has a protracted absence from the committee of longer than nine months this member must resign their position on the committee and a replacement will be recruited. If the replacement is an external member they must be nominated by the appropriate authority.
- l. New AEC members will be provided with the NAEAC induction pack for new AEC members. In addition all members will be provided with any NAEAC and ANZCCART publications that are sent to Alleva. Members may also be required to attend conferences and / or training courses during their term on the AEC.

## **Part 2. AEC Procedures**

- a. The AEC will meet at least once a year as organized by the Chairperson. At least two weeks notice will be given to AEC members of the meeting time and place.
- b. The chairperson will ensure that the Secretary records and keeps the minutes, and that the agenda, AEC applications and all other appropriate information is forwarded to the AEC at least one week prior to the meeting.
- c. A quorum is three members of whom two must be external members appointed under part 1 b, c or d.
- d. All decisions of the AEC will be by majority. The majority must include at least two of the three external members.
- e. Meetings will not be open to the public.
- f. The applicant may be present at the meeting in support of their application and to answer any question the AEC may have.
- g. Committee members must declare any conflict of interest to the Chairperson, prior to the matter concerned being discussed. When a conflict of interest is declared that member will absent themselves from the discussion and voting pertaining to that matter.
- h. To ensure effective input by external members all members will have equal opportunity to contribute to the business of the meeting. Decisions will be made after all committee members present have had the opportunity to express their views. External members will have access to researchers and staff involved in the manipulation of animals so that they can obtain information and answers to questions they have regarding applications made to the AEC.

- i. Statistics on animal use and severity of use will be forwarded to MPI each year as required.
- j. The severity grading of a project will be assigned by the applicant prior to the meeting and at the completion of the project if changes are required. The AEC will determine if the severity grading/s assigned to an application are appropriate when the application is being assessed. Severity grading will be based on the definitions outlined in the NAEAC document, Animal Use Statistics – Guidance for Completing Statistical Returns (2010). Both the applicant and the AEC should refer to this guide when assigning and assessing severity grades.
- k. Committee members will be asked to sign a confidentiality agreement at the time of their appointment and must treat all information submitted for AEC approval with confidentiality.
- l. Provided that all members are in agreement, a policy will be set up covering the holding of teleconferences from time to time instead of meetings. Consecutive meetings held in this way will not be permitted.
- m. Temporary consent for a proposal involving manipulations that have a grade of A or B may be given by a subcommittee of two members of the AEC of whom at least one shall be of those appointed under part 1 b, c or d.
- n. Every temporary consent must be brought before the next AEC meeting for full approval. The application must then adhere to the result of the full approval application.

### **Part 3. Responsibilities of Alleva Animal Health limited**

- a. To ensure that any research involving the manipulation of any live animal is carried out in accordance with this code.
- b. To bring all research proposals to the attention of the AEC for prior approval. Research proposal are to be presented in writing on the Alleva animal ethics approval application form.
- c. Comply with all acts of Parliament, Regulations or Bylaws pertaining to the care and treatment of animals. Particular attention will be given to sections 80 and 100 of the act.
- d. Ensure that any research and associated manipulations are undertaken by appropriately qualified personnel, or under the direct supervision of appropriately qualified personnel.
- e. Ensure that animals are transported under humane and hygienic conditions at all times.
- f. When animals are housed, ensure their health is safeguarded and that undue stress is avoided. Sufficient space should be allocated and environmental needs should be consistent with the needs of the species concerned. Animals must receive free access to water and to adequate feed to meet their nutritional requirements.



- g. Ensure that sick or injured animals receive appropriate veterinary care.
- h. Alleva will develop standard operating procedures for either animal husbandry practices or routine procedures that relate to the manipulation of animals in research trials. These standard operating procedures will be submitted to the animal ethics committee for approval as they are developed.
- i. Any adverse event during a research trial should be dealt with promptly. If an animal is injured or sick as a result of the adverse event appropriate veterinary care must be sought immediately. The adverse event must be notified to the Secretary of the AEC soon as practicable. The adverse event will be discussed at the next AEC meeting and procedures will be developed to prevent the event happening in future research trials if the AEC believes the adverse event is preventable.

#### **Part 4. Approval of protocols by the AEC**

- a. The function of the AEC is to ensure that the highest ethical standards are observed by Alleva animal health ltd and all persons associated with it in relation to the manipulation and use of animals.
- b. When considering proposals put forward to it, the AEC shall ensure that the proposal meets the criteria set out in Section 100 of the act and that all personnel involved in the manipulation of animals as outlined in the proposal are appropriately qualified.
- c. The AEC may: approve a proposal, disapprove a proposal or direct that a proposal be modified on ethical grounds before approval is given. Decisions will be minuted and given to the applicant in writing.
- d. The maximum approval period for an application is two years. After this time the application must be submitted for re-approval.
- e. Changes to approved applications that include changing the numbers of animals in a research trial or changing the manipulations performed on animals in a research trial must be submitted for approval by the AEC.
- f. The AEC has the power to suspend or revoke approvals or set, vary or revoke conditions of project approval.

#### **Part 5. Monitoring processes**

- a. The animal ethics committee has the power to inspect animals, their accommodation, and related experimental records at anytime to satisfy themselves that approved procedures are being properly carried out. Between meetings this power is vested in the Chairperson and at



least one other member appointed according to part 1 b, c or d of this code. Any member of the AEC can request access to animals or facilities at any time, provided either the Chairperson or their nominee accompanies them.

- b. Monitor visits by the AEC or their nominee must be performed at least once annually. Monitor visits will be performed on a day that manipulations are being undertaken as part of an approved project. The project location will also be monitored at the time of the monitor visit. All monitor visits will be documented and outcomes will be recorded in the minutes of the AEC meeting following the visit.
- c. Monitoring of projects may be performed by a veterinarian nominated as representing the AEC. A written report will be prepared by the nominated veterinarian and will be submitted to the AEC at the AEC meeting following the visit.
- d. As an additional monitoring procedure the AEC will be informed of the outcome of approved projects at the completion of the project. This information will be supplied at the first AEC meeting after the completion of a project.

#### **Part 6. Arrangements for external parties to use the code and AEC**

Arrangements for external parties to use the Alleva code and AEC are not permitted.

#### **Part 7. Information management**

An Alleva staff member with the appropriate skills will be appointed to ensure that all minutes of AEC proceedings, its decisions, operations and records are stored and maintained in a satisfactory manner for a period of at least five years after the year to which the records relate.

#### **Part 8. Animal facilities and practices**

- a. Animal facilities and practices shall be in accordance with good practice and scientific knowledge (as recommended by NAEAC in its *"Good practice Guide for the use of Animals in Research, Testing and Teaching, June 2010"* and to the relevant *"Codes of welfare"* issued under section 75 or the Animal welfare act 1999).
- b. It is the responsibility of the principal investigator to ensure that the person caring for the day to day needs of research animals is properly trained and has access to a registered veterinarian should the need arise.

#### **Part 9. Complaints procedures**

- a. All complaints regarding animal welfare must be reported to the Chair of the Alleva AEC who will log the complaint into the Alleva AEC complaints log.

b. Procedural Complaints

- In accordance with section 103 of the Act, any member of the AEC who believes that the committee (including the chairperson) or Alleva is failing to comply with in material respect with the Code may report such non-compliance to the Director General of MPI. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report. A complaint report will be entered into the Alleva AEC complaints log.
- If an applicant submits a complaint to the Chairperson regarding a decision made by the committee in relation to his or her application for ethics approval, the applicant may nominate the Chairperson on another AEC to assist in the resolution of the matter at hand. Where the initial decision is upheld by the surrogate Chairperson, that decision is final. Where the initial decision is reversed by the surrogate Chairperson, it is referred back to the original committee for reconsideration, the resultant decision of which shall be final.

c. Animal Welfare Complaints

- Complaints made by members of the public shall be referred to the AEC Chairperson who may correspond directly with those concerned to inform them of the company's position and / or advise them that further correspondence may be addressed to MPI. A complaint report will be entered into the Alleva AEC complaints log.
- Complaints made by Alleva employees shall be directed to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the Alleva CEO will determine the appropriate correction action to implement. An Alleva staff member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report.
- Complaints made by AEC members shall be direct to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the Alleva CEO will determine the appropriate correction action to implement. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report.
- Complaints made by AEC members, Alleva staff members or the public that concern the Chairperson of the AEC can be directed to the NZVA representative who may correspond directly with the chairperson to resolve the issue and / or correspond with MPI if the complaint is of a nature that the NZVA representative believes justifies this action.

# Auckland Zoological Park

## Code of Ethical Conduct

### 1 PURPOSE

To provide a framework under which the Auckland Zoological Park ensures compliance with all its obligations under sections 87 – 104 of the Animal Welfare Act 1999 when manipulating live animals for the purposes of research and education.

### 2 POLICY STATEMENT

To ensure all relevant parties are aware of the conditions of the Code of Ethical Conduct (CEC).

### 3 DEFINITIONS

- 3.1 **AEC:** Animal Ethics Committee as appointed by the Zoo Director
- 3.2 **CEC:** Code of Ethical Conduct
- 3.3 **The Act:** the Animal Welfare Act 1999
- 3.4 **The Zoo:** Auckland Zoological Park
- 3.5 **Manipulation:** the action of handling a live animal for the purposes of research or education
- 3.6 **RNZSPCA:** the Royal New Zealand Society for the Prevention of Cruelty to Animals Inc.
- 3.7 **MPI:** the Ministry for Primary Industries

### 4 POLICY PRACTICE AND PROCEDURE

- 4.1 The Zoo recognises that its animal collection is a unique and valuable resource for scientific study, which in turn can provide valuable information for the captive management and conservation of wildlife.
- 4.2 The Zoo recognises that when handled and presented appropriately, live animals can elicit positive emotions and convey powerful educational messages that help inform and influence people to care for animals and to inspire them to support the conservation of wildlife.
- 4.3 Within the terms of the CEC the Zoo will support manipulations of animals for research which:
  - Improve the Zoo's ability to manage its animals and/ or
  - Generate information or develops techniques useful to wildlife conservation and/ or
  - Contributes to the general body of knowledge on the biology of animals
- 4.4 Within the terms of the CEC the Zoo will support manipulations of animals for education which:
  - Are supervised by an appropriately trained and experienced Zoo staff member, and

- Utilise only individual animals that have been appropriately conditioned to handling with minimal stress, and
- Is conducted within the context of the Zoo's education and training programmes.

## 5 ANIMAL ETHICS COMMITTEE

5.1 The Zoo's AEC shall comprise of a minimum of four [4] members and a maximum of seven [7] members, appointed by the Zoo's Director, and shall include:

- The Zoo's Research Coordinator (who acts as the AEC Convenor);
- A Zoo staff veterinarian;
- One veterinarian not a member of the Zoo staff nominated by the NZ Veterinary Association;
- A nominee of the RNZSPCA who is not a staff member of the Zoo or Regional Facilities Auckland;
- A nominee from the Auckland Council who is not affiliated with the Zoo, scientific community or animal welfare agencies. The committee will make a consensus decision on the appointment of this position;
- The AEC may invite up to three [3] additional members with relevant expertise (other than those named) to join the committee at any time if deemed appropriate.

5.2 Members will be appointed for a period of three [3] years, after this nominations will be sought from the relevant nominating bodies. There is a possibility of renewal after this period and replacement at varying intervals may happen to ensure the continuity of experience.

5.3 The Chairperson will be appointed from among the external members of the AEC and is responsible for ensuring all members are fully prepared for their roles on the AEC.

5.4 The Zoo Research Coordinator will be responsible to the AEC for ensuring that appropriate welfare standards are maintained for animals participating in research or education manipulations.

5.5 The AEC has the power to co-opt experts where necessary.

5.6 The Zoo will meet all reasonable costs of external members, in the discharge of their roles on the AEC, upon presentation of a valid invoice. Remuneration or services received for membership to the AEC will be agreed upon with individual members.

## 6 AEC PROCEDURES

6.1 The AEC shall meet three [3] times a year (dates determined at the start of the year), but meetings may be cancelled if there are no matters to attend to, however as a minimum there shall be one meeting a year to maintain continuity and relationships between AEC members.

6.2 Any AEC member may call for a meeting if deemed necessary.

6.3 Meeting agendas will be circulated to the AEC members at least five [5] days prior to the meeting



- 6.4 The Zoo will provide the secretarial, budgetary and other administrative support required to enable the AEC to function effectively and discharge its responsibilities as defined in this CEC.
- 6.5 A quorum will be four [4] members which must include 2 external members.
- 6.6 Decision making will be by consensus.
- 6.7 The Chairperson will be responsible for ensuring that AEC meeting rules and operating procedures (agreed upon by AEC) are followed. These include (but are not limited to):
- Terms of reference
  - Notice of meetings
  - Preparation and distribution of agendas
  - Minute taking and circulation
  - The use of teleconferences
  - Procedures to deal fairly and promptly with complaints (by applicants, AEC members, staff or public)
- 6.8 Sub-committees may be appointed where minor modifications to approved applications need to be considered. In the event a sub-committee is established it will only be for the particular application and must include one external member.
- 6.9 Applications may be considered for fast tracking if the timeframe of the proposed research falls before the next available AEC meeting. In this case the application will be emailed to all AEC members and approval of the project will only be granted if all members are satisfied with the application. Each member is expected to email their approval/ disapproval to the Zoo Research Coordinator.
- 6.10 AEC meetings will be open to Zoo staff and members of the public to be present as observers and minutes of meetings will be circulated to the Zoo Director and Zoo staff via email.
- 6.11 Any requests received under the Official Information Act 1982 and the Local Government Official Information and Meetings Act 1987 will be responded to in compliance with Auckland Council procedures.
- 6.12 All information relating to functions of the AEC will be securely stored in the Zoo's (electronic) administrative filing system for a minimum of seven [7] years.
- 6.13 An internal audit will be initiated and documented by the Research Coordinator and reviewed by the AEC on request.
- 6.14 The procedural rules will be updated from time to time and will be kept under observation by the Zoo Director.

## 7 ADDITIONAL PROTOCOLS

- 7.1 Instructions for applicants will be included in the standard application forms and will cover all items mentioned in the Act (section 100). Application forms will differentiate non-manipulative and manipulative research projects. Non-manipulative projects will only require approval from the Research Coordinator, and a summary of these projects will be tabled at each AEC meeting.

- 7.2 Each research project must have clear start and end dates and the researcher will be required to send a written report to the AEC at the end of the project.
- 7.3 The AEC may require inspection of the facilities, procedures and personnel before giving approval for manipulative research projects.
- 7.4 Any modification to approved projects must be referred back to the AEC for approval. In case of minor modifications it could be referred to a sub-committee of the AEC. More significant modifications must be approved by the entire AEC.
- 7.5 As a condition of approval all researchers will be required to sign and comply with the Researcher's Code of Conduct. This code must include undertakings by the researcher to take all reasonable precautions to safeguard the health, welfare and security of the animal(s) that is(are) the subject of the project and to take all reasonable steps to ensure the information collected is appropriately disseminated.
- 7.6 A separate protocol for the use of animals regularly handled in educational programmes will be established, monitored and reviewed by the AEC.
- 7.7 All approved projects will be compiled in an annual report by the Research Coordinator and made available to the AEC. These reports should include:
- The name of species involved
  - The number of animals involved
  - The purpose of the project
  - The source of supply of each animal
  - The outcome for the animals involved
- 7.8 Manipulations of animals for the purpose of animal management (including veterinary purposes) are deemed the responsibility of the Zoo and are not subject to review under this CEC.

## 8 MONITORING AND COMPLIANCE

- 8.1 The Research Coordinator, on behalf of the AEC, will ensure systems are implemented to monitor compliance of the AEC approved projects. Results of monitoring activities will be reported to the AEC at each meeting. An annual report on project statistics shall be sent to MPI as required.
- 8.2 The AEC and the Zoo Director (or his/ her nominee) have the right to inspect the animal facilities, the procedures used and the condition of the animals at any time, with a minimum number of monitoring activities being once for the duration of the project and annually for long term projects. Where there is a concern, they will be required to take appropriate action. Anyone (including Zoo staff) may bring concerns regarding compliance with the CEC to the attention of the AEC or the Zoo Director.
- 8.3 The AEC is responsible for ensuring compliance with the CEC and can request (via the Zoo Director) that any project can be modified (as directed by the AEC) or stopped.
- 8.4 An annual statistical return will be supplied to the Animal Welfare Team of MPI by the due date.

## 9 "PARENTING" AGREEMENTS

- 9.1 In the event of persons or outside organisations requesting permission to operate under the Zoo's CEC, this will be allowed, but only if the expertise of the AEC is appropriate for the supervision of such applicants. Similarly, if arrangements cannot be made, they will not be accepted.
- 9.2 Applicants will be required to complete the standard application forms (as per 7.1) for consideration by the AEC.
- 9.3 Parenting agreements must be notified to the Animal Welfare Team of MPI prior to the commencement of the project.

## 10 INFORMATION MANAGEMENT

- 10.1 If required a zoo staff member will be employed to assist the Research Coordinator in the capacity as AEC secretary. This role may include keeping minutes of AEC meetings, and the maintaining and storage of all AEC records.

## 11 ANIMAL FACILITIES AND PRACTICES

- 11.1 Procedures will be put in place to ensure animal facilities and practices are in accordance with good practice and scientific knowledge
- 11.2 The Life Sciences Manager, with the assistance of the Zoo's veterinarians, will oversee all animal practices and facilities, and will be required to report any issues relating to the welfare of the collection at the next AEC meetings.

## 12 COMPLAINTS PROCEDURES

- 12.1 Procedures and policies are in place to ensure any complaints are dealt with promptly and fairly by the AEC.
- 12.2 In the instance of a complaint being received with respect to an AEC approved project or conduct of an AEC member or researcher, the following procedures will be followed:
- All complaints will in the first instance be forwarded to the AEC Chairperson;
  - If the complaint concerns the Chairperson then complaints will be made to the Director of Auckland Zoo;
  - If the complaint concerns Animal Welfare the complaint will also be immediately forwarded to the Director and the Life Sciences Manager;
  - Any complaint will be fully investigated and responded to immediately.

Operator/ Director

Date first Approved	Minister of Agriculture	25/11/1992
Prepared by	§ 9(2)(a)	12/11/2013
Approved by		12/11/2013
Approved by	Ministry for Primary Industries	

Approved:  
Revised:



**BAY OF PLENTY POLYTECHNIC**

**CODE OF ETHICAL CONDUCT**

**FOR THE**

**MANIPULATION OF ANIMALS**

**as at 11<sup>th</sup> November 2013**

**CODE OF ETHICAL  
CONDUCT  
APPROVED**

Released under the Official Information Act 1982

**BAY OF PLENTY POLYTECHNIC  
CODE OF ETHICAL CONDUCT  
FOR THE  
MANIPULATION OF ANIMALS**

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## 1.0 CODE OF ETHICAL CONDUCT

The following is the Code of Ethical Conduct covering the welfare and humane treatment of live animals used for experimental purposes or teaching both on and off the campus by Bay of Plenty Polytechnic staff.

### 1.1 Legal Responsibility

Animals used for experimental purposes or for teaching as defined under The Animal Welfare Act 1999 must be lawfully acquired, maintained and used in strict compliance with all legislation which relates to their welfare and humane treatment.

### 1.2 Responsibility of the Person Undertaking the Manipulation

The person responsible must complete the appropriate protocol application and submit this for approval to the Animal Ethics Committee for their consideration. Both the person carrying out the manipulation and the Head of School of Applied Science must accept responsibility for the work undertaken. Such responsibility will include the selection of an appropriate animal species, the choice of the number of subjects, the nature of the procedures and all matters related to the continuing welfare of the animals and their ultimate disposal.

### 1.3 Responsibility for Day-to-Day Care of Animals

It is the responsibility of the Head of School Applied Science to ensure that the person caring for the day-to-day needs of the animals is properly trained.

### 1.4 Value of a Proposed Manipulation

It should be a guiding principle that the manipulation of live animals should only be undertaken:

1.4.1 Where there is a good reason to believe that the findings will add to the scientific understanding of biological functions and behaviour, or will extend the body of knowledge aimed at improvement in the health and welfare of humans and animals and the productivity of animals.

1.4.2 Where manipulation is a required part of an educational curriculum.

Acceptance of this principle means that those responsible must be thoroughly conversant with the literature and background information on the subject of study.

### 1.5 Choice of an Appropriate Animal Species

1.5.1 The choice of species must be determined not only by the nature of the experimental work and the questions posed in planning it, but also by other relevant considerations. Animal subjects should not be used at all if other techniques are available and will prove equally appropriate. Endangered or threatened species should not be used unless the findings are expected to assist the survival of that species.

1.5.2 The precise choice of animal species in any study will depend on scientific, technical and humanitarian criteria. Expediency and economic factors must not be allowed to distort this judgement.

## 1.6 Minimisation of Distress

The following points must be taken into consideration:

- 1.6.1 The selection of techniques which, while achieving the desired result, will impose the least possible stress and pain on the animal

Ensuring that the person(s) carrying out the manipulation is/are adequately trained in the technique

The use of anaesthesia and analgesia whenever necessary - the indications for anaesthesia and analgesia parallel those accepted in veterinary practice

The avoidance of multiple procedures in order to minimise the distress suffered by each animal - animals should not be subjected to more procedures than are necessary to achieve the objectives of the experiment or teaching exercise.

The termination and, if necessary, abandonment of studies which if continued, would lead to an unacceptable level of suffering to the animals.

## 1.7 Limitation of Animal Numbers

- 1.7.1 It is unacceptable to embark on a study or test which, because of insufficient numbers of animals or faulty design, cannot provide meaningful results. However, when planning experiments the number of animals used in a given study or test should be the minimum necessary to provide a valid result.

- 1.7.2 Consideration must be given to:

- 1.7.2.1 The design of study or teaching exercise
- 1.7.2.2 The level of accuracy necessary in the results
- 1.7.2.3 The possible confounding effects of animal variation
- 1.7.2.4 The needs of statistical analysis

- 1.7.3 The accuracy required in experimental results must be determined at the commencement of the study since the achievement of an approximate answer only may be appropriate and may involve the use of considerably fewer animals than would be required for greater accuracy.

- 1.7.4 If animal variation is likely to confound the results, a sufficient number of animals must be used to reduce the effects of variation to a level enabling meaningful interpretation. It may be necessary to establish the extent of animal variation by carrying out a preliminary experiment so that the minimum number of animals to use in the main experiment can be calculated.

- 1.7.5 In general, duplication of experiments involving live animals should only be contemplated when it is considered that the original study requires scientific verification or was flawed or inadequate in some way which would invalidate its conclusions.



1.8 General Health and Welfare of Animals

In addition to exercising control over all experimental procedures on live animals; every care must be taken to ensure that housing, feeding and general care is of high standard. The housing and nutrition of experimental animals must be supervised by a veterinary surgeon or by a person appropriately qualified in animal hygiene and husbandry supported by a veterinarian where necessary. Collection and transport of animals must be carried out in such a way as to cause minimum distress. Appropriate arrangements must be made for the final disposal of animals either to non-experimental circumstances (such as farms in the case of large animals) or by euthanasia.

2.0 PURPOSE & SCOPE - ANIMAL ETHICS COMMITTEE

2.1 Purpose

The Animal Ethics Committee is a committee established by the Bay of Plenty Polytechnic pursuant to section 98 of the Animal Welfare Act 1999, or succeeding Act. Its purpose is to determine whether animals need to be used for experimental purposes and in teaching programmes, using the guidelines set out under Section 80 of The Animal Welfare Act. The AEC will ensure the welfare and humane treatment of live animals that are used for experimental purposes or teaching both on and off campus by Bay of Plenty staff and students, and/or the agents of the Polytechnic.

2.2 Scope - The Animal Welfare Act 1999

The Animal Welfare Act defines "animal" and "manipulation" as follows:

"2. Interpretation - "Animal" means---

(a) Means any live member of the animal kingdom that is---

- (i) A mammal; or
- (ii) A bird; or
- (iii) A reptile; or
- (iv) An amphibian; or
- (v) A fish (bony or cartilaginous); or
- (vi) Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
- (vii) Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of this Act;

and

(b) Includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development;

and

(c) Includes any marsupial pouch young

"Manipulation", in relation to an animal, means interfering with the normal physiological, behavioural or anatomical integrity of the animal by deliberately

- Subjecting it to a procedure which is unusual or abnormal when compared with that to which animals of that type would be subjected under normal management or practice and which involves:
  - Exposing it to any parasite, micro-organism, drug, chemical, biological product, radiation, electrical stimulation, or environmental condition; or
  - Enforced activity, restraint, nutrition, or surgical intervention; or
  - Depriving the animal of usual care

*but does not include:*

- Any therapy or prophylaxis necessary or desirable for the welfare of the animal"; or
  - The killing of an animal by the owner or person in charge as the end point of research, testing, or teaching if the animal is killed in such a manner that the animal does not suffer unreasonable or unnecessary pain or distress; or
  - The killing of an animal in order to undertake research, testing, or teaching on the dead animal or on pre-natal or developmental tissue of the animal if the animal is killed in such a manner that the animal does not suffer unreasonable or unnecessary pain or distress; or
  - The hunting or killing of any animal in a wild state by a method that is not an experimental method; or
  - Any procedure that the Minister declares, under subsection
- (3) Not to be a manipulation for the purposes of this Act.

### 2.3 Parenting Other Organisations

Bay of Plenty Polytechnic has confirmed it will **not** offer "parenting" to any other organisation.

### 2.4 Monitoring/Audit

- (1) The Polytechnic's Manager of Taiorangahau (research) will audit and report annually to the AEC:
  - The policy and procedures
  - The records kept by staff to ensure the daily welfare of animals kept by the Polytechnic
- (2) The AEC will monitor the activities of applicants [ie compliance with project approvals], and monitor the actual animal care and facilities at least twice annually.
- (3) Random visits can be made by individuals or groups of AEC members to projects / activities by individuals, to ensure that all procedures conform to accepted animal welfare standards. All monitoring will be reported to the AEC. Any member of the AEC can request access to animals of facilities at any time, subject to the approval by the Chairperson.
- (4) The AEC has endorsed the Head of School Applied Science and the Group Leaders for Primary Production, and Marine and Environmental as having part of his/ her position description the responsibility to oversee and have responsibility for all animal welfare and animal facilities within these respective groups. They will also be responsible for an annual report to the AEC for their respective groups. The Head of School of Applied Science will have responsibility for any animal related activities falling outside of these two groups.

### 2.5 Complaints Procedure

The Polytechnic has a complaints policy and procedure approved within its Quality Management System. This policy and procedure applies to complaints made in general by any member of the public, student or staff member. The Polytechnic needs to ensure that complaints by AEC members/ students/ staff of the Polytechnic or the general public are dealt with promptly and fairly by the

AEC and code holder (Polytechnic). The AEC Chairperson will set up a sub committee of 2 members including at least one external member to investigate any such complaint, by interviewing all persons concerned and completing the appropriate sections of the "Registration of Animal Ethics and Welfare Complaint" forms and the actions required therein. The form has provision for alternative procedures for registration of a complaint if that complaint is against the Chairperson of the AEC. This form is attached as an Appendix.

### 3.0 MEMBERSHIP

Membership will comprise four appointed members and five standing visitors.

Members:

- 3.1 Head of School of Applied Science
- 3.2 The registered veterinarian nominated by the New Zealand Veterinary Association and who is not a member of the staff of the Polytechnic.
- 3.3 A nominee of the Royal New Zealand Society for the Prevention of Cruelty to Animals and who is not a member of the staff of the Polytechnic.
- 3.4 A lay member nominated by local government and who is not a member of the staff of the Polytechnic.
- 3.5 The Chair shall be appointed by the CEO of Bay of Plenty Polytechnic on recommendation of the members of the AEC.
- 3.6 Terms of Eligibility and Reappointment
  - Members may be reappointed for additional terms
  - If they are to be reappointed, the three external nominees must be formally nominated by the relevant body at the expiry of their terms
  - Members are appointed for periods of three years, and confirmed by the CEO of Bay of Plenty Polytechnic
  - New members will be given a copy of the NAEAC induction pack
- 3.7 Standing visitor:
  - (1) A member of the staff from the Animal Care Department in charge of the veterinary care and euthanasia of any sick animals.

Standing visitor:
  - (2) A staff member responsible for the procurement of food stuffs and other materials, day-to-day maintenance of the facilities and the day to day welfare of the animals.

Standing visitor:
  - (3) The Group Leader for Primary Production.

Standing visitor:
  - (4) A staff member in charge of the Marine Studies and Aquaculture facilities, with overall responsibility for marine mammal and fish projects.

Standing visitor
  - (5) The Group Leader for Marine and Environmental.

Other persons with expertise may be invited to a meeting when deemed necessary by the Chairperson.

### 3.8 Quorum

A quorum is at least 3 of the 4 appointed members. Committee members who attend a meeting using either video, teleconferencing or other real-time electronic links will be considered part of the quorum.

## 4.0 TERMS OF REFERENCE

- 4.1 Operate within the scope of the Animal Welfare Act 1999
- 4.2 Receive and consider proposals involving the manipulation of animals, using the provisions under section 100 of The Animal Welfare Act.
- 4.3 Approve, modify or decline proposals to inspect, to stop manipulation or order the destruction of animals. Approvals will not be granted for a period of longer than three years.
- 4.4 Advise the Chief Executive on all matters pertaining to the Welfare of animals involved in manipulation in the Polytechnic
- 4.5 Receive records of animals manipulated as set out below:
  - Receive reports at the end of projects for any research work
  - Receive vet report annually on the animal's health, and annual numbers of animals procured or despatched.
  - Review numbers of animals used for each protocol at renewal
  - Receive reports on any adverse event regarding using the animals in a teaching class, or during the normal day to day husbandry.
- 4.6 Submit statistics as required to the:  
Director General of the Ministry for Primary Industries
  - The names of species used
  - Numbers of each species used
  - Grading severity
  - Purpose of manipulation
  - Source of Supply
  - Fate (number dying, number destroyed, number released, number retained, number disposed of to other organisations)
  - In relation to disposals above, name and address of organisations receiving animals.
- 4.7 Investigate any complaints as per section 2.5 above.

## 5.0 MODE OF OPERATION

- 5.1 Chair In the event of the Chairperson's absence Committee members present will elect an Acting Chairperson.
- 5.2 The Animal Ethics Committee shall meet bi-annually or as required.
- 5.3 In the event of Committee members being unable to attend meetings deputies will not be appointed.
- 5.4 The Head of School of Applied Science will, in consultation with the Chair, be responsible for; arranging dates for meetings, arranging for minutes to be taken at meetings, and maintaining records of animals manipulated as required.
- 5.5 Agendas shall be prepared by the designated Committee Secretary in conjunction with the Committee Chair or delegate and forwarded to each member of the Committee five (5) clear working days prior to the meeting date. All AEC members will have the opportunity to add items to the agenda up to the day of the meeting, but items submitted within 3 working days of the meeting date require approval from the chairperson.

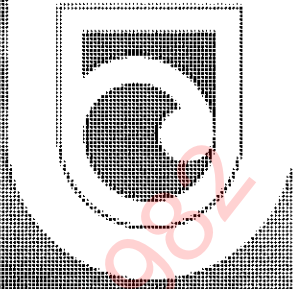
- 5.6 Minutes will be taken by designated staff, checked with the Committee Chairperson and available within five (5) working days of the meeting. Minutes will be labelled "awaiting confirmation" until the next meeting. They will be copied to all Committee members, and where appropriate, to the Academic Board Secretary. An electronic version of the minutes is also to be held by BOPP and electronically backed up. A hard copy of the minutes, signed by the chairperson, shall be retained by the minutes secretary. All records shall be kept for a period of at least five years.
- 5.7 To ensure effective input by external members all members will have equal opportunity to contribute to the business of the meeting. Decisions will be made after all committee members present have had the opportunity to express their views.
- 5.8 The Secretary of the Animal Ethics Committee is responsible for the notification to necessary parties of decisions made at meetings.
- 5.9 Appointed members (as per 3.1 – 3.4 above) only will have voting rights.
- 5.10 If a vote is called for a majority of 3 of the 4 appointed members is required for a motion to be passed.
- 5.11 The Chairperson has the right to ask "Standing visitors" to leave the meeting at any time. All members will otherwise have normal speaking rights.
- 5.12 Amendments to approved protocols will need to be resubmitted to the AEC at the next scheduled meeting
- 5.13 Applications or amendments to approved protocols can be approved between meetings, by the use of teleconferencing, email or other electronic means
- 5.14 If there is a perceived conflict of interest then that person (whether appointed or standing) may be asked by the Chairperson to leave the meeting while that item is being discussed.
- 5.15 AEC meetings will be open to the public but will not be publicly notified.
- 5.16 The chairperson may exclude any members of the public from all or part of a meeting to protect the privacy of members or the sensitivity of information to be disclosed. The CEO will deal with any requests under the Official Information Act in consultation with the Chairperson and any other persons who may be involved.
- 5.17 External members will be appropriately remunerated.
- 5.18 The Chairperson has the right to recommend changes of the CEC to the code holder. The recommended changes would be minuted and agreed to by the AEC prior to the Chair approaching the Code Holder
- 5.19 The Chairperson (or nominee) will meet with all new AEC members prior to their first AEC meeting and ensure they are provided with an induction pack which shall include the current Code of Ethical Conduct and the latest "Guide for lay Members" provided by NAEAC.
- 5.20 All AEC members will be kept informed of training opportunities that could increase their skill as members of an AEC.

Signed by:

Chairperson

Dated 11/11/2013

# Animal Ethics Committee



## Code of Ethical Conduct for the Manipulation of Animals, as defined under the Animal Welfare Act 1999

This Code of Ethical Conduct defines the Department's responsibilities under the  
Animal Welfare Act 1999.

NOVEMBER 2014

VERSION 9.0

DOCDM-1500113 - AEC - Revised Code of Ethical Conduct - November 2014



Department of  
Conservation



## Code of Ethical Conduct for the Manipulation of Animals, as defined under the Animal Welfare Act 1999

### Document control

Version	Date	Amendments	Authorised Prepared by
7	29/09/2009	Version as submitted to the MAF/NAEAC	Prepared by Tracey Grose Authorised by NAEAC
8	15 MAY 2012	DISCUSSION VERSION discussed and approved at AEC meeting May 2012. Submitted to MPI/NAEAC June 2012	Prepared Tracey Grose
9	18 NOVEMBER 2014	Revised version discussed by AEC June - September 2014 Submitted to NAEAC 22 October Submitted to NAEAC 18 November 2014	Prepared by Ann Thompson

### Glossary

AEC	Animal Ethics Committee
DOC	Department of Conservation
MPI	Ministry for Primary Industries
NAEAC	National Animal Ethics Advisory Committee
Stats Regs	Animal Welfare (Records and Statistics) Regulations 1999
'The Act' and/or AWA	Animal Welfare Act 1999
"The Code"	DOC's approved 'Code of ethical conduct for the manipulation of animals'.
"The Guide"	MAF/NAEACC "Guide to the preparation of a code of ethical conduct" September 2006
"Members Handbook"	The resources given to all members containing the CEC, manipulation gradings document, AEC templates, NAEAC resources and other relevant information to help members perform their role.



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1.0	Part 1: Description of general nature and extent of work.	Reference / Source
1.1	<b>Overview</b>	
1.1.1	This section describes the functions of the Department of Conservation, and states the ability of the Department to undertake manipulations on animals under specific conditions.	
1.1.2	This Code is designed to comply with all the requirements of the Animal Welfare Act 1999 ("the Act") so that animals can be used in research, testing and teaching by the Department of Conservation ("DOC") in a manner that is consistent with the intentions of the Act.	
1.2	<b>DOC's functions</b>	
1.2.1	DOC is the government agency responsible for the conservation of New Zealand's natural and historic heritage. Its legal mandate is the Conservation Act 1987 and its subsidiary legislation.	Conservation Act, s.5 and s.6
1.2.2	DOC is directed by Government's key goals and policies, one of which is to halt the decline of New Zealand's indigenous biodiversity.	
1.2.3	DOC seeks to improve the state of protected areas with an emphasis on preventing fire and eliminating or controlling weeds and animal pests. Where this does not ensure the survival of native species, DOC then develops specific threatened species programmes. Thus, for "animals" (as defined under the Act) DOC intends to improve the status of indigenous species and control or eliminate pests. DOC also provides training for its staff on animal handling techniques.	
1.2.4	DOC undertakes many operational activities involving the protection and husbandry of animals, as well as pest animal control. Most important in undertaking these activities should be animal welfare and the AEC seeks opportunities to promote and advise on best practice when managing both indigenous species and pest animals.	
1.2.5	The planned changes to the Animal Welfare Act in 2015 relate to the killing of animals in order to undertake research on the dead animal or its tissue.	
1.2.6	Should the Animal Welfare Act be amended in this way, any project intending to kill animals to undertake research on dead animals or their tissues will be required to obtain Animal Ethics Committee approval and report on these in the annual animal use statistics to MPI.	
1.3	<b>Application of the Act to DOC activities</b>	
1.3.1	<i>Animal welfare in the context of DOC's functions.</i>	
	Part 6 of the Act enables an organisation undertaking research, teaching or testing to apply to have an Animal Ethics Committee. Section 80 of the Act states the purpose of Part 6 is to confine the use of animals in research, testing and teaching to cases where there is good reason to believe that there will be a demonstrable benefit to people, animals or	AWA s5 (3) (a) (b) & (c) AWA s

1.0	Part 1: Description of general nature and extent of work.	Reference / Source
	ecosystems. In addition, the benefits derived from the use of animals are not outweighed by the harm to the animals.	80.
	<u>S 80 must guide DOC's AEC in all its deliberations.</u>	
1.3.2	Under section 5 (3) (a), (b) and (c) of the Act (definition of "research, testing and teaching"), special provisions are made for DOC activities. It is recognised that in order to meet its statutory management requirements, DOC staff may have a significant amount of routine interaction with animals. The Act makes it clear that certain activities will not come under the definition of "research, testing and teaching" and, therefore, not be subject to the requirement of Animal Ethics Committee approval.	
1.3.3	This exemption covers two categories of activity: <ul style="list-style-type: none"> <li>• manipulation of animals that constitutes routine conservation management rather than "research"</li> <li>• manipulations that form part of a research project but which are performed routinely.</li> </ul> Appendix 1 contains a flowchart that can be used to determine whether AEC approval is needed or is exempt under the Conservation Act, 1987.	
1.3.4	Whether animal manipulations are carried out under an AEC approval, or as an exempted activity, all manipulations should aim for the highest ethical threshold.	
1.3.5	<i>Such 'exempted' manipulations must be carried out routinely and they must be undertaken to fulfill a responsibility or function under an Act administered by DOC, e.g., Conservation Act, Wildlife Act. To be considered as "exempted" from the AEC framework, a manipulation must be covered by an approved Standard Operating Procedure (SOP), best practice, or guidance document. If a manipulation is not covered by an SOP, best practice, or guidance the researchers or operational staff must seek AEC approval for the manipulation. A Standard Operating Procedure (SOP) contains a national scope of tasks or standards that must be met and are based on best practice. SOPs are approved by Deputy Director-Generals.</i>	
1.3.6		
1.3.7		
1.3.8		
1.3.9	Best practice and guidance documents describe actions that are most appropriate under the circumstances, and will have been reviewed and endorsed by technical experts. Best practice and guidance documents are approved by Directors or Technical Advisory Groups.	
1.3.10	Any SOPs, best practice or guidance developed that involve animal manipulations or that might have an impact on animals must be critiqued by the AEC. The AEC does not have the authority to approve an SOP, best practice or guidance document.	
1.3.11	All the Department's SOPs should be reviewed annually. The AEC must review SOPs involving animal manipulations as part of that annual review. Similarly, when best practice or guidance documents involving animals are developed or reviewed, the AEC must also review the documents.	

<b>1.0</b>	<b>Part 1: Description of general nature and extent of work.</b>	<b>Reference / Source</b>
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- 1.3.12 Undertaking routine animal manipulations subject to an SOP, best practice or guidance enables the Department to provide the requisite training, supervision, correct equipment, and monitoring of the manipulations by experienced staff, with the intention of minimising the direct impact on the animals being manipulated.
- 1.3.13

The current list of SOPs of interest to the AEC is filed in docdm – 1431529. The current animal best practice or guidance documents of relevance to the AEC are filed in docdm – 1431808.

The Members Handbook incorporates a flow chart to assist DOC staff to decide whether procedures involving the use of animals require Animal Ethics Committee approval. This flow chart is also available on the intranet and in appendix 1.

This Code provides the policies that govern the functions and activities of the AEC. Supporting information is held in DOC's AEC Members Handbook.

#### 1.4 Functions of the Committee

- 1.4.1 The functions of the AEC are to:
- a) consider, on behalf of the Codeholder, applications for the approval of projects involving the manipulation of animals for the purposes of research, testing and teaching;
  - b) set, vary, and revoke conditions of project approvals;
  - c) review manipulation scores according to the "Animal Use Statistics" system for approval of manipulations (DOCDM-870472);
  - d) monitor compliance with conditions of project approvals;
  - e) consider and determine applications for the renewal of project approvals;
  - f) suspend or revoke project approvals, where necessary;
  - g) recommend to the Codeholder amendments to the Code;
  - h) keep DOC staff advised of the documentation and systems relating to the functions of the AEC, and
  - i) keep staff advised of administrative matters relating to the AEC including meeting dates
  - j) review relevant SOPs, best practice or guidance material
  - k) Provide guidance on submitting applications.

<b>2.0</b>	<b>Part 2: Animal Ethics Committee</b>	<b>Reference / Source</b>
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#### 2.1 Overview

In accordance with the Act, an AEC must be appointed to consider, and where appropriate, approve applications that involve the use of animals.

This section states the general policies relating to the functioning of the Committee including appointment of the Committee, composition of the Committee, expectations of Committee members, canvassing input from external members, and provides general guidance about the administrative

1.0	Part 1: Description of general nature and extent of work.	Reference / Source
	matters relating to the Committee and Committee members.	
2.2	<b>Membership of AEC</b>	AWA s101
2.2.1	DOC's AEC will consist of seven members, including those members required in the Act.	AWA s101(2)
2.2.22	The management of the appointments process is the responsibility of the incumbent Chair on behalf of the Code-holder.	
.2.3		
2.2.4	When an appointment is to be extended or made the Chair will contact the relevant organisation to seek a nomination.	
2.2.5	Once an extension or a new nomination is agreed to, the Director-General of Conservation (the Code-holder) will be asked to approve the appointment.	AWA s101(6) & (7)
2.2.6		
2.2.7	All appointments to the AEC must follow this process to ensure transparency and to appoint people with the best skill set. Appointees to the AEC are of two categories: <ul style="list-style-type: none"> <li>• external members – composition determined by the Act s101; these members are not associated with DOC and</li> <li>• internal members – the Chair and three other DOC staff. Their number or type is <u>not</u> determined by the Act, and they provide institutional and practical knowledge of the activities undertaken by the Department.</li> </ul>	AWA s101(8) & (9)
2.2.8	<p>External members (3 members):</p> <ul style="list-style-type: none"> <li>• One member nominated by the New Zealand Veterinary Association, and</li> <li>• One member to represent animal welfare and nominated by an approved animal welfare organisation, and</li> <li>• One member, being a lay person nominated by a local territorial or regional council representing the general public.</li> </ul> <p>Internal members appointed by the Director-General of DOC (4 members):</p> <ul style="list-style-type: none"> <li>• the Chair, being appointed by the Codeholder on the recommendation of the Deputy Director - General, Science and Capability Group ; and</li> <li>• two members from the Science and Capability Group with experience in the manipulation and use of animals particularly with a research focus, nominated by the Deputy Director-General, Science and Capability Group; and</li> <li>• one member with experience in the manipulation and use of animals in the context of field operations, nominated by the Deputy Director- General (Conservation Services).</li> </ul>	AWA s101(2)

The Chair can be from any tier in the Science and Capability Group's structure.

### 2.3 Roles of committee members

2.3.1 All Committee members are expected to perform their duties to the best of their ability.

2.3.2 Roles referred in the Code are:

- Code-holder
- Chair
- Deputy Chair, when appointed
- Committee member
- A temporary attendee to a meeting
- Administrative and secretarial support

2.3.3

- a) The functions of the AEC members are to contribute to: the consideration of applications for the approval of projects involving the manipulation of animals for the purposes of research, testing and teaching;
- b) recommendations as to the conditions for project approvals;
- c) reviewing manipulation scores according to the "Animal Use Statistics" system for approval of manipulations (see DOCDM-870472);
- d) monitoring compliance with conditions of project approvals;
- e) consideration and determination of applications for the renewal of project approvals;
- f) consideration of suspending or revoking project approvals, where appropriate;
- g) review of relevant SOPs, best practice or guidance material
- h) attend all meetings if possible

### 2.4 Other roles in the committee

2.4.1 The following roles are optional to the AEC.

a) Deputy Chair

2.4.2 The AEC may appoint a Deputy Chair by a simple vote.

2.4.3 The term of the Deputy Chair will be determined by the AEC at the time the Deputy Chair is appointed. The Deputy Chair can deputise for the Chair at



1.0	Part 1: Description of general nature and extent of work.	Reference / Source
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times the Chair is not available for meetings, or to undertake other agreed functions.

- 2.4.4 The Deputy Chair must be one of the DOC internal members of the AEC so that they can access documents and other materials within DOC's information management systems.

b) Sub-Committees

- 2.4.5 The AEC may convene Sub-Committees, if required, to undertake specific tasks or functions. Sub-committees do not have the power to make AEC decisions.

Forming a Sub-Committee requires a formal resolution from the AEC.

2.4.6

The AEC must provide a written task assignment for the Sub-Committee

- 2.4.7 that includes at least the following:

- A description of the required task (or terms of reference);
- The timeframe for completion of the task;
- A description of the required output;
- The size and composition of the Sub-Committee; and
- If necessary, a budget agreed by the Chair (and DOC budget holder, if not the Chair).

- 2.4.8 Non-AEC members with relevant experience – either from within or external to the Department - may be seconded to a Sub-Committee, or advice sought from such experts.

2.4.9 c) Administrative and Secretarial support to the AEC

- 2.4.10 The AEC acknowledges there is a considerable amount of administrative and secretarial support required for the AEC to undertake its functions.

Ideally, administrative and secretarial support is provided to the AEC by the Department.

2.5 **Term of Appointments**

- 2.5.1 Appointments of members will be:

- for external members, appointments will be for a period of three years, with the opportunity to be re-appointed, subject to the wishes of the nominating organisation, for a further period of two years, giving a maximum of five years as a Committee member.
- For DOC staff, the term of the appointment will be three years with the opportunity to be re-appointed for a further period of two years, giving a maximum of five years as a Committee member.

- 2.5.2 The intention of the staggered appointment term is to balance the retention of experience on the Committee with the need to bring new perspectives and experience to the AEC.



1.0	Part 1: Description of general nature and extent of work.	Reference / Source
2.5.3	The Appointment process is overseen by the Chair of the AEC.	
2.5.4	Any reappointment of external members requires the formal written approval of the external member's nominating body.	
	<b>2.6 Resignations from the Committee</b>	
2.6.1	Appointed members who are no longer able to undertake their duties must formally resign from their role in writing to the Chair.	
2.6.2	The resignation of an AEC member (internal or external) triggers the Chair to commence an appointment process to replace the resigned member with a person of the same category (refer to 'Membership of AEC' 2.2.6 and 2.2.7).	
	<b>2.7 Code-holder and Chair</b>	
2.7.1	The Director-General of Conservation is the Code-holder of the Department's Code.	
2.7.2	The Code-holder delegates the administrative and operational aspects of maintaining and supporting the AEC to the Chair.	
	<b>2.8 Member's liability</b>	
2.8.1	No member of the AEC shall be personally liable for any act done or omitted by the member of the Committee in good faith in the course of the operations of the Committee.	AWA s104
	<b>2.9 Meeting attendance</b>	
2.9.1	All committee members are expected to attend all meetings during their tenure. However, due to the usual pressures on people, there will be instances where individual members are not able to attend a meeting.	
2.9.2	An AEC member, who does not attend three consecutive meetings without either advising the Chair, and/or without providing comments on the Applications, will be asked to tender their resignation. <u>Meeting dates</u>	
2.9.3	Meeting dates will be agreed in advance collectively by the AEC for at least the current calendar year. The agreed dates must be minuted.	
2.9.4	The confirmation of the date for the following meeting must form part of the AEC meeting agenda.	
	<b>Tele/video-conferences</b>	
2.9.5	The AEC must meet in person every second month, and by teleconference in alternate months.	
2.9.6	Meetings need to be conducted in person if the AEC is assessing applications likely to be graded C, D, or E.	
2.9.6	Working by tele-/videoconference enables the AEC to support the functions	

1.0	Part 1: Description of general nature and extent of work.	Reference / Source
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2.9.7 of the Department. The AEC notes that there are some situations where staff are offered opportunities to undertake research, testing and teaching activities at short notice. There is an expectation from the Department that the AEC will endeavour to assist staff that use those opportunities, and teleconferences may be used in these circumstances

## 2.10 Induction of Members

2.10.1 The Chair must ensure that all members are fully prepared for their role on the AEC, and that they have the necessary materials and support to undertake their role on the AEC.

2.10.2 Induction is the responsibility of the Chair, and induction would include, but not be limited to:

- Discussion of the role description with AEC member;
- Provision of a Member's Handbook (including the NAEAC induction pack and the Code of Ethical Conduct);
- Introduction to other members; and
- Facilitation of meeting with the equivalent departing member.

2.10.3 Induction procedures must be *consistent in intention* with the Induction section of the SSC's 'Board Appointments and Induction Guidelines'<sup>1</sup> (Updated November 2013) but may not follow the requirements precisely as the SSC Guidelines cover a very wide range of appointee types.

## 2.11 Remuneration for members

2.11.1 External members of the Committee will be remunerated by way of a fee for service covering preparation and attendance at meetings of the AEC, and when attending an AEC– related event.

2.11.2 AEC Committee member remuneration is at the applicable rates set by the State Services Commission, in accordance with the Cabinet Office circular (CO (12) 6 ) Fees framework for members appointed to bodies in which the Crown has an interest (<http://www.dpmc.govt.nz/sites/all/files/circulars/coc-12-06.pdf>)<sup>2</sup> }

2.11.3 DOC staff members are not eligible to claim a fee for attending an AEC meeting or event related to the AEC.

2.11.4 Reasonable incidental costs incurred in attending meetings or in undertaking the work of the Committee may be reimbursed at the

<sup>1</sup> State Services Commission: Board Appointment and Induction Guidelines. May 2007.  
[http://www.ssc.govt.nz/upload/downloadable\\_files/board-appt-induction.pdf](http://www.ssc.govt.nz/upload/downloadable_files/board-appt-induction.pdf) Accessed 14 August 2014

<b>1.0</b>	<b>Part 1: Description of general nature and extent of work.</b>	<b>Reference / Source</b>
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discretion of the Chair.

2.11.5

The Chair and/or administrative support will work with members to agree their travel plans so the most efficient and effective arrangements can be agreed.

2.12 **Input from external members**

2.12.1

The Act specifically requires an AEC have to three specified people from outside the organisation ("external members").

2.12.2

DOC understands and appreciates the value and experience that the external members bring to the functioning of the AEC.

2.12.3

The Chair has a responsibility to ensure that:

- the external members have the appropriate type of information they require to assist their consideration of all applications;
- the input of the external members is well considered by the wider Committee; and
- the external members are able to put the AEC function into the broader context of the Department's functions.

2.12.4

External members are free to approach, at any time, the Chair, or the Chair's manager, to discuss any issues relating to the AEC's functions.

2.13 **Advice to the Committee**

2.13.1

The AEC may, from time to time, invite other people to attend AEC meetings as their particular expertise would add depth and clarity to the Committee's deliberations. These people can be either DOC staff or external to the Department.

2.13.2

The AEC may request certain people to attend AEC meetings for a period longer than one meeting, e.g., when specific advice is required over a period of time, or when a Sub-Committee is convened.

2.13.3

A person requested to attend an AEC meeting(s) is not a member of the AEC and does not have 'voting rights'. They may or may not be present during the AEC's decision making process. (Refer to Section 3.12: Access and official information).

2.13.4

The AEC will be responsible for any costs associated with a non-AEC person attending an AEC meeting.

2.14 **Conflict of Interest**

2.14.1

The AEC acknowledges the potential for actual or perceived conflicts of interest between the Applications or Applicants and Committee members.

2.14.2 The AEC must manage Conflicts of Interest through the guidance provided by the State Services Commission's guideline "Walking the Line". ([http://www.ssc.govt.nz/walking\\_the\\_line](http://www.ssc.govt.nz/walking_the_line)) accessed 14 August 2014.

Released under the Official Information Act 1982

## 3.1 Overview

This section describes how the AEC sets its own procedures, including the scope of the procedures, guidance on how the AEC must consider applications, types of approvals, and other matters relating to the decision-making process for applications.

## 3.2 Scope of Procedures

The procedure of an animal ethics committee must, except as provided in the Act or in regulations made under the Act or in the code of ethical conduct, be determined by the committee. AWA s. 102

## 3.3 Procedures adopted by the AEC

3.3.1 The Code of Ethical Conduct prepared by the AEC must contain provisions that set out, in relation to the carrying out of the research, testing, or teaching to which the code relates, the policies to be adopted and the procedures to be followed by the code holder; and by an animal ethics committee appointed by the code holder. AWA s. 88 (1)

3.3.2 The policies and procedures must be consistent with achieving the requirements of Animal Welfare Act s. 88 (2) (a) to (g).

## 3.4 Powers

The AEC shall have such powers as are reasonably necessary to enable it to carry out its functions. AWA s 102

3.5 **Considering applications** In considering any application for the approval of a project and in setting, varying, or revoking conditions of the approval of

3.5.1 a project, the AEC must have regard to such of the following matters as are relevant: AWA s. 100

- a. Any matters the AEC is required to consider by the regulations made under the Act; and
- b. The scientific or educational objectives of the project; and
- c. The harm to, or the distress felt by the animals as a result of the manipulation, and the extent to which that harm or distress can be alleviated by any means (including, where the pain or distress cannot be held within reasonable levels, the abandonment of the manipulation or the humane destruction of animals); and
- d. Whether the design of the experiment or demonstration is such that it is reasonable to expect that the objectives of the experiment or demonstration will be met; and
- e. The factors that have been taken into account in the choice of animal species; and
- f. Whether the number of animals to be used is the minimum necessary to ensure a meaningful interpretation of the findings and the statistical validity of the findings; and
- g. Whether adequate measures will be taken to ensure the general

- health and welfare of animals before, during, and after manipulation; and
- h. Whether suitably qualified people will be engaged in supervising and undertaking the research, testing, or teaching; and
  - i. Whether any duplication of an experiment is proposed and, if so, whether any such duplication will be undertaken only if the original experiment:
    - i. Is flawed in a way that was not able to be predicted; or
    - ii. Needs to be duplicated for the purpose of confirming a result that was unexpected or has far-reaching implications; and
  - j. Whether the same animals are to be used repeatedly in successive projects, and, if so, the cumulative effect of the successive projects on the welfare of the animals; and
  - k. Whether there is a commitment to ensuring that findings of any experiment will be adequately used, promoted, or published; and
  - l. Any other matters that the Committee considers relevant.

### 3.6 Types of approvals granted by the AEC

- 3.6.1 The AEC may: AWA s. 100
- a. Approve an application with standard conditions; or
  - b. Approve an application with standard conditions and special conditions; or
  - c. Approve an application in principle subject to minor or technical modifications, or to conditions; or
  - d. Decline to approve an application unless it is modified; or
  - e. Decline to approve an application.
- 3.6.2 The AEC may approve or decline any variation of an application, or the extension of the term, and in so doing shall take into account such of the matters set out in Section 3.5: Considering Applications of this Code as it considers appropriate.
- ### 3.7 Project approvals
- 3.7.1 The AEC must agree a set of policies and procedures that:
- Set, vary and revoke conditions of approval; AWA s99 (1)
  - Renew project approvals; (c)
  - Suspend or revoke, where necessary project approvals; and AWA s99 (1)
  - Stipulate approval periods. (f)
- 3.7.2 The detail of these policies and procedures must be documented and available at any time to all DOC staff via the intranet. AWA s99 (1)
- 3.7.3 The Chair is responsible for ensuring that these policies and procedures are documented, current and available on the intranet. (g)

### Project variations

- 3.7.4 An AEC approval holder who seeks a variation from the contents of an approved project should contact the Chair in the first instance who will advise whether a new application is needed or whether written approval to

a minor variation will suffice.

- 3.7.5 Minor variations do not increase the animal welfare impact grade or the numbers of animals being manipulated. Examples of minor modifications include an insignificant change of location for the project, or the addition of another qualified person to the approval.

### 3.8 Manipulation impact grades

- 3.8.1 The AEC will assess applications and ascribe a manipulation score according to the current version of the scale required by the Animal Welfare (Records and Statistics) Regulations 1999, and described in the MPI Animal Use Statistics booklet or other advice provided by the National Animal Ethics Advisory Committee.

- 3.8.2 The impact grading will be reassessed after the project is completed as part of the review of the project.

### 3.9 Duration of an approval

- 3.9.1 No approval of an application or of a variation or extension of an application by the AEC can be for a period of more than two years.

### 3.10 Decision-making

- 3.10.1 All AEC decisions must be made by consensus, except where a member is an applicant, or a work associate of an applicant.

- 3.10.2 Where a conflict of interest exists, the member concerned shall withdraw from any further consideration of the application.

- 3.10.3 Every AEC decision in relation to an Application must be minuted, and must be communicated in writing to the applicant.

- 3.10.4 Reasonable prior notice of the time, date, place and proposed business of each meeting must be given to each AEC member. Every attempt shall be made to circulate meeting agendas and documents the week prior to a meeting. Applications received within five working days of a scheduled meeting will not be considered unless agreed by the AEC.

### 3.11 Quorum

- 3.11.1 A quorum for each AEC meeting will be four members of the AEC, of whom two *must* be external members.

- 3.11.2 The Chair or Deputy Chair (in the absence of the Chair) must be present at any meeting of the AEC.

- 3.11.3 Where members are unable to attend an AEC meeting, they are encouraged to provide written comment on applications under consideration to the AEC Chair; and any comments provided must be presented at the meeting on behalf of the absent member(s) by the AEC



Chair.

### 3.12 Access and official information

3.12.1 As a general policy statement, AEC meetings will not be open to the public.

3.12.2 Nothing in that statement prevents the AEC from inviting speakers or experts to attend the meetings or to present to the AEC; or from administrative staff being in attendance for minute taking or general support.

3.12.3

The Policy and Regulatory Services Group will provide advice on any possible requirements of the Local Government Official Information and Meetings Act 1987 or any other legislation that may impact on the AEC's functioning.

3.12.4

Any requests received under the Official Information Act 1982 (OIA) will be co-ordinated through the Chair. All responses must comply with the Department's procedures for OIA requests.

3.12.5

The Chair must consult with people who are the subject of an OIA request. However no information can be withheld, except where the OIA allows certain information or certain types of information to be withheld.

3.12.6

As a general policy statement, no information about the members of the AEC will be made public (including within DOC), except for the name and contact details of the Chair. This policy is to protect AEC members in the event of controversial issues.

### 3.13 Considering urgent applications

3.13.1 In urgent cases approval, with or without conditions, for applications that have low ethical cost (judged to cause 'no impact' and 'little impact') may be given by the Chair between formal meetings if:

- All members agree to consider the application; and
- The equivalent to a quorum (Refer Section 3:11 Quorum) agree to approve the application after reaching consensus by way of email or teleconference or videoconference.

### 3.14 Keeping of records

3.14.1 The AEC must maintain a complete record of all applications and supporting material presented to it, and of all proceedings in respect of such applications and any other matters referred to the Committee.

AWA  
s88(2)(d)

3.14.2 Records relating to the AEC must be retained for not less than seven years. Access to the records will be only with the approval of the AEC Chair or the Code-holder.

### 3.15 Reporting to Code holder

3.15.1 The AEC Chair must provide the Code-holder with an annual report that

summarises the AEC's activities for that year that outlines at least:

- approved applications,
- difficulties encountered,
- complaints received, and
- a summary of the statistical returns on animal use required by the Animal Welfare (Records and Statistics) Regulations 1999.

3.15.2 This report will be provided during the June of every year, so that the timing parallels the end of the Department's financial year.

### 3.16 Confidentiality

3.16.1 Subject to any other legal or statutory requirements, members of the AEC must hold in confidence any information coming into their possession as members of the Committee, but this provision does not prevent disclosure to the Director-General or other proper authority of any unethical or unlawful act or omission relating to animal welfare.

Part 4: AEC applications	Reference / Source
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4.1 **Forms and procedures**

4.1.1 In order to be considered, all applications must be on the standard application form which meets the requirements of section 100 of the Act.

Application forms must be available to all DOC staff via the Department's intranet.

4.1.2

All procedures, systems and any other useful information must be made available to all DOC staff via the intranet.

4.1.3

The Chair has the responsibility to ensure that the most up to date versions of all materials are available to staff via the intranet.

4.1.4

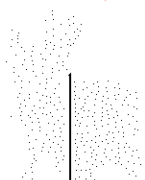
4.2 **General contents of an application form**

4.2.1 When considering an application, the AEC must take full regard of the provisions of the Act, s 100 that states the criteria for considering any application for the approval of a project and in setting, varying, or revoking conditions for the approval of a project. AWA s. 100

4.2.2 To enable the AEC to fully consider these criteria, the application form must be consistent with these requirements.

4.2.3 Therefore, every AEC application must specifically refer to such of the following matters as are relevant to the application:

- a) A clear statement of the 'Objective' for the proposed manipulation;
- b) A plain language lay-person overview of the proposed manipulation;
- c) Whether any alternative to the manipulation or use involving reduction, refinement or replacement has been considered, and is reasonably practicable. If so, why such alternative is not being adopted;
- d) In what respect the work proposed is likely to result in the extension of the body of knowledge relevant to the health and welfare of animals, or the conservation of animals;
- e) What factors have been taken into account in the choice of animal species, and the weighting given to such factors. Where standard works of reference have been relied on, these shall be identified;
- f) The decision as to the number of animal involved, to ensure that it should be the minimum necessary to provide a scientifically interpretable result, consistent with the level of accuracy required.
- i) Consideration must be given to:
  - the design of the study;
  - the level of accuracy necessary in the results;
  - the possible confounding effects of animal variation;
  - the minimum and/or maximum numbers of animals to be manipulated to enable statistical validity of the objective;
  - the needs of statistical analysis (such comments should be validated, when appropriate, by a statistician or other expert).



- ii) In general, duplication of experiments involving animals should only be contemplated when it is considered that the original study either requires scientific verification or is flawed or inadequate in some way which would invalidate its conclusions.
- g) The source from which the animals are to be obtained, their movement and transportation and measures to ensure their welfare and humane treatment;
- h) The responsibilities of the persons undertaking, supervising and responsible for manipulation and selection of animals, and their care and disposal;
- i) Evidence that suitably qualified and experienced persons will be engaged in supervising and/or carrying out the research, testing and teaching;
- j) Evidence that the proposed manipulation has Departmental support and has the necessary resources to undertake the manipulation with regard to the health and safety of the animals and staff.
- k) The measures to be taken to ensure the general health and welfare of animals before, during and after manipulation; including the adequacy and cleanliness of housing, caging and equipment; the provision of food and water; prevention of over-crowding and prevention and control of disease;
- l) The measures to be taken to minimise pain or distress; including abandonment of any manipulation and the humane destruction of animals where pain or distress cannot be held within reasonable levels;
- m) Indication of how the results from the project will be used in the Department or for conservation management;
- n) Any requested information about the impact grading as assessed by the Applicant;
- o) Statements of any other approvals or procedures required to undertake the proposed manipulation, e.g., iwi approval, links to SOPs, collection or impact permits.
- p) Any other aspects of the application which the applicant considers ought to be brought to the attention of the Committee.

### 4.3 Information required after approval

4.3.1 In addition to the above specific points, the AEC may seek information on events that occur after the approval is granted. A request for such additional information may form part of an approval, or could be made as a general information request to applicants. Provision of reports during and after project approval is required for each approval.

4.3.2 The AEC requires Approval holders to provide as soon as practicable further information about adverse events. Adverse events should be reported to and discussed by the AEC at the next scheduled meeting. Information should include:

- unexpected mortalities;
- unexpected harm;
- higher mortality rates than expected;
- equipment failure;
- impacts on non-target species;

- biosecurity breaches; or
- adverse drug reactions.

**4.3.3**

The Members Handbook includes the adverse event template which describes the incidents that trigger reporting of an adverse event.

**Collection of manipulation statistics****4.3.4** In order to accurately collate the annual animal use statistics for MPI, the following process will be undertaken:

- All approvals issued are accompanied by an email (cc'ed to the accountable manager) outlining the need for animal use statistics, when they are due for the project, and forewarning of a later email requesting these
- The Approvals spreadsheet (docdm – 456787) recording all AEC approvals, their status, reporting dates, and when MPI statistics are due will be maintained and monitored by the Chair.
- All applicable approval holders are sent the MPI form and instructions in November requesting the completed forms be returned to the Chair by the end of the following January.
- The Chair is responsible for providing the annual manipulation statistics to MPI.

**4.4 Identifying the applicant and those undertaking the manipulation**

**4.4.1** Every application must clearly identify the persons primarily involved in carrying it out and those responsible for the manipulations. The application must be signed by the applicant and their accountable manager.

**4.4.2** The applicant is responsible for ensuring that all personnel (DOC staff or otherwise) involved in the manipulation and the care of animals are aware of their obligations under this Code.

**4.4.3** Every person signing the application must provide appropriate information about their experience with the procedures proposed, and the Applicant must confirm that they have read this Code and will abide by it.

**4.5 "Parenting" of other institutions**

**4.5.1** As a general policy, the AEC will only accept applications from DOC staff, or from independent providers commissioned by DOC.

**4.5.2** Independent providers are those persons providing research, teaching or testing services who work for an institution that does not have an institutional AEC.

**4.5.3** The Code-holder or delegate must notify Ministry for Primary Industries' (MPI) Animal Welfare Section in the event of the AEC accepting an application from a 'parented' person/organisation. Notification to MPI's Animal Welfare Section must occur before the project commences. The

AWA s 88 (2)(f)  
& 84(1) (b)

**Part 4: AEC applications**Reference /  
Source

Chair of DOC's AEC is responsible for notifying MPI.

4.5.4 Any overseas institution that wishes to undertake manipulations in conjunction with DOC must obtain DOC AEC approval irrespective of whether they already have AEC approval from their institution.

**4.6 Cancellation of Approvals**

4.6.1 The AEC may terminate or cancel any approval, or impose further conditions on any approval for reasons including, but not limited to, situations where the applicant did not:

- did not provide any requested information;
- did not provide requested reports within agreed timeframes;
- undertook activities not approved as part of the application;
- did not report statistics as required by the Animal Welfare (Records and Statistics) Regulations 1999<sup>3</sup> (SR 1999/392) or AWA s.100
- there is significant concern for animal welfare;
- when the project does not appear to be meeting the target sample size for the project to provide beneficial data.

<sup>3</sup> Animal Welfare (Records and Statistics) Regulations 1999<sup>3</sup> (SR 1999/392)  
[http://www.legislation.govt.nz/regulation/public/1999/0392/latest/DLM1045.html?search=ts\\_regulation\\_Animal\\_resel&p=1&sr=1](http://www.legislation.govt.nz/regulation/public/1999/0392/latest/DLM1045.html?search=ts_regulation_Animal_resel&p=1&sr=1). Accessed on 22 October 2014.



## Part 5: Monitoring and compliance

Reference /  
Source

### 5.1 Reporting on manipulations

5.1.1 As a general policy, the AEC will require the applicants of all approved applications (with or without conditions) to report formally to the AEC in a manner and time determined by the AEC and stipulated in the approval.

5.1.2 The type and frequency of reporting required of an Applicant will be stipulated by the AEC with regard to the timescale, methods used, complexity of the manipulation, impact on the welfare of animals or other criteria.

5.1.3 Non-completion of reports or the submission of sub-standard reports could result in the approval being cancelled by the AEC.

5.1.4 With respect to any application approved, the AEC may request from the applicant's line manager (if the applicant is a DOC staff member) or from the applicant's contract supervisor (if the applicant is an external independent provider) a report on the applicant's compliance with this Code and adherence to any specific conditions set as part of the approval.

5.1.5 Accountable managers must monitor the adherence to AEC approvals through the Department's Monthly Operating Review (MOR) process held with their staff member.

### 5.2 Power to inspect manipulations and facilities

5.2.1 The AEC has the power to inspect any approved manipulation, animal facility or any records in relation to AEC approval undertaken or proposed to be carried out, at any time in order to satisfy themselves that the provisions of this Code and the project approval are being properly carried out. AWA s. 99(1)(d) and (e)

5.2.2 The Chair, or AEC member undertaking the monitoring on behalf of the AEC, must notify the applicant before observing the approved manipulation. Given the often sporadic nature of DOC fieldwork, and the impacts of weather or other factors, the Chair or any other Committee member monitoring the manipulation must liaise with the applicant to agree a suitable time for the visit. While acknowledging that the majority of animal

5.2.3 manipulations undertaken by DOC involve wild species, occasionally animals are held in facilities as part of the manipulation. Such facilities must be fully described in applications, adhere to best practice and animal welfare guidelines (described in the NAEAC *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*). Facilities must also be monitored as part of the monitoring regime specified in the approval and at a minimum, subject to annual inspection.

### 5.3 Alternative monitoring methods

5.3.1 Monitoring of manipulations by the AEC is considered a priority activity for the AEC in fulfilling their statutory obligations. However, the AEC acknowledges that some pragmatic decisions must be made about the monitoring of manipulations. Some of the difficulties may include:



Part 5: Monitoring and compliance	Reference / Source
<ul style="list-style-type: none"> <li>• difficult access to sites;</li> <li>• need to preserve biosecurity measures;</li> <li>• environmental conditions, and</li> <li>• expense of travelling to sites.</li> </ul>	
5.3.2 Direct observation of a manipulation is the preferred means of assessing the compliance with the approval of the manipulation.	
5.3.3 The Committee will consider a range of appropriate monitoring techniques of manipulations such as: <ul style="list-style-type: none"> <li>• Photographs and video taken by the applicant;</li> <li>• Formal report backs – in writing or in person – by the applicants;</li> <li>• Direct observation by AEC members;</li> <li>• Enlisting other staff with expertise to assess manipulations; or</li> </ul> Other techniques suggested in NAEAC's Occasional Paper No 5.	
5.3.4 As a general policy, all AEC members or other people asked to observe an approved manipulation must provide a written report (ideally with photographs and/or video) to the next scheduled AEC meeting after the monitoring.	
5.3.5 The NAEAC Occasional Paper No 5 'Monitoring methods for animal ethics committee' provides advice on monitoring methods.	
<b>5.4 AEC investigation of non-compliance</b>	AWA s. 103
5.4.1 The AEC <b>must</b> <ul style="list-style-type: none"> <li>• investigate any suspected non-compliance with this Code (irrespective of the severity or significance of the non-compliance) at the next scheduled meeting</li> <li>• communicate any recommendations, remedial actions or improvements to process as soon as possible to all affected parties, and report to the Code-holder any significant non-compliance, or any serious non-compliance.</li> </ul>	
<b>5.5 Code-holder's actions</b>	
5.5.1 Upon receiving from the AEC a report as to non-compliance with this Code, Code-holder must immediately consider the report and take appropriate action on it, which may include in-house disciplinary action, training, a review of department contractors, and/or reference of the report to the Ministry for Primary Industries' (MPI) Compliance Directorate with a view to a prosecution.	
<b>5.6 Protected disclosures</b>	
5.6.1 Nothing in the section prevents a DOC staff member making a statement subject to the Department's policies developed for the implementation of the Protected Disclosures Act 2000.	Protected Disclosures Act 2000
5.6.2 Information is available on DOC's intranet.	
5.6.3 The Chair must seek legal advice from the Department's solicitors in the	

<b>Part 5: Monitoring and compliance</b>	<b>Reference / Source</b>
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event of a protected disclosure being made.

<b>Part 6: Information management</b>	<b>Reference / Source</b>
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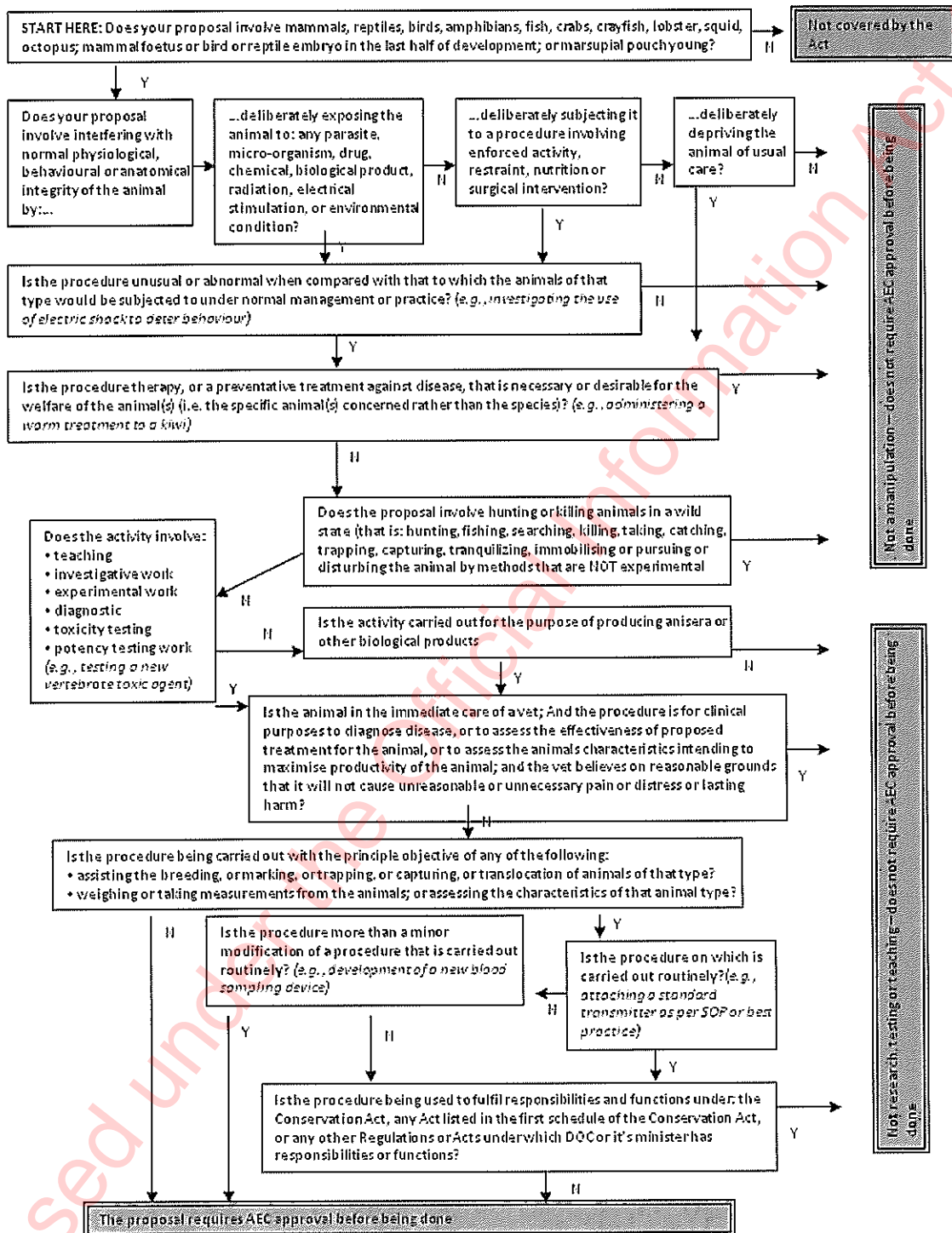
- |     |  |                                   |
|-----|--|-----------------------------------|
| 6.1 | The Chair is responsible for ensuring that all minutes of AEC proceedings, its decisions, operations and records are stored and maintained in a secure and complete manner.  | AWA 88 (2) (d)                    |
| 6.2 | As a general policy, no people other than the Code-holder, Chair, AEC members, an MPI - accredited reviewer, or those involved in the administration of the AEC will have access to the hard or electronic files relating to the AEC's business. |                                   |
| 6.3 | As a general policy, the Chair will remove (electronic document) access permissions to the applications and approvals in the Department's information management system (DOC document management system).  |                                   |
| 6.4 | The Chair must ensure that the reports and related documents that support DOC's submission of the 'Animal Use Statistics' required subject to Animal Welfare (Records and Statistics) Regulations 1999 can be readily accessed for reporting.    | Stats Regs                        |
| 6.5 | The Chair must ensure that all records of the AEC's proceedings are readily available for the MPI-accredited reviewer.   | AWA s105                          |
| 6.6 | Records must be kept for at least seven years.   |                                   |
|     | Disposal of any records must comply with DOC and government archives and records requirements appropriate for the type of records.   | Archives Act<br>DOC<br>procedures |

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<b>Part 7: Complaints procedures</b>	<b>Reference / Source</b>
7.1 <b>Non-compliance by AEC or Code-holder</b>	
7.1.1 Any member of the AEC, or any applicant or staff member, who believes that the Committee or the code holder is failing to comply with the Act or with any of its regulations, or with this CEC, may in the first instance report the non-compliance to the Director-General of Conservation. The Director-General of Conservation will determine whether further action is required or	AWA s88(2) (f)
7.1.2 can be dealt with by a simple explanation. If further action is required the Director-General will determine the appropriate course of action.	
7.1.3 Subsequently, report of the non-compliance may be made to the Director-General of the Ministry for Primary Industries (MPI). A member of the AEC, or any applicant, who makes a report under Part 7 of this Code in good faith is not to be liable to any civil or criminal proceeding or to any disciplinary proceedings by reason of having made the report.	AWA s. 103
7.1.4 7.2 Subject always to the provisions of the Official Information Act 1982 and to the Privacy Act 1993, the Director-Generals Conservation and Ministry for Primary Industries' (MPI) will be requested to use their best endeavours not to disclose any information that might identify the person who made the report unless: a) The person consents to the disclosure of that information; or b) The Directors-General Conservation and MPI reasonably believe that disclosure of the identifying information: i) Is essential to the investigation of the allegations made in the report; or ii) Is essential having regard to the principles of natural justice.	
7.3 Any DOC staff or members of the public, who believe that the Committee or the code holder is failing to comply in a material respect with the Act or with any of its regulations, or with this Code, may report the non-compliance to the Code-holder.	
7.4 <b>Making complaints</b>	
7.4.1 The Chair is the first contact point for any complaints about the AEC or their actions.	
7.4.2 In the event that the complaint is about the Chair, the complainant must refer the complaint to the Deputy-Director General, Science and Capability Group.	
7.4.3 The Deputy Director-General, Science and Capability Group will determine whether further action is required or can be dealt with by a simple explanation.	

<b>Part 8: Amendments to the Code</b>		<b>Reference / Source</b>
8.1	<b>Recommending amendments to the AEC Code-holder</b>	AWA s99 (1) (h)
8.1.1	The AEC may recommend to the Code-holder amendments to this Code of Ethical Conduct.	
8.1.2	As a general policy: Such recommendations must be well documented, and include a justification for the amendment. Justification must include analysis on the impact on animal welfare of the proposed recommendation, and on the Department's ability to fulfil its statutory responsibilities under the Animal Welfare Act.	
8.1.3	Recommendations for amendments must be consulted within the Department, as appropriate, depending on the nature of the proposed amendment.	
8.1.4	Amendments may be based on (but not be limited to) points such as: <ul style="list-style-type: none"> <li>• Changes in legislation administered by the Department;</li> <li>• Legal advice about legislation administered by the Department;</li> <li>• Improvements to quality systems or procedures underpinning this Code;</li> <li>• Changes to DOC's operations or responsibilities;</li> <li>• Improvements to technology; or</li> <li>• Changes to DOC's structure.</li> </ul>	
8.2	Amendments to the Code that have a minor impact on the Code (such as the name of different roles within the Department) must be notified to the Animal Welfare Section of MPI.  Notification to MPI is the responsibility of the Chair.	Guide
8.3	Amendments that have a major impact on the Code (such as changes in DOC's structure or statutory responsibilities, revision of key sections of the Code) must be submitted to the Animal Welfare Section of MPI for consideration.  Notification to MPI for consideration is the responsibility of the Chair.	Guide
8.4	The Chair is responsible for ensuring that all DOC staff are aware of any notified or approved changes to the Code.	

### Appendix 1: Process for determining whether an activity requires AEC approval





Diatranz Otsuka Ltd

## **Code of Ethical Conduct**

### **Diatranz Otsuka Limited**

#### **Introduction**

This Code of Ethical Conduct (CEC) is to cover the activities of Diatranz Otsuka Limited Ltd (DOL). DOL's main business is the manufacture of encapsulated porcine pancreas cells (DIABECCELL) for the treatment of diabetes. To support these activities the company holds stocks of pigs, for production and rats and mice for preclinical research and development.

As CEO of this company I shall take full responsibility for setting up an animal ethics committee ("AEC") so that any activities that are classified as a "manipulation" under the Animal Welfare Act 1999 ("the Act") can be assessed according to the requirements of the Act.

#### **PART 1. Membership of the Animal Ethics Committee**

The AEC will consist of a minimum of four members including:

- a. A chairperson who is a senior representative of the company, endorsed by the AEC and appointed by the CEO for a period of three years.
- b. A person nominated by an approved animal welfare organization such as the RNZSPCA, who is not employed or associated with DOL or involved in the use of animals for research, testing or teaching.
- c. A person nominated by a territorial authority or regional council, not employed by or associated with DOL or associated with the scientific community or an animal welfare agency.
- d. A veterinarian nominated by the New Zealand Veterinary Association who is not employed by or associated with DOL.
- e. Up to three additional either internal or external members, appointed by the CEO.
- f. External members appointed under part 1b, c, d and e will be remunerated as per the DOL standard rate.
- g. Appointments other than the chairperson will be for a period of one, two or three years. The term of the appointment will be determined at the time of appointment.
- h. Reappointment of external members at the expiry of their term must be done through a formal nomination by the relevant body as outlined in Part 1b, c and d.
- i. The secretary of the committee shall be an employee appointed by the CEO and will not



be a voting member of the committee.

- j. Vacancies of the membership of the committee will not invalidate its actions, as long as a quorum of members is still available for committee meetings. Vacancies shall be filled promptly in accordance with part 1 a, b, c, d and e of this code.
- k. If a member has a protracted absence from the committee of longer than nine months this member must resign their position on the committee and a replacement will be recruited. If the replacement is an external member they must be nominated by the appropriate authority.
- l. New AEC members will be provided with a copy of the code of ethical conduct and an NAEAC induction pack for new members. In addition all members will be provided with any NAEAC and ANZCCART publications that are sent to DOL.

## **PART 2. AEC Procedures**

- a. The AEC will meet at least 3 times a year as organized by the chairperson. At least two weeks notice will be given to the AEC members of the meeting time and place.
- b. The chairperson will ensure that the secretary records and keeps the minutes and the agenda. AEC applications and all other appropriate information is forwarded to the AEC at least one week prior to the meeting.
- c. A Quorum is three members of which two must be external members under part 1b, c, or d.
- d. All decisions of the AEC will be by majority. The majority must include at least two of the three external members.
- e. Meetings will not be open to the public.
- f. The applicant may be present at the meeting in support of their application and to answer any question the AEC may have.
- g. Committee members must declare any conflict of interest to the chairperson, prior to the matter concerned being discussed. When a conflict of interest is declared that member will absent themselves from the discussion and voting pertaining to that matter.
- h. To ensure effective input by external members all members will have equal opportunity to contribute to the business of the meeting. Decisions will be made after all committee members present have had the opportunity to express their views. External members will have access to researchers and staff involved in the manipulation of animals so that they can obtain information and answers to questions they have regarding the application made to the AEC.
- i. Statistics on animal use and impact of use will be forwarded to the MPI each year as required.
- j. The impact grading of a project will be assigned to the application prior to the meeting and the completion of the project if changes are required. The AEC will determine if the grading/s assigned to an application are appropriate when the application is being assessed. Grading will be based on definitions outlined in the MPI document *Animal Use Statistics* (2010) or any guidance material which supersedes this. Both the application and the AEC should refer to the guide when assigning and assessing impact grades.



- k. Committee members will be asked to sign a confidentiality agreement at the time of their appointment and must treat all information submitted for AEC approval with confidentiality.
- l. Provided that all members are in agreement, a policy will be set up covering the holding of teleconferences from time to time instead of meetings. Consecutive meetings held in this way will not be permitted.
- m. Temporary consent for a proposal involving manipulations that have a grade A or B may be given by a subcommittee of two members of the AEC of whom at least one shall be of those appointed under part 1 b, c, or d.
- n. Every temporary consent must be brought before the next AEC meeting for full approval. The application must then adhere to the result of the full approval application.

### **PART 3. Responsibilities of DOL**

- a. To ensure that any research involving the manipulation of any live animal is carried out in accordance to the code.
- b. To bring all research proposals to the attention to the AEC for prior approval. Research proposals to be presented in writing on the animal ethics approval application form.
- c. To comply with all Acts of Parliament, regulations or bylaws pertaining to the care and treatment of animals. Particular attention will be given to sections 80 and 100 of the Act.
- d. To ensure that any research and associated manipulations are undertaken by appropriately qualified personnel, or under the direct supervision of appropriately qualified personnel.
- e. To ensure that animals are transported under humane and hygienic conditions at all times.
- f. When animals are housed, to ensure their health is safeguarded and that undue stress is avoided. Sufficient space should be allocated and environmental needs should be consistent with the needs of the species concerned. Animals must receive free access to water and to adequate feed to meet their nutritional requirements.
- g. To ensure that sick or injured animals receive appropriate veterinary care.
- h. DOL will develop standard operating procedures for either animal husbandry practice or routine procedure that relate to the manipulation of animals in research trials. These standard operating procedure will be submitted to the animal ethics committee for approval as they are developed.
- i. Any adverse event during a research trial should be dealt with promptly. If an animal is injured or sick as a result of the adverse event appropriate veterinary care must be sought immediately. The adverse event must be notified to the Chair and secretary of the AEC as soon as practicable. The adverse event will be discussed at the next AEC meeting and procedure will be developed to prevent the event happening in future research trials if the AEC believes the adverse event was preventable.

### **PART 4. Approval of protocols by the AEC**

- a. The function of the AEC is to ensure that the highest ethical standards are observed by DOL and all persons associated with it in relation to the manipulation and use of animals.

- b. When considering proposals put forward to it, the AEC shall ensure that the proposal meets the criteria set out in section 100 of the Act and that all personnel involved in the manipulation of animals as outlined in the proposal are appropriately qualified.
- c. The AEC may approve a proposal, decline a proposal or direct that a proposal be modified on ethical grounds before approval is given. Decisions will be minuted and given to the applicant in writing.
- d. The maximum approval period for an application is two years. After this time the application must be submitted for re-approval.
- e. Changes to the approved application that include changing the number of animals in a research trial or changing the manipulation performed on animals in a research trial must be submitted for approval by the AEC.
- f. The AEC has the power to suspend or revoke approvals or set, vary or revoke conditions of project approval.

#### **PART 5. Monitoring Process**

- a. As per the Act, the AEC has the responsibility to monitor compliance with conditions of project approvals and to monitor animal management practices and facilities to ensure compliance with the code of ethical conduct.
- b. As per the Act, the AEC has vested in it all necessary powers to perform its monitoring function including annual monitoring visits. Monitoring visits should be performed on a day that manipulations are being undertaken as part of an approved project. The project locations will also be monitored at the time of the monitoring visit. All monitoring visits will be documented and outcomes will be recorded in the minutes of the AEC meeting following the visit.
- c. Monitoring of projects may be performed by a veterinarian nominated as representing the AEC. A written report will be prepared by the nominated veterinarian and will be submitted to the AEC at the AEC meeting following the visit.
- d. As an additional monitoring procedure, the AEC will be informed of the outcome of approved projects at the completion of the project. This information will be supplied at the first AEC meeting after the completion of a project.

#### **PART 6. Arrangements for external parties to use the code and the AEC**

- a. The DOL AEC will act as the AEC for Living Cell Technologies NZ Limited (LCT) which is co-located with DOL at the 19 Laureston avenue, Papatoetoe site. All research, teaching and testing procedures will occur in the same facilities as those used by DOL.
- b. The training, research and manufacturing activities that involve the manipulation of animals will be performed strictly under the approval and monitoring of the DOL AEC as described in the approved AEC operating procedures.

#### **PART 7. Information management**

- a. The AEC Secretary will be responsible to ensure that all minutes of AEC proceedings, its

decisions, operations and records are stored and maintained in a satisfactory manner for a period of at least seven years after the year to which the records related.

## **PART 8. Animal facilities and practices**

- a. Animal facilities and care shall be in accordance with good practice and scientific knowledge (as recommended by NAEAC in its *Good Practice Guide for the Use of Animal in Research, Testing and Teaching*, June 2010).
- b. It is the responsibility of the principal investigator to ensure that the person caring for the day to day needs of research animals is properly trained and has access to a registered veterinarian should the need arise.

## **PART 9. Complaints procedures**

- a. All complaints regarding animal welfare must be reported to the Chair of the AEC who will log the complaint into the DOL complaints log.
- b. Procedural complaints
  - In accordance with section 103 of the Act, any member of the AEC who believes that the committee (including the chairperson) or DOL is failing to comply with the code may report such non-compliance to the Director-General of MPI. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceeding by reason of having made the report. A complaint report will be entered into the DOL AEC complaints log.
  - If an applicant submits a complaint to the Chairperson regarding a decision made by the committee in relation to his or her application for ethics approval, the applicant may nominate another AEC member or surrogate Chairperson to assist in the resolution of the matter at hand. Where the initial decision is upheld by the surrogate Chairperson, that decision is final. Where the initial decision is reversed by the surrogate Chairperson, it is referred back to the original committee for reconsideration, the resultant decision of which shall be final.
- c. Animal Welfare Complaints
  - Complaints made by members of the public shall be referred to the AEC Chairperson who may correspond directly with those concerned to inform them of the company's position and / or advise them that further correspondence may be addressed to MPI. A complaint report will be entered into the DOL AEC complaints log.
  - Complaints made by DOL employees shall be directed to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the DOL CEO will determine the appropriate correction action to implement. A DOL staff member who makes such a report in good faith shall not be liable to any disciplinary or civil proceedings by reason of having made the report.
  - Complaints made by AEC members shall be direct to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the DOL CEO will determine the appropriate correction action to implement. An AEC member who makes such a report in good

faith shall not be liable to any disciplinary or civil proceedings by reason of having made the report.

- Complaints made by AEC members, DOL staff members or the public that concern the Chairperson of the AEC can be directed to the NZVA nominee who may correspond directly with the chairperson to resolve the issue and / or correspond with MPI if the complaint is of a nature that the NZVA nominee believes justifies this action.

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School of Applied Science  
Te Kura Mahinga Pūtaiao

# EASTERN INSTITUTE OF TECHNOLOGY CODE OF ETHICAL CONDUCT (EIT-CEC)

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**For the Use of Animals in Teaching**

*Code of Ethical Conduct*

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**Eastern Institute of Technology**

*Animal Ethics Committee*

*Code of Ethical Conduct*

*For the Use of Animals in Teaching*

*This is to certify that the code holder undertakes to conform to all the requirements of the Animal Welfare Act 1999 and will ensure that all persons involved in animal manipulations comply with the provisions of the Act. It is accepted that the code holder is also responsible for distributing information on the requirements of the Act to the Animal Ethics Committee to help ensure that the Animal Ethics Committee follows the requirements of the law.*

Code Holder Chief Executive Officer:

\_\_\_\_\_

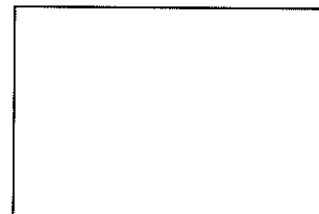
Signature:

\_\_\_\_\_

Date:

\_\_\_\_\_

Eastern institute of Technology  
501 Gloucester Street  
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## 1 Introduction

### 1.1 Purpose

- 1.1.1 This Code of Ethical Conduct (CEC) is for the Code Holder the Eastern Institute of Technology (EIT). EIT has had an approved CEC and an operating AEC since the 26th of November 2009. Prior to this, since January 2007, EIT operated under the Waikato Institute of Technology's (WINTEREC's) Code of Ethical Conduct in a parenting arrangement. As such until November 2009, all protocols used at EIT were considered and approved by their Animal Ethics Committee (AEC).
- 1.1.2 The CEC permits EIT to use live animals in the teaching of the animal care, veterinary nursing, equine, agricultural and Trades Academy programmes.
- 1.1.3 EIT will have a functioning Animal Ethics Committee (AEC) at all times for the approved period of the CEC who will use the CEC to approve projects and proposals to use animals for the purposes of teaching so such usage can be regulated and monitored to ensure adequate standards of animal welfare are maintained.
- 1.1.4 The AEC will maintain standards of animal management that meet the purposes of Part 6 of the Animal Welfare Act 1999. The AEC will ensure that standards of animal management meet or exceed those detailed in the National Animal Ethics Advisory Committee (NAEAC): *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*. No animals will be used for teaching purposes without having approval by the AEC.
- 1.1.5 This CEC complies with all the requirements of the Animal Welfare Act 1999 so that animals as defined by this Act can be used for teaching at EIT. In particular, the CEC complies with section 80 and 100 of the Act.
- Section 80 sets out the purposes of the regulatory system for the use of animals in science and in particular, stipulates that efforts must be made to reduce the number of animals used, refine invasive techniques to increase benefits gained and replace the use of animals with alternative methods where these are appropriate.
- Section 100 covers criteria for considering any application for the approval of a project and in setting, varying, or revoking conditions of the approval of a project.

### 1.2 General Nature and Extent of Work

- 1.2.1 For the purposes of this CEC, the definition of animals and animal welfare related terms will use those given in the Animal Welfare Act 1999 and other legislation where relevant.

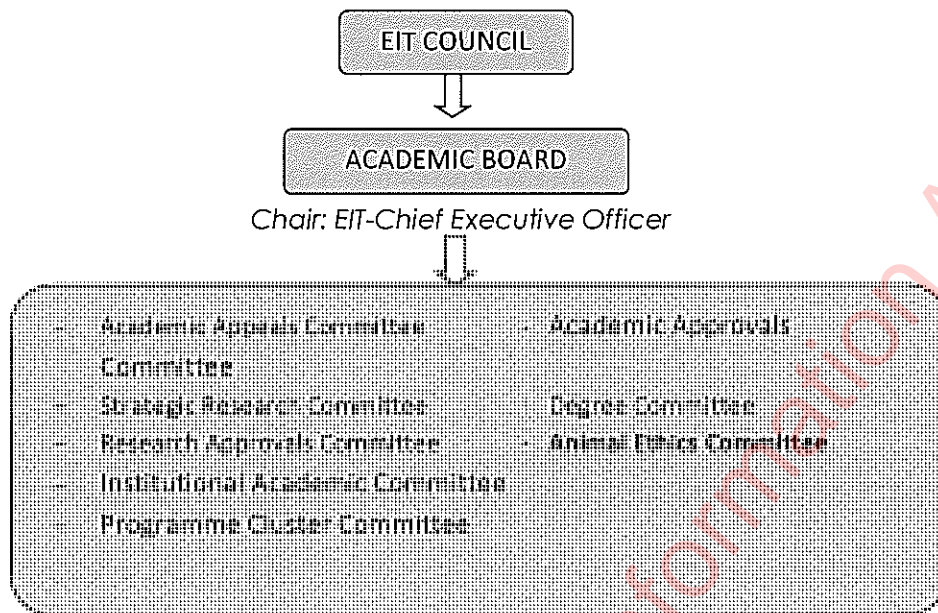
- 1.2.2 The animals used at EIT are for the purposes of teaching only and include those belonging to EIT, to staff, students and the public. These animals provide the teaching materials in the fields of animal husbandry, handling, biology, anatomy, physiology, and behaviour.
- 1.2.3 The campus has a small teaching farm and a domestic animal room that is used by the Agriculture, Trades Academy, Animal Care and Veterinary Nursing programmes, for practical work in teaching the basics of farm management, and in the teaching of large and small animal handling and care.
- 1.2.4 EIT hold small numbers of mice, rats, guinea pigs, rabbits, chinchillas, caged birds and poultry in the animal room, and fish, axolotls and turtles in aquaria for the purpose of teaching animal care and veterinary nursing students. Dogs and cats are brought onto the campus on occasions for the same purpose, but will not be housed at EIT.
- EIT has the use of a small teaching farm running cattle and sheep for the purposes of teaching agriculture, trades academy, animal care and veterinary nursing students.
- EIT does not house horses on site but horses on local properties are used for the purposes of teaching equine, trades academy, animal care and veterinary nursing students.

### **1.3 Legal Responsibility**

- 1.3.1 The animals used for teaching purposes must be lawfully acquired, maintained and used in strict compliance with all legislation that relates to their welfare and humane treatment.
- 1.3.2 AEC meetings will be subject to the requirements of the Official Information Act 1982. The chairperson may exclude the public from all or part of a meeting to protect the privacy of natural persons or the commercial sensitivity of information to be disclosed. The CEO will deal with any requests under the Official Information Act in consultation with the chairperson and any persons who may be involved.

## 1.4 EIT Organisational Structure

1.4.1 The EIT organisational structure is as follows;



## 2 Animal Ethics Committee Membership

### 2.1 Membership

2.1.1 The AEC will consist of the following:

- a). Two fixed position members (internal or external) appointed by the CEO as follows;
  - 1). A chairperson subject to the endorsement of the AEC, who is capable of evaluating projects, the qualifications and skills of applicants and the teaching value of the protocols.
  - 2). An executive officer for administration matters,
- b). A minimum of three (maximum of six) internal members, appointed by the CEO in consultation with the chairperson, that add to the collective knowledge and experience of the other internal members to provide the following:
  - 1). Capability of evaluating benefits of proposals and competency of proposer,
  - 2). Experience in laboratory animal management,
  - 3). Experience in horse husbandry,
  - 4). Experience in maintaining animal welfare standards,
  - 5). Experience in sheep and cattle husbandry,
  - 6). Experience in animal biology.
- c). Four independent external positions to the organisation nominated as follows:
  - 1). A veterinary surgeon nominated by the New Zealand Veterinary Association,



- 2). A person nominated by an approved animal welfare organisation such as the Society for the Prevention of Cruelty to Animals (SPCA),
- 3). A person nominated by a local territorial authority or regional council,
- 4). A lay-person to represent the general public.

2.1.2 No external appointees will be associates of the CEO and/or must not be associated with EIT.

2.1.3 From time to time, additional people may be invited to attend committee meetings. For example, staff from the animal related programmes may attend by informing the executive officer, or experts in particular fields may be co-opted to the AEC when necessary.

2.1.4 The CEO or a representative has the right to attend all meetings as deemed appropriate by the AEC Chairperson in consultation with the statutory external committee members.

2.1.5 Persons who have any conviction against any of the following Act of Parliament or any replacement, substituted or added Act of Parliament, as specified in section 89(1)(c) of the Animal Welfare Act 1999, are not eligible to be an AEC member; The Animal Welfare Act 1999, The Animals Protection Act 1960, The Agricultural Compounds and Veterinary Medicines Act 1997, The Biosecurity Act 1993, The Companies Act 1993, The Crimes Act 1961, The Dog Control Act 1996, The Serious Fraud Office Act 1990, The Trade in Endangered Species Act 1989, The Veterinarians Act 2005.

## 2.2 Chairperson and Executive Officer

2.2.1 The executive officer will be responsible for the following:

- a) Organising meeting times,
- b) Preparing, and circulating, meeting agendas,
- c) Taking, and circulating, minutes of meetings,
- d) Providing new members with appropriate information and documents, including a NAEAC induction pack and a copy of the Code of Ethical Conduct,
- e) Circulating reports.

2.2.2 The chairperson will be responsible for the following:

- a) Chairing meetings,
- b) Preparing all required reports,
- c) Dealing with all correspondence from the Ministry for Primary Industries (MPI), NAEAC, and other such bodies,
- d) Ensuring that new members of the AEC are fully prepared for their role on the committee,

- e) Ensuring that external members have effective input to the work of the AEC including providing them with a copy of the NAEAC document *A Guide for Lay Members of Animal Ethics Committees*,
- f) Dealing with complaints from committee members, the public, or from students,
- g) Ensuring the accurate compilation of statistics of animal usage within EIT, forwarding these on to MPI, and storing all records involving the work of the AEC in a secure manner.

## **2.3 Appointment and Induction**

- 2.3.1 Members will be appointed to the committee for a period of three years, with the possibility of renewal, and will be replaced at intervals voluntarily or through natural attrition to ensure continuity of experience.
- 2.3.2 Internal member appointments will be made by the chairperson of the committee in consultation with the committee members, and the CEO will confirm their appointment.
- 2.3.3 Statutory external members will be appointed to the committee by nomination from the appropriate external bodies on request by the chairperson after confirmation by the CEO. Reappointment will require EIT seeking re-nomination by their relevant nominating body.
- 2.3.4 The fourth external member will be appointed by the chairperson in consultation with committee members, and the CEO will confirm their appointment. Reappointment can occur through the same process.
- 2.3.5 New AEC members will be provided with appropriate documentation and NAEAC's AEC induction pack and the member must provide a personal profile detailing experience for which a sample format will be supplied.

## **3 Animal Ethics Committee Procedures**

### **3.1 Meetings**

- 3.1.1 The AEC will meet at least twice a year and on additional occasions when required. Adequate notice of such meetings, in writing, will be given to all members, by the executive officer.
- 3.1.2 The chairperson will conduct committee meetings following Academic Board procedures found in the Academic Statute.
- 3.1.3 Committee meetings will not be open to the public. However, the committee will be open to enquiries and, considered on a case-by-case basis, will readily open facilities for inspection

on request, or release statistics of animal usage to interested parties. On EIT 'open days' the farm and animal room may be open for visits by interested parties.

### **3.2 Quorum and Decision**

- 3.2.1 A quorum will consist of a majority of the number of voting members, at least two of whom must be statutory external members.
- 3.2.2 Voting members include all internal and external members of the committee with the exception of the AEC Executive Officer.
- 3.2.3 All decisions will be made based on the consensus of all eligible voters.
- 3.2.4 In the event of a conflict of interest, an AEC member will stand down from discussions on that subject. Instances of regular or ongoing conflict of interest pertaining to one member must be addressed by the committee.
- 3.2.5 In the event of protracted absence from meetings (more than 3 sequential meetings) of an AEC member, the chairperson will address the issue in consultation with the committee.
- 3.2.6 In the absence of the chairperson, the chairperson will nominate a chairperson for that meeting with the approval of the CEO.
- 3.2.7 A policy will be developed to cover the holding of teleconferences from time to time instead of meetings. Consecutive meetings held in this way will not be permitted.
- 3.2.8 A policy will be developed to allow the facility of email to be used, when necessary, for members to approve/disapprove matters if they arise between meetings and need addressing quickly.
- 3.2.9 It is not envisaged that the AEC will be involved in any matters that could be considered commercially sensitive, or procedures to set up sub-committees. In such an event, the CEO's advice will be sought.

## **4 Animal Ethics Committee Function**

### **4.1 Function**

The functions of the EIT Animal Ethics Committee (AEC) are;

- 4.1.1 To consider and determine applications for the approval of teaching projects,
- 4.1.2 To set, vary, and revoke conditions of approvals,
- 4.1.3 To monitor compliance with conditions of approvals,
- 4.1.4 To monitor animal management practices and facilities,
- 4.1.5 To ensure compliance with the terms of the CEC,
- 4.1.6 To consider and determine applications for the renewal of approvals,

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- 4.1.7 To suspend or revoke, where necessary, approvals,
- 4.1.8 To recommend amendments to the CEC to Academic Board.

## 5 Approval of Protocols by the Animal Ethics Committee

### 5.1 Submission of Proposals

- 5.1.1 All applicants who wish to use live animals within teaching programmes held at EIT must submit the proposal using the standard form *AEC - Protocol Application – Teaching*, which must comply with all relevant parts of Section 100 of the Animal Welfare Act 1999.
- 5.1.2 AEC members will consider all applications at the next scheduled meeting, and the decision made reported to the proposer within one week of that meeting. Urgent considerations may be made by calling an urgent AEC meeting at the discretion of the chairperson.

### 5.2 Approving Proposals

- 5.2.1 Proposals may be accepted, modified, rejected by the committee, using the following criteria as guidance;
  - a). The scientific or educational objectives of the project,
  - b). The harm to, or the distress felt by, the animals as a result of the manipulation, and the extent to which that harm or distress can be alleviated by any means (including, where the pain or distress cannot be held within reasonable levels, the abandonment of the manipulation or the humane destruction of animals)
  - c). Whether the teaching demonstration or learning practice is such that it is reasonable to expect that the objectives will be met,
  - d). The factors that have been taken into account in the choice of animal species and numbers,
  - e). Whether adequate measures will be taken to ensure the general health and welfare of animals before, during, and after manipulation,
  - f). Whether suitably qualified persons will be engaged in supervising and undertaking the teaching,
  - g). Whether any duplication of a teaching demonstration and learning practice is proposed,
  - h). Whether the same animals are to be used repeatedly in successive teachings, and, if so, the cumulative effect of the successive teachings on the welfare of the animals;
  - i). Any other matters that the Committee considers relevant, including those that the committee is required to consider under Animal Welfare Act Regulations.

- 5.2.2 Special emphasis will be placed on ensuring that all staff involved in the use of animals for handling and husbandry purposes, are appropriately qualified and trained.
- 5.2.3 The committee can suspend and/or revoke proposal approvals where they have concerns for the welfare of the animals or where an approval has been breached.
- 5.2.4 Where the committee declines an application, then the applicant can seek guidance from committee members about the concerns and recommendations. Modified protocols can then be resubmitted to the committee for their reconsideration at the next AEC meeting.
- 5.2.5 The AEC will require a definite end-point for all proposals. No teaching protocols will be approved for more than 3 years.
- 5.2.6 Any proposal to modify an existing approved protocol must be submitted in writing to the AEC for consideration at the next AEC meeting. This must be well prior to the proposed date of implementation of such modifications.

## **6 Monitoring**

### **6.1 Monitoring Processes**

- 6.1.1 At the end of the period of approval for a particular protocol, the applicant must submit to the AEC a short report describing the following; if and how the project met its objectives and highlighting any issues that arose.
- 6.1.2 Ongoing monitoring during the period of approval of a protocol will include annual inspection of the animal room and training farm holding animals under EIT jurisdiction, and an annual observation of manipulations being undertaken, by a statutory external member of the AEC. The results of any inspection or observations will be reported at the next AEC meeting.
- 6.1.3 The programme coordinators must write annual reports covering the use of animals for teaching in their respective programmes.
- 6.1.4 The AEC will provide the programme coordinators with an annual report template that will include the use of animals for teaching in their programme and where possible this will also include updates on the application of replacement, reduction and refinement.

## **7 Arrangements for External Parties to use the CEC and AEC**

### **7.1 External Parenting**

- 7.1.1 The AEC will consider parenting arrangements (for consideration of external applications) from outside organisations on a case-by-case basis.
- 7.1.2 The AEC may accept such parenting arrangements only if it believes the committee has the appropriate expertise to review the application. Parented organisations must comply with this CEC.
- 7.1.3 The conditions for monitoring of animal manipulations, as set out by the committee, will be confirmed with the applicant. Members of the committee will normally carry out monitoring of animal manipulations. However, distant supervision may be by arrangement with personnel contracted to act on behalf of the AEC. Such contracted personnel will have appropriate qualifications and experience, as determined by the AEC, to be able to monitor animal manipulations satisfactorily.
- 7.1.4 Formal written reports will be used to document all monitoring activity of parented organisations. Full cost recovery will apply in the absence of a collaborative agreement.
- 7.1.5 All parenting arrangements must be notified in writing to MPI.

## **8 Information Management**

### **8.1 Administration**

- 8.1.1 EIT will provide secretarial services to the AEC and a budget to cover expenses.
- 8.1.2 Agendas and protocol applications, including any accompanying documentation, must be sent to committee members at least two weeks before meetings. If protocol applications have not been sent to committee members before this time, then the committee reserves the right to postpone its discussion until the next meeting.
- 8.1.3 The chairperson will establish an appropriate remuneration system for external members for their time spent on committee work, subject to EIT remuneration protocols. This will be reviewed from time to time as required and in consultation with the committee, and will be documented by the executive officer.
- 8.1.4 The AEC will provide protocol applicants with an application form, written instructions on how to complete it and a checklist of the items required for the approval process. All applications must conform to the requirements of the Animal Welfare Act 1999. Every application must clearly identify the persons primarily engaged in carrying out the animal manipulation and those responsible for the manipulations and must be signed by them.

Applicants are responsible for ensuring that all personnel involved in the project and the care of animals are aware of their obligations under the code.

- 8.1.5 If necessary, applicants will be provided with advice, assistance and instruction on animal welfare requirements. This may initially be provided by the evaluating member, the Chairperson or AEC members with particular experience.

## **8.2 Reporting**

- 8.2.1 The AEC will provide an annual report to the Academic Board summarising its activities over the previous year. This will include information such as the number of protocols approved, difficulties encountered, complaints received and a copy of the Animal Use Returns required by the Animal Welfare (Records and Statistics) Regulations 1999.
- 8.2.2 The AEC will forward all minutes of all meetings to the Academic Board in a timely manner.
- 8.2.3 The AEC may at any time, as deemed appropriate, notify Academic Board of the need to amend the CEC.
- 8.2.4 The AEC will inform MPI of any amendments to the CEC for the necessary approval.
- 8.2.5 Any adverse events that occur during manipulations (such as animal injury or death) must be immediately reported to the AEC Chair, who will ensure that appropriate action is taken and that the event is reported at the next scheduled next AEC meeting as per approved protocol.

## **8.3 Information Administration**

- 8.3.1 The executive officer of the AEC will take minutes of all meetings, will deal with all outside correspondence, and will ensure that all proceedings of the AEC, its decisions, operations and records are maintained and stored in a satisfactory and secure manner.
- 8.3.2 All information pertaining to minutes of proceedings, project applications, committee decisions, operations and records is to be stored and maintained satisfactorily. Information will be kept for a minimum of five years after the year to which they relate. Access to this information will only be with the approval of the Chairperson or the CEO.
- 8.3.3 The programme coordinators will maintain full records of animal manipulations and their state (and occupancy for EIT records) within the facility and will store such records in a satisfactory and secure manner. Annual statistical records of animal manipulations and usage will be compiled and forwarded to MPI.



## 9 Use of Animals for Teaching

### 9.1 Facilities & Practices

- 9.1.1 It is the responsibility of EIT to ensure that the person caring for the day-to-day needs of the animals is properly trained.
- 9.1.2 The AEC will provide the Programme Coordinators with an annual report template covering the animal facilities and written instructions of how to complete such forms. These reports will be submitted to the AEC on an annual basis.
- 9.1.3 The Chairperson is to keep an oversight of the state of the animal room and training farm. An external AEC member is to inspect the animal room and training farm on an annual basis (see also 6.1.2).
- 9.1.4 The animal room and the EIT teaching farm will be maintained to a standard that meets, or exceeds, that specified in the NAEAC: *Good Practice Guide for the Use of Animals in Research, Testing and Teaching* and any other relevant code.
- 9.1.5 The AEC is to ensure that the respective programme coordinators of the animal related programmes are appropriately qualified and trained.

### 9.2 Species and Manipulation

- 9.2.1 The choice of species must be determined not only by the nature of the manipulation and the questions posed in planning it, but also by other relevant considerations. Animal subjects must not be used at all if other techniques are available and prove equally appropriate.
- 9.2.2 Both the person carrying out any manipulation and EIT must accept responsibility for the work undertaken. Such responsibility will include the selection of an appropriate animal species, the choice of the number of animals, the nature of the procedures and all matters related to the continuing welfare of the animals.

It is a guiding principle that the manipulation of live animals must only be undertaken where manipulation is a required part of an educational curriculum.

### 9.3 Minimisation of Impact

- 9.3.1 The following points must be taken into consideration:
- a). The selection of techniques which, while achieving the desired result, will impose the least possible stress and pain on the animal,
  - b). Ensuring that the person(s) carrying out the manipulation is/are adequately trained in the technique, or supervised if learning the technique,

- c). The avoidance of multiple procedures in order to minimise the distress suffered by each animal - animals must not be subjected to more procedures than are necessary to achieve the objective of the manipulation,
- d). The termination and, if necessary, abandonment of studies which if continued, would lead to an unacceptable level of suffering to the animals.

## **9.4 Quantity Limits**

- 9.4.1 It is unacceptable to embark on a manipulation that cannot provide meaningful results because of insufficient numbers of animals or faulty design. However, when planning manipulations the number of animals used must be the minimum necessary to provide a valid result.

## **9.5 Protocols and Standard Operating Procedures**

- 9.5.1 Refer to Protocols Register.
- 9.5.2 Standard Operating Procedures (SOPs) will be considered, approved and reviewed by the Animal Ethics Committee.
- 9.5.3 Any new SOPs or modifications to SOPs will be submitted to the AEC for consideration at the next scheduled meeting. Urgent considerations may be made by calling an urgent AEC meeting at the discretion of the chairperson.
- 9.5.4 SOPs may be accepted, or modified by the committee, using criteria considered relevant, including those that the committee is required to consider under Animal Welfare Act Regulations (e.g. Codes of Welfare, Good Practice Guide for the Use of Animals in Research, Testing and Teaching).
- 5.2.5 The AEC will require a definite end-point for all SOPs. No SOPs will be approved for more than 3 years.

## **10 Complaints**

### **10.1 Complaints Procedure**

- 10.1.1 Any complaint raised by a member of the AEC, the public, an EIT staff or an EIT student, regarding the treatment of animals within EIT teaching programmes, must be forwarded to the chairperson in writing. The chairperson must then call a special meeting of the AEC within 10 working days of receiving the complaint, for full consideration of the matter.

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- 10.1.2 The person who raised the complaint is to be invited to attend this meeting of the AEC and is to be invited to participate in the consideration of the complaint. The AEC will adopt a policy of transparency when dealing with the public, and EIT staff and EIT students.
- 10.1.3 Complaints about the chairperson of the AEC are to be made in writing to the CEO, who, if the complaints are upheld, is authorised to take whatever actions considered appropriate.
- 10.1.4 Appeals against action taken by the AEC must be directed to the CEO who has the discretion to address the matter on a case-by-case basis.



# Kaiawhina

**Animal Ethics Committee**

**CODE OF ETHICAL CONDUCT  
FOR THE USE OF LIVE ANIMALS FOR RESEARCH,  
TESTING AND TEACHING**

**21 February 2011**

Approved for the period:      to     

## **1 Purpose of the code**

This Code is designed to comply with the requirements of the Animal Welfare Act 1999 (“the Act”) so that animals can be used for research by Estendart Ltd., a Contract Research Organisation. The scope of research includes safety, efficacy, palatability, pharmacokinetic, and residues testing of agri-pharmaceutical products for the companion animal and production animal markets. In addition, safety, efficacy and toxicity of pharmaceuticals, nutraceuticals, traditional medicines and medical devices may be conducted, as required by the domestic and international regulatory authorities.

The Code applies to all Estendart Ltd. staff and other users of our code. The legal responsibilities are set down in the Animal Welfare (1999) Act, specifically in Part 6, sections 80, 99 and 100.

## **2 Animal ethics committee**

### **2.1 Overview**

The Code is administered by the Kaiawhina Animal Ethics Committee (henceforth referred to as the ‘AEC’), which is a standing committee of Estendart Ltd. and under the management of the General Manager.

### **2.2 Membership and Appointment**

- 2.2.1 The AEC will consist of a minimum of six and maximum of eight members as described in 2.2.2 to 2.2.8 below.
- 2.2.2 An employee of Estendart Ltd. appointed as Chair by the Board of Estendart Ltd. for a term of three years.
- 2.2.3 An administration staff member of Estendart Ltd. will be appointed as the secretary and will have full voting rights.
- 2.2.4 One member from the staff of either Massey University or the biotechnological industry having expertise in animal welfare but not a member of Estendart Ltd., who is appointed by the Chairperson.
- 2.2.5 One member being a registered veterinarian without association to Estendart Ltd. nominated by the New Zealand Veterinary Association.
- 2.2.6 One member of the lay public with no association to Estendart Ltd. and nominated by the Royal New Zealand SPCA.

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- 2.2.7 One member of the lay public with no association to Estendart Ltd. and nominated by a regional council or territorial local authority.
- 2.2.8 Up to two further persons may be appointed by the Committee itself to assist with scientific or technical matters or with expertise not otherwise represented on the Committee.
- 2.2.9 In the event of any member being absent for a protracted period of time, a request for a replacement person shall be made to the appointing/nominating party concerned, to stand in for the duration of that particular member's absence.
- 2.2.10 At the last meeting of each year, the Committee shall appoint a Deputy Chairperson who may deputise for the Chairperson in his/her absence.
- 2.2.11 External members will be paid a fee for each AEC application considered.

### 2.3 Expectations of AEC members

- 2.3.1 To examine all research applications involving the use of animals by researchers at Estendart Ltd. and to ensure that the applications comply with this Code (except for the exemptions given in Section 13) and the Animal Welfare Act 1999.
- 2.3.2 To examine those applications received from organisations conducting research or teaching involving the use of animals that do not have their own standing AEC, where a formal arrangement exists to do so (refer to section 12).
- 2.3.3 To monitor animal care and use (refer to section 8).
- 2.3.4 AEC members shall hold information submitted in the applications in confidence. Protocols, agendas, minutes and ancillary documents are confidential. Whereas members of the AEC may maintain files for reference, they are expected to keep these in a secure place.
- 2.3.5 To offer or provide advice on any teaching or research programme involving the use of animals when requested to do so by individuals or organisations outside of Estendart Ltd.
- 2.3.6 To offer or provide advice to applicants regarding the application process, the conduct of a research or teaching exercise or animal care, when requested.
- 2.3.7 The day-to-day management of matters pertaining to the AEC and implementation of the Code resides with the AEC Chairperson and in his/her absence, the Deputy Chairperson.

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2.3.8 The Chairperson will assist each AEC member so that he/she has effective input into the workings of the AEC.

2.3.9 The Secretary of the AEC is responsible for internal administration and is the Estendart Ltd. Administration Officer or his/her nominee.

## 2.4 Term of appointment

Members other than the Chairperson may be appointed for one, two or three year terms at the discretion of the appointing/nominating parties.

## 2.5 Reappointment

At the expiry of each member's term, a request for renomination or replacement shall be made to the appointing/nominating party concerned.

## 2.6 Appointment of Chairperson

The chair person is appointed by the by the Board of Estendart Ltd. for a term of three years, subject to the endorsement by the AEC.

## 2.7 AEC member training

Education of Members of the AEC will be assisted by the provision of an induction pack to all new members. Information that could be of assistance to AEC members will be circulated by the Secretary or Chairperson. Attendance at conferences designed for AEC members will also be supported.

## 2.8 Meeting frequency

AEC meetings shall be scheduled at least once every two months.

## 2.9 Preparation of agenda

2.9.1 Two originals of each application on a current AEC application form should be submitted by the proposer to the Secretary of the AEC. This should be done preferably seven (7) days before a scheduled meeting.

2.9.2 The secretary will prepare the agenda for each meeting and copy and circulate the relevant documentation to the AEC at least five (5) days prior to a scheduled meeting.



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## 2.10 Quorum

A quorum for meetings of the AEC shall be five (5), including at least two of those appointed under 2.2.5, 2.2.6 and 2.2.7.

## 2.11 Minute taking

The AEC secretary is responsible for recording the minutes of each meeting. This role must be delegated if the secretary is absent from a meeting.

## 3 Preparation of applications

3.1.1 All individuals using animals for research are to be familiar with the Code, and so signify on their application to the AEC.

3.1.2 The AEC expects that all personnel using animals, having signified that they have read the code, will observe it in the spirit as well as the letter. While the primary responsibility lies with the senior investigator, all other persons involved are also responsible for the well-being of the animals and must have due regard to avoiding or minimising discomfort, distress or pain.

3.1.3 Applications to the AEC must list, and be signed by, persons primarily involved with and responsible for the manipulations. Their qualifications and experience must also be stated.

3.1.4 Where the manipulation is undertaken as part of a professional service by a specialist not otherwise involved in the project, then it is sufficient to merely list the person (e.g. anaesthetist, surgeon, farm manager).

3.1.5 It is the responsibility of those signing to ensure that all personnel involved in the manipulations and care of the animals are aware of their obligations under the Code.

3.1.6 Manipulations should be proposed only after the potential benefit to be obtained from the research or teaching has been weighed against the cost to the animals used. The investigator must be thoroughly conversant with the literature and background information on the subject in question.

3.1.7 Before an application is submitted to the AEC, careful attention should be given to the following:

- (a) that the manipulation is necessary as part of an education curriculum, or

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- (b) that there is good reason to believe the findings will add to scientific understanding and/or will contribute to the improvement of the health and welfare of humans and/or animals or the productivity of animals
  - (c) that alternative methods such as mathematical models, computer simulation and in vitro biological systems cannot provide the required result or purpose
  - (d) that if the research is to satisfy a regulatory requirement, then it is clearly stipulated by the governing body or agency that such tests are mandatory and alternative testing is not acceptable.
- 3.1.8 Projects may only be repeated only if the benefit of the expected outcome/s (as evaluated against the criteria listed in section 3.1.7) weighs favourably against the ethical cost to the animals used.
- 3.1.9 Animals selected for an experiment must be of an appropriate species and quality. Experiments must be of an appropriate design and use an appropriate number of animals to yield statistically valid results.
- 3.1.10 Experiments and manipulations must be undertaken by trained individuals, or under the direct supervision of trained individuals. This includes euthanasia of animals.

**Note:** Approved methods of euthanasia will comply with the ANZCCART policy of 2001, "Euthanasia of Animals Used for Scientific Purposes" or its updated version when available.

- 3.1.11 While the primary responsibility lies with the senior investigator, all other persons involved are also responsible for the well-being of the animals and must have due regard to avoiding or minimising discomfort, distress or pain.
- 3.1.12 The use of paralysing agents that do not render an animal unconscious will only be permitted under exceptional circumstances, in the hands of experienced personnel and under general anaesthesia.
- 3.1.13 Procedures that may cause an animal to experience more than momentary or minimal pain or distress will be performed with appropriate sedation, analgesia, or anaesthesia in accordance with accepted veterinary practice. Surgery or other painful procedures will only be performed on anaesthetised animals. In the absence of information to the contrary, investigators should assume that any procedures that would cause pain in humans would also cause pain in animals.

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- 3.1.14 To minimise distress, no animal will be subjected to more procedures than are necessary to achieve the objectives of the experiment or teaching exercise. Multiple procedures may be carried out on a single animal only if the applicant can justify that they are necessary and that harm to the animal is minimised and is justified. The applicant must also show that by repeatedly using the same animal, that the results from the experiment/teaching exercise are not compromised.
- 3.1.15 An animal should not be used in successive studies unless it is considered that the impact of this repeated use on the animal is acceptable.
- 3.1.16 AEC approval for a manipulation must be obtained prior to performing that manipulation.
- 3.1.17 Animals should be acquired from specialised breeding programmes wherever possible. Other non-specifically bred animals should be used only if they meet research requirements and are acquired legally.
- 3.1.18 The AEC should ensure that as far as is possible, the outcomes of approved research or teaching exercises reflect the outcomes that were intended as documented in section 4 of the AEC application form.

## 3.2 Amendments to approved applications

A departure from an approved application that adversely affects the welfare, or increases the number, of animals must have prior approval by the AEC. Any departure from an approved application should be reported to the AEC.

## 4 AEC Procedures

### 4.1 Decision making

4.1.1 In making decisions on whether to approve an application, the AEC will subscribe to the principles of replacement, reduction and refinement as defined in Section 80 of the Act, as well as to the criteria in section 100.

4.1.2 The AEC will either:

- (a) approve an application;
- (b) approve an application in principle subject to the provision of minor or technical modifications to the Secretary;

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- (c) approve an application subject to the provision of specified details to the Secretary and agreed as being acceptable to the AEC or to a specified sub-group of the AEC;
  - (d) approve an application subject to specified monitoring visits being carried out.
  - (e) defer an application subject to the provision of specified details for consideration at the following AEC meeting;
  - (f) not approve an application.
- 4.1.3 Decisions will be provided in writing to the Chief Applicant within seven (7) days of consideration by the committee.
- 4.1.4 The Chairperson may give final approval to the application where an amendment has been recommended by the AEC, and the rectified application has been resubmitted by the applicant.
- 4.1.5 The AEC may seek expert opinion on any issue being considered.
- 4.1.6 The AEC may request the Chief Applicant or his/her agent to appear before an AEC meeting in order to obtain more information about the application.
- 4.1.7 The approval process requires unanimous agreement of AEC members.

## 4.2 Urgent consideration of applications or amendments to applications

- 4.2.1 The AEC may review protocols or amendments between meetings at its discretion, depending on the availability of members and the nature of the protocol or amendment. The AEC also has discretion regarding the consideration of protocols that are submitted late for a scheduled meeting. Such protocols must be accompanied by written justification for their late arrival and an explanation of the reason for urgent consideration.
- 4.2.2 The Chairperson or the Deputy Chairperson, in consultation with at least **two** of the external members of the AEC, may approve the application *pro tem* if the application involves manipulations graded 'No impact' or 'Little impact' (either 'A' or 'B') for the MAF statistics impact scores (refer to the publication, 'Animal use statistics', MAF Animal Welfare, Nov 2010, or to a later version if updated during the life of this code).
- 4.2.3 The Chairperson or the Deputy Chairperson, in consultation with at least a **quorum** of the AEC, may approve the application *pro tem* if the application involves manipulations of "Moderate impact" (graded 'C'; refer to the publication noted in 4.2.2).

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4.2.4 No *pro tem* approvals will be permitted for applications involving manipulations of “High impact” or “Very high impact” (protocols graded ‘D’ or ‘E’; refer to the publication noted in 4.2.2).

4.2.5 Any *Pro tem* approval must be ratified at the next meeting of the AEC in order for the application to be considered approved by the AEC.

### 4.3 Conflict of interest when considering applications

4.3.1 Any member of the AEC who submits an application (as Chief Applicant or Other Applicant) for approval will abstain from voting on the acceptability of the application.

4.3.2 Where the applicant is a member of the AEC, then the applicant will usually be requested to remain in the room for the purpose of providing reference information and responding to direct questions by the other AEC members. Following this, the applicant should request to leave the room to allow the AEC time for final discussion before making its decision, so as not to inhibit any AEC member who might not support the application.

### 4.4 Term of approval for research applications

Applications can be approved for a maximum term of 3 years. Approval for longer-term research or teaching procedures must be sought by the submission of a new application to the AEC.

### 4.5 Information storage

4.5.1 A complete record of correspondence, agendas, minutes, protocols, amendments, decisions, monitoring reports and ancillary documents is kept by the Secretary or within the Estendart Ltd. archive facility for not less than seven years.

4.5.2 The record of documents is confidential to the AEC unless authorisation is provided to release specific papers under the Official Information Act, or otherwise deemed appropriate by the Chairperson. This provision excludes statistical data required by the Minister.

### 4.6 Official information Act 1982

The record of documents is confidential to the AEC unless authorisation is provided to release specific papers under the Official Information Act, or otherwise deemed appropriate by the Chairperson. This provision excludes statistical data required by the Minister.

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## **5 Reporting to the AEC**

### **5.1 Adverse events**

5.1.1 When unplanned outcomes occur, or unplanned deaths of animals occur, or euthanasia of animals is required as a direct result of research or teaching procedures (or of conditions under which animals are maintained for such procedures), notification of such events is to be made immediately to the AEC and subsequent notification in writing is to be made within ten (10) working days. The report should also advise steps being taken to avoid further losses of this type. Necropsy reports must be forwarded to the AEC as soon as practicable.

5.1.2 The AEC must be notified of any event occurring during research, teaching or testing that impacts adversely on animal welfare beyond the approved manipulation(s), as soon as practicable.

### **5.2 Study completion form**

The Chief Applicant will provide the Secretary with a completed Kaiawhina AEC Study Completion Form at the conclusion of the approved protocol. The purpose of this is to inform the AEC of how the study went and to provide any feedback that could assist the AEC when considering similar manipulations in the future.

### **5.3 On request from the AEC**

The AEC may request a report on any approved research procedures.

## **6 Reporting to Estendart Ltd. Management**

6.1.1 Estendart Ltd. management will review the workings of the AEC following the end of each calendar year. For this purpose the Secretary will prepare a report which will then be reviewed by the AEC and subsequently approved or changed according to consensus. This report will include:

- (a) A review of its own performance and any changes in procedures.
- (b) Statistical details including the number of protocols passed or declined, a summary of the MAF animal statistics impact scores and the number of each species of animal used.
- (c) Details of the number of meetings held and the attendance by each member of the AEC.
- (d) The status of each member of the AEC in regard to his/her term in office.

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6.1.2 The General Manager of Estendart Ltd. will either-

- (a) Endorse the report from the AEC to indicate satisfactory performance
- (b) Give it a limited endorsement with recommendations to the AEC as to where it has not met its obligations and how it should proceed to improve its performance
- (c) Not endorse the report and take appropriate action to see that the management system is brought up to standard

6.1.3 The General Manager of Estendart Ltd. will advise the Chairperson of the AEC of his decision in writing.

## **7 Reporting to MAF**

7.1.1 It is a requirement of the Animal Welfare (Records and Statistics) Regulations 1999 that statistics of animal usage in teaching and research be kept and made available to the Director General of MAF annually and upon request.

7.1.2 To facilitate the requirement set out in Section 7.1.1, each Chief Applicant or their nominee must keep a record of the number of animals used, their source, the procedures they were used for and their ultimate fate when finished with. This must be kept fully up to date and may be inspected or requested at any time.

7.1.3 The Chief Applicant will be required to make a return of these statistics at the completion of the approved protocol. Actual impact scores recorded must be congruent with those described in the publication, 'Animal use statistics', MAF Animal Welfare, Nov 2010, or to a later version of this publication if it is updated during the life of the code.

7.1.4 The secretary of the AEC will submit to MAF an annual return as requested by MAF.

## **8 Compliance and monitoring**

### **8.1 Monitoring compliance within the organisation**

Estendart Ltd. Quality Assurance audits the compliance of Estendart Ltd. research activity against approved Study Plans and relevant SOP's. Any non-compliance that is detected during an audit that has an adverse effect on animal welfare will be reported to the AEC Chairperson.

### **8.2 Monitoring of compliance by AEC members**

8.2.1 The AEC has the power of inspection of animals, their accommodation, and of experimental manipulations and records at any time in order to satisfy it that procedures are being properly



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carried out. Between meetings this power is vested in the Chairperson (or where appropriate, the Deputy Chairperson) or his/her nominee. Any member of the AEC can request access to animals or facilities at any time, provided either the Chairperson or the Deputy Chairperson accompanies them.

8.2.2 The AEC may direct that any procedure or protocol, whether approved or not approved, be stopped or modified on ethical grounds and the animal(s) either be euthanased or otherwise properly cared for. Between meetings this power is vested in the Chairperson (or where appropriate, the Deputy Chairperson) or his/her nominee. Such action will be undertaken under veterinary consultation.

8.2.3 The AEC should ensure that approved applications are being adhered to by maintaining surveillance on the progress of teaching and research programmes involving the use of animals. A delegation consisting of at least two AEC members, as appointed by the Chair but including at least one appointed under 2.2.5, 2.2.6 or 2.2.7, and on a rotating basis so that all AEC members have the opportunity to participate, shall undertake to monitor at least ten per cent of the studies approved annually through direct observation of procedures and reports from the involved researchers. The ten per cent of studies monitored will include both those performed at Estendart Ltd., and those performed independently by organisations that have contracted the use of the Kaiawhina AEC, to ensure the proper conduct of such studies according to the procedures described within their ethics applications.

8.2.4 The AEC must monitor animal management practices and facilities to ensure compliance with the terms of the CEC. Animal housing facilities managed by the institution will be inspected at least biennially. Compliance with relevant SOPs will be assessed.

### 8.3 Procedure for dealing with non-compliance

The AEC may investigate suspected or alleged non-compliance of the Code by an individual(s). Where transgression of the Code is evident, disciplinary procedures will be undertaken by Estendart Ltd. management in accordance with the principles set out in the AWA (1999) for dealing with allegations of misconduct in regards to animal welfare. If animal abuse is intentional, the matter will be reported to MAF.

## 9 Animal management facilities and practices

Animal facilities and husbandry must comply with any code of welfare approved under the Act and the NAEAC publication *Good Practice Guide for the Use of Animals in Research, Testing and Teaching* all of which are listed on the MAF web site. Any exception requires specific approved by the AEC.

## 9.1 Animal facility

9.1.1 Animals must be housed or adequately sheltered to ensure that their general health is supported and that undue stress is avoided. Sufficient space, according to the species, should be allocated for each animal. Environmental conditions such as temperature, humidity, ventilation, lighting, and social interaction should also be consistent with the needs of the species. Animals must be supplied with food and water of good quality and in sufficient quantity to preserve good health, unless the object of the experiment is to study the effects of variation in these nutritional requirements.

## 9.2 Animal management practices

9.2.1 Animals that suffer severe or chronic pain, distress, discomfort, or disablement that cannot be relieved, must be euthanased. Sick or injured animals must immediately, according to circumstances, either receive appropriate veterinary care or be euthanased.

9.2.2 Animals must be transported under humane and hygienic conditions appropriate to the species.

9.2.3 Dead animals must be disposed of in an acceptably sanitary manner.

## 9.3 Training of animal technicians and researchers

Education of Researchers and technicians will be by the following means:

- (a) Training programmes provided at the Estendart Ltd. facilities.
- (b) Contact with members of the AEC
- (c) Through written comments made by the AEC concerning protocols submitted for approval
- (d) Communications from the AEC following AEC monitoring.

## 10 Dealing with complaints

### 10.1 From the AEC regarding animal welfare

10.1.1 The AEC shall provide all members the opportunity to be heard fairly, and impartially, should they have concerns, grievance or complaint with the perceived conduct, performance or operation of a study that they have monitored or inspected.

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10.1.2 The AEC is empowered to halt the conduct of such study until such time a resolution is agreed upon, should it deem the matter to be of such gravity that the further manipulations of the animals cannot be condoned.

## 10.2 From the AEC regarding AEC functioning

10.2.1 The AEC shall provide all members the opportunity to be heard fairly, and impartially, should they have concerns, grievance or complaint with the perceived conduct, performance or operation of either the AEC as a whole or with individuals of the AEC.

10.2.2 If required, anonymity may be maintained by raising the issue in writing with the Chairperson. Where such issue may be with the Chairperson, then the individual is directed to present the issue in writing to the Deputy Chairperson.

## 10.3 Complaints from staff and the general public

10.3.1 The AEC shall review any complaint that is presented by a member of the public or from staff working within Estendart Ltd., where an issue of animal welfare is raised concerning the conduct of the study.

10.3.2 The AEC will investigate the accuracy of any such complaint by requesting in writing a response from the researcher involved and management of the company as to the validity, explanation, and any corrective actions undertaken should it be confirmed that an animal welfare issue did occur.

10.3.3 The identity of the individual that originally lodged the complaint shall remain protected at all times and the identity of AEC members will be protected as far as possible.

10.3.4 Having investigated the complaint, the AEC will render its decision as to its validity. If found to be valid, the AEC will state what needs to be done to correct the situation and ensure it does not reoccur.

10.3.5 The author of the complaint will be subsequently advised of the outcome and the corrective measures required.

## 10.4 Resolution of complaints

10.4.1 The AEC shall facilitate the hearing and resolution of any issue raised with the utmost seriousness and, where required, confidentiality, to ensure its swift and judicial resolution.

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10.4.2 When considering corrective actions, advice may be sought from the National Animal Ethics Advisory Committee at the discretion of the AEC.

## **11 Standard operating procedures and their review**

Animal management practices and commonly performed animal manipulations are described in Estendart Ltd. Standard Operating Procedures (SOP's). All SOP's are reviewed every one-to-three years. All new or revised SOP's that address animal care or manipulations must be approved by the AEC. Estendart personnel must comply with these SOP's.

## **12 Parenting**

12.1.1 When a company or institution that is not part of Estendart Ltd. requests to use the Kaiawhina AEC, the AEC will consider this request. Whether the expertise of the AEC is appropriate for the supervision of the work to be performed by the organisation must be assessed. Similarly, agreeable arrangements must be made to monitor the activities of the applicants in order for this arrangement to be accepted.

12.1.2 If arrangements have been agreed, the Secretary will formally notify the Ministry of Agriculture and Forestry in advance of considering an application, in accordance with section 84 of the Animal Welfare Act.

## **13 Exemptions**

The procedural requirements of the Code of Ethical Conduct for the Use of Live Animals for Teaching and Research do not apply to:

- (a) tissues obtained from a slaughter house, farm or at a routine post-mortem examination, where their use is incidental to the reason the animal died or was killed;
- (b) animals subject to diagnosis and treatment in the normal course of veterinary practice. This extends to situations where students examine animals or assist with treatments either at a private veterinary practice as part of their course requirements, so long as they are under the supervision of a registered veterinarian;
- (c) animals being farmed under normal animal husbandry practices so long as there are no additional manipulations.

## **14 Euthanasia for tissue collection or dissection**

Under the Act, it is not necessary to obtain permission from an AEC to euthanase animals for the purposes of either collecting tissues or dissecting animals for instruction. However, it is the policy of

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Estendart Ltd. that should such procedures be performed as part of the company's own research then an application is to be made, although it is only necessary for the applicant to answer sections 1, 2, 3, 4, 7(b), 9, 10, 11 and 12 of the application form. The number of animals used for such purposes will not be communicated to the Director-General of MAF.

## 15 Definitions

The following definitions apply to the Code:

**Animal** means:

- (a) A Mammal; including any horse, cattle, sheep, pig, goat, dog, cat, rabbit, rat, mouse, guinea pig, and marsupials and monotremes of whatever age or sex and whether domestic, wild state, or in captivity; OR
- (b) A Bird; whether in a domestic or wild state; OR
- (c) A Fish (bony or cartilaginous), OR a Reptile, OR an Amphibian; whether kept in a state of captivity or wild state; OR
- (d) Any Octopus, Squid, Crab, Lobster, or Crayfish; OR
- (e) A foetus of any mammalian species during the last half of gestation; OR
- (f) Any Embryonated Eggs, either avian or reptilian, in the last half of development; OR
- (g) Any Marsupial pouch young; OR
- (h) Any member of the animal kingdom which is declared by the Governor-General, by Order of Council, from time to time to be an animal for the purposes of the Animal Welfare Act.

**Manipulation**, in relation to any live animal, means interfering with the normal physiological, behavioural or anatomical integrity of the animal by deliberately:

- (a) Subjecting it to a procedure which is unusual or abnormal when compared to normal management practices and which involves:
  - i) exposing it to any parasite, micro-organism, drug, chemical, biological product, radiation, electrical stimulation, or environmental condition; OR

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ii) subjecting it to enforced activity, unusual restraint, abnormal nutrition, or surgical intervention;

- (b) depriving it of usual care;
- (c) subjecting it to yarding, weighing, blood sampling or any other farming procedure in excess of that needed for production and health purposes;
- (d) capture from a wild state.

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# **Code of Ethical Conduct for the Use of Animals in Research**



**Landcare Research  
Manaaki Whenua**

December 2013

Released under the Official Information Act 1982



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## 1. Purpose of Code

This Code of Ethical Conduct describes the policies and procedures that will be followed by Landcare Research in achieving the purposes of Part 6 of the Animal Welfare Act 1999 (s. 80) that relates to the use of animals in research, testing, and teaching. (Note, all references to s.# are to sections in the Act).

As required in s.80, animals will only be used in research where:

- a) the research findings will enhance biological or ecological understanding, human health or welfare, management of ecosystems, the production or productivity of animals, or the achievement of educational objectives
- b) the use of the animals in research is expected to provide benefits that will outweigh the likely harm to the animals
- c) the animals' physical, health, and behavioural needs will be met in accordance with both good practice and scientific knowledge
- d) effort has been made to utilise the 'Three Rs' in designing the research (i.e. 'reduction', 'refinement', and 'replacement').

The Code also describes the composition and operation of an Animal Ethics Committee (i.e. 'AEC') as a key mechanism in ensuring that animals are used in compliance with the Act.

The provisions of this Code, and the policies and procedures set out in it, address those specified in the Act (s.88)

Key definitions in the Act that determine the scope of the Code and its application are as follows:

**'Animal'—**

s.2(1) (a) Means any live member of the animal kingdom that is—

- (i) A mammal; or
  - (ii) A bird; or
  - (iii) A reptile; or
  - (iv) An amphibian; or
  - (v) A fish (bony or cartilaginous); or
  - (vi) Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
  - (vii) Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of this Act; and
- (b) Includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development; and
- (c) Includes any marsupial pouch young; but
- (d) Does not include—
- (i) A human being; or
  - (ii) Except as provided in paragraph (b) or paragraph (c) of this definition, any animal in the pre-natal, pre-hatched, larval, or other such developmental stage.

**'Manipulation' means —**

- s.3 (1) ... subject to subsections (2) and (3), interfering with the normal physiological, behavioural, or anatomical integrity of the animal by deliberately—
- (a) Subjecting it to a procedure that is unusual or abnormal when compared with that to which animals of that type would be subjected under normal management or practice and which involves—
    - (i) Exposing the animal to any parasite, micro-organism, drug, chemical, biological product, radiation, electrical stimulation, or environmental condition; or
    - (ii) Enforced activity, restraint, nutrition, or surgical intervention; or
  - (b) Depriving the animal of usual care;—  
and 'manipulating' has a corresponding meaning.
- (2) The term defined by subsection (1) does not include—
- (a) Any therapy or prophylaxis necessary or desirable for the welfare of an animal; or
  - (b) The killing of an animal by the owner or person in charge as the end-point of research, testing, or teaching if the animal is killed in such a manner that the animal does not suffer unreasonable or unnecessary pain or distress; or
  - (c) The killing of an animal in order to undertake research, testing, or teaching on the dead animal or on pre-natal or developmental tissue of the animal if the animal is killed in such a manner that the animal does not suffer unreasonable or unnecessary pain or distress; or
  - (d) The hunting or killing of any animal in a wild state by a method that is not an experimental method; or
  - (e) Any procedure that the Minister declares, under subsection (3), not to be a manipulation for the purposes of this Act.

**Research, testing, and teaching**

- s.5 (1) Unless the context otherwise requires, the term "research, testing, and teaching" means, subject to subsections (2) to (4),
- (a) Any work (being investigative work or experimental work or diagnostic work or toxicity testing work or potency testing work) that involves the manipulation of any animal; or
  - (b) Any work that—
    - (i) Is carried out for the purpose of producing antisera or other biological products; and
    - (ii) Involves the manipulation of any animal; or
  - (c) Any teaching that involves the manipulation of any animal.
- (2) The term defined by subsection (1) does not include any manipulation that is carried out on any animal that is in the immediate care of a veterinarian, if—
- (a) The veterinarian believes on reasonable grounds that the manipulation will not cause the animal unreasonable or unnecessary pain or distress, or lasting harm; and
  - (b) The manipulation is—
    - (i) For clinical purposes in order to diagnose any disease in the animal or any associated animal; or
    - (ii) For clinical purposes in order to assess the effectiveness of a proposed treatment regime for the animal or any associated animal; or
    - (iii) For the purposes of assessing the characteristics of the animal with a view to maximising the productivity of the animal or any associated animal.
- (3) The term defined by subsection (1) does not include any manipulation of an animal—
- (a) Which is carried out with the principal objective of—
    - (i) Assisting the breeding, marking, capturing, translocation, or trapping of animals of that type; or
    - (ii) Weighing or taking measurements from the animal; or (iii) Assessing the characteristics of animals of that type; and
  - (b) Which is a manipulation of an animal that—
    - (i) Is carried out routinely; or

- (ii) Is a minor modification of a manipulation that is carried out routinely; and
- (c) Which is used to fulfil responsibilities and functions under—
  - (i) The Conservation Act 1987; or
  - (ii) Any Act listed in Schedule 1 of the Conservation Act 1987; or
  - (iii) Any other Act or regulations under which the Minister of Conservation or the Director-General of Conservation or the Department of Conservation has responsibilities or functions; or
  - (iv) The Fisheries Act 1996.
- (4) For the purposes of this section, an animal is in the immediate care of a veterinarian if the veterinarian—
  - (a) Has accepted responsibility for the health and welfare of the animal; and
  - (b) Is providing the animal with direct and continuing care.
- (5) In the other sections of this Act (except section 57(a)(i)),—
  - (a) The term “research” means any research work that comes within the term defined by subsection (1); and
  - (b) The term “testing” means any testing work that comes within the term defined by subsection (1); and
  - (c) The term “teaching” means any teaching that comes within the term defined by subsection (1).

## 2. Animal Ethics Committee

### 2.1 Overview

The purposes of the AEC (s.99) are to:

- a) consider and determine applications for the use of animals in research, and set conditions of approval
- b) monitor compliance with conditions of approval, and suspend or revoke approval where necessary
- c) monitor animal management practices
- d) recommend amendments to this Code to the code holder.

The criteria (s. 100) by which applications will be considered by the AEC are:

- a) the 'Purposes' of this Code (section 6 above)
- b) Regulations made under this Act
- c) scientific objectives of the research application
- d) the likely harm or distress resulting from proposed manipulation(s) and the means by which they will be minimised
- e) the likelihood of the research achieving its aims
- f) the reasons for selecting the proposed animal species
- g) the biostatistical justification of proposed numbers to be used
- h) the adequacy of animal health care measures proposed
- i) the qualifications and experience of personnel involved in the proposed research
- j) whether duplication of a previous study is proposed
- k) whether animals are to be used repeatedly
- l) whether findings will be adequately used, promoted or published
- m) any other criteria that the AEC considers relevant.



## 2.2 Membership and appointment

The AEC is appointed by the Chief Executive on the recommendation of the Science Team Leader Pest Control Technologies (henceforth referred to as 'Science Team Leader'), and will comprise:

- (a) a senior staff member of Landcare Research capable of evaluating the qualifications and skills of the study proposer and the scientific value of the proposed study – s. 101(3)(b)
- (b) the manager of the captive animal facility maintained by Landcare Research
- (c) a member of the Maori community not affiliated with Landcare Research
- (d) a veterinarian nominated by the New Zealand Veterinary Association, who is not affiliated with Landcare Research – s. 101(5)
- (e) a nominee of the Royal New Zealand Society for the Prevention of Cruelty to Animals Inc. or other approved organisation, who is not affiliated with Landcare Research – s. 101(6)
- (f) a lay member of the public not affiliated with Landcare Research or the scientific community or with an animal welfare agency, who is nominated by a unit of local government to represent the public interest – s. 101(8)

Other Landcare Research staff with expertise not covered by members (a) and (b) may be seconded as temporary members for specific studies or purposes.

## 2.3 Familiarisation

Following appointment to the AEC, the Chair (appointed as described in 2.8) will undertake a one-on-one familiarisation with each new member on committee procedures. Familiarisation will involve a step-by-step demonstration of committee procedures with reference to hard-copy examples of documentation that is used in the processing and archiving of research applications. The member will also be provided with copies of the Animal Welfare Act 1999, this Code of Ethical Conduct and the 'New Member Pack' supplied by the National Animal Ethics Advisory Committee. New members will be encouraged to seek advice from the Chair on any aspect of committee responsibility.

## 2.4 Expectations of AEC members

Committee members are expected to:

- (a) attend all AEC meetings. It is sometimes not possible to arrange meetings to suit all members, and occasionally unforeseen circumstances prevent attendance. In such situations, an apology from that member will be recorded in the minutes where that member advises the Chair prior to the meeting that he or she will be absent or where leave of absence has been granted by the Chair;
- (b) carefully review all research applications received, and contribute to the committee's decision and conditions regarding approval of applications;

- (c) contribute suggestions to the committee regarding the continual improvement of committee procedures;
- (d) maintain confidentiality with regard to the information presented in research applications;
- (e) declare any conflicts of interest over committee business such that the committee may decide appropriate action. Options include (i) asking the member to leave the meeting while the matter is discussed, (ii) asking the member to remain in the meeting during discussion solely for the purpose of answering questions but refraining from contributing to decision-making, (iii) asking the member to participate fully in discussion and decision-making if a conflict of interest is not perceived by the committee.

No member of the AEC is personally liable for any act done or omitted by the member or the committee in good faith in the course of the operations of the committee – s. 104.

## 2.5 Term of appointment

- (a) Members will be appointed for a term of 3 years.
- (b) The office of a member shall become vacant if a member:
  - (i) resigns office as a member by giving 30 days' notice in writing to the Chair; or
  - (ii) dies; or
  - (iii) is found to be a mentally disordered person within the meaning of the Mental Health Compulsory Assessment and Treatment Act 1992; or
  - (iv) is removed from office by unanimous resolution of the other AEC members; or
  - (v) is declared bankrupt or makes an assignment to creditors; or
  - (vi) fails to attend three consecutive meetings; or
  - (vii) if an event occurs as specified in section 96(2)(b) of the Animal Welfare Act 1999.

Every vacancy occurring among the AEC membership must be filled as soon as is convenient by the appointment of an appropriate nominee by the Chief Executive on the recommendation of the Science Team Leader.

## 2.6 Reappointment

Members wishing to continue to serve on the AEC at the completion of a term must indicate this to the AEC at a meeting towards the end of the term. The AEC will make a minuted recommendation for reappointment only if there is unanimous agreement, by vote, to reappoint members. The Chair will then seek written renomination from the appropriate organisation represented by the member. Reappointment will be made at the discretion of the Chief Executive on the recommendation of the Science Team Leader after consideration of the AEC recommendation and the member-body renomination. The Chair will maintain a schedule of dates indicating when reappointments are due, and raise these at AEC meetings immediately preceding each scheduled date.

## 2.7 Remuneration of AEC members

Landcare Research will negotiate with the AEC a fair remuneration to cover:

- (a) time spent attending AEC meetings

- (b) travel costs associated with AEC meetings
- (c) time spent considering applications and amendments to approved applications
- (d) time and travel costs in relation to monitoring activities including visits to field sites
- (e) travel costs (and time costs at the discretion of the Science Team Leader, where, for example, a member incurs loss of earnings) at conferences, training seminars, and meetings relating to AEC functions.

The level of remuneration will be reviewed annually at an AEC meeting and recorded in the minutes of the meeting.

## **2.8 Appointment of Chair**

A job description for the position of AEC Chair is set out in Form 14 of the Landcare Research *Operational Guidelines for Animal Researchers and Animal Ethics Committee* (henceforth referred to as '*Operational Guidelines*'). Nominations will be proposed at an AEC meeting when the appointment is due. Appointment will be made by the AEC on the basis of majority votes and the process recorded in minutes of the meeting. The committee secretary will then seek ratification by the Chief Executive of the appointment. In the event that the Chair will not be available to the AEC for a period greater than 3 months, a deputy will be appointed following the same procedure.

## **2.9 Appointment of Secretary and Minute Secretary**

The AEC Secretary position serves as an external check that the process for dealing with research applications (see *Operational Guidelines* p. 2) is correctly followed.

The Minute Secretary will take minutes at AEC meetings.

Nominations for these positions will be proposed in association with AEC positions when appointments are due. The committee Secretary must be a member of the committee. The Minute Secretary will normally be a member of the committee but, at the committee's discretion, a non-member may be appointed Minute Secretary. Where this option is taken the Minute Secretary will not participate in the formal discussion nor exercise a vote.

## **2.10 Appointment of a delegate**

Where an AEC member is likely to be unavailable to the AEC for a period greater than 3 months, the member may recommend and the Chair may appoint a delegate to act for the period of the member's absence.

## **2.11 Meeting frequency**

Meetings will normally be held at Lincoln at intervals of 3 months. Meetings will, however, be arranged at any time if required, for example, in relation to a contentious grade A-B application for which an AEC member has requested full AEC discussion, or, grade C-E applications requiring urgent consideration (see 3.1). Teleconference meetings may also be held to consider grade C-E applications or other AEC business requiring urgent consideration.

## 2.12 Overview of committee functioning

The AEC will consider research applications through a combination of individual members considering applications distributed by e-mail, and full committee meetings. It is expected that around 50 research applications/amendments will be distributed annually.

In addition to the discussion of research applications, AEC meetings will provide opportunity for:

- (a) reviewing the minutes of the previous meeting and the outcome of agreed actions to be taken
- (b) reviewing comments made by AEC members on research applications considered since the last AEC meeting
- (c) reviewing and monitoring research in progress
- (d) meeting research staff
- (e) addressing broader issues of animal welfare in scientific research in New Zealand and overseas

## 2.13 Preparation of agenda

The Chair will develop an agenda for each meeting and ensure that this is distributed to AEC members, together with appropriate briefing material, at least 1 week before the meeting. The Agenda will always include consideration and acceptance/amendment of the minutes of the previous meeting.

## 2.14 Decision making

Occasionally, AEC members will be unable to consider research applications due, for example, to illness or engagements overseas. Applications must be considered by a quorum of the committee.

Where consensus cannot be reached, decisions will be based on a majority vote with opposing views recorded in the minutes.

## 2.15 Quorum

A quorum of four members is required at an AEC meeting, including at least two external members from those required in the membership of an AEC (s. 101).

## 2.16 Minute taking

The Minute Secretary will note attendance and the essential points of all discussions under appropriate headings. Agreed action points will be made clear, together with the names of those accepting responsibility for taking action.

## 2.17 Input by outside members of AEC – s. 88(2)(b)

Members who are not employed by Landcare Research will have an effective input into the working of the AEC by the application of:

- (a) Paragraph 2.3 , which ensures that new members will be adequately prepared for AEC work.
- (b) Paragraph 2.4 , which describes what is expected of all members
- (c) Paragraph 2.14, which ensures that a minimum of two outside members consider each application
- (d) Paragraph 2.15, which ensures that at least two outside members are present to make up a quorum
- (e) Section 7, which sets out procedures for a member who has a complaint.

Released under the Official Information Act 1982

### 3. AEC Procedures

#### 3.1 Preparation and consideration of applications

Where an application is required for animal research, the Project Leader (i.e. the staff member assigned responsibility for conducting the study) will complete (i) a standard application form and (ii) an Animal Use form, (see *Operational Guidelines* Forms 1 and 3). Where manipulations are graded as D or E for any animals in the proposed study, separate forms are required (i.e. two forms would then be completed, one for grades A, B, and C and one for grades D and E).

In considering applications, the AEC will ensure that the criteria listed in the Act (s. 80 and s. 100) have been considered. These include: the expected benefits of the work, the balance of between benefits and ethical cost expected, the welfare of animals, application of the three Rs, the appropriateness of experimental design and sample sizes, the absence of unnecessary duplication, and planned usage of the findings. The application form is designed to help ensure that researchers consider these criteria when planning research involving animal manipulations. Guidance is available (*Operational Guidelines* page 2) to assist Landcare Research staff in determining if an application to the AEC is required, and if so, the process by which a standard application form is to be completed and processed.

The Project Leader (i.e. the staff person leading the study) is responsible for completing and submitting the application form (*Operational Guidelines* Form 1) and associated Animal Use form (*Operational Guidelines* Form 3).

Guidelines are available to assist staff in assigning gradings to the manipulations proposed (*Operational Guidelines* Form 4): note the requirement for separate recording of grade D and E manipulations (see above).

On receiving a research application and Animal Use Form, the Chair will review the application to check that it is complete, comprehensible to a lay-person, contains manipulation gradings that have been assigned appropriately, and has received the required staff approvals. After any necessary revision, the Chair will then arrange distribution of the application to all AEC members together with a Response form (*Operational Guidelines* Form 5).

Distribution of applications and collation of responses will be coordinated using a 'tracking sheet' (*Operational Guidelines* Form 6) and details of applications will be entered into a database maintained by the Chair.

Applications will be considered by the committee in meeting or teleconference where ethical cost of the proposed work is high (i.e. gradings C-E).

Applications may be considered by email where ethical cost is zero to low (gradings A and B) with the following conditions:

- (a) Where such a procedure is used any member can, as of right, ask for a full meeting to be called, or can ask for further information.

- (b) All correspondence arising will be discussed at the next meeting.

Discussion and correspondence between AEC members and applicants may result in modifications to applications, or conditions being imposed on the study.

On completion of the process, the Chair will provide each AEC member with a collation of all discussions and correspondence relating to the application.

### **3.2 Amendments to approved applications**

Changes to approved studies are sometimes required. The process and application form (*Operational Guidelines* Form 8) used in considering such amendments will be based on the following principles:

- (a) Where changes increase the suffering of animals involved or the numbers of animals used, an amendment must be submitted to the entire AEC for approval.
- (b) Where there is no change or a decrease in the level of suffering of animals used, the amendment must be approved by the Chair and a veterinary member of the AEC, or by the monitoring sub-committee where such an amendment is needed in a study that is being monitored. Where animal numbers used are reduced, this must be endorsed by a biometrician to ensure that the aims of the study will not be compromised.

### **3.3 Abstention of the Chair and Animal Facility Manager from considering applications**

The Chair and Animal Facility Manager will abstain from considering applications and amendments in which they are nominated applicants.

### **3.4 Urgent amendments to approved applications**

Under unusual circumstances (e.g. where unforeseen results are obtained in a study), it may be highly desirable to urgently vary experimental procedures to avoid unnecessary failure and wasted use of animals. Irrespective of ethical cost, the Project Leader must firstly discuss the proposed variation with the Chair to confirm that urgent consideration is required rather than use of a normal Amendment. If urgency is confirmed, the Project Leader must then discuss the proposed variation with both the veterinary member of the committee and one other external member in order to establish the most pragmatic course of action. The variation must be fully discussed at the next AEC meeting and fully described in the final study report to the AEC.

Use of this procedure is not encouraged and is intended for use only in unusual circumstances.

### **3.5 Conditions of approval**

Standard conditions of approval expected by the AEC are:

- (a) The Project Leader is responsible for ensuring the study is conducted as described in the approved application, and must therefore ensure that all personnel involved in the study have read the application and associated workplan(s) before the study



commences(b) A study may not commence until written approval is received from the AEC.

- (c) If amendments (see 3.2) are required, the Project Leader must seek permission in writing and *Operational Guidelines* Form 8) from the AEC, and implemented only on receipt of AEC approval.
- (d) Brief interim annual reports, in a prescribed format (*Operational Guidelines* Form 9), must be submitted to the AEC for studies that are conducted over periods exceeding 1 year. These reports are due in December each year once projects have been progressing for at least 3 months.
- (e) A brief report on study achievements and animal welfare matters relating to the study, in a prescribed format (*Operational Guidelines* Form 10), must be submitted to the AEC on completion of the study.
- (f) Completed 'Animal Use' forms must be submitted to the Chair on completion of the study.
- (g) In addition to the conditions listed above that apply to all approved studies, the AEC may specify particular conditions of approval, including details of site visits that the AEC wishes to make. Conditions of approval will be clearly indicated on the AEC response form that is returned to the applicant (*Operational Guidelines* Form 5).
- (h) If animals are observed to be unexpectedly unwell or dead, either as a result of suspected disease or of experimental treatment, the Animal Facility manager must immediately be alerted in person (for studies conducted at the facility) and the Project Leader AEC Chair must also be notified. An 'Adverse Incident Report' (*Operational Guidelines* Form 17) must be completed. This requires consideration of a range of options to address the incident including: terminating the study, removing affected animals from the continuing study for treatment or euthanasia, closer monitoring of animal health, and changes to experimental procedures (requiring an AEC-approved amendment) or routine husbandry. The AEC Chair will present such reports promptly to the AEC vet, and to other AEC members at the next meeting of the AEC or before if considered desirable.

### 3.6 Term of approval for research applications

Research applications are approved for a maximum term of 3 years. New applications must be submitted to the AEC for studies that exceed this term.

All work on a protocol must cease on or before the expiry date of the approval unless an updated application has been approved before the expiry date of the original approval.

### 3.7 Use of sub-committees, terms of reference, and mechanisms for establishment

To assist its functioning, the AEC may seek the formation of sub-committees via the Science Team Leader. The terms of reference of such sub-committees and required expertise will be recommended by the AEC to the Science Team Leader for consideration. Where it is agreed

that formation of a sub-committee is appropriate, the Science Team Leader will endeavour to appoint such sub-committees.

A sub-committee may not be given delegated power to approve research applications. However, the monitoring sub-committee (see 4.2) may authorise amendments that do not increase ethical cost (see 3.2) in an approved project being monitored.

### **3.8 Information storage**

Procedures will be implemented to ensure that the statutory requirements for collecting and storing information are met. These are described in section 5.

### **3.9 Official Information Act 1982**

Requests under the Official Information Act 1982 for information relating to animal-based research will be referred to the Legal Advisor and Chief Executive. Decision making on such requests will include consideration of the safety of staff and the AEC under the provisions of Section 9(2) of the Official Information Act 1982.

### **3.10 Public attendance at AEC meetings**

There is no public right to attend meetings of the AEC. Thus meetings will normally be closed to the public. Any request for attendance at AEC meetings by a member of the public will be referred to the Chief Executive for consideration and in extraordinary circumstances the Chief Executive may grant a member of the public the right to attend a specific meeting subject to any conditions the Chief Executive may impose.

### **3.11 Reporting to the Chief Executive**

The Chair of the AEC will submit minutes from all committee meetings to the Chief Executive. The Chair will also provide a copy of any independent review to the Chief Executive, and notify the Chief Executive of any other significant matters that may arise through correspondence. Additionally a report will be sent to the Compliance Manager at 6-monthly intervals describing any reported non-compliances.

### **3.12 Reporting to MPI**

The Chair will compile details of the numbers of animals manipulated and manipulation gradings for studies completed each calendar year. These data will be submitted to MPI by February of the following year. The same data will be published in the Company's annual 'triple bottom line' report.

### **3.13 AEC input into significant organisational decisions**

The AEC will be consulted where organisational decisions are required that relate to the welfare of animals used in research, for example in the design of animal housing facilities.

## 4. Compliance and Monitoring – s. 88(2)(c)

### 4.1 Monitoring compliance within the organisation

Any staff member may raise a concern regarding non-compliance with the approval conditions, as described above. Initially, this should be addressed to the Project Leader, the Science Team Leader and the appropriate Programme Leader. If the concern is unresolved, it must be brought to the attention of the Chair of the AEC. If non-compliance is confirmed, a report (*Operational Guidelines* Form 12) must be filed that sets out to determine if the non-compliance is of a minor or serious nature. Minor non-compliances are deviations in the implementation of an approved manipulation resulting in no, or little, additional ethical cost. Serious non-compliances are deviations that result in appreciable, unapproved ethical cost as described in section 4.3.

### 4.2 Monitoring by AEC members of compliance

a) Site visits (unscheduled): AEC members have the right to view any AEC-approved studies at any stage. This will be arranged through the Chair and can, on request, be conducted as an unannounced visit. The AEC member who makes the visit will draft a report. This will be finalised following distribution to all other members and presented at the next meeting with key findings being documented in the minutes.

b) Site visits (scheduled): When applications are approved, the AEC will consider the desirability of monitoring planned work. These visits will be made by the monitoring-subcommittee to observe animal manipulations. The sub-committee will consist of two external members (i.e. not Landcare Research staff) of the AEC, with a rotating membership that includes one new sub-committee member each year. If membership does not include a vet, the sub-committee will seek advice from an AEC vet as needed. Details of the agreed monitoring will be included in the approval. Project leaders will be responsible for ensuring that the monitoring sub-committee has full opportunity to monitor the work. Project leaders should make visit arrangements through the Animal Facility Manager for studies based at the facility, or directly with the monitoring sub-committee for other studies. The monitoring sub-committee will prepare a report on the visit using a standard template (*Operational Guidelines* - Form 18).

c) Selected project audits: Additionally, at least two completed research studies will be audited by a sub-committee of the AEC annually for compliance with the approved protocol. The studies will be selected by the whole AEC during meetings. The Chair will provide all relevant project documentation for scrutiny by the sub-committee. When completed, the audits will be reported by the sub-committee at the next AEC meeting using a standard template (*Operational Guidelines* - Form 19) and documented in the minutes of that meeting. A template for these reports is located in the *Operational Guidelines* (Form 18).

d) Veterinary inspection of Animal Facility: The veterinary member of the AEC will visit the animal facility at least once a year for a general inspection of the standard of animal care, and to view current studies. Inspections will follow the NAEAC Guidelines relating to monitoring. The veterinary member will submit a report to the AEC for discussion at the next

meeting, and the report and discussion will be summarised in the minutes of that meeting. Other AEC members will also be invited to attend these inspections.

e) Monitoring field studies: Where field studies are approved that entail considerable pain and suffering (e.g. through surgery or pest control devices), AEC members (particularly the veterinary member) may be requested to visit the field site and make a report to the AEC on the standard of compliance with approved manipulations.

f) Meetings: AEC members may request that Project Leaders attend meetings to answer specific questions relating to compliance with approved study applications, or to make a presentation about planned, continuing or completed work.

g) The AEC will review the interim reports (see 5.3) and final project reports (see 5.4) received annually using a standard template (*Operational Guidelines* - Form 20) that seeks key information on the benefits given by the project, and animal welfare issues associated with the work and its findings.

### 4.3 Procedure for dealing with non-compliance

*Minor non-compliance:* A minor non-compliance is one where there is no or very little consequent change in the impact on animals resulting from a change to the approved study application (e.g. changing the type of materials used such as anaesthetics or radio-collars, or a change in personnel or location). In the event of a minor non-compliance, the Chair, Project Leader and Science Team Leader will agree on an appropriate course of action, which may simply be reporting the change in the annual report on project.

*Serious non-compliance:* A serious non-compliance is one in which the total impact on animals is increased above that expected by the applicant initially (e.g. more animals than approved were used, or a non-trained person is allowed to perform a manipulation with adverse consequence), or in which animal manipulation occurs with no approval from the AEC, including starting manipulations before AEC approval for an application has been granted. In the event of a serious non-compliance, the Chair will notify the Science Team Leader, and in conjunction with the Project Leader, Science Team Leader and Programme Leader, an appropriate course of action will be agreed that, firstly, addresses the non-approved ethical cost imposed on animals. This may require termination or temporary stoppage of the research, treatment of animals, removal of animals from the study, or continuation using only approved manipulations and numbers of animals. Secondly, the AEC will be notified of the incident, and where necessary, AEC approval for continuation of the study will be sought either through the Project Leader completing an amendment (*Operational Guidelines* Form 8), or through the Science Team Leader or Programme Leader requesting that the AEC hold a special meeting to review the non-compliance. Resolution, by either of these means, will be recorded on the non-compliance form which, on completion, will be distributed to the AEC for further discussion at the next meeting to determine if any further action is required.

*Corrective measures:* Appropriate corrective measures will be taken to minimise the possibility of a staff member being responsible for further non-compliances. This will entail a response from the AEC, documentation on the staff-member's personal file, and consideration of possible training needs to avert similar incidents. Additionally, for serious non-compliances, a range of other measures may be applicable including: training in specific areas

of technical expertise, replacement of the Project Leader, and disciplinary action in extreme cases. The measures taken will be recorded on the non-compliance report and this will be copied to the AEC.

*Reporting non-compliances:* Copies of all non-compliance reports will be filed and maintained by the Chair. All non-compliances will be reported to the Compliance Manager via 6-monthly reports.

Released under the Official Information Act 1982

## **5. Information Management – s. 88(2)(d)**

Information relevant to the functions, operations, and decisions of the AEC will be collected by the Chair with secretarial support, and maintained in dedicated files.

### **5.1 Maintenance of AEC records**

In accordance with the Animal Welfare (Records and Statistics) Regulations 1999, all study applications, associated Animal Use forms, AEC responses and associated correspondence, study reports, and minutes of AEC meetings will be held in separate files as part of an AEC filing system maintained by the Chair. All records will be maintained for at least the 5-year period required by the Act.

### **5.2 Animal use statistics and submission to MPI**

In December each year, the Chair will follow the procedures set out in Form 13 of the *Operational Guidelines* to collate data from Animal Use forms for completed projects, and submit the data to MPI in the summary format required during January each year.

Where manipulations are graded as D or E for any animals in an approved study, these must be reported separately to MPI i.e. for any particular species animal use would be reported on two returns, one combining grades A, B and C, and one combining grades D and E.

### **5.3 Interim study reports – multi-year studies**

Interim study reports must be sent annually (by 31 December) to the AEC for approved studies that will be conducted over a period of longer than one year. Reports must follow a format set out in the *Operational Guidelines* (Form 9). They must be sent to the AEC Chair commencing December of the year of approval unless less than 3 months has passed since approval by the AEC.

### **5.4 Final study reports**

Final reports will be presented to the AEC following a format set out in the *Operational Guidelines* (Form 10) that focuses on study achievement and animal welfare considerations. They must be sent to the AEC Chair by 31 December of the year of completion. Study completion and reporting details will be entered into the database maintained by the Chair. Final reports must be reviewed by the AEC at the end of the maximum 3-year approval period before applications for continuation of such work will be considered.



## 6. Animal Management Practices and Facilities – s. 88(2)(e)

A detailed description of the animal facilities and management practices used by Landcare Research has been prepared as part of the company's internal quality assurance system. This is contained in the *Landcare Research Animal Facility Quality Manual*.

Animals held at the animal facility of Landcare Research will be managed in accordance with the *Landcare Research AEC-approved Standard Operating Procedures for Animal Care and Management* and *Good Practice Guide for the Use of Animals in Research, Testing and Teaching* (National Animal Ethics Advisory Committee, 2002).

### 6.1 Animal facility

The Landcare Research animal facility comprises an air-conditioned, temperature- and photoperiod-controllable inside facility, and an extensive (5200 m<sup>2</sup>) outside-pen facility. The facility leases animal rooms, pens and/or paddocks from the Lincoln University Research Facility as required to hold some species of animals. Animals that have been held at the facility for research include:

- (a) wild animals - possums, wallabies, ferrets, stoats, cats, rabbits, rats, mice, birds and eels
- (b) laboratory animals - rats, mice and rabbits
- (c) domestic animals - dogs, sheep, pigs and ducks
- (d) native animals - weka, rats, giant land snails and skinks.

The facility and animal management practices have been designed to ensure the physical, health and behavioural needs of animals are met including:

- (a) appropriate and sufficient food and water
  - (b) adequate shelter
  - (c) opportunity to display normal patterns of behaviour
  - (d) physical handling in a manner which minimises the likelihood of unreasonable or unnecessary pain or distress
  - (e) protection from, rapid diagnosis of, and treatment of any significant injury or disease.
- These needs will be met in a manner that is appropriate to each species of animal kept at the facility, recognising the environment and circumstances required for research studies.

### 6.2 Animal management practices

Standard husbandry practices and routine experimental procedures will be described in Standard Operating Procedures (SOPs), which form part of the *Animal Facility Quality Manual*, and submitted to the AEC for approval for a period of 5 years, after which resubmission and AEC-review is required (see also). A current list of approved SOPs is given in *Operational Guidelines* Form 11. The *Animal Facility Quality Manual* also includes descriptions of (i) monitoring the effectiveness of sanitation, and (ii) contingency plans in the event of emergencies.

Animal management SOPs will be specified in study applications to the AEC.

In the event that animals display significant illness that does not respond to treatment (i.e. a disease outbreak), the Animal Facility Manager will complete an 'Adverse Incident Report'



(*Operational Guidelines Form 17*). This will be copied promptly to the AEC vet, and presented at the next AEC meeting.

### **6.3 Training of animal technicians and researchers**

Landcare Research assesses staff-training needs in February each year. A personal development/training programme is designed for each member of staff in consultation with the Science Team Leader.

For staff associated with the animal facility, the programme focuses on training in standard operating procedures for animal husbandry and manipulations, animal welfare science, the use of new technology and equipment, and personal development courses. Animal researchers (i.e. Project Leaders) are encouraged, through local and overseas activities, to adopt new skills and update current skills in: new areas of research; experimental design; experimental techniques; animal welfare; and personal development.

The record of training is held by the Science Team Leader. Annual staff appraisals (conducted in July-August each year) provide the opportunity to review the benefits of completed training programmes, and the need for further training.

## **7. Dealing with Complaints– s. 88(2)(f)**

Members of the AEC are encouraged to think independently as well as collectively. From time to time a member of the AEC may have a complaint related to the manner in which an approved protocol is being managed or about the proceedings of the AEC.

It is expected that the AEC should function in a cooperative manner such that disagreements relating to research applications or dissatisfaction with the functioning of the committee can be resolved by open and frank discussion. Such discussion may extend to particular staff members being invited to participate in meetings.

### **7.1 Protocol management**

Where a complaint concerning the manner in which an approved protocol is being managed, the following will apply:

- (a) The member will discuss the concern in the first instance with the Chair.
- (b) If not resolved at that level the matter must be discussed at the next meeting of the AEC.
- (c) If a consensus cannot be reached by the AEC the member may take the issue to the Science Team Leader.

### **7.2 AEC procedures**

Where a member of the AEC has a complaint concerning the conduct of AEC proceedings, the following will apply:

- (a) The member will discuss the concern in the first instance with the Chair.
- (b) If not resolved at that level the matter must be discussed at the next scheduled meeting of the AEC or, if necessary, a special meeting may be called.
- (c) If a consensus cannot be reached by the AEC, the member may take the issue to the Science Team Leader (see 7.3).
- (d) If the member is a member to which paragraph 101(6) to (8) of the Animal Welfare Act 1999 applies, the member may discuss the issue in confidence with a senior member of the member's nominating organisation. In so doing the member must respect the confidentiality and commercial sensitivity of any information contained in any document in the member's possession or control.

Where a member of the AEC has a complaint against the Chair, this will be addressed to the Science Manager who will pursue an appropriate course of action.

### **7.3 Resolution of complaint**

Where an issue cannot be resolved by the AEC, an AEC member should forward a written complaint to the Science Team Leader who will, if necessary, seek advice from appropriate external agencies before replying in writing to the member. Swift resolution will be sought so as to minimise impacts on the functioning of the committee. Should the member remain dissatisfied with the response received, a review of the decision can be requested. The Science Team Leader may seek advice on the matter from the National Animal Ethics Advisory Committee.

All such complaints and their resolution will be documented on the AEC 'general correspondence' file unless the member requests that the complaint is treated confidentially.

In addition to or instead of using the above procedures, any member of the AEC who believes the AEC or code holder is failing to comply with the Act or the Code of Ethical Conduct may report the non-compliance to the Director-General of MPI– s. 103.

#### **7.4 Complaints from staff and the general public**

In addition to the statutory requirement for Codes to contain procedures to deal with complaints made by AEC members, the AEC will respond to complaints received from any member of staff or the general public in relation to either the conduct of animal-based research at Landcare Research or the functioning of the committee.

A response will be made by the AEC where the complaint relates to AEC procedures or AEC-approved studies. Such complaints and the AEC's response will be brought to the attention of the Science Team Leader. Complaints of a more general nature regarding animal research at Landcare Research will be referred to Science Team Leader for response.

## **8. Standard Operating Procedures and Their Review**

Where manipulations are used routinely in research, Standard Operating Procedures (SOP) can be submitted to the AEC. Once approved, the SOP can only be used through incorporation in other applications. An approved SOP alone does not constitute an approval to manipulate animals. SOPs will be reviewed every 5 years by the AEC vet in conjunction with an annual inspection of the Animal Facility. Copies of the updated SOPs will be provided to AEC members.

Released under the Official Information Act 1982

## 9. Parenting – s. 84

Landcare Research may enter into a discretionary parenting arrangement if approached by an outside organisation or person with a request for AEC service if it is considered likely that the experience and expertise of the AEC is adequate for the type of application anticipated and that the geographical location of the proposed work is such that the AEC can effectively monitor the proposed work.

A decision as to whether a particular application will be considered will be made on a case-by-case basis so that review of applications beyond the experience or expertise of the AEC may be declined.

If such an arrangement is made, parented studies will be subject to the same application and monitoring procedures as described in section 4.

No work under this provision may commence until Landcare Research has given written notice to the Director-General of MPI– s. 84(1)(d).

### 9.1 Collaborative research

Where collaborative research is undertaken with another organisation that undertakes animal research, a decision must be made before the research commences as to which institution's AEC will be responsible for approving and monitoring the research.

The Chair will negotiate with the Chair of the other institution's AEC to determine which AEC will undertake approval and monitoring. The following considerations will be taken into account:

- (a) The institute contributing the larger portion of funding.
- (b) The institution employing the greater number of staff involved in the research.
- (c) The institution, where appropriate, that owns the animals to be used in the research.

Landcare Research may occasionally undertake collaborative research with other organisations that do not hold a Code of Ethical Conduct. If such organisations are required to undertake animal manipulations, an application will be submitted to the AEC by the Landcare Research staff member responsible for the collaboration. The relevant qualifications and experience of the collaborating personnel will be provided to enable the AEC to assess their capability in conducting the proposed manipulations. If approved by the AEC, such studies will be subject to the same monitoring procedures as described in section 4.

Researchers from other organisations working within Landcare Research programmes will be required to follow the principles of this Code of Ethical Conduct and conditions of any approved research work.

## **10. Independent Review – s. 105**

This code expires on 3 December 2018. No later than 1 June 2018, the Chair will appoint an accredited reviewer to undertake an independent review for Landcare Research. The independent review must be completed by 30 September 2018.

The purpose of the review is to review compliance by Landcare Research with Part 6 of the Animal Welfare Act 1999, any regulations made under that Act, and this code of ethical conduct.

The review will relate to the period since the date of the last review in 2013. The Chair, in consultation with the Science Team Leader, will negotiate the remuneration of the accredited reviewer – s. 108(3).

## ANIMAL ETHICS COMMITTEE CODE OF ETHICAL CONDUCT FOR THE USE OF ANIMALS

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- 

CODE OF ETHICAL  
CONDUCT  
APPROVED

### 1. PURPOSE

The purpose of the Lincoln University Code of Ethical Conduct for the Use of Animals (CEC) is to ensure that all research and teaching at Lincoln University and by 'parented' organisations/persons is conducted in accordance with the Animal Welfare Act 1999 and to describe the operation of the University Animal Ethics Committee (AEC).

### 2. RESPONSIBILITY

- 2.1. The AEC is responsible for all decisions relating to applications for teaching and/or research and/or testing involving animals.
- 2.2. The AEC is responsible for providing the Vice-Chancellor with advice on all issues relating to the use of animals in teaching, research and testing, including all legislative requirements.
- 2.3. The AEC is responsible for promoting awareness of the need for University teaching, research and testing involving animals to adhere to the University's Code of Ethical Conduct for Animals.
- 2.4. The AEC is responsible for ensuring adequate monitoring systems are in place at Lincoln University.
- 2.5. The Applicant is responsible for the procurement, production and maintenance of animals.



- 2.6. The Applicant is responsible for the work undertaken, including the selection of an appropriate animal species, the choice of the number of subjects, the nature of the procedures and all matters related to the continuing welfare of the animals and their ultimate disposal according to the requirements of the University's CEC.
- 2.7. The Applicant is responsible for ensuring that the application meets all the requirements of the CEC before submission.
- 2.8. After approval has been granted, the Applicant is responsible for ensuring that approval procedures are being followed.

### 3. TERMS OF REFERENCE OF THE ANIMAL ETHICS COMMITTEE

- 3.1. The AEC will have the following functions according to the Animal Welfare Act 1999, especially section 80 of the Act:
  - ❖ To consider and determine on behalf of the code holder applications for the approval of projects
  - ❖ To consider and determine, under section 100 of the Act, applications for the approval of projects
  - ❖ To set, vary, and revoke conditions of project approvals
  - ❖ To monitor compliance with conditions of project approvals
  - ❖ To monitor animal management practices and facilities to ensure compliance with the terms of the code of ethical conduct
  - ❖ To consider and determine applications for the renewal of project approvals
  - ❖ To suspend or revoke, where necessary, project approvals
  - ❖ To recommend to the code holder amendments to the code of ethical conduct.
- 3.2. The AEC will have such powers as are reasonably necessary to enable it to carry out its functions.

### 4. GUIDELINES

- 4.1. No member of Lincoln University staff or any student can use animals for teaching or research without the prior approval of the AEC.
- 4.2. Approval for the use of animals in teaching or research will be granted only when the AEC is satisfied that the proposed use of animals will comply with the CEC.

### 5. MEMBERSHIP OF ANIMAL ETHICS COMMITTEE

- 5.1. The AEC will consist of up to ten members appointed by the Vice-Chancellor as follows:
  - (a) University personnel\* (5 to 6 members) to include at least one of:
    - a member of Lincoln University Council

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- a member of staff with experience in design of animal experiments and in physiology\*
  - a member of staff involved in procurement and husbandry of animals
  - a staff veterinarian
  - a member of staff of Telford Division
- (b) External members (3 members):
- a representative nominated by the New Zealand Veterinary Association
  - a person to represent animal welfare nominated by the Royal New Zealand Society for the Prevention of Cruelty to Animals
  - a lay person nominated by Selwyn District Council
- (c) Co-opted member (1 member)
- a representative of Lincoln University Students Association (LUSA) may be co-opted from time to time following a mutual request from the Vice-Chancellor and LUSA

The membership term will be three years and may be renewed. In the case of external members this will require formal notification from the relevant nominating body. Remuneration of external members will be on a per meeting attended basis and will be a sum of money to be determined by the Vice-Chancellor and reviewed annually. The Vice-Chancellor will appoint one of the internal members (who is not a Lincoln University Council member) as Chairperson.

#### 5.2. Co-ordinator

The Vice-Chancellor will appoint one of the internal members of the AEC to be the Co-ordinator. Duties of the Co-ordinator will include: co-ordinating implementation of the CEC (especially processing of applications for ethical approval), assisting the Chairperson and Secretary with management of AEC business and correspondence, compilation of Annual Animal Usage Statistics and Standard Operating Procedures, and managing compliance monitoring and staff training.

- 5.3. The AEC will appoint a Deputy Chair from its membership if and when the need for this position arises.

#### 5.4. Secretary

The Secretary will maintain a database and records of all cases considered by the AEC, distribute copies of papers for meetings and applications for ethical approval to the AEC, prepare and circulate agendas, take minutes of meetings of the AEC, handle requests for AEC publications and documents, and general correspondence associated with the work of the AEC.

- 5.5. A quorum will be five members, of which two will be external members.

- 5.6. Meetings will not be open to the public.

- 5.7. Members of the AEC will be provided with training and information. The training will be in the form of workshops and informal briefings, and the information will be in the form of Standard Operating Procedures and newsletters. In addition NAEAC

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induction packs will be supplied to new members and newsletters and informative circulars distributed by NAEAC, MPI and ANZCCART will be distributed to the AEC membership.

- 5.8 To ensure effective input by external members all members will have equal opportunity to contribute to the business of the meeting. Decisions will be made after all committee members present have had the opportunity to express their views. External members will have access to researchers and staff involved in the manipulation of animals so that they can obtain information and answers to questions they have regarding applications made to the AEC.
- 5.9 Any committee member who resigns or has a protracted absence during their term of membership will be replaced so that full membership of the AEC is maintained.

## 6. MEETING FREQUENCY

At least five scheduled meetings per annum.

## 7. DESCRIPTION OF GENERAL NATURE AND EXTENT OF WORK

This Code of Ethical Conduct for the use of Animals ('CEC') is designed to comply with all the requirements of the Animal Welfare Act 1999 ('the Act') so that specified animals can be used in research, teaching and commercial activities of Lincoln University and other institutions or individuals whose activities may be approved under this CEC. The predominant animals held by Lincoln University are sheep, cattle and deer but facilities exist for the housing of laboratory rodents and other small mammals (e.g. possums, mustelids). These animals provide the basis of research material in husbandry, anatomy, physiology, biochemistry, immunology, toxicology and genetics, and the teaching programmes cover the same areas. Commercial activity, often associated with research, typically involves clinical trials on various animal remedies and dietary supplements in farm animals or tests of control formulations for pest animals. Research and teaching activities associated with environmental conservation and wildlife management involve manipulations of wild and feral animals, both indigenous and exotic, and some of this work is conducted in remote locations.

## 8. PROCEDURES AND POLICIES

Applications to the AEC for approval of projects will be submitted using the standard Application Form provided for this purpose.

Lincoln University requires that the following conditions, additional to the criteria set out in section 100 of the Act (listed on pages 5 & 6), are met:

- ❖ the proposed use of animals is desirable and there are no practical alternative approaches which avoid the use of animals, yet achieve the same goal. Also, the benefits to be gained from the work are expected to outweigh the likely harms;
- ❖ the species is appropriate on scientific, technical, humanitarian and educational grounds for the procedures proposed, to allow extension of the body of knowledge in the case of a research proposal or to provide the desired educational aim in the case of a teaching proposal. Use of an endangered or threatened species will not be approved unless the findings are expected to assist the management and conservation of that species and the application has the approval from the Department of Conservation;

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- ❖ teaching is recognised as a prime function of Lincoln University and animal use will be approved where there is an appropriate educational objective which is best met by the use of live animals;
- ❖ graduate education is an essential role of Lincoln University. Any application for use of animals for research towards a dissertation or thesis must be made by the supervisor and shall be considered with respect to both educational and research objectives;
- ❖ all animals must have been lawfully acquired, the source of animal must be appropriate for the proposed use, and the responsibility for maintaining records to this end rests with the Applicant. Where possible, animals should be used that have been specifically bred for research and teaching. Where transportation of such animals is necessary, care must be taken to minimise distress and to provide safety and comfort during the period of transportation;
- ❖ details of where and how the animals are to be housed, who is to care for them, who is to perform any manipulations, and who has primary responsibility for the care and for the experiment/teaching must be provided. Facilities must be adequate to allow for the general health and welfare of the animals at all times, and personnel must have the appropriate training and expertise to care for the animals and to perform the manipulations;
- ❖ the fate of each animal at the end of the experiment/teaching must always be stated. If it is to be destroyed, either as part of the manipulation or subsequently, the means of euthanasia and the personnel involved must be approved. The means of euthanasia and disposal must comply with methods considered to be humane and generally in accord with standard practice;
- ❖ where it is appropriate standard operating procedures (SOPs) are used for management of animals and of any adverse events, and for any procedures or biometrical analyses that are likely to be repeated across applications;
- ❖ during operative procedures and the pre- and post-operative periods, appropriate analgesics and anaesthetics must be used to eliminate sensitivity to pain. Where recovery from anaesthesia is not intended, the animal must be killed in a humane way at the conclusion of the experiment;
- ❖ projects will be approved for the period of time specified by the applicant as the duration of the animal manipulations up to a maximum of three years;
- ❖ on completion of the animal manipulations, the applicant must send a completed Return Form (see pg 4 of the Application form) to the AEC;
- ❖ on the date specified by the applicant as the date of completion of the project, the applicant must send a completed Final Report Form to the AEC
- ❖ the AEC will review all submitted Return Forms and Final Report Forms to check that they are satisfactory and will regard failure to supply adequate reports as breaches of this CEC.

In considering any application for the approval of a project and in setting, varying, or revoking conditions of the approval of a project, the AEC must have regard to the following matters that are mentioned in section 100 of the Act and are subject to legal obligation.

These are, where relevant:

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- ❖ the purposes of Part 6 of the Act; and
- ❖ any matters that the Committee is required to consider by regulations made under this Act; and
- ❖ the scientific or educational objectives of the project; and
- ❖ the harm to, or the distress felt by, the animals as a result of the manipulation, and the extent to which that harm or distress can be alleviated by any means (including, where the pain or distress cannot be held within reasonable levels, the abandonment of the manipulation or the humane destruction of animals); and

- ❖ whether the design of the experiment or demonstration is such that it is reasonable to expect that the objectives of the experiment or demonstration will be met; and
- ❖ the factors that have been taken into account in the choice of animal species; and
- ❖ whether the number of animals to be used is the minimum necessary to ensure a meaningful interpretation of the findings and the statistical validity of the findings; and
- ❖ whether adequate measures will be taken to ensure the general health and welfare of animals before, during, and after manipulation; and
- ❖ whether suitably qualified persons will be engaged in supervising and undertaking the research, testing, or teaching; and
- ❖ whether any duplication of an experiment is proposed and, if so, whether any such duplication will be undertaken only if the original experiment –
  - ❖ is flawed in a way that was not able to be predicted; or
  - ❖ needs to be duplicated for the purpose of confirming a result that was unexpected or has far-reaching implications; and
- ❖ whether the same animals are to be used repeatedly in successive projects on the welfare of the animals, and, if so, the cumulative effect of the successive projects on the welfare of the animals; and
- ❖ whether there is a commitment to ensuring that findings of any experiment will be adequately used, promoted, or published; and
- ❖ any other matters that the AEC considers relevant.

## 9. TERMINATION OF PROJECTS

- (a) The Chairperson and Co-ordinator of the AEC are each authorised by the Vice-Chancellor to terminate any animal experimentation being undertaken by Lincoln University staff or students and any work undertaken by other organisations/individuals that has been approved by the AEC;
- (b) Termination is to occur within 24 hours of formal written notification being delivered to the person responsible for the experiment by the Chairperson or the Co-ordinator of AEC;
- (c) Failure by any individual to provide completed Return Forms or Final Reports after two written requests from the Chairperson or the Co-ordinator of AEC will result in a report being presented to the AEC, the Lincoln University Research Committee and to the Vice-Chancellor; and
- (d) In the event of (a), (b) and (c) occurring, the AEC has the right to decline authorisation of future applications.

## 10. MONITORING AND COMPLIANCE

At the time of approval of all projects that have potential welfare impacts of concern to AEC and of some projects of routine or standard nature, a suitable independent person (preferably a member of the AEC) will be nominated to provide a report to AEC on activities of research personnel, particularly in relation to their adherence to the conditions of project approvals. This report is additional to the Return Form (see pg 4 of the Application form) and Final Report Form that must be completed by all applicants. AEC members will receive copies of each Final Report Form as part of the compliance monitoring process.

At least one member of the AEC, who is qualified in veterinary practice or has animal husbandry expertise, will be asked by the AEC to visit the animal accommodation at random intervals and confirm that all animal husbandry conforms with recognised animal welfare standards. All members of the AEC will have the opportunity for involvement in



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these monitoring activities and site visits. Normally there will be at least one site visit per year. The results of such visits will be reported at the following AEC meeting. At its final meeting each year, the AEC will conduct an assessment exercise to determine whether the AEC is functioning with optimum effectiveness to the satisfaction of the whole committee. It will determine whether there has been adequate monitoring of projects throughout the year and whether these activities have been recorded in an appropriate way. All conclusions of this exercise will be included in the minutes of that meeting in a manner that is adequate for the independent audit review required by the Act. Statistics on animal use will be forwarded to MPI each year as required.

**11. 'PARENTING' ARRANGEMENTS**

In the event of persons or outside organisations requesting permission to operate under the Lincoln University CEC, this will be acceptable only if the expertise of the AEC is appropriate for the supervision of such persons/organisations. Similarly, if arrangements cannot be made to monitor the activities of the applicants, they will not be accepted. A standard letter of request for information will be prepared to cover these situations.

**12. INFORMATION MANAGEMENT**

The AEC will be served by a Secretary who will ensure that all minutes of AEC proceedings, its decisions, operations and records are stored and maintained in a satisfactory manner.

- ❖ The Chairperson may decide when there is a conflict of interest by any member of the AEC and make an appropriate ruling in such instances.
- ❖ All information which is commercially sensitive, or personal, or contains intellectual property, is to be treated in strict confidence by the AEC.
- ❖ All complaints about the operation of the AEC or arising from its decisions must be dealt with by an appropriate response and reported on at the next scheduled meeting of the AEC following receipt of the complaint. Failing a satisfactory outcome of this procedure, appeals and complaints must be directed in writing to the Vice-Chancellor.
- ❖ The AEC will provide for the Vice-Chancellor an annual report that summarises the AEC's activities for that calendar year outlining approved protocols, difficulties encountered, complaints received, and a copy of the statistical returns on animal use and severity required by the Animal Welfare (Records and Statistics) Regulations 1999.
- ❖ The Secretary will maintain a file of Standing Operating Procedures that will undergo review by the AEC every three years.
- ❖ All information will be stored securely by the Secretary for a period of not less than seven years, access to which will be only with the approval of the Chairperson or Vice-Chancellor.

**13. COMPLAINTS AND PROCEDURES**

Complaints shall be addressed in the first instance to the Chairperson and shall be in writing.

In the event of complaints about the Chairperson, these shall be addressed to the Vice-Chancellor.

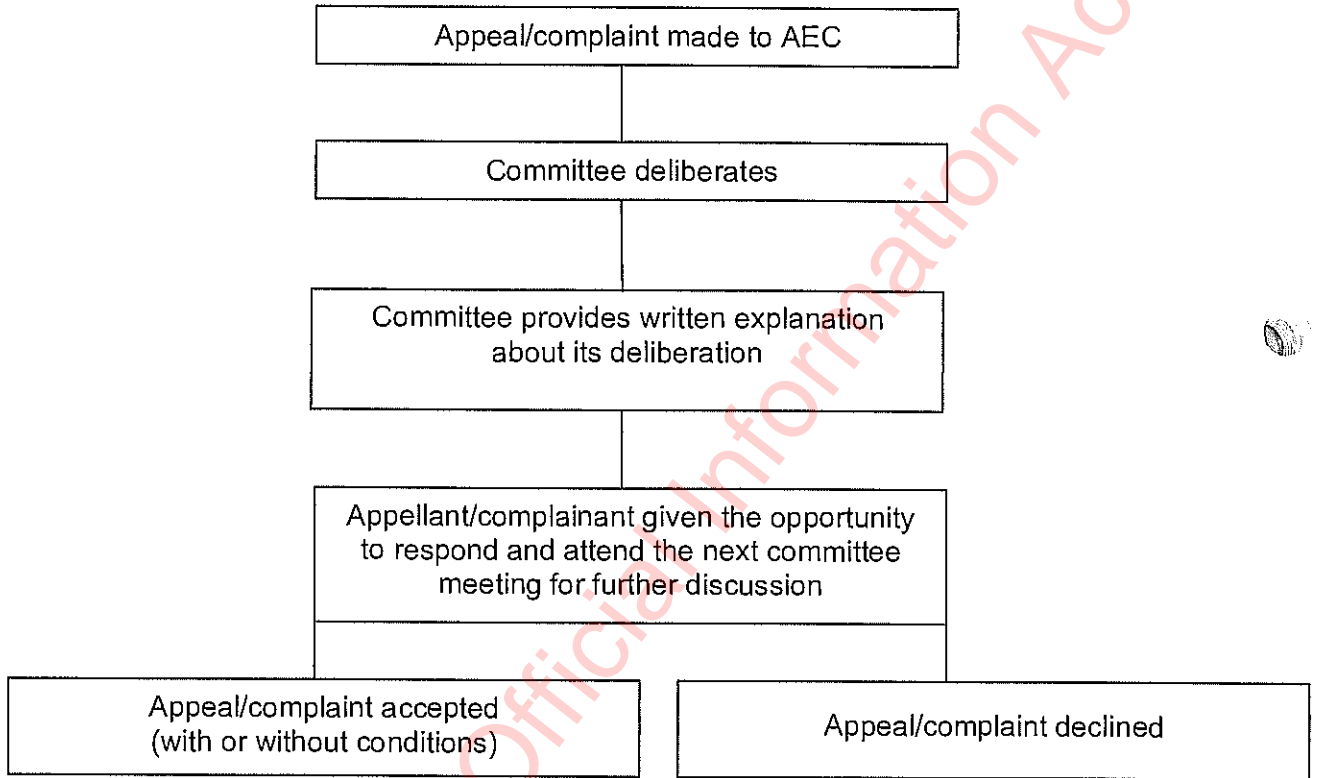
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Procedures and policies will be put in place to ensure that any complaints from members of the public, staff or students of Lincoln University, members of the AEC or applicants will be dealt with fairly and promptly and will follow a standard procedure similar to that outlined below for dealing with appeals/complaints from applicants.

Appeal and Complaints Procedure:

Appeal/complaint received from an applicant when a proposal is declined



If the decision is still unacceptable to the appellant/complainant, they may take the matter to the Vice-Chancellor.

14. REVIEW

Approval Date: 2013  
 Approval Body: SMG  
 Next Review Date: 31 March 2018

KEY WORDS

Ethics, Animals, LPP Research LPP Committees  
 Animal Ethics Committee Application and Monitoring Procedures (ACAP)

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# ANIMAL ETHICS COMMITTEE APPLICATION AND MONITORING PROCEDURES

- 1. PURPOSE
- 2. GUIDELINES
- 3. PROCEDURE
- 4. REVIEW

APPENDIX 1 – APPLICATION FORM

APPENDIX 2 – FINAL REPORT FORM

## 1. PURPOSE

The purpose of these procedures is to allow uniform and expeditious treatment of applications to the Animal Ethics Committee (AEC).

## 2. GUIDELINES

- 2.1. The use of animals for teaching and research within Lincoln University is controlled by the AEC.
- 2.2. Staff and students seeking to use animals for teaching and research must submit a written application for approval to the AEC.
- 2.3. Only after such approval has been granted may animals be used for teaching and research.

## 3. PROCEDURE

### 3.1. Application Methods

- ❖ Applications to the Committee must be made on an AEC Application Form (see Appendix 1). Applicants should be familiar with the University's Code of Ethical Conduct for Animals found in the AEC entry before obtaining and completing an application form. The application form is available electronically or as hard copy from the Secretary of the AEC; and
- ❖ One copy of the Application Form must be forwarded to the Co-ordinator of the AEC.

### 3.2. Receipt and Distribution of Applications

- ❖ On receipt of an Application Form, the Co-ordinator or Secretary of the AEC will attach a reference number.
- ❖ The Co-ordinator or Secretary will then distribute the application to members of the AEC.
- ❖ Decision-making at AEC meetings will be by consensus.

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- ❖ When circumstances warrant, protocols graded A or B (according to the Animal Use Statistics booklet prepared by the Ministry for Primary Industries) may be granted provisional approval by at least three members of the AEC, two of whom must be an external member, provided they are satisfied all information necessary has been provided.
- ❖ Where a project may involve matters of concern to Maori, consultation with appropriate persons or organisation will be sought and any recommendations that follow will be acted upon.
- ❖ Amendments to applications must be provided to the Co-ordinator in writing. In some cases, the Co-ordinator will request further information or a new application.
- ❖ Where the amendment invokes no increase in ethical cost it may be approved by the Co-ordinator who will report this to the next meeting of AEC. Where an increase in ethical cost is likely to be minor the Co-ordinator may refer it to AEC members for approval by consensus (of at least a quorum) via email correspondence. Otherwise, or in cases of substantial increase in ethical cost, requests for amendments will be considered for approval at full meetings of the AEC.
- ❖ Renewal of applications, where there is no change to any of the procedures, may be permitted for up to 3 years, after which a new application is required.

### 3.3. Review of Applications

- ❖ At the meeting of the AEC, all new applications will be considered in respect to the CEC;
- ❖ Depending on the individual circumstances of such deliberations, either the Chairperson or the Secretary or the Co-ordinator will write to the Applicant outlining the views of or questions raised by the AEC;
- ❖ If members of the AEC are in agreement, an authority giving approval will be posted to the Applicant within 7 days of the date of the meeting;
- ❖ In the case of the AEC having grounds for rescinding an application previously approved at an earlier meeting of the AEC or provisionally approved in accordance with Section 3.2, the authority will become invalid and termination will occur. Any project included in such an application which is underway at that time will cease immediately and remedial steps, if necessary, will be instituted immediately. This will apply indefinitely or until such time as any conditions required by the AEC have been met to the satisfaction of the Co-ordinator and the authority has been reinstated or approved;
- ❖ Where members of the committee do not agree about an application's suitability for ethical approval, it will be declined. However, in some cases it may be possible to have the application reconsidered at a subsequent meeting on provision of additional information from the Applicant. On some occasions the Applicant may be invited to the meeting, in which case the Secretary will advise the Applicant of the date of the meeting at which it will be re-considered by the AEC. Where the timelines threaten the viability of the project, Applicants may appeal to the Chairperson of the AEC for consideration under urgency and/or discuss with the Chairperson aspects of the application that have proved controversial among members of the AEC. In the light of such discussions the Applicant will be free to withdraw the application and submit a revised one;
- ❖ Where an AEC member has an interest in an application they must disclose such interest and abstain from participation in the decision-making process for that application;

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- ❖ The AEC may make such enquiries as are necessary for the purposes of assessing and making a decision upon any application. Enquiries may be made with any person outside the AEC and some disclosure of information received from the Applicant and from third parties in support of the application may be required for that purpose. Disclosure of such information will be subject to an obligation of confidence;
- ❖ The AEC, upon receipt of additional information may rescind its approval for a protocol in accordance with procedures set out in ACAE Section 5 'Termination of projects'.

### 3.4. Monitoring of Project Implementation

- ❖ In addition to reviewing Return Forms and Final Report Forms, the AEC will from time to time conduct audits of projects that have been approved, to ensure that they have been implemented in accordance with procedures approved. These will take the form of independent reports, as set out in the CEC;
- ❖ Audits of project implementation may be done on a random basis or may be undertaken in respect of particular projects about which the AEC has been given cause for concern;
- ❖ In the process of undertaking an audit, the AEC will have the right to solicit opinions from staff and students about the ways in which projects under audit were implemented;
- ❖ Where the AEC has been given reason to believe that non-exempted projects involving animals are being or have been undertaken without first having been approved by the AEC, the Chairperson of the AEC will consult with the relevant Dean of Faculty or Head of Centre prior to engaging in an investigation. If an investigation is embarked upon, the project leader will be notified about the concerns of the AEC and will be provided with an opportunity to make representations to the AEC;
- ❖ Where audit work by the AEC uncovers ethically unacceptable conduct on the part of researchers and teachers using animals in their projects, reports of such findings will be submitted to both the Vice-Chancellor and the relevant Dean of Faculty or Head of Centre. In such a case, the project leader will be notified about the concerns of the AEC and will be provided with an opportunity to make representations to the AEC;
- ❖ Though the AEC may uncover ethically unacceptable conduct through its audit activities and submit reports on its findings, it is not responsible for instituting any disciplinary action against the parties responsible for the conduct. The Chairperson and the Co-ordinator of the AEC have the authority of the Vice-Chancellor to terminate any animal experimentation involving ethically unacceptable conduct.

## 4. REVIEW

Approval Date: 2013  
 Approval Body: SMG  
 Next Review Date: 31 March 2018

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### KEY WORDS

Ethics, Animals, Procedures, ACAEs

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**NIWA Code of Ethical Conduct  
for the Use of Animals in Research**

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23<sup>rd</sup> October 2014

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## **1. Description of general nature and extent of work**

- 1.1 Under the Animal Welfare Act 1999, certain manipulations involving live animals are subject to a Code of Ethical Conduct approved by the Director General of Ministry for Primary Industries (MPI). Within this framework, Section 80 of the Act requires any establishment that conducts research on live animals to develop its own Code of Ethical Conduct and submit such code to the National Animal Ethics Advisory Committee (NAEAC) for scrutiny. No code has any legal force until approved by the DG of MPI.
- 1.2 This Code of Ethical Conduct (CEC) is concerned with any live animal manipulations as defined in the Act that are conducted by any staff, students or visitors of the National Institute of Atmospheric Research (NIWA), or persons utilising properties or vessels of NIWA. Where there is any dispute between interpretation of this CEC and the legislation, then the requirements of the legislation is given preference.
- 1.3 NIWA research on animals involves mainly freshwater and marine fish, aquatic birds some cephalopods and crustaceans, including freshwater crayfish and lobsters. It may occasionally involve other species such as marine mammals. Research is conducted to meet NIWA's mission to "conduct leading environmental science to enable the sustainable management of natural resources for New Zealand and the planet". This may involve manipulations of fish behaviour, research on effects of adverse environmental effects and new aquaculture techniques. Research may be conducted at any of NIWA's offices nationwide and is frequently done on wild animals in their natural locations of rivers, lakes, oceans and islands.

## **2. Modifications**

- 2.1 The AEC may recommend to the Chief Executive Officer (CEO) amendments to the code. Where these recommendations are accepted by the CEO, NIWA will apply in writing to the Director-General (DG) of MPI to seek approval for significant amendments to the code. Minor amendments to the code may be made by NIWA providing that the DG of MPI is given particulars of those minor amendments within two months of making those changes.

## **3. Exclusions**

- 3.1 The code does not cover traps or devices used for fishing such as trawling, angling, trolling, seining, and dredging. Nor does the code cover electric fishing, which is exempt by virtue of section 3 (2) (d) of the Act.

## 4. Definitions

- 4.1 'Animal' is defined in section 2 of the Act to include mammals, birds, reptiles, amphibians, fish, octopus, squid, crab, lobster and crayfish.
- 4.2 'Manipulation' is defined in section 3 of the Act to include interfering with the normal physiological, behavioural or anatomical integrity of the animal by deliberately (a) subjecting it to a procedure which is unusual or abnormal when compared with that to which animals of that type would be subjected under normal management or practice, or (b) depriving the animal of usual care. This includes exposing the animal to parasites, micro-organisms, drugs, chemicals, biological products, radiation, surgical intervention, electrical stimulation, abnormal nutrition, abnormal environmental conditions, enforcing unusual activity or restraint, or depriving it of usual care. It does not include any therapy or prophylaxis necessary or desirable for the welfare of the animal.

## 5. NIWA Animal Ethics Committee

- 5.1 The CEO of NIWA will establish an AEC for the purpose of implementing the requirements of the Animal Welfare Act 1999. The AEC shall be responsible to the CEO.

## 6. Membership of the AEC

- 6.1 The NIWA AEC will comprise at least six members as follows:
- 6.2 A senior member of NIWA capable of evaluating proposals for projects, qualifications and skills of proposer and scientific value of the project. This senior member of NIWA will be appointed by the CEO or delegate and will chair the Committee. The AEC shall, following the appointment of the Chair, be given the opportunity to endorse or otherwise the selection of the Chair.
- 6.3 A member of NIWA staff capable of evaluating proposals involving animal manipulation in terms of the responsibilities of the Act and including scientific merit.
- 6.4 A member of NIWA staff to represent staff responsible for the procurement, production, and maintenance of the animals to be used.
- 6.5 A veterinarian nominated by the New Zealand Veterinary Association who is not otherwise affiliated with NIWA.
- 6.6 A nominee of an organisation approved under the Animal Welfare Act concerned with animal welfare, not otherwise affiliated with NIWA.



- 6.7 A suitable lay person representing the public interest, nominated by an appropriate Regional Council who is not otherwise affiliated with NIWA, the scientific community or any animal welfare agency.
- 6.8 Any additional persons that the CEO may appoint to provide relevant expertise.
- 6.9 The appointment of NIWA staff members to the Committee will be by recommendations of the Animal Welfare Officer (AWO) and Chair to NIWA CEO. Appointment of nominees to the Committee shall be by seeking nominations from the appropriate bodies and forwarding those names to NIWA CEO who shall ratify or decline those recommendations. Appointment shall be for a duration of five years with the right of NIWA to reappoint members to further terms. Reappointment of the statutory external members at the expiry of their term must be done by formal nomination by the relevant body.
- 6.10 NIWA shall ensure that nominees to the committee and new members are given adequate training material, (including the NAEAC induction pack for new members and NIWA's Code of Ethical Conduct) and resources. The Chair will ensure that nominees are given the opportunity to contribute and express their views to activities of the Committee through regular meetings, (at least annually) inspection of facilities and consultation between meetings. Appropriate remuneration shall be provided to nominees for the time spent on activities of the Committee.
- 6.11 A quorum for the committee shall comprise five members including at least two of the external members and the Chair.
- 6.12 A NIWA staff member, who may or may not be a member of the Committee shall be appointed as the NIWA AWO and will be given the responsibility, time and resources to adequately carry out the secretarial and administrative functions of the Committee outlined in this code.
- 6.13 The expectations of Committee members are to actively contribute to the duties of the Committee in accordance with the Animal Welfare Act 1999 and as indicated in this Code.

## **7. AEC procedures**

7.1 The AEC will:

- (a) Be responsible for advising the CEO of NIWA on all matters relating to the welfare of animals involved in manipulation within the company, including monitoring the code by any appropriate means.

- (b) Consider any application to the AEC for the use of animals in research, testing and teaching that cover all the proposed manipulations and is made on the appropriate application form.
- (c) Ensure that for project proposals involving manipulation of animals, the committee is provided with all documentation relevant to the proposed treatment of these animals.
- (d) Scrutinise this documentation as per section 100 of the Animal Welfare Act 1999 and ensure that the proposed treatment conforms to the Code.
- (e) Agreement to approve satisfactory applications will be reached by the consensus of the Committee and approvals shall normally be for a period of up to three years, but may be extended where appropriate at the discretion of the Committee
- (f) Discuss any deficiencies in the proposed treatment with the person in charge of the project, direct what modifications shall be made to the protocol or decline approval to proceed with the project.
- (g) Ensure that no manipulation takes place before the AEC has approved the protocol. Any deviations from this protocol must receive prior approval of the AEC.
- (h) Record AEC decisions in writing, retain on file details of all manipulations of animals approved in project proposals and ensure that they are available to the CEO or anyone authorised by him/her or by the DG of MPI.
- (i) Ensure that staff are aware of their responsibilities under the NIWA Code of Ethical Conduct for use of animals in research and maintain a prominent role within NIWA in the welfare of experimental animals.
- (j) Members must meet in person at least once annually and where any application is graded C, D or E. Additional meetings may be conducted by teleconference or videoconference. Any member of the Committee may request a teleconference or videoconference to discuss projects or any other relevant matter.
- (k) Between meetings, the Committee may consider applications by teleconference or videoconference. Any amendments to approved applications may be considered by post or email. For such considerations the amendments will be distributed to the Committee via post or email and responses returned to the secretary. Where issues are raised those issues will also be circulated to the Committee. Projects approved in this manner will be subsequently recorded as such in the minutes. For these considerations the quorum rule applies.

- (l) On rare occasions when a rapid response is required for urgent experimental work, consideration of such applications may be provided by a rapid response team comprising the Chair, one NIWA member and two of the external members. These decisions must be confirmed, modified or revoked by the whole Committee within 30 days of the rapid response decision.
- (m) Committee members shall treat all information regarding NIWA and including information submitted in the applications and reports with confidentiality.

7.2 The AEC meetings would not be open to the public as required by statutes relating to use of animals wholly or partly publicly funded, nor under the Local Government Official Information Act 1987 for reasons of commercial sensitivity. Requests for information under this Act will be dealt with in accordance with consideration of commercial sensitivity and protection of Committee members from potential harm.

7.3 Requests for variations to approved procedures will be addressed in either of two ways:

- (a) Where the variation involves no increase of impact or animal numbers then approval may be provided by Chair and two external members of the AEC and the Committee notified of this at the next meeting.
- (b) Where the variation involves an increase in impact or animal numbers then approval by consensus of the Committee is required.

## **8. Conflicts of interest**

8.1 Any project proposals involving animal manipulation that NIWA members of the AEC themselves wish to lead or be involved in, must be either: scrutinised by independent referees nominated by the CEO or delegate or Chair, and replacing those NIWA members; or the AEC member leading or involved in the project must excuse themselves for the approval process for that project.

## **9. Additional protocols**

9.1 The AEC shall develop and approve any additional codes of practice involving animal welfare considerations that will apply to NIWA staff working with animals. This presently refers to two codes (for fish tagging and electric fishing). Other codes may be developed where appropriate and those codes must be approved by the AEC and if necessary the DG of MPI.

9.2 Where appropriate the AEC may request the facility manager of a NIWA facility that is used for animal manipulations, or has animal welfare considerations, to develop and maintain

standard operating procedures for animal practices. The standard operating procedures are subject to approval by the AEC.

## **10. Monitoring**

- 10.1 The AEC shall monitor the performance of projects approved by the Committee through formal reporting requirements in which leaders of approved projects will provide written annual reports to the Committee, including actual animal use statistics, with exception reporting done if there is any variation from the planned use in the application. Final written reporting to the committee will be provided on completion of the project.
- 10.2 The AEC may require further reports or inspection by the Committee or a representative of the Committee at any time.
- 10.3 The Committee shall develop a monitoring plan to ensure that the major locations, where significant numbers of approved projects are carried out, are visited annually by the committee (or representative) for the purpose of monitoring current projects and becoming familiar with the resources and facilities for the animals studied by NIWA. Records of the monitoring, and a report on the activities and compliance of the site will be presented, and minuted, to the committee.
- 10.4 The Committee may select any ongoing project for active inspection during the course of the project.

## **11. Parenting arrangements**

- 11.1 NIWA may accept parenting arrangements for the use of the AEC by other organisations providing that the Chair of the NIWA AEC is satisfied that the activities of the other organisation have similarities to those of NIWA to allow the relevant expertise of the Committee to be applied. Parenting arrangements will be accepted by exchange of letters or email advising conditions of the parenting arrangement and acceptance thereof. Appropriate inspections of approved projects and related facilities of the other organisation will be made by the Committee or delegate at least annually. NIWA will reserve the right to terminate such arrangements by written notice to the other organisation.
- 11.2 MPI will be notified when parenting arrangements are entered into or terminated.

## **12. Information management**

- 12.1. The AWO will be responsible for carrying out the following functions of the Committee:

- (a) Prepare the agenda and background papers for AEC meetings, distribute background papers 14 days prior to meetings and distribute meeting minutes within 14 days of meetings.
- (b) Formally advise staff of decisions concerning their applications to the Committee.
- (c) Be responsible for keeping records of projects, approvals and reports for a period of at least five years.
- (d) Meet the annual reporting requirements to MPI.
- (e) Ensure all members of the AEC have copies of all relevant codes and protocols.
- (f) Ensure information about the responsibilities of staff and the Committee are made available to all NIWA staff via the One NIWA intranet site and/or other means.

### **13. Animal facilities and practices**

- 13.1 In considering research using manipulation of live animals, the researcher will consider the feasibility of replacement of the use of live animals by other means, the reduction of the number of animals required and the refinement of techniques to minimise harm to animals and maximise benefits.
- 13.2 NIWA does not have dedicated animal house facilities like those used by researchers on terrestrial animals but may conduct research on live animals at NIWA's various hatcheries or laboratories and in the natural environment of rivers, lakes, ocean or islands.
- 13.3 Staff involved with manipulations on live animals should be aware of the requirements of the Animal Welfare Act 1999 and the Marine Mammals Protection Act 1978.
- 13.4 Animals used at any NIWA research location for experimental purposes (as defined under the Act) must be lawfully acquired and used in strict compliance with all legislation that relates to their welfare and humane treatment.
- 13.5 Both the persons carrying out the manipulation and the officer in charge of the unit in which they work are responsible for the work undertaken, including the choice of the number of animals to be used, the nature of the experimental procedures and all matters relating to the welfare of the animals and their ultimate disposal.
- 13.6 The persons directly caring for the day-to-day needs of captive animals must be properly trained for this purpose, able to ensure that feeding and care is of a high standard, able to

recognise symptoms of distress and have access to a registered veterinarian should the need arise.

- 13.7 The persons carrying out the manipulation must be properly trained in the specified technique. They should inspect animals as often as is appropriate after the manipulation to ascertain the impact on the animals.
- 13.8 The selection of techniques should impose the least impact on the subject animals and, wherever necessary, anaesthesia or analgesia must be used.
- 13.9 Manipulation of animals will not be undertaken unless there is good reason to believe that the work will add to understanding biological functions or behaviour, or will improve knowledge on the health and welfare of humans and animals and the productivity of animals.
- 13.10 Endangered or threatened species will not be used unless the findings are expected to assist the survival of such species.
- 13.11 Individual animals should not be subjected to more manipulations than are necessary to achieve the objective of the experiment.
- 13.12 The AEC has the power to halt studies that if continued would lead to unacceptable suffering in the animals. This authority to suspend or revoke project approvals over-rides that of the project applicant.
- 13.13 The collection and transport of animals must be done in such a way as to minimise distress.
- 13.14 Appropriate arrangements must be made for the final disposal of the animals, whether by retention alive within the unit, release from captivity, or disposal to some other organisation.

#### **14. Applications to the NIWA AEC**

- 14.1 The Committee will provide readily accessible instructions and forms for staff for the preparation of applications to the Committee for consideration. Applications to the NIWA AEC for authorisation to conduct animal manipulations must include the following topics:
  - (a) An overview of the whole proposal, justification for the use of animals, protocol for experimentation, and an explanation of the value of the work and whether the design of the experiment is such that the objectives will be met.
  - (b) That suitably qualified persons will be undertaking the research and a identification of whom will be responsible for the day-to-day maintenance of the animals.

- (c) That the number of animals required is the minimum necessary to ensure meaningful interpretation and statistical validity.
- (d) Details on how the animal's health and welfare will be cared for before, during and after manipulation.
- (e) An explanation of how the impact on the animal will be minimised at capture, in captivity, and on manipulation.
- (f) Whether the same animals will be used repeatedly in successive projects and if so, how that would affect the welfare of the animals.
- (g) A commitment to the use or publication of the results of this research.
- (h) An indication of the expected impact on the animals as per the grading scales in the Animal Use Statistics publication.
- (i) An indication if this work will involve values or affect interests of Maori. If so details of that involvement and any mitigation are to be provided as per the instructions to applicants.
- (j) Any other information the committee considers relevant.

## **15. Data to be recorded and kept by Project Leaders**

- 15.1 All project leaders involved in or responsible for manipulations on live animals must ensure that records are kept of: the names of the species used, the numbers of each species used, the source and fate of all animals used as well as any other information the Committee considers relevant.
- 15.2 These records are to be available at any time to anyone authorised by the DG of MPI or to any inspector appointed under the Animal Welfare Act 1999.

## **16. Complaints procedures**

- 16.1 Complaints concerning any activities covered by this code, will be investigated fairly and promptly by the Committee. Complaints may arise from Committee members, staff or the public and will be addressed as follows. Complaints must be forwarded to the AWO who will, within 14 days of notification, make some preliminary investigations into the complaint, notify all members of the Committee of those details, and seek feedback on investigations or




actions required. Where the matter is serious the Chair will call a Committee meeting to decide on the appropriate action. Where the complaint involves the AWO, then the complaint should be directed to the Chair.

- 16.2 Where a complaint is brought to the attention of the Committee that requires urgent remedial action, then the Chair may require immediate action to be taken to address that complaint.
- 16.3 Where the Committee has good cause, it may suspend or revoke approved applications or take remedial action if necessary. This may include stopping any manipulation if it is believed that unnecessary suffering is being experienced by animals, and requiring euthanasia if suffering cannot be alleviated adequately.

## 17. Certification


17.1 This Code of Ethical Conduct has been prepared, scrutinized and accepted by the NIWA AEC.

<sup>s 9(2)(a)</sup>  
Signed 

Date 23 October 2014

<sup>s 9(2)(a)</sup> on behalf of:  
<sup>s 9(2)(a)</sup>  
Chair  
NIWA Animal Ethics Committee

*This to certify that the code holder undertakes to conform with the requirements of the Animal Welfare Act 1999 and will ensure that all persons involved in the animal manipulations and carrying out of these activities are appropriate persons according to that Act. It is accepted that the code holder is also responsible for distributing information on the requirement of the Act to the Animal Ethics Committee to help ensure that the Animal Ethics Committee follows the requirements of the law.*

<sup>s 9(2)(a)</sup>  
Signature of Applicant   
Date 23 October 2014

*This code approved by MPI on \_\_\_\_\_ and expires \_\_\_\_\_ 2019*

## CODE OF ETHICAL CONDUCT – ANIMAL WELFARE

<b>Section</b>	Research		
<b>Approval Date</b>	25.11.2014	<b>Approved by</b>	Academic Board
<b>Next Review</b>	As required	<b>Responsibility</b>	Director of Curriculum and Quality
<b>This review</b>	28.10.2014	<b>Key Evaluation Question</b>	3,4,6

### PURPOSE

This is the Code of Ethical Conduct of Nelson Marlborough Institute of Technology (NMIT), authorised by its Chief Executive and approved by the Ministry for Primary Industries.

Its purpose is:

- to ensure that all research and teaching at NMIT and by 'parented' organisations / persons is conducted in accordance with the Animal Welfare Act 1999;
- to emphasise the responsibilities associated with research, teaching and biotechnology involving the use of live animals;
- to promote an attitude which will encourage the efficient and considerate treatment of animals so that any degree of stress or discomfort produced is reduced to a minimum;
- to ensure that projects are not prejudiced by inefficient techniques and lack of care of animals;
- to promote a philosophy of seeking ways of reducing the number of animals used to the minimum necessary, of refining techniques to minimise the invasiveness of the experiment and maximise its benefits, and of replacing the use of whole animals with alternative methods where appropriate, referred to below as "reduction, refinement, and replacement"; and
- to define the operation of the NMIT Animal Ethics Committee.

## SCOPE

This Code of Ethical Conduct - Animal Welfare is designed to comply with the requirements of Part 6 of the Animal Welfare Act 1999 so that animal species specified in the Act may only be used in research, teaching and biotechnology once an application is approved by the Animal Ethics Committee.

- a) Animals housed onsite that are used for teaching purposes and constitute classroom pets (pocket pets and aquarium fish) may include:
  - Ornamental fish
  - Rats; mice; rabbits; guinea pigs
  - Relevant Aquaculture Species
- b) Animals (privately owned) which are used in handling and husbandry practical teaching classes conducted onsite may include:
  - Dogs
  - Cats
  - Fish
  - Crustaceans
- c) Animals (privately owned) which are used in handling and husbandry practical teaching classes conducted offsite include:
  - Ruminants
  - Horses
  - Cats
  - Dogs
  - Pocket Pets
  - Birds
  - Fish
  - Crustaceans

## DEFINITIONS

In this Code the following expressions shall have the meanings assigned to them unless the context otherwise requires:

“Act” means the Animal Welfare Act 1999 in force at the relevant time and includes any Act passed in replacement of that Act.

Website link <http://www.biosecurity.govt.nz/legislation/animal-welfare-act/guide/index.htm>

“Animals” shall have the meaning assigned to it in the Act and the Regulations.

“Approved Organisation” means an organisation declared, under section 121, to be an approved organisation for the purposes of this Act.

“Code” means this Code of Ethical Conduct.

“Committee” means the Animal Ethics Committee appointed pursuant to this Code.

“NMIT” means Nelson Marlborough Institute of Technology.

“Manipulation” shall have the meaning assigned to it in the Act and the Regulations.

“Regulations” means the Animal Welfare (Records and Statistics) Regulations 1999, as in force at the relevant time and includes any regulations made in replacement of those regulations.

“NAEAC” means National Animal Ethics Advisory Committee.

## PARENTING ARRANGEMENTS

In the event of persons or outside organisations requesting permission to operate under the NMIT Code, this will be deemed to be acceptable only if the expertise of the Committee is appropriate for the supervision of such persons/organisations. NMIT will notify MPI of any parenting agreements that are undertaken by the committee.

## ANIMAL ETHICS COMMITTEE

- a) The Chief Executive of Nelson Marlborough Institute of Technology (NMIT) shall maintain an Animal Ethics Committee (AEC) which shall have the functions, duties and powers conferred upon it by this Code, and such others as are now or may hereafter be conferred upon it by the Act or the Regulations.
- b) The Committee shall comprise no fewer than five [5] persons appointed by the Chief Executive, who shall include:
  - i) A senior member of the staff of NMIT, who shall be chairperson of the Committee and capable of evaluating proposals involving manipulation in terms of the standing of the proposer and others directly involved and the scientific or teaching value of the proposal. The AEC will be given the opportunity to endorse (or otherwise) the selection of the chairperson;
  - ii) A senior member of the staff of NMIT appropriately qualified and experienced in the manipulation and use of animals;
  - iii) A veterinarian nominated by the New Zealand Veterinary Association, not associated with NMIT;
  - iv) A person, not associated with NMIT, nominated by an ‘approved animal welfare organisation’;
  - v) A layperson, not associated with NMIT nor associated with the scientific community or animal welfare agencies, but nominated by the district or regional council;
  - vi) Such additional members as may be requested by the Committee and appointed by the Chief Executive in consultation with the chairperson of the Committee; and
  - vii) The Committee will appoint a Deputy Chair from its membership if and when the need for the position arises.
- c) The term of appointment of each member of the AEC shall be three (3) years in the first instance, with the possibility of reappointment for further terms. Any reappointment of statutory external members at the expiry of their term must be done through a formal nomination by their relevant body.

- d) NMIT shall pay to the members of the Committee, other than its own staff, a reasonable fee in respect of their attendance at meetings of the Committee or other Committee business.
- e) Effective input of external members shall be achieved through the processes relating to:
- Appointments / reappointments
  - Attendance at meetings and monitoring visits
  - Application approvals
  - Application summaries
  - Monitoring
  - Committee self-review
- f) The Committee shall meet a minimum of two (2) times per year, and on such other occasions as are desirable to enable it fully to carry out its responsibilities as decided by the chairperson.
- g) The Committee members shall attend all meetings. It is sometimes not possible to arrange meetings to suit all members, and occasionally unforeseen circumstances may prevent attendance. In such situations, an apology from the member will be recorded in the minutes where that member advises the Chair prior to the meeting that he/ she will be absent or where leave of absence has been granted.
- h) The Committee (or representatives including the Chairperson) shall carry out a minimum of two (2) visits per year to facilities to monitor the manipulation of any live animal, or teaching involving the manipulation of any live animal, as previously approved by the Committee to be in accordance with the Code. Findings from these visits shall be reported back to the AEC.
- i) Reasonable prior notice of the time, date, place and proposed business of each meeting shall be given to each member.
- j) A quorum for each meeting shall be not fewer than five members, of whom at least two shall be of those appointed under sub-paragraphs (iii), (iv) or (v) of paragraph (b) of this clause.  
All decisions will be by consensus.
- k) Vacancies in the membership of the Committee shall not invalidate its actions. However, if vacancies render the AEC inquorate this would invalidate its actions. Any such vacancies shall be filled forthwith in accordance with paragraphs (a) and (b) of this clause.
- l) Each new member to the Committee will receive practical guidance regarding the functions of the Committee. The new member will not be assigned to lead any discussions regarding applications at their first meeting to allow them to observe the processes of the Committee in action, but will be afforded all rights and privileges as a voting member of the Committee. Induction processes will be based on the NAEAC guidelines and induction pack.
- m) A member of the Committee that is also an applicant is deemed to have a conflict of interest and must abstain from any vote on approval of his/her proposal, though at the discretion of the Committee, he/she may participate in discussions of the application.
- n) The committee shall maintain a complete record of all proposals and associated MAF Animal Use Forms, AEC responses and associated correspondence, study reports, annual animal use reports to MAF, and minutes of AEC meetings. Such records shall be retained for not less than 10 years. Minutes of meetings shall be supplied to the secretary of the NMIT Academic Board and made available to Board members and members of the NMIT Research and Ethics Committee.

- o) When decisions are required between meetings, temporary consents to proposals involving manipulations that have little or no impact may be given by a subcommittee of no fewer than three members of the Committee of whom at least two shall be of those appointed under subparagraphs iii, iv, or v of paragraph (b) of this clause. However, every such temporary consent shall be circulated forthwith to all members of the Committee, and a meeting of the Committee shall immediately be called if requested in writing by any member.

Every temporary consent shall be brought before the next meeting of the committee; which may confirm or revoke the consent, or confirm it subject to conditions or amended conditions.

Where a temporary consent is revoked the relevant work shall immediately cease save for any steps necessary to safeguard the welfare of animals involved.

Where an amended approval is given, the work shall continue only in accordance with such approval.

- p) Complaints received by the Committee may involve concerns about: animal suffering and welfare (classed as emergencies), decisions made by the Committee or about personnel (classed as non-emergencies). Complaints against personnel may be directed towards researchers, tutors, students or members of the Committee, including the Chairperson.

All complaints shall be addressed in the first instance to the Chairperson of the Committee and shall be in writing.

Where complaints are classed as emergencies, the Chairperson of the Committee shall have the power to immediately suspend or terminate any manipulation where the Chairperson considers that the Animal Welfare Act is in danger of being breached. The chairperson will report to the Committee the outcome of the emergency complaint for further action if necessary.

For complaints classed as non-emergencies, the Committee will discuss the complaint and the chairperson will write to the complainant stating the action(s) that will be taken. If further clarification is sought by the complainant, they will be given the opportunity to respond and attend the next Committee meeting.

In the event of complaints against the Chairperson, these shall be addressed to the Chief Executive.

#### RESPONSIBILITY – NELSON MARLBOROUGH INSTITUTE OF TECHNOLOGY (NMIT)

- a) Nelson Marlborough Institute of Technology (NMIT), shall not conduct, or permit any person to conduct on its behalf, whether on NMIT's premises or elsewhere, any research, experimental, diagnostic, toxicity, or potency testing work involving the manipulation of any live animal, or teaching involving the manipulation of any live animal, unless that work or teaching is carried out in accordance with this Code.
- b) NMIT shall bring every such proposal to the attention of the Committee for its prior approval in sufficient time to enable adequate consideration thereof.



- c) All Acts of Parliament, Regulations or Bylaws pertaining to the obtaining, holding, possession, care and treatment of animals are to be complied with.
- d) Every such proposal shall specifically refer to such of the following matters as are relevant to the proposal:
- i) Whether any alternative to the manipulation or use involving reduction, refinement or replacement, has been considered, and is reasonably practicable. If so, why such alternative is not being adopted;
  - ii) In what respect the work proposed is likely to result in the extension of the body of knowledge relevant to the health and welfare of humans, or animals, or the productivity of animals;
  - iii) In the case of any educational institution, that the manipulation or use is required as part of the teaching of that institution's curriculum;
  - iv) What factors are required or have been taken into account in the choice of animal species, and the weighting given to such factors. Where standard works of reference have been relied on, these should be identified;
  - v) The decision as to the number of animals involved, to ensure that it should be the minimum necessary to provide a scientifically interpretable result, consistent with the level of accuracy required.

Consideration must be given to:

- the design of the study;
- the level of accuracy necessary in the results;
- the possible confounding effects of animal variation;
- the needs of statistical analysis.

In general, duplication of experiments involving live animals should only be contemplated when it is considered that the original study requires scientific verification or was flawed or inadequate in some way which would invalidate its conclusions.

- vi) The source from which the animals are to be obtained, their movement and transportation and measures to ensure their welfare and humane treatment;
- vii) The responsibilities of the persons undertaking, supervising and responsible for manipulation and selection of animals, and their care and disposal;
- viii) The measures to be taken to ensure the general health and welfare of animals before, during and after manipulation; including the adequacy and cleanliness of housing, caging and equipment; the provision of food and water; prevention of over-crowding and prevention and control of disease;
- ix) The measures to be taken to minimise pain or distress, including abandonment of any manipulation and the humane destruction of animals where pain or distress cannot be held within reasonable levels (refer NAEAC's *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*); and
- x) Any other aspects of the proposal which the applicant considers ought to be brought to the attention of the committee.



- e) NMIT shall in all respects comply with the regulations which relate to the keeping of sufficient records and the supply of statistics and other data to the Ministry for Primary Industries.
- f) Every proposal shall clearly identify the persons primarily involved in carrying it out and those responsible for the manipulations, and shall be signed by them. They shall be responsible to ensure that all personnel involved in the manipulation and care of animals are aware of their obligations under this Code. Every person signing the proposal shall provide appropriate information as to their experience with the procedures proposed in the application, and shall confirm that they have read this Code and will abide by it.
- g) In addition to containing an appropriate scientific and technical justification, and description of procedures sufficient to enable the Committee to have an adequate understanding of the proposal, and addressing any other matters referred to in paragraphs (d) and (f) above, every proposal shall be accompanied by an explanation in non-technical language fully describing the purposes and anticipated benefits of the work.
- h) NMIT shall fully and promptly comply with any decision of the Committee, and shall take into account any report of the Committee.
- i) Upon receiving from the Committee a report as to non-compliance with this Code, the Chief Executive shall immediately consider the report and take appropriate action thereon, which may include in-house disciplinary action, and/or reference of the report to the Ministry for Primary Industries with a view to a prosecution.
- j) NMIT shall indemnify each member of the Committee against any claim whatsoever arising out of any act done or omission made in good faith in pursuance, or purported pursuance of this code.

#### FUNCTIONS, DUTIES AND POWERS OF THE COMMITTEE

- a) The principal functions of the Committee shall be to ensure that the highest ethical standards are observed by Nelson Marlborough Institute of Technology (NMIT), and all persons associated with it in relation to the manipulation and use of animals.
- b) In considering any proposal put to it involving the manipulation or use of any animal, the Committee shall specifically take into account such of the following matters as it considers relevant:
  - i) What consideration has been given to the use of an alternative to manipulation, involving reduction, refinement or replacement, and what further consideration (if any) ought to be given to that or any other practicable alternatives, whether or not amongst those mentioned in the application;
  - ii) Whether there is good reason to believe that the findings will add to the scientific understanding of biological functions and behaviour, and will extend the body of knowledge aimed at improvement in the health and welfare of humans or animals, or the productivity of animals; or  
  
Whether manipulation is a required (as opposed to merely convenient) part of an educational curriculum or for the purpose of teaching such curriculum; or whether there is any reasonably practicable alternative to using animals for assessing the potency, effectiveness or toxicity of substances or preparations of

established or potential usefulness for medical, scientific or commercial purposes.

- iii) What scientific, technical and humanitarian criteria have been employed in choosing an appropriate animal species, having regard not only to the nature of the experimental work and the question posed in planning it, but in particular, whether there are other techniques available, and which will prove equally appropriate. What weighting (if any) has been given to expediency and economic factors? Endangered or threatened species should not be used unless the findings are expected to assist the survival of that species. Where necessary, any statutory approvals must be obtained.
- iv) No more animals are to be used than are necessary to ensure unequivocal interpretation of the findings. Such consideration should include the design of the study or teaching exercise, the level of accuracy necessary in the results, the possible confounding effects of animal variation and the needs of statistical analysis. Whether duplication of experiments is involved, and if so, whether this is because the original study requires scientific verification or was flawed or inadequate in some way which would invalidate its conclusions.
- v) What measures are to be, or have been, taken to ensure that the procedures for the obtaining of animals for manipulation are such that they ensure the welfare and humane treatment of the animals.
- vi) That suitably qualified and experienced persons will be engaged in undertaking, supervising and responsible for manipulation and selection of animals, and that their care and disposal have been and will be safeguarded in accordance with the provisions of this code.
- vii) That every care has been taken to ensure the following:
- that housing, feeding and general care of the animals involved is adequate to meet the needs of such animals;
  - that the housing and nutrition of experimental animals has been supervised by a veterinary surgeon (or by a person appropriately qualified in animal hygiene and husbandry, supported by a veterinarian where necessary);
  - that the collection and transport of the animals involved has been or will be carried out in such a way as to cause minimum distress;
  - that appropriate arrangements will be made for the final disposal of animals either to non-experimental locations (such as farms in the case of large animals), or by euthanasia.
- viii) What measures have been or are to be taken to minimise any pain or distress caused to live animals manipulated, including the abandonment of manipulation at any stage, and the immediate humane destruction of animals where pain and distress cannot be held within reasonable levels. This shall include:
- consideration of the selection of techniques, which while achieving the desired result, will impose the least possible stress and pain on the animal;

- ensuring that the persons carrying out the manipulation are adequately trained in the requisite techniques; and the use of euthanasia and analgesia wherever necessary, the indications for such use being those accepted in good veterinary or laboratory animal practice;
  - ensuring that animals are not subjected to more procedures than are necessary to achieve the objective of the experiment or teaching exercise;
  - the termination and, if necessary, abandonment of studies which, if continued, would lead to an unacceptable level of suffering to the animals.
- ix) Adverse events will be reported to the chairman within 24 hours of an event. A report on this will then be presented to the Committee at the next AEC meeting. The report will focus on why the event occurred and the remediation undertaken to prevent this in the future.
- c) Subject to any other legal or statutory requirements, members of the Committee shall hold in confidence any information coming into their possession as members of the Committee, but this provision shall not prevent disclosure to the Ministry of Agriculture and Forestry or other proper authority of any unethical or unlawful act or omission relating to animal welfare.
- d) The Committee shall inspect any relevant animals, their accommodation and any records in relation to any manipulations or experimental work carried out upon them, or proposed to be carried out, at any time in order to satisfy themselves that the provisions of this Code are being properly carried out. A report of any inspections will be presented at the next Committee meeting and these reports will be collated. At least one meeting shall be scheduled for this purpose annually. Between meetings this power may be exercised by the chairperson together with one other member of the committee appointed under subparagraphs (iii), (iv) or (v) of paragraph (b) of Rule 4.
- e) The Committee may direct that any procedure, whether or not approved, be stopped or modified on ethical grounds, and that the animals involved be either euthanized or otherwise properly cared for. Between meetings this power may also be exercised by the chairperson and one other member of the committee as stated in the last preceding paragraph.
- f) The Committee will investigate any suspected non-compliance with this Code, and take the appropriate action. The Committee may report any suspected non-compliance to the Chief Executive.
- g) The Committee may seek expert opinion on any issue being considered.
- h) The Committee will consider and code all proposals for manipulations for the teaching year prior to academic year commencement.
- i) The Committee shall report annually to the Chief Executive upon its activities, for that calendar year outlining approved protocols, difficulties encountered, complaints received, and may at any time report to the Chief Executive on any matter pertaining to the welfare of animals involved in manipulation or to the operation of this Code.
- j) The Committee may:

- i) approve a proposal;
- ii) approve a proposal in principle subject to minor or technical modifications, or to conditions;
- iii) decline to approve a proposal unless it is modified;
- iv) decline to approve a proposal.

Any approval given shall be limited to a period of no more than three (3) years.

Every such decision shall be minuted, and shall be communicated in writing to the applicant.

- k) The Committee may in like manner approve or decline any variation of a proposal, or the extension of the term thereof, and in so doing shall take into account such of the matters set out in subparagraph (b) of this rule as it considers appropriate.
- l) The Committee shall be provided with reports on approved proposals and a final report on completion of an approved proposal, detailing the outcome(s) of the proposal.
- m) At its final meeting each year, the Committee will conduct an assessment exercise to determine if there has been adequate monitoring of projects throughout the year and whether these activities have been recorded in an appropriate way. All conclusions of this assessment will be included in the minutes of that meeting in a manner that is appropriate for an independent external review.

I, Tony Gray, of Nelson Marlborough Institute of Technology (NMIT) accept this Code of Ethical Conduct on behalf of NMIT, and accept the responsibility for ensuring that the provisions contained within this Code are complied with.

Tony Gray  
Chief Executive  
Nelson Marlborough Institute of Technology

#### REFERENCES

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##### INTERNAL

Problem Resolution Framework  
NMIT Complaint Procedure

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##### EXTERNAL

Animal Welfare Act 1999

Part II: **Description of general nature and extent of the work**

This CEC is to cover the activities of **PharmVet Solutions** of **Auckland**. The main business of this enterprise is to conduct clinical trials in farm animals, including sheep, cattle, deer, pigs and horses. In some cases companion animal species (dogs, cats) may be used.

Research will be undertaken to demonstrate or confirm the activity of various veterinary medicines or in some cases, oral nutritional compounds. Typically these are recently developed drugs (external antiparasitics and anthelmintics) that have some overseas data, but require being testing to New Zealand (ACVM) standards to gain approval for use in New Zealand.

The two principals each take primary responsibility for specific projects, i.e. one or other will act as Director for any animal study. To ensure impartiality of the running of the committee meetings an independent chair-person will be appointed.

Some other commercial organisations (companies) intend to have projects approved under this code. One of the principals of PharmVet Solutions may also have a role (such as GCP(V) Monitor, and/or monitor of animal welfare) in those studies.

The principals of this business shall take full responsibility for setting up an animal ethics committee ("AEC") so that any activities that are classified as a "manipulation" under the Animal Welfare Act 1999 ("the Act") can be assessed according to the requirements of the Act.

The AEC will consist of at least five members as follows:

- (a) one officer of this company,
- (b) a senior veterinary officer of this company
- (c) a person to represent animal welfare and nominated by an approved animal welfare organisation, e.g. RNZSPCA,
- (d) a lay person having no connections with this company, nominated by a local district council,
- (e) a person nominated by the NZ Veterinary Association.

Additional members can be included, as required

Externally nominated members will normally be appointed for a period of 3 years.

With agreement of the relevant member and their nominating organisation, the same delegate may be reappointed for 1 or more succeeding terms. At the expiry of any term, the nominating body will be approached for a new nomination.

Part III: **Purpose of the AEC**

The purpose of PharmVet Solutions Animal Ethics Committee is to consider; and then approve, when appropriate, the conduct of studies or trials using animals, in conditions compliant with Part 6 of the Animal Welfare Act 1999. To this end, the Committee is empowered to decline or set or vary conditions of project approvals. Furthermore the committee will suspend or revoke project approvals where necessary. A procedure and policy has been set for this purpose (Policy 007, *Suspensions & Revocations*).

The Committee is to monitor compliance and animal management practices and facilities.

Part IV: **AEC procedures**

- (a) The committee will elect one of the external members as the chair by unanimous vote at the start of a meeting. He or she will be responsible for conducting meetings of the PVSAEC. The principals will be responsible for holding the meetings and, ensuring that records are kept, minutes are taken by the secretary, and appropriate information is distributed to all persons concerned.
- (b) Written operating procedures and policies for the AEC will be available to all AEC members and to the company directors and stakeholders.
- (c) All decisions must involve a quorum of three members of whom two must be external members.

The AEC has the power to co-opt outside expert(s) to the AEC, such person(s) being chosen by the AEC members.

- (d) Meetings will be held as required for the approval of planned studies, but at least annually. Notice of meetings will be given by email or telephone, and responses will be sought to ascertain that a quorum is available.
- (e) Written notice, agenda and accompanying material will be circulated to AEC members within 5 working days of each meeting.
- (f) The relevant principal for each study will be responsible for ensuring that animal husbandry meets the required animal welfare requirements. The AEC will have access to all records for each project, which are kept as part of PharmVet Solutions procedures.

- (g) In consultation with AEC members, and considering the relevant agenda, it may be agreed to hold meetings by teleconference. These meetings will substitute for physical meetings. This includes application approvals and the complaints process. Applications with an Animal Impact grading of C, D or E require a physical meeting or teleconference of the AEC to allow for broad and full consultation.
- (h) Protocols may be modified following approval by the AEC in line with Policy 003 (*Modifications to existing Approvals*).
- (i) In consultation with AEC members, Policy 006 (*Animal welfare monitoring & compliance*) has been set to provide for monitoring of compliance of projects with the relevant approvals. This policy defines the scope, procedures, and objectives of welfare monitoring that apply to all projects approved by the AEC.
- (j) In the event of an adverse event, all the members of the AEC are to be consulted and a consensus formed on how to move forward. This may involve a face to face meeting or teleconference.

Part V: **Approval of protocols by the AEC**

Instructions for applicants will be according to a standard format and will cover all items mentioned in the Act (section 100). Special emphasis must be given to using specific operating procedures, and ensuring that all personnel are properly trained. Protocols will be approved for a fixed period and a well-defined endpoint to each study will be expected.

Approvals are made in two ways.

- (i) At meetings of the AEC
- (ii) Electronically

In the case of applications where consensus is difficult to reach, teleconference may be required, involving all the members of the committee.

Part VI: **Reporting**

Reports of projects completed within the last 12 months must be provided to the committee prior to annual return of the animal manipulation statistics to the Ministry of Primary Industries (MPI) (28 February). The reports must include the actual animal numbers used; their levels of impact; any variations; and study outcome and value in relation to objective(s).

Study applications and reports and associated documentation will be stored by PharmVet Solutions in AEC-dedicated files.



Part VII: **Internal review processes**

An assessment exercise will be held in the year prior to any external review (which usually occurs each 5 years), and may also occur at intermediate periods as the AEC determines. Internal reviews will be to determine whether the AEC is functioning with optimum effectiveness to the satisfaction of the whole committee. It will be determined whether there has been sufficient monitoring of approvals, animals, management practices and facilities since the preceding review, and whether these activities have been recorded in an appropriate way. All conclusions of this exercise will be included in the minutes of that/ those meeting/s, and made available in a form that is adequate for the independent audit review required by the Act.

Part VIII **"Annual animal use statistics return to MPI"**

Statistics on animal use and impact of use will be forwarded to MPI each year as required.

Part IX: **"Parenting" arrangements**

In the event of persons or outside organisations requesting permission to operate under the CEC of this enterprise, this will be acceptable only if the expertise of the PharmVet Solutions AEC is appropriate for the supervision of such persons or organisations. In addition, these companies must sign the parenting agreement titled "Conditions of an approval of a parenting arrangement with the PharmVet Solutions Animal Ethics Committee (PVSAEC)", and adhere to its conditions. Similarly, if arrangements cannot be made to monitor the activities of the applicants, they will not be accepted. Requests for parenting arrangements will be received on a standard letter template, which details information the AEC requires if it is to consider providing coverage under its CEC.

Part X: **Information management**

A person with the appropriate skills will be employed to act as AEC secretary to ensure that all minutes of AEC proceedings, its decisions, operations and records are stored and maintained in a satisfactory manner. All records shall be kept for a minimum of 5 years so that they are available when reviews are undertaken.

Part XI: **Animal facilities and practices**

Study Directors and Investigators will be veterinarians or other scientists with relevant qualifications and experience, and will oversee all animal practices and facilities relating to animals used in studies; and will report these to each meeting of

the AEC.

Part XII: **Complaints procedures**

Procedures and policies to ensure that any complaints from members of the AEC or any other person are dealt with promptly and fairly have been developed in consultation with AEC members. This includes complaints about the Chairperson. (Policy 004, *Complaints from AEC members and others*). Policy 004 updated

Part XIII: **Treatment of commercially sensitive information**

Because PharmVet Solutions is a private organisation, we believe that the various statutes relating to public attendance at our meetings and public access to information do not apply.

As we have strong obligations to maintain the confidentiality of projects for commercial reasons, all AEC members are required to exercise the utmost care to avoid disclosure of any project details to any outside person. AEC members will be chosen endeavouring to avoid any potential conflict of interest. If a possible conflict of interest becomes apparent to any AEC member, it should be disclosed as soon as possible when a protocol is introduced. The Chair will decide how such a conflict is to be addressed.

The code holder may set down further rules to cover how matters of commercial sensitivity will be handled and how to avoid conflicts of interest in decision-making.

Part XIV: **Additional Provisions**

- (a) **Remuneration of External Members**  
Members are paid a fee to attend meetings. In 2011 this was set at \$150 per meeting. Out of town members are reimbursed for travelling expenses. Members may be paid additional fees for representing the AEC at other meetings or carrying out significant extra work on the committee's behalf. This may include monitoring visits to trials being conducted.
- (b) **Induction of new AEC members.**  
New members are supplied with PVS AEC policies and a NAEAC induction pack.
- (c) **Role of External Members**  
External members are party to all information regarding studies and trials and are required to consider to the best of their ability the impact to animals used in the study and thus approve or not the study proceeding. External members are required to attend meetings, which must be timed to suit all members.

CODE OF ETHICAL CONDUCT FOR THE MANIPULATION OF ANIMALS

ANIMAL ETHICS COMMITTEE

SOUTH PACIFIC SERA LIMITED

October 2012

Released under the Official Information Act 1982

CODE OF ETHICAL CONDUCT FOR THE MANIPULATION OF ANIMALS

SOUTH PACIFIC SERA LIMITED

A: Description of general nature and extent of the work

This Code of Ethical Conduct ("CEC") is designed to cover the activity of South Pacific Sera Limited involving the manipulation of animals in the course of research, experimentation, diagnostic and potency testing, production of biological agents and teaching as provided for in the Animal Welfare Act 1999 ("the Act") and, in particular:

- a) to ensure that any manipulation of animals is consistent with the purposes set out in section 80 of the Act
- b) to promote efforts to reduce, refine and replace the use of animals as set out in section 80 of the Act, and
- c) that applications for any manipulation are considered by the Animal Ethics Committee according to the criteria set out in section 100 of the Act.

The Animal Ethics Committee as well as all personnel involved in the manipulation of animals under this Code must comply with this Code and any policies, specifications and procedures approved by the Animal Ethics Committee under this Code.

The Animal Ethics Committee has the right to recommend to the Code Holder amendments to this Code of Ethical Conduct.

The main activities of South Pacific Sera are contract animal care and research, and the production of biological products, such as blood, serum and antiserum from farmed animals.

B: Animal Ethics Committee

1. The Committee shall consist of the following members :

- (a) a senior manager in the company, appointed by the board, who will be the chairman of the AEC, subject to endorsement by the AEC;
- (b) the member of staff responsible for the procurement, production and maintenance of the animals;
- (c) a veterinarian, nominated by the New Zealand Veterinary Association, who is not a member of staff of South Pacific Sera;
- (d) a nominee of the Royal New Zealand Society for the Prevention of Cruelty to Animals or any other organisation approved under the Act who is not affiliated with South Pacific Sera;
- (e) a suitable lay member, nominated by a local territorial or regional council, who is not affiliated with the organisation, the scientific community nor animal welfare to represent the public interest.

2. The term of appointment is five years. Members may be reappointed. For external members this will require nomination of the member by the relevant nominating body.

CODE OF ETHICAL CONDUCT FOR THE MANIPULATION OF ANIMALS

SOUTH PACIFIC SERA LIMITED

C: AEC Procedures

1. The chairman of the AEC will be responsible for holding and conducting meetings, ensuring that records are kept, minutes taken and appropriate information is distributed to all persons concerned.
2. South Pacific Sera will provide secretarial assistance to the AEC and will cover administrative and related expenses.
3. A quorum will be three members including at least two members who are external to the organisation.
4. Operating procedures and policies for the functioning of the AEC are contained in the general policies and the operating procedures for the South Pacific Sera Animal Ethics Committee as well as this Code of Ethical Conduct.

These policies and procedures will include, but are not limited to:

- a) General policies
  - b) Terms of reference
  - c) Notification and frequency of meetings
  - d) Preparation of agenda
  - e) Meeting procedure
  - f) Application, approval and review process
  - g) AEC decision notification
  - h) Monitoring of projects
  - i) Information notification guidelines
  - j) Confidentiality and conflicts of interest
  - k) Maximum approval period which shall be no more than three years
5. The AEC will meet at least four times per year or more frequently if there is sufficient business.
  6. Notice of meetings shall be given at least seven days prior to the meeting date.
  7. To ensure effective input by external members all members will have equal opportunity to contribute to the business of the meeting. Decisions will be made after all committee members present have had the opportunity to express their views.
  8. All decisions of the AEC will be by majority. The majority must include at least two of the three external members.
  9. All individuals performing animal manipulation must be familiar with the Company's Code of Ethical Conduct as well as the Act.
  10. Meetings of the AEC will not be open to the public.

CODE OF ETHICAL CONDUCT FOR THE MANIPULATION OF ANIMALS

SOUTH PACIFIC SERA LIMITED

D: Approvals

1. The AEC can approve manipulation procedures and specifications as well as projects. Manipulation procedures and specifications form the set of minimum standards to be used in any project unless specifically approved by the AEC. Project applications will refer to the manipulation procedures and/or specifications which are relevant to the particular project. A manipulation can not be undertaken on an animal unless it forms part of an approved project. Applications to the committee will be submitted on a standard form which allows the AEC to consider the application for approval in accordance with section 100 of the Act. Projects approvals will lapse after no more than three years.
2. Fast track approval is permissible by email between meetings. Such approvals are to be ratified at the next meeting.
3. Once the AEC has considered an application it has the power to:
  - i. Approve the submission without modifications
  - ii. Approve the submission with modifications
  - iii. Withhold approval and ask for further justification, explanation or modification
  - iv. Withhold approval absolutely
4. The AEC has the power to suspend or revoke approvals or set, vary or revoke conditions of project approval.
5. No manipulation of an animal may take place in the organisation without the written approval of the AEC.

E: Monitoring and Compliance

Adequate processes will be set up to monitor the activities of the personnel who are conducting animal manipulations, particularly in relation to their adherence to the conditions of project approvals. Monitoring will include internal quality audits and veterinary inspection. The results will be made available to the AEC through annual reports and staff reports at each AEC meeting.

The AEC has the power, through the SPS board, to satisfy itself that all procedures are being properly carried out and that any prohibitions are being observed.

The AEC will carry out at least one monitoring visit per year. In any case AEC members may visit the company operation to view manipulations or the animals at any time. During such visits AEC members must abide by the company rules and directives particularly those pertaining to product, human, animal and environmental safety.

## CODE OF ETHICAL CONDUCT FOR THE MANIPULATION OF ANIMALS

### SOUTH PACIFIC SERA LIMITED

#### F: Adverse events

An Adverse Event is an event affecting the health and wellbeing of an animal which is or may be a consequence of any manipulation or project approved by the AEC and which is not an expected outcome of the approved project. An Adverse Event does not include an event considered within normal parameters of routine farming (e.g. an animal requiring treatment for footrot) although an abnormal frequency of such events would be considered an adverse event.

Procedures and policies relating to Adverse Events are contained in the general policies and operating procedures for the South Pacific Sera Animal Ethics Committee. Amendments to these procedures are made with the approval of the AEC.

#### G: Parenting arrangements

In the event of persons or outside organisations requesting permission to operate under the CEC of this company, this will be acceptable only if the expertise of the AEC is appropriate for the supervision of such persons and arrangements can be made to monitor the activities of the applicants. Such organisations or persons will be expected to contribute to the financial overheads of the operation of the AEC.

#### H: Information management

A person with the appropriate skills will be employed to act as AEC secretary to ensure that all minutes of the AEC proceedings, its decisions, operations and records are stored and maintained in a satisfactory manner. Information will be collected and records will be maintained as required by the Act and any regulations made under the Act. AEC documentation such as AEC meeting minutes and project applications shall be retained for a minimum of six years from the year to which the records relate.

#### I: Animal facilities and practices

Procedures and policies will be put in place to ensure that animal facilities and practices are in accordance with good practice and scientific knowledge. Relevant codes and guidelines include NAEAC's "Good Practice Guide for the Use of Animals in Research, Testing and Teaching" and "Guidelines for the Welfare of Livestock from which Blood is Harvested for Commercial and Research Purposes".

This is to be supervised by a person appropriately qualified in animal hygiene and husbandry, supported by a veterinarian where necessary. Sufficient space, according to the species, must be allocated for each animal. Environmental needs such as temperature, humidity, ventilation, lighting, and social interaction shall be consistent with the needs of the species concerned. Animals will receive a supply of foodstuffs appropriate to their requirements and of the quality and quantity adequate to preserve their health, with free access to water unless the object of the experiment is to study the effects of variation of these nutritional requirements.

South Pacific Sera will adopt a policy of keeping animals in a free range farming environment where ever appropriate and in compliance with the relevant Codes of Welfare



CODE OF ETHICAL CONDUCT FOR THE MANIPULATION OF ANIMALS

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issued by the National Animal Welfare Advisory Committee. SPS will comply with all Acts of Parliament, regulations or bylaws pertaining to the care and treatment of animals. Particular attention will be given to sections 80 and 100 of the Act.

J: Complaints procedures

Complaints may arise from time to time from members of the AEC, staff members and members of the public. Complaints are to be made in writing to the Chairman of the AEC whose responsibility it is to deal with such complaints fairly and promptly. The chairman of the AEC will acknowledge the complaint in writing within two working days and will progress the complaint to maintain the anonymity of the complainant. The chairman will inform the AEC of the complaint and inform the responsible supervisor who will provide a written report within ten working days. In any case immediate action will be taken if evidence exists that this is necessary. Any further interaction with the complainant will be through the AEC chair.

The chairman will report back to the AEC the outcome of the complaint, the investigation and any action taken. The AEC has the right to ask for further information or require further action. At the conclusion of the process the AEC will sign the report to indicate that the process has been satisfactorily concluded and the outcomes will be communicated in writing to the complainant.

Complaints that concern the chairman of the AEC should be directed to the NZVA nominee who may correspond directly with the chairman to resolve the issue and/or correspond with MPI if the complaint is of a nature that the NZVA nominee believes justifies this action.

# CODE OF ETHICAL CONDUCT

## Southern Institute of Technology

### Introduction:

The primary use of animals at the Southern Institute of Technology shall be for the purpose of teaching to achieve the appropriate educational objectives. On occasion applications may be received on a research basis with the primary focus of improving the health and welfare of animals, or the productivity of animals.

The following Code of Ethical Conduct for the Southern Institute of Technology is approved by the Chief Executive pursuant to the Animal Welfare Act 1999.

### 1. Definitions

In this Code the following expressions shall have the meanings assigned to them unless the context otherwise requires:

**Act** means the Animal Welfare Act 1999 as in force at the relevant time and includes any Act passed in replacement of that Act.

**Animal** The Animal Welfare Act 1999 defines "animal" as -

- (a) Any live member of the animal kingdom that is -
  - (i) A mammal; or
  - (ii) A bird; or
  - (iii) A reptile; or
  - (iv) An amphibian; or
  - (v) A fish (bony or cartilaginous); or
  - (vi) Any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish); or
  - (vii) Any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of this Act; and
- (b) Includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development; and
- (c) Includes any marsupial pouch young.
- (d) Does not include—
  - (i) a human being; or
  - (ii) except as provided in paragraph (b) or paragraph (c), any animal in the pre-natal, pre-hatched, larval, or other such developmental stage

**Code** means this Code of Ethical Conduct.

**Committee** means the Animal Ethics Committee appointed pursuant to this Code.

**Company** means the "Southern Institute of Technology"

**Manipulation** is as per the definition in the currently approved Animal Welfare Act.

## 2. Effective Date

This Code will come into effect on the date of approval by the Director General of the Ministry for Primary Industries. The code shall be valid for a term of five [5] years from the date of approval.

## 3. Aims

The aims of this Code are:

- (i). to ensure compliance with the Act and the Regulations;
- (ii). to emphasise the responsibilities associated with research, teaching and biotechnology involving the use of live animals;
- (iii). to promote an attitude which will encourage the efficient and considerate treatment of animals so that any degree of stress or discomfort produced is reduced to a minimum;
- (iv). to ensure that projects are not prejudiced by inefficient techniques and lack of care of animals;
- (v). to promote a philosophy of seeking ways of reducing the number of animals used to the minimum necessary, of refining techniques to minimise the invasiveness of the experiment and maximise its benefits, and of replacing the use of whole animals with alternative methods where appropriate, referred to below as "reduction, refinement, and replacement".

## 4. Animal Ethics Committee

- (a) The Chief Executive of the Southern Institute of Technology shall immediately after the coming into force of this Code appoint; and thereafter maintain, an Animal Ethics Committee which shall have the functions, duties and powers conferred upon it by this Code, and such others as are now or may hereafter be conferred upon it by the Act or the Regulations.
- (b) The Committee shall comprise not less than five persons appointed by the Chief Executive, who shall include:
  - (i). The Head of Faculty for Trades and Technology, who shall be chairperson of the Committee, and capable of evaluating proposals involving manipulation in terms of the standing of the proposer and others directly involved and the scientific or teaching value of the proposal; This person shall also act as the Secretary;
  - (ii). A tutor of the Veterinary Nursing programme, appropriately qualified and experienced in the manipulation and use of animals. This person shall act as the Deputy Chairperson when required;
  - (iii). A veterinarian nominated by the New Zealand Veterinary Association, who shall not be associated with the Southern Institute of Technology;

- (iv). A person, who shall not be associated with the Southern Institute of Technology, nominated by an approved animal welfare organisation, namely the Royal New Zealand Society for the Prevention of Cruelty to Animals;
  - (v). A lay person, who shall not be associated with the Southern Institute of Technology nor associated with the scientific community or animal welfare agencies, but nominated by the district or regional council.
  - (vi). Any such additional members as may be requested by the Committee and appointed by the Chief Executive in consultation with the chairperson of the Committee;
- (c) The appointment of an external Committee member shall be for a term of three years. Membership may be renewed on the expiry of the first term for a further term, or terms, upon the discretion of the code holder, and upon formal notification of the relevant body.

## **5. Animal Ethics Committee Procedures**

- (a) The Chairperson shall ensure that all members of the Committee are fully prepared for their role.
- (b) The Committee shall meet at least once per calendar year, and on such other occasions as are desirable to enable it to fully carry out its responsibilities.
- (c) Reasonable prior notice of the time, date, place and proposed business of each meeting shall be given to each member. Written notice of AEC meetings, together with an agenda and background papers and applications, shall be made available to members at least five working days prior to each meeting.  
  
An extraordinary meeting may be called at shorter notice with the approval of the Chairperson.
- (d) A quorum for each meeting shall be not less than three members, of whom at least two shall be external members of the Committee as defined in Section 101 of the Animal Welfare Act.
- (e) Vacancies in the membership of the Committee shall not invalidate its actions, but any such vacancy shall be filled forthwith in accordance with paragraphs (a) and (b) of Section 4. All decision made during vacancies need to be in accordance with 5 (d) above.
- (f) Committee meetings will not be open to the public and the Human Resources Department of the Institute will advise on any possible requirements of the Local Government Official Information and Meetings Act 1987. Any requests received under the Official Information Act 1982 will also be dealt with by the same department in consultation with the Chairperson and any persons who may be involved.
- (g) The committee shall maintain a complete record of all proposals and supporting material presented to it, and of all proceedings in respect of such proposals and any other matters referred to the committee. Such records shall be retained for not less than five [5] years.
- (h) The Committee may:
  - (i). Approve a proposal;
  - (ii). Approve a proposal in principle subject to minor or technical modifications, or to conditions;
  - (iii). Decline to approve a proposal unless it is modified;
  - (iv). Decline to approve a proposal;

- (v). The Committee may in like manner approve or decline any variation of a proposal, or the extension of the term thereof.
- (i) The Committee will normally reach decisions by consensus.
- (j) Decisions will be provided in writing to the Principle Investigator.
- (k) No approval shall be for a period of more than three years.
- (l) Approval for a protocol shall be withdrawn should a report not be received from the Principal Investigator on an annual basis.
- (m) Every such decision shall be minuted, and shall be communicated in writing to the applicant.
- (n) The Committee may seek expert opinion on any issue being considered.
- (o) The Committee shall report annually to the Chief Executive upon its activities, and may at any time report to the Chief Executive on any matter pertaining to the welfare of animals involved in manipulation or to the operation of this code.

## 6. Project Approvals

In considering any application for the approval of a project and in setting, varying, or revoking conditions of the approval of a project, the Committee must have regard to some of the following matters as are relevant to Section 100 of the Animal Welfare Act 1999:

- (a) The purposes of Part 6 of the Act as defined by Section 80 and any matters that the Committee is required to consider by regulations made under the Act; and
- (b) Any matters that the committee is required to consider by regulations made under this Act; and
- (c) The scientific or educational objectives of the project; and
- (d) the harm to, or the distress felt by, the animals as a result of the manipulation, and the extent to which that harm or distress can be alleviated by any means (including, where the pain or distress cannot be held within reasonable levels, the abandonment of the manipulation or the humane destruction of animals); and
- (e) Whether the design of the experiment or demonstration is such that it is reasonable to expect that the objectives of the experiment or demonstration will be met; and
- (f) The factors that have been taken into account in the choice of animal species; and
- (g) Whether the number of animals to be used is the minimum necessary to ensure a meaningful interpretation of the findings and the statistical validity of the findings; and
- (h) Whether adequate measures will be taken to ensure the general health and welfare of animals before, during, and after manipulation; and
- (i) Whether suitably qualified persons will be engaged in supervising and undertaking the research, testing, or teaching; and
- (j) Whether any duplication of a protocol is proposed and, if so, whether any such duplication will be undertaken only if the original experiment—

- (k) Is flawed in a way that was not able to be predicted; or
- (l) Needs to be duplicated for the purpose of confirming a result that was unexpected or has far-reaching implications; and
- (m) Whether the same animals are to be used repeatedly in successive projects, and, if so, the cumulative effect of the successive projects on the welfare of the animals; and
- (n) Whether there is a commitment to ensuring that findings of any protocol will be adequately used, promoted, or published; and

## **7. Statistics**

- (a) It is a requirement of the Animal Welfare Act 1999 that statistics of animal usage in research, testing and teaching be kept and made available to the Director-General of MPI by the 28<sup>th</sup> of February of every year, or upon request.
- (b) To facilitate this requirement each researcher or tutor responsible for applications, or their nominee, must keep a diary or other record of the number of animals used, their source, the impact experienced by the animal, the procedures they are being, or were, used for and their ultimate fate at the completion of the study. Records shall be kept in accordance with the Animal Welfare (Records and Statistics) Regulations 1999.
- (c) The secretary, or their designate, will be required to make a return of these statistics as required each year and at any other time upon request by MPI.

## **8. Monitoring and Compliance**

- (a) The Committee shall ensure that adequate monitoring is undertaken to meet the requirements of Section 99 of the Animal Welfare Act. The Committee shall have power to inspect any relevant animals, their accommodation and any records in relation to the use of any animals, any experimental work carried out upon them, or proposed to be carried out, at any time in order to satisfy themselves that the provisions of this Code are being properly carried out. Between meetings this power may be exercised by the Chairperson together with one other member of the Committee appointed under subparagraph (b) (iii) of Section 4.
- (b) The Committee may direct that any procedure, whether or not approved, be stopped or modified on ethical grounds, and that the animals involved be either euthanased or otherwise properly cared for. Between meetings the Chairperson may also exercise this power and one other member of the Committee as stated in the last preceding paragraph.
- (c) The Committee will investigate any suspected non-compliance with this Code, and shall report to the Chief Executive any non-compliance.
- (d) All approved procedures shall be monitored by means of a site visit a minimum of once per calendar year. Monitoring reports shall be discussed and approved by the AEC on an annual basis. The person appointed under 4 (b) (iii) shall be designated as the person responsible for carrying out monitoring visits.

## **9. Training**

- (a) All AEC members shall be fully inducted into the AEC by the Chairperson of the SIT Animal Ethics Committee upon the acceptance of a position. The NAEAC 'Induction Pack' for new AEC members shall be provided to all newly appointed members prior to their first meeting.
- (b) Annual professional development for AEC members shall be encouraged and an annual budget shall be established for this purpose by the Head of Faculty for Trades and Technology.
- (c) All applications shall be as per the current Southern Institute of Technology policy, and shall be approved by the Code Holder.

#### 10. Arrangements for External Parties to Use the Code and AEC

- (a) There are no arrangements for outside persons or organisations to operate under this Code. All applications of this nature will be respectfully declined.

#### 11. Complaints

- (a) Any complaint by a member of the AEC, staff member, student or member of the public, shall be directed in writing to the Chairperson of the AEC [Head of Faculty for Trades and Technology] in the first instance. The Chairperson shall rule on the complaint, such ruling to be made in writing. If the member of the AEC, staff member, student, or member of the public, remains dissatisfied with the outcome, that person shall have the right of appeal, in writing, to the Chief Executive Officer [the Code Holder] of SIT.
- (b) If such a complaint is directly related to the actions of the Chairperson of the AEC [Head of Faculty for Trades and Technology] the complaint should be directed, in writing, directly to the Chief Executive Officer [the Code Holder] of SIT.
- (c) Any member of the AEC, staff member, student, or member of the public shall have the right of appeal against decisions or rulings made as a result of complaints concerning the AEC. Such appeals shall be as per the Student Appeals procedure documented in the SIT Quality Management System, reference No 6-9.

I, Penelope Simmonds [Chief Executive] of Southern Institute of Technology accept this Code of Ethical Conduct on behalf of Southern Institute of Technology situated at 133 Tay Street, Invercargill, and accept the responsibility for ensuring that the provisions contained within this Code are complied with.



Chief Executive  
Southern Institute of Technology

Date 18/3/2015



**Code of Ethical Conduct**  
**THE UNIVERSITY OF AUCKLAND**  
**CODE OF ETHICAL CONDUCT FOR THE USE OF ANIMALS FOR TEACHING AND**  
**RESEARCH**

**1. Preamble**

The use of animals for teaching and research within The University of Auckland by staff and students shall be controlled by the Animal Ethics Committee of The University of Auckland. No member of staff or any student shall use animals for tissue collection, teaching or research without the prior approval of the Animal Ethics Committee (AEC). The AEC may agree to act on behalf of other organisations.

The AEC shall review written applications for the use of animals for teaching and research and issue approval for their use only if it is satisfied that their use is in compliance with the Animal Welfare Act 1999, and all other Acts of Parliament, regulations and bylaws relating to the obtaining, holding, possession, care and treatment of animals. In accordance with the above regulations, the AEC has established the following code of ethical conduct and all approval for use of animals or animal tissue will depend upon the AEC being satisfied that the proposed use of animals will comply with this code.

**2. The Animal Ethics Committee**

The Animal Ethics Committee (AEC) of The University of Auckland is appointed by the Vice Chancellor and shall comprise:

- i.) Chairperson nominated by the Vice Chancellor's Office.
- ii.) Dean of Faculty of Medical and Health Sciences or their nominee.
- iii.) Dean of the Faculty of Science or their nominee.
- iv.) An animal facilities manager of The University of Auckland, appointed after consultation with the DVC-R.
- v.) Two representatives of the Faculty of Medical and Health Sciences.
- vi.) One representative of the Faculty of Science.
- vii.) At least one suitable lay member not affiliated with the University or scientific community or with an animal welfare agency to represent the public interest nominated by a territorial or regional council.
- viii.) One veterinarian nominated by the N.Z. Veterinary Association, not a member of the University staff.
- ix.) A nominee of the Royal New Zealand Society for the Prevention of Cruelty to Animals Inc. who shall not be a member of the University staff.
- x.) Animal Ethics Committee secretary in attendance.

The Animal Welfare Officer shall be invited to meetings in an advisory role. The committee shall have power to co-opt, generally for a period of three years. The period of service for elected faculty representative members is determined by the faculty concerned but would generally be a minimum of three years. Any member may opt to be replaced after this minimum period.

The period of service for lay members should generally be a minimum of three years. This may be renewable. The reappointment procedure involves seeking a nomination from the relevant nominating body.

New AEC members will be provided with an induction pack that includes copies of the committee process document, The University of Auckland Code of Ethical Conduct, the NAEAC "Good Practice Guide for the Use of Animals in Research, Testing and Teaching" and Occasional Papers and a Guide for Lay Members of Animal Ethics Committees. In addition all members will be provided with any NAEAC and ANZCCART publications that may from time to time be sent to the Committee Secretary. Members may also be required to attend conferences and/or training courses during their term on the AEC.

A quorum for a meeting of the AEC is not less than half of the appointed members, including at least two of the external members.

## **2. (a) Committee Process**

- i.) The committee process will be determined by the committee and will be detailed in the Committee Process document held by the Secretary.
- ii.) Records of approved protocols will be kept for 20 years. Records of all other committee business will be kept for 10 years.
- iii.) The committee may elect to enter into parenting arrangements with other organisations including commercial enterprises that wish to use this code.

## **2. (b) Complaints procedure**

Complaints from members of the AEC will be dealt with under the procedures and provisions of University policy on the Protected Disclosures Act 2000.

All complaints regarding animal welfare must be reported to the Chair of the AEC. The AWO will log the complaint into the AEC complaints log.

In accordance with section 103 of the Act, any member (including lay members) of the AEC who believes that the Committee (including the Chairperson) or Animal Welfare Officer is failing to comply with material in respect with the code may report such non-compliance to the Director-General of MPI. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report. A complaint report will be entered into the AEC complaints log.

Complaints made by members of the public shall in the first instance be referred to the AEC Chairperson who may correspond directly with those concerned to inform them of the university's position and/or advise them that further correspondence may be addressed to MPI. A complaint report will be entered into the AEC complaints log.

Complaints made by The University of Auckland employees (including students) shall be directed to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the Deputy Vice-Chancellor (Research) (DVCR) will determine the appropriate correction action to implement. The University of Auckland staff member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report.

Complaints made by AEC members (including lay members) shall be directed to the AEC Chairperson. The Chairperson will decide if further action is required or if the matter can be dealt with by simple explanation. If the complaint is substantiated (upon investigation by the Chairperson and/or subcommittee) then the Deputy Vice-Chancellor (Research) (DVCR) will determine the appropriate correction action to implement. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report.

Complaints made by AEC members, The University of Auckland staff members or the public that concern the Chairperson of the AEC can be directed to the Manager – Research Integrity who may correspond directly with the Chairperson to resolve the issue and/or correspond with

the Deputy Vice-Chancellor (Research) (DVCR) if the complaint is of a nature that the Manager believes justifies this action.

### **3. Coverage**

Approval must be sought for any manipulation of any animal for the purposes of research and teaching as defined by the Animal Welfare Act 1999 (sections 2, 3 and 5).

Approval must be sought for the killing of an animal in order to undertake research or teaching on a dead animal or their tissues.

With respect to use of animals in fieldwork, the above definitions are interpreted to mean that approval shall be required if the use extends beyond simple observation.

Any therapy or prophylaxis necessary or desirable for the welfare of any animal will not require AEC approval but may require veterinary approval in order to meet the requirements of Agricultural Compounds and Veterinary Medicines Act 1997.

*Note:* Where the application of this code is uncertain, the AEC encourages informal consultation with any member of the Committee or the Secretary.

### **4. Method of Application and Statutory Responsibility**

#### **4. (a) Method of Application**

Approval shall be sought by application to the AEC on appropriate application forms. Approval shall be given for a period of three years, or any lesser period as the AEC shall determine. The AEC may require inspection of the facilities, procedures and personnel before giving approval. Any significant modification to the protocol or change in personnel must be subject to prior approval by the AEC.

#### **4. (b) Insurance of compliance**

- i.) The members of the AEC shall have the right at any time to inspect the facilities in which the animals are housed, the procedures used, and the condition of the animals; and where there is concern they shall be required to investigate and to take appropriate action. All members of the University or other persons may bring to the attention of the AEC or the Animal Welfare Officer any concern regarding compliance with this code.
- ii.) Approvals shall be subject to post approval monitoring in order to ensure compliance with any conditions of approval.
- iii.) The AEC shall be responsible for ensuring compliance with approvals and can require a University member through their Head of Department to either modify (as directed by the Committee) or to stop their teaching or research programme involving live animal usage.

#### **4. (c) Reporting of Animal Use**

All animal use approved by the AEC must be reported at yearly intervals on the appropriate forms provided by the AEC each year in January for the previous 12 calendar month year. These records shall comprise the records required under the Animal Welfare Act 1999 and by the University of Auckland, and shall include records as defined in section 4 of the Animal Welfare (records and statistics) Regulations 1999.

- i.) The name of each species of animal as defined in the Animal Welfare Act 1999 manipulated or used.
- ii.) The number of animals of each species manipulated or used.
- iii.) The purpose for which each animal was manipulated or used.
- iv.) The source of supply of each animal manipulated or used.
- v.) The status of each animal manipulated during the year.
- vi.) The number of each species used or manipulated during the year which had or had not been previously used or manipulated.
- vii.) The fate of each animal as specified in the Animal Welfare Act 1999. and separately,
- viii.) The number of animals of each species killed for tissue collection without prior manipulation will be reported to the AEC for University of Auckland use. These numbers will not to be included in the report to MPI.

The Secretary of the Animal Ethics Committee shall maintain the records for the University and make them available as required in terms of the regulations.

#### **4. (d) Responsibility**

The Responsible Investigator shall accept primary responsibility for work undertaken including the selection of an appropriate animal species, the choice of the number of subjects, the nature of the procedures and all matters related to the continuing welfare of the animals and their ultimate disposal according to the principles outlined in this ethical code.

#### **5. Approval of protocols**

In considering whether to approve a use of animals, the AEC will require to be satisfied that all criteria listed in Section 100 of the Animal Welfare Act 1999 have been considered, in addition to the following, each of which the applicant is specifically required to address in their application to the AEC.

- i) For all applications:
  - a) That the proposed use of animals is desirable and that there are no practical alternative approaches which avoid the use of animals, yet achieve the identical goal.
  - b) That the species is appropriate on scientific, technical, humanitarian and educational grounds for the procedures proposed to allow extension of the body of knowledge in the case of a research proposal or provide the desired educational aim in the case of a teaching proposal.
  - c) The applicants shall provide details about who is to care for the animals, who is to perform any manipulations and who has primary responsibility for their care and for the experiment /teaching.
  - d) The fate of all animals at the end of the experiment/teaching must be stated. If they are to be destroyed either as part of the manipulation or subsequently, the means of euthanasia and personnel involved must be approved by the AEC. The means of euthanasia and disposal must comply with methods considered by the AEC to be humane and generally in accord with standard practice.
  - e) That the animal has been lawfully acquired and that the animal is appropriate for the proposed use. Where possible animals should be used that have been specifically bred for research and teaching, or sourced from an appropriate source.
  - f) The AEC must be satisfied that during operative procedures, appropriate anaesthesia is used to eliminate sensitivity to pain. Where recovery from anaesthesia is not intended, the animal must be killed in a humane way at the conclusion of the experiment.
  - g) Where animals are to be housed, the applicants shall provide details of where and how the animals are to be housed.

- h) That adequate measures will be taken to ensure the general health and welfare of animals before, during, and after manipulation.
- i) That suitably qualified persons will be engaged in supervising and undertaking the research or teaching.
- ii) That in the case of a research protocol:
- The AEC must be satisfied that there is a good reason to believe that the findings will add to the scientific understanding of biological functions and behaviour, or will extend the body of knowledge aimed at improvement in the health and welfare of humans, or animals, or the productivity of animals.
  - The number of animals used will be minimised to ensure that no more animals are used than are necessary to ensure unequivocal interpretation of the findings. An indication of the maximum number likely to be used shall be given in the application. Evidence shall be provided that the experimental design is adequate.
  - The investigator shall state whether the protocol is a duplication of previous work. Duplication shall in general only be considered ethical if evidence is provided that the original study requires scientific validation, or if the study was flawed or inadequate such that the conclusions were invalid.
  - That there is a commitment to making the results of research protocols available to the wider community through publication of results.
- iii) That in the case of a teaching protocol:
- The AEC recognises that this is a prime function of The University of Auckland and shall approve such applications where it is satisfied that there is an appropriate educational objective which is best met by the use of live animals.
  - The AEC requires to be satisfied that the number of animals to be used is the minimum compatible with the educational objective.
  - That there is a commitment to report to the AEC the results of a student questionnaire on the ethical use of animals in teaching.
- iv) Graduate education is an essential role of the University and application for the use of animals for research towards a dissertation thesis shall be **made by the supervisor** and shall be considered with respect to both educational and research objectives.
- v) The AEC will not approve the use of a neuromuscular blocking agent without concurrent use of appropriate anaesthesia, mechanical pulmonary ventilation and monitoring.
- vi) The AEC will not approve the use of an endangered or threatened species unless the findings are expected to assist the management and conservation of that species.
- vii) Animal technicians at all facilities will have access to the relevant Information from approved protocols to ensure the welfare of the animals.

## **6. Husbandry and care of animals**

Procedures and policies shall be established for all facilities to ensure that animal facilities and husbandry practices are operated in accordance with accepted good practice and scientific knowledge for each species held. Managers are responsible for internal audits against these procedures and policies, with reports copied to the AEC. Facilities must be operated by a suitably qualified manager and must be adequate to allow for the general health and welfare of the animals at all times. The manager shall work in close cooperation with the AEC and the Animal Welfare Officer, ensuring that any significant animal welfare concerns are reported through either the AEC or AWO. The manager is responsible for supervising the animal technicians that care for animals on a daily basis.

Animals will be inspected at appropriate intervals (at least daily where housed) by persons with sufficient expertise to recognise any animal with ill health, or in distress. Facilities must be available, provision made and authority given to those in immediate care of the animal to allow for immediate humane destruction of animals if pain and distress cannot be held within approved levels.

## **7. Modifications to the Code of Ethical Conduct**

The AEC committee may recommend to the code holder that the code of ethical conduct be amended.

Amendments to this code shall be subject to the approval of the Director-General of the Ministry for Primary Industries (MPI) (as required in accordance with the Animal Welfare Act 1999).

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# Appendix 1

## The Protected Disclosures Act 2000 ("The Act")

### Preamble

This Act came into force on 1 January 2001 and applies to The University of Auckland.

The Act establishes a "whistleblower" protection scheme designed to facilitate the disclosure and investigation of serious wrongdoing by or within organizations. It provides immunity from civil, criminal or disciplinary proceedings for employees who make a disclosure in accordance with the provisions of the Act. The Act also protects whistleblowers against retaliatory action by their employer so long as the whistleblower has acted in accordance with the Act.

The protection afforded by the Act does not apply where the person who makes a disclosure of information makes an allegation known to that person to be false or otherwise acts in bad faith. Disclosures to the media are not protected under the Act.

### Definition of Serious Wrongdoing

"Serious Wrongdoing" is defined in the Act to include any serious wrongdoing of any of the following types:

- (a) an unlawful, corrupt, or irregular use of public funds or public resources; or
- (b) an act, omission, or course of conduct that constitutes a serious risk to public health or public safety or the environment; or
- (c) an act, omission, or course of conduct that constitutes a serious risk to the maintenance of law, including the prevention, investigation, and detection of offences and the right to a fair trial; or
- (d) an act, omission, or course of conduct that constitutes an offence; or
- (e) an act, omission, or course of conduct by a public official that is oppressive, improperly discriminatory, or grossly negligent, or that constitutes gross mismanagement.

The Act also gives an extended meaning to "Employee" so as to include a former employee; a person seconded to the University; an individual who is engaged or contracted under a contract for services to do work for the University; and a person concerned in the management of the University.

### Summary of the University's Obligations

The Act requires each public organization to set up internal procedures for receiving and dealing with information about serious wrongdoing in their organization. These procedures must identify the persons/officers in an organization to whom a disclosure may be made and effectively require that any employee who makes a protected disclosure or person who is accused of wrongdoing through a disclosure receives a fair hearing.

The following procedures are introduced to operate on a trial basis during 2001 to determine if they are appropriate for handling protected disclosures thereafter.



### **Protected Disclosure Procedures**

1. The Council of the University of Auckland establishes these procedures in conformity with the Act and its duties under section 181(f) of the Education Act 1989.

### **Compliance with the Act**

2. Consistent with the provisions of the Protected Disclosures Act 2000 the University wishes to promote the public interest:
  - (a) by facilitating the disclosure and investigation of matters of serious wrongdoing in or by the University; and
  - (b) by protecting employees who, in accordance with the Act, make disclosures of information about serious wrongdoing in or by the University.

### **Disclosure**

3. An employee wishing to disclose information about serious wrongdoing in or by the University may make a protected disclosure in accordance with the Act and these procedures.
4. An employee of the University may disclose information in the manner provided by the Act if:
  - (a) the information is about serious wrongdoing in or by the University; and
  - (b) the employee believes on reasonable grounds that the information is true or likely to be true; and
  - (c) the employee wishes to disclose the information so that the serious wrongdoing can be investigated; and
  - (d) the employee wishes the disclosure to be protected.
5. Disclosure of serious wrongdoing should be made without delay for either internal or external investigation. If the employee seeks assistance with preparing their disclosure they may approach the Executive Officer for such advice and assistance as may be appropriate in the circumstances.

### **Internal Investigation**

6. Disclosure should be made, in the first instance, to the Executive Officer, Office of the Vice-Chancellor, unless the employee believes on reasonable grounds that the Executive Officer:
  - (a) is or may be involved in the serious wrongdoing alleged in the disclosure; or
  - (b) is, by reason of any relationship or association with a person who is or may be involved in the serious wrongdoing alleged in the disclosure, not a person to whom it is appropriate to make the disclosure.

If so the disclosure should be made to the Registrar [and Assistant to the Vice Chancellor], unless the employee has either of those same beliefs about the Registrar. In that case the employee may make the disclosure to the Vice Chancellor. The office of the Vice-Chancellor is at 24 Princes Street, Auckland.

### **Duty of Recipient**

7. Where the recipient of a disclosure becomes aware that they may have any involvement in the serious wrongdoing, or have any relationship or association with an alleged wrongdoer or any pre-conception that would make it inappropriate for the recipient to investigate the serious wrongdoing, the disclosure shall be referred in the prescribed sequence to whichever of the officers referred to in paragraph 6 has no such involvement, relationship, association or pre-conception. The employee making the disclosure shall be advised accordingly.

#### **Conduct of Investigation**

8. Every person to whom a disclosure is made or referred must:
- (a) use their efforts not to disclose information that might identify the person who made the disclosure unless:
    - (i) that person consents in writing to the disclosure of that information; or
    - (ii) the person who has acquired knowledge of the disclosure reasonably believes that disclosure of identifying information:
      - Is essential to the effective investigation of the allegations in the disclosure; or
      - Is essential to prevent serious risk to public health or public safety or the environment; or
      - Is essential having regard to the principles of natural justice.
  - (b) give full consideration to the information disclosed with an open mind and have due regard to all relevant considerations in deciding whether or not to investigate the alleged serious wrongdoing or take any action.
  - (c) advise the employee of their decision whether or not to investigate the alleged serious wrongdoing and the reasons for that decision within 20 working days after the date on which the disclosure was made.
  - (d) where they determine that the allegations should be investigated:
    - (i) ensure that the person(s) allegedly involved in the serious wrongdoing are informed of the allegations;
    - (ii) afford a fair and unbiased hearing on due notice to the employee and the person(s) allegedly involved in the serious wrongdoing.
  - (e) Report the outcome of the investigation to the employee, the person(s) allegedly involved and the Council of the University.

#### **External Investigation**

9. Where the employee making the disclosure believes on reasonable grounds that:
- (a) the Vice-Chancellor is or may be involved in the serious wrongdoing alleged in the disclosure; or
  - (b) the immediate reference to an appropriate authority is justified by reason of the urgency of the matter to which the disclosure relates or some other exceptional circumstance; or
  - (c) there has been no action or recommended action on the matter to which the disclosure relates within 20 working days after the time on which the disclosure was made;

disclosure of the information may be made to an "appropriate authority" as defined in the Act. The Executive Officer or the Registrar will assist the employee if need be in selecting the appropriate authority.

#### **Further Investigation**

10. A disclosure of information may be made to a Minister of the Crown or an Ombudsman if the employee making the disclosure:
  - (a) has already made substantially the same disclosure in accordance with clauses 6 to 8 or clause 9 of this procedure; and
  - (b) believes on reasonable grounds that the person or the appropriate authority to whom the disclosure was made:
    - (i) has decided not to investigate the matter; or
    - (ii) has decided to investigate the matter but has not made progress with the investigation within a reasonable time after the date on which the disclosure was made; or
    - (iii) has investigated the matter but has not taken any action in respect of the matter nor recommended the taking of action in respect of the matter, as the case may be; and
  - (c) continues to believe on reasonable grounds that the information disclosed is true or likely to be true.
11. A disclosure under clause 10 may be made to an Ombudsman only if it has not already been made to an Ombudsman (as an "appropriate authority") under clause 9.

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UNIVERSITY  
of  
OTAGO



*Te Whare Wānanga o Otāgo*

# **University of Otago Code of Ethical Conduct for the Use of Animals**

DRAFT, V-9, November, 2012

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## Abbreviations

<b>AAALAC</b>	Association for Assessment and Accreditation of Laboratory Animal Care
<b>ACVM</b>	Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997
<b>AEC</b>	Animal Ethics Committee
<b>ANZCCART</b>	Australian and New Zealand Council for the Care of Animals in Research and Teaching
<b>AWA</b>	Animal Welfare Act (the 'Act')
<b>CEC</b>	Code of Ethical Conduct (this document)
<b>DCO</b>	Drug Control Officer
<b>Form ET</b>	Euthanasia for Tissue AEC application form
<b>Form P</b>	The use of animals in research, testing and teaching AEC application form
<b>HSNO</b>	Hazardous Substances and New Organism Act 1996
<b>LGOIMA</b>	Local Government Official Information and Meetings Act 1987
<b>MAF</b>	Ministry of Agriculture and Fisheries (renamed MPI during 2012)
<b>MPI</b>	Ministry of Primary Industries
<b>NAEAC</b>	National Animal Ethics Advisory Committee
<b>OPM</b>	Operations Procedure Manual
<b>Three Rs</b>	Replacement, reduction and refinement of use of animals in research.
<b>RTT</b>	Use of animals in research, testing and teaching.
<b>RVM</b>	Restricted Veterinary Medicine
<b>SOP</b>	Standard Operating Procedure

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## DESCRIPTION OF GENERAL NATURE AND EXTENT OF THE WORK

1. The University of Otago recognises the need for animal experimentation and that the use of animals in research, testing and teaching (RTT) has a cost that must be weighed against the potential benefit obtained. Animals used in research and testing have made major contributions to biological knowledge for the welfare of humans and animals, in the treatment or prevention of diseases and in the understanding of ecosystems, biodiversity and species conservation. In addition, many courses in the university, across diverse departments, depend on the use of animals for teaching purposes. Many important advances in medical science have had their origins in basic biological research, although these experiments were not primarily directed towards that purpose. Other advances have come from research designed specifically to investigate medical problems. Past progress has depended, and further progress in the foreseeable future will depend, largely on animal experimentation. This research in the broad field of human medicine is the prelude to experimental trials on human of, for example, new therapeutic, prophylactic or diagnostic substances, devices, or procedures. Conservation of our native flora and fauna will depend on research activities devoted to further understanding the life cycle biology and inter-species dependencies which characterise the complexity of ecosystems.
2. This Code of Ethical Conduct is designed to comply with all the requirements of the Animal Welfare Act 1999 (the Act), particularly Part 6: "Use of Animals in RTT", so that the specified animals can be used in RTT at the University of Otago. The University promotes the Three Rs (replacement, reduction and refinement) and applications for the use of animals require specific information regarding the concepts of the Three Rs in animal usage.
3. The university may hold colonies of the following species of animals: mice, rats, guinea pigs, rabbits, sheep, goats, pigs, horses, deer, chickens, pigeons, hawks and other raptors, fish, reptiles, amphibians, turtles, possums and any other species of animal as defined by the Act, that are required for RTT as approved by the Animal Ethics Committees (AECs).
4. Animals will be used for RTT purposes only after approval by the AECs.

## ANIMAL ETHICS COMMITTEES

5. The AECs are subcommittees of the Risk Management, Ethics & Statutory Compliance Committee of the University of Otago Council, to which the Chairs of the AECs report on a biannual basis.
6. The University of Otago shall operate three AECs, one at each of the Dunedin, Christchurch and Wellington campuses.
7. AECs may refer animal ethics concerns to the National Animal Ethics Advisory Committee (NAEAC) for advice to ensure institutional compliance as NAEAC has a remit for consultation and support.



## **AEC MEMBERSHIP**

8. The AEC membership shall comply with section 101 of the Act.
9. Term of appointment is normally for three years. Appointment and replacement procedures are outlined in clause 45.
10. The Chairperson for each AEC shall be appointed by the Vice-Chancellor, subject to the endorsement of the appropriate AEC.
11. Deputy Chairpersons shall be elected by each AEC.

## **FOR THE DUNEDIN CAMPUS**

12. A senior member of the University appointed by the Vice-Chancellor.
13. At least two and up to four members of the academic staff nominated by the Dean of the Otago School of Medical Sciences.
14. One member of the academic staff nominated by the Dean of the Dunedin School of Medicine.
15. One member of the academic staff nominated by the Dean of the School of Pharmacy.
16. Two members of the academic staff nominated by the Pro-Vice-Chancellor of the Division of Sciences.
17. The Director of Animal Welfare (ex officio), in attendance.
18. One veterinary surgeon who is external to the University, appointed by the Code Holder on the nomination of the New Zealand Veterinary Association.
19. One member appointed by the Code Holder on the nomination of a territorial authority or regional council.
20. One member appointed by the Code Holder on the nomination of an approved organisation concerned with the welfare of animals.
21. Internal AEC members may serve in more than one capacity.
22. A secretary will be appointed to the AEC as determined by the Deputy Vice-Chancellor Research and Enterprise.
23. The AEC may second additional members to provide appropriate expertise as needed.

## **FOR THE CHRISTCHURCH CAMPUS**

24. A senior member of the University appointed by the Vice-Chancellor after consultation with the Dean, University of Otago, Christchurch (UOC).
25. Two members of the academic staff appointed by the Assembly of Faculty, UOC, and ratified by the Dean, UOC.
26. One member of the Christchurch Hospital Medical Staff Association, nominated by that Association.
27. The Veterinary Head, Christchurch Animal Research Area (CARA), UOC (ex officio).
28. The Director of Animal Welfare (ex officio), in attendance.
29. One veterinary surgeon who is external to the University appointed by the Code Holder on the nomination of the New Zealand Veterinary Association.
30. One member appointed by the Code Holder on the nomination of a territorial authority or regional council.

31. One member appointed by the Code Holder on the nomination of an approved organisation concerned with the welfare of animals.
32. Internal AEC members may serve in more than one capacity.
33. The AEC may second additional members to provide appropriate expertise as needed.
34. A secretary shall be appointed to the AEC from the permanent staff of the UOC by the Dean, UOC.

#### **FOR THE WELLINGTON CAMPUS**

35. A senior member of the University appointed by the Vice-Chancellor in consultation with the Dean, University of Otago, Wellington (UOW)
36. Up to three members of the academic staff appointed by the Faculty, UOW and ratified by the Dean, UOW.
37. The Manager, Biomedical Research Unit (ex officio).
38. The Director of Animal Welfare (ex officio), in attendance
39. One veterinary surgeon who is external to the University appointed by the Code Holder on the nomination of the New Zealand Veterinary Association.
40. One member appointed by the Code Holder on the nomination of a territorial authority or regional council.
41. One member appointed by the Code Holder on the nomination of an approved organisation concerned with the welfare of animals.
42. Internal AEC members may serve in more than one capacity.
43. The AEC may second additional members to provide appropriate expertise as needed.
44. A secretary shall be appointed to the AEC from the permanent staff of the UOW by the Dean, UOW.

#### **APPOINTMENT AND REPLACEMENT PROCEDURES**

45. Appointments shall be made in compliance with the Act. University staff appointments shall be recommendations or nominations made by the Vice Chancellor, the Deputy Vice-Chancellor Research and Enterprise, Pro-Vice-Chancellor Sciences or the Deans of the respective schools (as specified in the above sections) after consultation with the relevant AEC chairperson. Replacement procedures shall follow the appointment procedures. In the event of any appointee being unable to attend meetings on a regular basis, the Chairperson or their designee, shall contact that appointee to investigate reasons for such lack of participation. If reasonable measures cannot be taken to resume AEC participation within a reasonable timeframe, an alternative appointment shall be made. Re-appointment is permissible but only with the approval of the appropriate line manager.

#### **SECRETARIAL SUPPORT**

46. Persons with appropriate skills shall be employed to act as secretaries to the AEC. Each secretary shall maintain records of agenda, minutes, decisions, correspondence with investigators, site visit reports, application forms and all other relevant documentation.

## **ORIENTATION FOR NEW AEC MEMBERS**

47. The Chair of an AEC, or their nominee, will provide all new members with a comprehensive review of the legislative framework. This will normally include "A Guide for Lay Members of Animal Ethics Committees" (NAEAC, 2007), "Guide to the Animal Welfare Act 1999" (MAF Policy Information Paper No. 27), "A Culture of Care" (NAEAC, 2002) as well as a copy of the relevant sections of the Animal Welfare Act or the current equivalents thereof and a copy of this "Code". In addition relevant NAEAC and ANZCCART (Australian and New Zealand Council for the Care of Animals in Research and Teaching) publications are circulated amongst committee members as they become available.

## **REMUNERATION FOR EXTERNAL MEMBERS**

48. External (non-University) members shall be paid a meeting attendance fee and a site visit fee to cover their time and reasonable travel expenses. A proportional fee may be paid to members who are unable to attend AEC meetings, but have given apologies in advance and provided written comments on the applications assigned to them as primary reviewer.

## **STRATEGIES TO ENSURE EFFECTIVE INPUT BY ALL MEMBERS**

49. A complete set of AEC documents shall be circulated to all AEC members (including external members) before each meeting. The AEC meetings provide the opportunity for free and frank discussion, with all members having equal opportunity to contribute to the business of the meeting. Decisions are reached by consensus. Further information relating to decision making is stated below. AEC external members, or University members, are to be invited to attend site visits when they are available. Telephone conference options are included in clauses 77 & 78.

## **AEC PROCEDURES**

50. The procedures as set out below are established by the Code Holder. The additional requirements (being those procedures set up by the Code Holder's Risk Management, Ethics & Statutory Compliance Committee) are indicated in the Code.

## **FREQUENCY OF MEETINGS**

51. The Dunedin AEC will normally meet 11 times per year, i.e. once each month except during January. Additional meetings may be scheduled based on workload. The Christchurch and Wellington AECs shall meet at a minimum of four times per year. Meeting dates will be maintained on the University of Otago website for researchers reference.

## **WHAT CONSTITUTES A QUORUM?**

52. A quorum shall consist of four members, at least two of whom shall be external members, (this being the minimum number required under the Act for a full AEC and the most appropriate quorum size for the three University of Otago AECs). If an AEC meeting is inquorate but has members present who can comprise a subcommittee under clause 56b(i), those members may proceed to issue interim approvals as authorised under clause 56 without the requirements of clause 56b(ii) and 56b(iii) needing to be met.

## DECISION MAKING

53. Decisions shall be made by consensus, after all AEC members present have had the opportunity to express their views. In the event that any AEC member expresses strong concerns that are contrary to the majority, the Chairperson may convene a subcommittee to explore the matter further.

## SUBCOMMITTEES

54. Subcommittees shall be established as needed, to provide additional in-depth review of applications or to deal with other matters of concern to the AEC. Each subcommittee shall be established at the recommendation of the Chairperson, who will determine the terms of reference and the subcommittee membership. Written reports of the findings of the subcommittee shall be sent to the full AEC, normally by the next full meeting.
55. Any subcommittee must include the individual(s) with the minority opinion (if relevant, as described in clause 53), and at least one external AEC member.

## FAST TRACK PROVISIONS (INTERIM APPROVALS)

56. The University of Otago recognises that change is a feature of research using animal models in RTT and a mechanism for modifying approved protocols is outlined in clause 66. It is also recognised that change can occur unexpectedly and can result from factors outside the control of the Principal Investigator. The AECs shall both manage change and promote animal welfare, by the provision of interim approvals. Interim approval requests can occur subject to the following criteria:
  - a. When a request is received to modify a current approved protocol (clause 66), an interim approval may be issued on a well-justified case by case basis, as determined by the AEC, the Chairperson of the AEC, or their delegated authority. Interim approval shall be confirmed in writing by the AEC secretary, with interim approval formally ratified at the next AEC meeting. Interim approval shall not be given for investigators who have simply failed to meet a submission deadline, unless the AEC is satisfied that acceptable and appropriate extenuating circumstances apply.
  - b. When a request is received for interim approval of a new protocol the following requirements would apply:
    - i. The protocol would be reviewed by a subcommittee comprising the Chair of the AEC (or nominee), the Director of Animal Welfare (or nominee) and at least one external member;
    - ii. The subcommittee must be satisfied that the applicant has provided a comprehensive justification for requesting the interim approval. Such approval for protocols would only be considered when appropriate extenuating circumstances apply;
    - iii. Interim approval is limited to applications in the lower impact grades A and B, as stipulated by NAEAC;
    - iv. Interim approval shall be confirmed in writing and the secretary of the AEC shall maintain copies of the approval. Interim approval shall be formally ratified at the next AEC meeting.

## TREATMENT OF COMMERCIALY SENSITIVE INFORMATION

57. Commercially sensitive information may be included in applications to the AEC. The applicant may request the AEC to regard such applications as confidential. Alternatively, the applicant may decide to withhold certain key information from the AEC. However, any commercially sensitive application to use live animals in RTT must contain sufficient information so that the AEC can ensure that the review criteria as set out in the Act and University policies have been met.

## MECHANISMS FOR THE APPLICATION PROCESS

58. The use of animals for RTT must first be approved by one of the three institutional AECs. Application forms are available on the University Web Site: for the manipulation of live animals (the P Form), and another for the euthanasia of animals in order to obtain tissues for in-vitro studies (the ET form). When a study which involves both animal manipulation and animal euthanasia for tissues is proposed, the applicant need only complete the P form, and include the tissue sampling procedures.
59. The AECs shall be responsible for advising on all matters pertaining to the acquisition, supply and welfare of animals involved in manipulation within the animal facilities of the University of Otago, or animals involved in field studies performed by personnel listed on the approved application form.
60. The appropriate form(s) must be typed and then signed by the personnel performing the manipulations described therein. The required numbers of copies (refer to the AEC website for details) must be made and sent to the AEC secretary by the specified deadline (as these vary depending on the AEC committee involved, refer to the AEC website). The committees rarely accept a late application submission.
61. All P and ET Forms must be signed by the Head(s) of Department of the staff undertaking the proposed RTT activity. The need for Head of Department signatures on protocol modification documents should conform to the policies of their relevant University Schools or Divisions.
62. The applicant is advised in writing of the outcome of the AEC review process. Decisions are either full approval, approved with proviso conditions (which may or may not require satisfactory completion before work commences), deferral (for further clarification) or declined.
63. New members of academic staff should be invited to attend an AEC in order to meet the committee and familiarise themselves with the process. This open invitation applies to any applicant, should they so desire, however the usual review process does not require the applicant to be present.
64. An applicant may be asked to attend a meeting of the AEC to assist it with the consideration of their application. An applicant can request the presence of their Head of Department, Union representative or whanau support.
65. AEC approvals are for a maximum term of three years. Extensions, of up to one year, may be granted but only after re-evaluation by the AEC. Approval commences from the day the application was confirmed by the AEC. Six months prior to expiry of the approval, the AEC shall remind the researcher of the end date.
66. Modifications to approved protocols, including requests for additional animals, changes in manipulations and changes in personnel may be considered by the AECs. Such requests should be made in writing to the relevant AEC Secretary and may utilise the AEC Forms: "Modification Request Form to Add Personnel" or "Manipulation



- Modification Request Form" which are available from the University website. (see clause 56 for the interim approval process)
67. At the completion of each study, the Principal Investigator must complete an Animal Use Statistics Form, and a Project Evaluation Report. The statistics are a legislative requirement, and the evaluation report is a NAEAC requirement.
  68. The AEC has the authority to suspend or revoke project approvals temporarily or permanently under certain conditions (see #99 for non-compliance).
  69. The AEC is required by the Code Holder to collect information with regard to other relevant legislative requirements in order for the University to meet its regulatory compliance responsibilities, for example the Hazardous Substances and New Organisms (HSNO) Act 1996, the Agricultural Compounds and Veterinary Medicines (ACVM) Act 1997 and the Health and Safety in Employment Act 1992. The AEC may identify potential health and/or safety concerns for reference to the Health and Safety Office for professional advice.
  70. The AEC may delegate the monitoring of animal manipulations and site visit inspections of animal use areas to suitably qualified personnel as determined by each AEC. Written reports to the AEC by the delegated authority shall be required.
  71. The University of Otago AECs have equivalence, and all AECs shall use a standard set of AEC process documentation. Approval by one AEC shall be transferable to the other AECs. Applicants working at one location, but under the approval given at a different location, are required to inform the local AEC in writing of their approval status, before any animal manipulations are performed.
  72. When second opinions on AEC decisions are required, they should be at the request of the Code Holder or their delegate who should first discuss the proposal with both AEC chairpersons before proceeding.
  73. The AECs will maintain policies, procedures and guidelines documents, to ensure a consistent and uniform compliance structure. These documents will cover all three AECs and be authorised by the Deputy Vice-Chancellor Research and Enterprise. The documents will be available on the AEC website for use by AECs.

#### **INFORMATION MANAGEMENT AND STORAGE**

74. AEC documentation shall be maintained in compliance with the University of Otago Records Management Policy and Guidelines.
75. Copies of approved animal use application forms may also be held in secure storage by the AEC Secretary, AEC Chairperson, the Director of Animal Welfare and the Animal Facility Managers. All working documentation provided to each AEC member shall normally be returned to the AEC for destruction at the end of each meeting. Each Principal Investigator shall retain their application forms in secure storage. The host department(s), for all personnel named on the application, should also hold a copy in secure storage.

#### **PUBLIC ATTENDANCE AT AEC MEETINGS AND POSSIBLE APPLICATION OF LOCAL GOVERNMENT OFFICIAL INFORMATION AND MEETINGS ACT 1987**

76. The University of Otago AECs are subject to LGOIMA. Provision is made in the meeting process and the recording of the minutes for public participation in the open section of each meeting. The minutes of each meeting are drafted in two sections to comply with the LGOIMA requirements. The University of Otago is also subject to the Official Information Act 1982.

## **POLICY ON THE USE OF TELECONFERENCES AND EMAIL**

77. The University of Otago believes that the functions of the AEC are best fulfilled when the AEC members have an opportunity to meet in person. Where no other option is practical, video conferences/teleconferences are acceptable options.
78. Modifications of existing protocols (but not discussion of new protocols) may be discussed by e-mail.

## **MANAGEMENT OF POSSIBLE CONFLICT OF INTEREST BY AEC MEMBERS**

79. AEC members must declare any potential conflict of interest concerns to the Chairperson of the relevant AEC, prior to the matter concerned being discussed. The Chairperson shall be responsible for establishing the protocol adopted to manage such potential conflict on a case by case basis and in all cases the person with the conflict of interest will be absent whilst the decision is made.

## **REQUIREMENTS OF THE UNIVERSITY OF OTAGO FOR THE USE OF ANIMALS IN RTT**

80. A range of operating guidelines is available to all applicants under the appropriate section of the University of Otago website. These guidelines are authorised by the AECs and Code Holder. In addition to meeting these guidelines, PIs may be requested to provide further information on the proposed research/use of animals.

## **RESPONSIBILITY OF ANIMAL USERS**

81. This section provides brief details of expectations of all animal users. For further clarification please refer to the AEC website.
  - a. Animal users have a duty of care for the welfare of animals they work with. This duty of care is defined by the Animal Welfare Act 1999. All animals developing clinical signs of disease or adverse effects which fall outside of the approved clinical management plan must be promptly reported to the veterinary staff, or their nominee.
  - b. The key reference document for all animal use at this institution is the approved AEC protocol. Users are expected to be familiar with any AEC protocol under which they are authorised to work and follow the conditions of approval. Users should hold, or have ready access to a copy of the relevant approved AEC protocol, and should have a working knowledge of this document.
  - c. All animal users must have the appropriate skills to perform the manipulations they are authorised to perform under the approval. This training can be achieved by in-house training from their supervisor or other training provider. The AEC will specify any required training and timeframes in relation to the application.
  - d. The number of animals approved by the AEC is specified for each application, and animal users must not use more than the approved number. The transfer of animal allocations, particularly between different impact grades within an application, is not permitted without AEC approval. Allocation transfer between applications is not permitted.



## **MONITORING OF MANIPULATIONS**

82. At the time of application review, each AEC shall determine whether a site visit inspection of the proposed manipulation(s) will be required. Each application is considered for a site visit on a case by case basis, having regard for the following: training and experience of the applicant(s), degree of severity or invasiveness of the manipulation, numbers of animals proposed, the measures available to manage pain and distress and any other matter that the AEC members believe is relevant. The applicant shall be informed in writing of the requirement for a site visit at the time of protocol approval.
83. Site visits may be conducted by internal (university staff) and/or external members of the AEC, or personnel delegated to act on behalf of the AEC.
84. The AEC may elect to make a site visit at any other time during the life of an approved application. The reasons for such a visit may include changes in animal manipulations, techniques, handling or restraint that may have been recommended at the time of the first visit, complaints regarding the management of animals, unexpected adverse affects creating welfare issues reported to the AEC, or at the request of the investigator.
85. Site visits shall be documented in writing with copies sent to the AEC, the Principal Investigator, Head of Department, (and at Wellington and Christchurch campuses, the Deans). Site visit reports shall be discussed at the next AEC meeting.
86. The Veterinary staff employed by the University have the authority to visit animal holding and use areas at any time and without prior notice, provided reasonable steps are taken to comply with any access requirements that may apply. If any issues are identified an inspection report will be forwarded to the AEC, appropriate investigator, Head of Department and Dean as appropriate.
87. A Project Evaluation Report is required to be completed by the Principal Investigator at the end of the study and submitted to the AEC. The report is copied to AEC members and discussed at the next meeting.

## **THE OPERATION OF ANIMAL FACILITIES**

88. Animal Facility Managers are responsible for the operation of each animal facility. The Managers are required to report any significant animal welfare concerns through the clinical incident reporting system.
89. Animal facility management is based on the use of Standard Operating Procedures (SOPs) to ensure consistency and best practice. SOPs are available on each animal facility website. The veterinary staff should be consulted in the development of SOPs which impact on animal welfare. Veterinary advice may be sought on any animal welfare issue, and the SOPs are approved by the AEC.

## **ANIMAL FACILITIES AND PRACTICES**

90. SOPs and policies shall be documented in accordance with good practice and scientific knowledge. The NAEAC reference, "Good Practice Guide for the use of animals in research, testing and teaching" and AAALAC (Association for Assessment and Accreditation of Laboratory Animal Care) guidelines are used as standards.
91. Each animal facility shall be operated by an Animal Facility Manager. The facility manager will report any animal welfare issues to veterinary staff in addition to

advising the Principal Investigator and the AEC. The AEC will then oversee the resolution of the problem. Animal husbandry and care shall be provided at each facility seven days a week. All caged indoor-housed animals shall be checked by visual inspection at least once each day, seven days a week.

92. Each campus shall have veterinary arrangements to ensure that rapid veterinary assistance is available at all times

#### **MONITORING THE ANIMAL FACILITIES**

93. Each AEC, or a subcommittee, shall normally inspect all animal holding facilities every six months (except where provision made in clause 94 is substituted). The inspection team will normally be led by the Chair of the AEC or his/her nominee. A report on the audit shall be provided to the AEC, Principal Investigator, Head of Department and Dean as appropriate.
94. Animal Facility Managers shall perform an internal audit of their animal care programme at least once every six months, and this may substitute for one of the semi-annual AEC inspections as determined by the Chair. The purpose of these audits is to review the operation of the unit and address any concerns. A review of current SOPs shall be performed annually. The Animal Facility Managers may invite AEC members to participate in the audit. A report on the audit shall be provided to the AEC, Principal Investigator, Head of Department and Dean as appropriate. Completion of corrective actions shall be notified to the AEC, and reassessed at the next facility audit to monitor the effectiveness of actions taken.
95. University Veterinarians are available for assistance and advice on animal husbandry and welfare requirements. A University Veterinarian will review animal health with each Animal Facility on a regular basis, at a minimum of 6 monthly intervals. Visits made by the Veterinarians to animal research and holding areas during the year shall form part of the on-going monitoring procedure. Reports are to be sent to AEC, Head of Department, Dean and Animal Facility Manager and, where appropriate, the Principal Investigator.

#### **PARENTING ARRANGEMENTS**

96. Parenting arrangements with outside organisations shall be considered by AECs on a case by case basis, but only following formal ratification from the University of Otago Risk Management, Ethics & Statutory Compliance Committee. All parenting arrangements shall be notified in writing to the Ministry of Primary Industries. Parented organisations shall comply with this Code in accordance with the record management policy of the University of Otago.

#### **COMPLAINTS PROCEDURES**

97. Procedures shall be established to ensure that any complaints from members of the AEC, applicants, work associates or the public are dealt with fairly and promptly.
98. Complaints shall be written to the Chairperson of the appropriate AEC. The Chairperson may consult with other personnel as needed to complete any required investigation. If the matter cannot be resolved by the AEC or to the satisfaction of the complainant, it shall be referred to the Deputy Vice-Chancellor Research and Enterprise by the Chairperson of the AEC. Complaints regarding the Chairperson of an AEC should be directed to the Deputy Vice-Chancellor Research and Enterprise.

## **INVESTIGATION OF POTENTIAL NON-COMPLIANCE ISSUES**

99. For any reported non-compliance, the key focus is to maintain animal welfare, including taking any immediate actions to maintain animal welfare. Non-compliance concerns shall be addressed in writing to the Chairperson of the AEC. The process shall include consultation with the Principal Investigator and his or her staff as required. The AEC shall provide to the Principal Investigator, Head of Department, and Dean as appropriate, the investigation report and any recommendations. The final recommendations for any resulting actions, which may include suspension or termination of an application, will be enforced by the Deputy Vice-Chancellor Research and Enterprise, in consultation with the AEC, and Department.

## **EUTHANASIA FOR TISSUE (ET) FORMS**

100. Although not a requirement of the Animal Welfare Act, the University of Otago regards the killing of animals as a procedure that requires approval by an AEC. The University has a legal obligation to ensure that all animal use is humane (including euthanasia) and hence, has put in place a mechanism to regulate this activity. Although the information is retained for internal use, animals euthanatized for tissue currently are not counted in the institutional animal use statistics data sent to MPI. The ET form shall be completed for the use of animals euthanatized specifically for tissue collection through the AEC processes.

## **TISSUE RETRIEVAL**

101. Tissue can be obtained by another researcher from animals euthanatized under an approved Form P or ET permit without seeking approval from the AEC, but under the expectation that any residual tissue will be disposed of by standard University disposal routes. Tissues/cadaver material sourced from outside the University must be notified to the Secretary of the AEC. The purpose of this notification is to allow for the assessment of a range of potential institutional risks including cultural sensitivities, health and safety requirements, and potential requirements of other legislation

## **USE OF RESTRICTED VETERINARY MEDICINE**

102. Restricted Veterinary Medicine (RVM) used in RTT includes anaesthetic and analgesic drugs. The University of Otago animal use application forms request information regarding the use of RVM to fulfil the institution's responsibilities under the ACVM Act 1997.

## **THE OPERATIONAL PROCEDURES MANUAL (OPM)**

103. The OPM defines the best practice requirements for the use of Veterinary and Human Medicines by Non-Veterinarians for RTT purposes in compliance with the relevant legislation and regulations in respect of the ACVM Act 1997, the Misuse of Drugs Act 1975, the Medicines Act 1981, and the HSNO Act 1996.
104. Drug Control Officers (DCO) are employed to assist researchers' access and control the drugs to be used in experimental animals for the purpose of animal management. All RVMs are dispensed by a DCO, pursuant to an approved prescription supplied by the institutional veterinarian.

## TRAINING PROGRAMMES FOR THE USE OF EXPERIMENTAL ANIMALS AND RVM

105. In compliance with the Animal Welfare Act 1999, all personnel using animals in RTT must be appropriately trained and technically competent to perform animal manipulations, and have a working knowledge of the legislative requirements and the institutional Code of Ethical Conduct. The AEC will specify the training requirements of all personnel based on the application. All training must be completed within the time frame specified by the AEC.
106. Specific details of the training programme are available on the Animal Welfare Office website. RVM training requirements are detailed in the OPM. RVM training requirements will be specified by a University veterinarian and endorsed by the AEC as part of the protocol approval. All personnel authorised to use RVM must have the minimum skills and qualifications necessary to enable competent use of the medicines as directed by the veterinarian. Personnel required to use RVM will be identified on the AEC application form (P, ET, etc.) and which will also document their current training status. All personnel without appropriate training in the use of RVM will be required to complete the training programme, as soon as is practicable.
107. The 'Manipulation Technique Meeting (MTM)' programme, managed by the Animal Welfare Office, on behalf of the AEC, provides an opportunity for students and new staff to discuss the practical and clinical aspects of their proposed animal use with the institutional veterinarian, prior to implementation of the approved protocol. This programme is designed to support the training modules, and assist students and new staff to identify any additional equipment, procedures or skills which would promote animal welfare and enhance the quality of the research data.

## AMENDMENTS TO THE CODE

108. The Code Holder/delegate may make minor amendments to the Code of Ethical Conduct from time to time, as considered necessary after consultation with the AECs. The Code Holder/delegate will give to the Director-General in writing, particulars of those minor amendments as soon as practicable after the end of the year, as specified in section 95 of the Act.

# Code of Ethical Conduct for the Use of Animals for Research, Testing and Teaching

## PREAMBLE

This is the Code of Ethical Conduct of the University of Waikato (the Code) approved by the Director-General of the Ministry for Primary Industries pursuant to the Animal Welfare Act 1999.

Users of animals for research, testing and teaching have ethical and legal responsibility for the welfare of those animals.

The major legal responsibilities are set down in the Animal Welfare Act 1999 and its subsequent amendments.

The Code outlined in this document has been drafted to comply with the above Act.

The Code is administered by an Animal Ethics Committee, which is an advisory committee to the Vice-Chancellor and answerable, through the Academic Board, to the Vice-Chancellor. Its composition, terms of reference and procedures are set down in subsequent sections of this document.

## 1. APPLICATION

- 1.1 This Code applies to all University of Waikato staff and students wherever they are. The Code also applies to any other person involved in the use of animals at the University of Waikato for research, testing and teaching, and to persons or outside organisations approved under section 9.18 of the Code. All animals are protected by the Code, whether they are bred on the campus, brought onto the campus, animals in the wild, or animals held on or off campus for University purposes.

## 2. EFFECTIVE DATE

- 2.1 This Code came into effect on 10 December 2014, approved by the Director-General of the Ministry for Primary Industries.

## 3. DEFINITIONS

- 3.1 In this Code the following expressions have the meanings assigned to them unless the context otherwise requires:

“Act” means the Animal Welfare Act 1999 as in force at the relevant time and includes any Act passed in replacement of that Act.

“Animal” has the meaning assigned to it in section 2 of the Animal Welfare Act 1999 as follows:

- (1) means any live member of the animal kingdom that is:
  - (a) a mammal, or
  - (b) a bird, or
  - (c) a reptile, or
  - (d) an amphibian, or
  - (e) a fish (bony or cartilaginous), or
  - (f) any octopus, squid, crab, lobster, or crayfish (including freshwater crayfish), or
  - (g) any other member of the animal kingdom which is declared from time to time by the Governor-General, by Order in Council, to be an animal for the purposes of this Act, and
- (2) includes any mammalian foetus, or any avian or reptilian pre-hatched young, that is in the last half of its period of gestation or development, and

- (3) includes any marsupial pouch young, but
- (4) does not include:
  - (i) a human being, or
  - (ii) except as provided in sections (2) or (3) of this definition, any animal in the pre-natal, pre-hatched, larval, or other such developmental stage.

“Code” means this Code of Ethical Conduct.

“Committee” means the Animal Ethics Committee appointed pursuant to this Code.

“Manipulation” has the meaning assigned to it in section 3 of the Animal Welfare Act 1999 as follows:

- (1) In the Act, unless the context otherwise requires, the term “manipulation”, in relation to an animal, means, subject to section (2), interfering with the normal physiological, behavioural, or anatomical integrity of the animal by deliberately:
  - (a) subjecting it to a procedure which is unusual or abnormal when compared with that to which animals of that type would be subjected under normal management or practice and which involves:
    - (i) exposing the animal to any parasite, micro-organism, drug, chemical, biological product, radiation, electrical stimulation, or environmental condition, or
    - (ii) enforced activity, restraint, nutrition, or surgical intervention, or
  - (b) depriving the animal of usual careand “manipulating” has a corresponding meaning.
- (2) The term defined by subsection (1) does not include:
  - (a) any therapy or prophylaxis necessary or desirable for the welfare of an animal, or
  - (b) the killing of an animal by the owner or person in charge as the end point of research, testing or teaching if the animal is killed in such a manner that the animal does not suffer unreasonable or unnecessary pain or distress, or
  - (c) the killing of an animal in order to undertake research, testing or teaching on the dead animal or on pre-natal or developmental tissue of the animal if the animal is killed in such a manner that the animal does not suffer unreasonable or unnecessary pain or distress, or
  - (d) the hunting or killing of any animal in a wild state by a method that is not an experimental method.
- (3) The method of killing in (2) must be approved by the Committee.

## 4 AIMS

4.1 The aims of this Code are:

- to ensure compliance with the Act
- to emphasise the responsibilities associated with research, testing and teaching involving the use of animals
- to promote the “Three Rs”
  - the **replacement** of animals with non-animal alternatives including in vitro and virtual model systems and the replacement of sentient with less sentient animal species
  - the **reduction** in the use of animals for research, testing and teaching by ensuring that studies are designed to be scientifically and statistically valid using the minimum number of animals required to achieve these goals, and that studies are not necessarily repeated
  - the **refinement** of techniques that eliminate or minimise the potential pain, suffering or distress, and enhance the welfare of animals used for research, testing and teaching. Pain or suffering must be reduced as much as possible, and must be weighed up against the benefit to humans, other animals and the environment.

## 5. IMPLEMENTATION OF THE CODE

5.1 The University expects that all those to whom this Code applies involved in the use of animals will observe it in the spirit as well as the letter. Adherent or inadvertent breaches of the Code should be corrected immediately and reported to the Committee who must take action to rectify the matter, if this has not occurred. Deans have a special responsibility to see that staff in their Faculty observe the Code.



- 5.2 The maximum penalty (for an individual) for offences is set out under Part 6 of the Act and under the Animal Welfare (Records and Statistics) Regulations 1999.

## 6. PROCEDURES TO BE FOLLOWED

- 6.1 All applications for protocols involving research, testing and teaching in which animals are to be used must be submitted to the Committee for approval. Such protocols must list all staff members and students involved in the manipulations and be signed by the principal applicant for the protocol. Where the manipulation is undertaken as part of a professional service by a specialist not otherwise involved in the project, that person must be named on the protocol and made aware of their obligations under the Code. It is the responsibility of those signing to ensure that all personnel involved in the manipulations and care of the animals are aware of their obligations under the Code. No such research or teaching exercise may commence without prior approval by the Committee. When research or testing is undertaken at a place where approval of another animal ethics committee is required, approval by the University of Waikato Committee is still required.
- 6.2 All applications for protocols must be submitted by the principal applicant to the Secretary of the Committee at least seven (7) days before a regular meeting. Application forms are available from the University of Waikato Research Office website: [http://www.waikato.ac.nz/research/ro/ethics/animal\\_ethics.shtml](http://www.waikato.ac.nz/research/ro/ethics/animal_ethics.shtml)
- 6.3 The principal applicant must indicate in the application:
- their experience (and where appropriate, that of others listed), with the procedures proposed in the application
  - that they have read the Code and will abide by it, and
  - that they will notify the Committee of any unexpected outcomes affecting animal welfare.
- 6.4 Approval for ongoing research, testing or teaching procedures must be renewed at least every three (3) years.
- 6.5 All amendments to protocols must be approved by the Committee. Amendments not judged by the Chairperson to adversely affect welfare or increase numbers may be approved by a subcommittee comprising the Chairperson or Deputy Chairperson and at least two other members of the Committee from sections 8.2 (d), (e) or (f) of this Code.
- 6.6 Any event during a manipulation that impacts adversely on animal welfare beyond the approved manipulation(s) must be notified immediately to the Chairperson of the Committee followed by written notification within ten (10) working days.
- 6.7 Any adverse event during a manipulation must be dealt with promptly. If an animal is injured or sick as a result of the adverse event appropriate veterinary care must be sought immediately. The adverse event must be notified to the Chairperson of the Committee as soon as practicable. The adverse event must be discussed at the next Committee meeting and procedures developed to prevent any re-occurrence of the event if it is preventable.
- 6.8 Subject to the Committee's agreement, the principal applicant may attend a meeting in support of an application. Similarly the Committee may require the principal applicant to be present for discussion of an application.
- 6.9 In the case of the Committee not approving an application the principal applicant may submit a revised application or appeal the decision to the Committee. In the latter situation, further justification or expert opinion in favour of the application must be produced.

## 7. EXEMPTIONS

- 7.1 The procedural requirements of this Code do not apply:



- (a) to tissues obtained from a slaughter house, farm or at a routine post-mortem examination, where their use is incidental to the reason the animal died or was killed
- (b) to animals killed to provide tissues for research, testing or teaching
- (c) to the capture or killing of wild animals
- (d) to animals being farmed or otherwise maintained in captivity under normal animal husbandry practices so long as there are no additional manipulations
- (e) when a staff member or student of the University is attached to an overseas institution and participates in research, the responsibility for which clearly resides with the host institution. In this instance, the proposed work should be considered under the regulations pertaining to that country's laws on the use of animals in research, testing and teaching, provided that there is a mechanism in place. Notwithstanding this, the Committee may require notification of the type of research being undertaken and conditions pertaining to that research. If there is doubt in any particular situation, the matter should be discussed with the Committee.

## 8. ANIMAL ETHICS COMMITTEE PROCEDURES

- 8.1 The Vice-Chancellor has established an Animal Ethics Committee which has the functions, duties and powers conferred upon it by this Code, and such others as are now or may hereafter be conferred upon it by the Act or the Regulations.
- 8.2 The Committee comprises at least six persons appointed annually by the Vice-Chancellor as follows:
- (a) One senior member of staff of the University who is capable of evaluating each proposal involving manipulation of animals in terms of the qualifications and skills of the proposer and others involved and the scientific or teaching value of the proposal, who is chairperson
  - (b) One senior member of staff of the University who is appropriately qualified and experienced in the manipulation and use of animals for research and teaching
  - (c) An Animal House technician
  - (d) A veterinarian, who is not a member of staff or otherwise associated with the University, nominated by the New Zealand Veterinary Association
  - (e) One person who is not a member of staff or otherwise associated with the University, nominated by an approved animal welfare organisation
  - (f) A lay person, who is not a member of staff or otherwise associated with the scientific community of an animal welfare agency, nominated by a territorial authority or regional council.
  - (g) Such additional members as may be requested by the Committee and appointed by the Vice-Chancellor in consultation with the Chairperson of the Committee.
- 8.3 The Committee must be given the opportunity to endorse the appointment of the Chairperson at the first meeting of each year.
- 8.4 The Committee normally meets monthly, and on such other occasions as are desirable to enable it fully to carry out its responsibilities.
- 8.5 The Committee reaches decisions by consensus.
- 8.6 Reasonable prior notice of the time, date, place and proposed business of each meeting must be given to each member.
- 8.7 A quorum for each meeting is not less than four members, of whom at least two must be from those appointed under sections 8.2 (a), (b) or (c) and at least two from those appointed under sections 8.2 (d), (e) or (f) of this Code.
- 8.8 Vacancies in the membership of the Committee do not invalidate its actions, but any vacancy must be filled as soon as practicable in accordance with sections 8.1 and 8.2 of this Code.
- 8.9 The Committee must maintain a complete record of all applications and supporting material presented to it, and of all proceedings in respect of such applications and any other matters referred to the Committee. Such records must be retained for not less than 10 years.

- 8.10 When decisions are required between meetings of the Committee, temporary consents to an application involving manipulations that have a Grade of Manipulation of 'A' or 'B' or minor amendments to an approved protocol may be given by a subcommittee of not less than three members of the Committee of whom one must be the Chairperson or Deputy Chairperson and at least two must be from those appointed under sections 7.2 (d), (e) or (f) of this Code.
- 8.11 The Committee may use teleconferencing or e-mail when making decisions under section 8.10 of this Code.
- 8.12 Every temporary consent or amendment to a protocol must be brought before the next meeting of the Committee; which may confirm or revoke the consent or amendment, or confirm it subject to conditions or amended conditions.
- 8.13 Where a temporary consent is revoked, the relevant work must immediately cease save for any steps necessary to safeguard the welfare of animals involved.
- 8.14 Where an amended approval is given, the work may continue only in accordance with such approval.
- 8.15 Each new member of the Committee will receive guidance regarding the function of the Committee. An induction process will be based on the National Animal Ethics Advisory Committee guidelines and induction pack and new members must be given a copy of the Code.
- 8.16 In the event of any member being absent for a protracted period of time, a replacement person must be nominated by the nominating party concerned, to stand in for the duration of that particular member's absence.
- 8.17 The Committee will conduct its meetings according to the Rules of Procedure for the University Council and its Committees.
- 8.18 Committee members appointed under sections 8.2 (d), (e) and (f) of this Code will receive a remuneration and be reimbursed for expenses.

## **9. FUNCTIONS, DUTIES AND POWERS OF THE COMMITTEE**

- 9.1 The principal functions of the Committee are:
- (a) To ensure that any experimental procedure conducted by staff and/or students of the University involving live animals complies with the Animal Welfare Act 1999 and this Code
  - (b) To consider all proposals involving experimentation on animals conducted by staff and/or students of the University, prior to commencement, to ensure that they comply with this Code
  - (c) To exercise the powers and responsibilities set out in this Code
  - (d) To make recommendations to the Vice-Chancellor (who is the code holder under the Act), through the Academic Board, with regard to any amendments to this Code
  - (e) To consider and respond to any relevant matters referred to it by the Vice-Chancellor or the Academic Board
  - (f) To provide an annual report to the Vice-Chancellor, through the Academic Board, on its business under these terms of reference.
- 9.2 In considering any application put to it involving the manipulation or use of any animal, the Committee must specifically take into account the purpose of Part 6 of the Act and such of the following matters as it considers relevant:
- (a) What consideration has been given to the use of an alternative to manipulation, involving reduction, refinement or replacement, and what further consideration (if any) ought to be given to that or any other practicable alternatives, whether or not amongst those mentioned in the application
  - (b) Whether there is good reason to believe that the findings will add to the scientific understanding of biological functions and behaviour, and will extend the body of knowledge aimed at improvement in the health and welfare of humans or animals, or the productivity of animals; or whether manipulation is a required (as opposed to merely convenient) part of an educational curriculum or for the purpose of

teaching such curriculum; or whether there is any reasonably practicable alternative to using animals for assessing the potency, effectiveness or toxicity of substances or preparations of established or potential usefulness for medical, scientific or commercial purposes

- (c) What scientific, technical and ethical criteria have been employed in choosing an appropriate animal species, having regard not only to the nature of the experimental work and the question posed in planning it, but in particular, whether there are other techniques available, and which will prove equally appropriate. What weighting (if any) has been given to expediency and economic factors. Endangered or threatened species should not be used unless the findings are expected to assist the survival of that species. Where necessary, any statutory approvals must be obtained
- (d) No more animals are to be used than are necessary to ensure unequivocal interpretation of the findings. Such consideration should include the design of the study or teaching exercise, the level of accuracy necessary in the results, the possible confounding effects of animal variation and the needs of statistical analysis. Whether duplication of experiments is involved, and if so, whether this is because the original study requires scientific verification or was flawed or inadequate in some way which would invalidate its conclusions
- (e) What measures are to be, or have been, taken to ensure that the procedures for the obtaining of animals for manipulation are such that they ensure the welfare and humane treatment of the animals
- (f) That suitably qualified and experienced persons will be engaged in undertaking, supervising and be responsible for manipulation and selection of animals, and that their care and disposal have been and will be safeguarded in accordance with the provisions of this Code
- (g) That every care has been taken to ensure the following:
  - that housing, feeding and general care of the animals involved is adequate to meet the needs of such animals
  - that the housing and nutrition of experimental animals has been supervised by a veterinary surgeon (or by a person appropriately qualified in animal hygiene and husbandry, supported by a veterinarian where necessary)
  - that the collection and transport of the animals involved has been or will be carried out in such a way as to cause minimum distress
  - that appropriate arrangements will be made for the final disposal of animals either to non-experimental locations (such as farms in the case of large animals), or by euthanasia. Dead animals must be disposed of in an acceptable manner.

Detailed guidance on these issues can be obtained from the National Animal Ethics Advisory Committee's Good Practice Guide for the Use of Animals in Research Testing and Teaching.

- (h) What measures have been or are to be taken to minimise any pain or distress caused to live animals manipulated, including the abandonment of manipulation at any stage, and the immediate humane destruction of animals where pain and distress cannot be held within reasonable levels. This shall include:
  - consideration of the selection of techniques, which while achieving the desired result, will impose the least possible stress and pain on the animal
  - ensuring that the persons carrying out the manipulation are adequately trained in the requisite techniques; and the use of euthanasia and analgesia wherever necessary, the indications for such use being those accepted in good veterinary or laboratory animal practice
  - ensuring that animals are not subjected to more procedures than are necessary to achieve the objective of the experiment or teaching exercise
  - the termination and, if necessary, abandonment of studies which, if continued, would lead to an unacceptable level of suffering to the animals.

9.3 The Committee may:

- approve an application
- approve an application in principle subject to minor or technical modifications
- decline to approve an application unless it is modified
- decline to approve an application.

9.4 No approval may be for a period of more than three (3) years.

9.5 Every such decision must be minuted, and must be communicated in writing to the principal applicant.

- 9.6 The Committee may in like manner approve or decline any variation of an application, or the extension of the term, and in so doing must take into account such of the matters set out in section 9.2 of this Code.
- 9.7 Subject to any other legal or statutory requirements, members of the Committee must hold in confidence any information coming into their possession as members of the Committee; this provision does not prevent disclosure to the Director-General of the Ministry for Primary Industries or other proper authority of any unethical or unlawful act, omission or concern relating to animal welfare.
- 9.8 Possible conflict of interest by members of the Committee must be declared and the Committee may decide on the appropriate way to manage it.
- 9.9 The Committee has power to inspect any relevant animals, their accommodation and any records in relation to any research, testing or teaching carried out upon them, or proposed to be carried out, at any time in order to satisfy themselves that the provisions of the Code are being properly carried out. Between meetings, this power may be exercised by the Chairperson or his or her nominee together with one other member of the Committee appointed under sections 8.2 (d), (e) or (f) of the Code.
- 9.10 Inspections of all animal facilities and all projects that have a Grade of Manipulation of 'D' or 'E' will be undertaken annually.
- 9.11 Projects that have a Grade of Manipulation of 'A', 'B' or 'C' will be inspected whenever possible during the annual inspection of all animal facilities.
- 9.12 At the final Committee meeting of each year an assessment exercise must be held to determine whether there has been sufficient monitoring of animals throughout the year and whether these activities have been recorded in an appropriate way.
- 9.13 The Committee may direct that any procedure, whether or not approved, be stopped or modified on ethical grounds, and that the animals involved be either euthanised or otherwise properly cared for. Between meetings this power may also be exercised by the Chairperson and one other member of the committee as stated in section 9.9 of this Code.
- 9.14 The Committee must investigate any suspected non-compliance with this Code, and must report to the Vice-Chancellor any significant non-compliance.
- 9.15 The Committee may seek expert opinion on any issue being considered.
- 9.16 The Committee must report annually to the Vice-Chancellor on its activities, and may at any time report to the Vice-Chancellor on any matter pertaining to the welfare of animals involved in manipulation or to the operation of the Code.
- 9.17 Complaints on the part of Committee members, staff members, students, applicants, work associates, or the public should first be drawn to the attention of the Chairperson of the Committee. Further action would involve the Committee, a subcommittee including members from sections 8.2 (d), (e) or (f) of this Code and if necessary a report to the Vice-Chancellor. If the matter cannot be resolved within the Committee, it shall be reported to the Vice-Chancellor. A complaint made with regard to the Chairperson should be reported directly to the Vice-Chancellor.
- 9.18 Requests by outside persons or outside organisations for permission to operate under this Code will be agreed only if the expertise of the Committee is appropriate for the supervision of such persons or organisations and if arrangements can be made to monitor the activities of the applicants. The standard application processes and protocols for approval will apply. The Ministry for Primary Industries will be notified of any arrangements.
- 9.19 The Committee will develop standard operating procedures for either animal husbandry practices or routine procedures that relate to the manipulation of animals in research, testing and teaching. These standard operating procedures will be submitted to the Committee for approval as they are developed.

## 10. RESPONSIBILITIES OF THE UNIVERSITY OF WAIKATO

- 10.1 The University of Waikato will not conduct, or permit any staff member or students to conduct on its behalf, whether on the University of Waikato's premises or elsewhere, any research, testing or teaching involving the manipulation of any live animal, unless that research, testing or teaching is carried out in accordance with this Code.
- 10.2 The University of Waikato will bring every such application to the attention of the Committee for its prior approval in sufficient time to enable adequate consideration.
- 10.3 All Acts of Parliament, Regulations or Bylaws pertaining to the obtaining, holding, possession, care and treatment of animals are to be complied with.
- 10.4 Every application must specifically refer to any of the following matters that are relevant to the application:
- (a) Whether any alternative to the manipulation or use involving reduction, refinement or replacement, has been considered, and is reasonably practicable. If so, why such alternative is not being adopted
  - (b) In what respect the work proposed is likely to result in the extension of the body of knowledge relevant to the health and welfare of humans or animals, the productivity of animals, or the protection of the environment
  - (c) In the case of any educational institution, that the manipulation or use is required as part of the teaching of that institution's curriculum
  - (d) What factors have been taken into account in the choice of animal species, and the weighting given to such factors. Where standard works of reference have been relied on, these should be identified; endangered or threatened species should not be used unless the findings are expected to assist the survival of that species
  - (e) The decision as to the number of animals involved, to ensure that it should be the minimum necessary to provide a scientifically interpretable result, consistent with the level of accuracy required.
    - (i) Consideration must be given to:
      - the design of the study
      - the level of accuracy necessary in the results
      - the possible confounding effects of animal variation
      - the need for statistical validity.
    - (ii) In general, duplication of experiments involving live animals should only be contemplated when it is considered that the original study requires scientific verification or was flawed or inadequate in some way which would invalidate its conclusions.
  - (f) The source from which the animals are to be obtained, their movement and transportation and measures to ensure their welfare and humane treatment
  - (g) The responsibilities of the staff members or students undertaking, supervising and responsible for manipulation and selection of animals, and their care and disposal
  - (h) The measures to be taken to ensure the general health and welfare of animals before, during and after manipulation; including the adequacy and cleanliness of housing, caging and equipment; the provision of food and water; prevention of over-crowding and prevention and control of disease
  - (i) The measures to be taken to minimise pain or distress; including abandonment of any manipulation and the humane destruction of animals where pain or distress cannot be held within reasonable levels
  - (j) Any other aspects of the proposal which the applicant considers ought to be brought to the attention of the Committee.
- 10.5 The University of Waikato will in all respects comply with Section 4 of the Animal Welfare (Records and Statistics) Regulations 1999 which relates to the keeping of sufficient records and the supply of statistics and other data related to the use of animals for research, testing and teaching to the Director-General of the Ministry for Primary Industries. Records of approved protocols will be kept for 20 years. Records of all other business will be kept for 10 years.
- 10.6 Every application must clearly identify the person primarily involved in carrying it out and those responsible for the manipulations, and must be signed by them. The primary applicant is responsible for ensuring that all those involved in the manipulation and care of animals are aware of their obligations under this Code.

- 10.7 In addition to containing an appropriate scientific and technical justification, and description of procedures sufficient to enable the Committee to have an adequate understanding of the application, and addressing any other matters referred to in sections 10.4 and 10.6 of this Code, every application must be accompanied by an explanation in non-technical language fully describing the purposes and anticipated benefits of the work.
- 10.8 The University of Waikato acknowledges its obligation to comply under this Code and with any decision of or advice by the Committee.
- 10.9 Upon receiving from the Committee a report as to non-compliance with this Code, the Vice-Chancellor shall immediately consider the report and take appropriate action thereon, which may include in-house disciplinary action, and/or reference of the report to the Ministry for Primary Industries with a view to a prosecution.
- 10.10 The University of Waikato indemnifies each member of the Committee against any claim whatsoever arising out of any act done or omission made in good faith in pursuance, or purported pursuance of this Code.

## 11. STATISTICS

- 11.1 It is a requirement of the Animal Welfare (Records and Statistics) Regulations 1999 that statistics of animal usage in research, testing and teaching be kept and made available to the Director General of the Ministry for Primary Industries annually and on request.
- 11.2 To facilitate this requirement, each person responsible for a protocol or their nominee must keep a diary or other record of the number of animals used, their source, the procedures they are being or were used for and their ultimate fate when finished with. If the Grade of Manipulation experienced by the animals differs from what was proposed when the project was approved (whether greater or lesser) this must be recorded and reported back to the Committee. This must be kept fully up to date and may be inspected or requested at any time.
- 11.3 The person responsible for a protocol must initiate the Animal Use Statistics Application/Final Return Form and submit this with their application. This form must be completed when the experiments have finished and returned to the Secretary of the Committee.
- 11.4 Those outside persons or outside organisations using this Code must keep a record of all animals manipulated and make a return of these statistics to Ministry for Primary Industries annually.

## DECLARATION

I, the Vice-Chancellor of the University of Waikato accept this Code of Ethical Conduct on behalf of the University of Waikato situated at Hillcrest Road and accept the responsibility for ensuring that the provisions contained within this Code are complied with.

  
Vice-Chancellor  
The University of Waikato  
Private Bag 3105  
Hamilton, 3240

Date: 26<sup>th</sup> November 2014.



Animal Ethics Committee  
The University of Waikato  
Research Office  
Private Bag 3105  
Hamilton

Released under the Official Information Act 1982



## VICTORIA UNIVERSITY OF WELLINGTON

### CODE OF ETHICAL CONDUCT FOR THE USE OF LIVE ANIMALS FOR TEACHING AND RESEARCH

#### 1. Preamble

The use of animals for teaching and research within Victoria University of Wellington by staff and students shall be controlled by the Animal Ethics Committee of Victoria University of Wellington. No member of staff or any student shall use animals for teaching or research without the prior approval of the Animal Ethics Committee (AEC).

The AEC shall review written applications for the use of animals for teaching and research and issue approval for their use only if it is satisfied that their use is in compliance with the Animal Welfare Act 1999 and all other Acts of Parliament regulations and by-laws relating to the obtaining, holding, possession, care and treatment of animals. Particular note should be taken of section 80 of the Act that summarises the reasons for using animals in research and teaching and the need to consider the reduction, refinement, and replacement of animal use wherever possible. In accordance with the above regulations, the AEC has established the following code of ethical conduct, and all approval for use will depend on the AEC being satisfied that the proposed use of animals will comply with this code. Consideration for approval of applications for animal use will be based on the criteria listed in section 100 of the Act.

#### 2. Composition of the Animal Ethics Committee

The AEC of Victoria University of Wellington is appointed by the Vice-Chancellor and shall comprise:

1. A senior member of the academic staff as convener, subject to the endorsement of the AEC.
2. A member of the academic staff capable of evaluating proposals involving animal manipulation to act as executive officer.
3. One suitable lay member nominated by a territorial authority or regional council and not affiliated with the University or scientific community or with an animal welfare agency to represent the public interest.
4. Director of the Animal Facility of the University.
5. Head animal technician of the University.
6. A veterinarian nominated by the NZ Veterinary Association, not a member of the University staff nor otherwise associated with the University.
7. A nominee of the Royal NZ Society for the Prevention of Cruelty to Animals or another approved organisation concerned with the welfare of animals who is not a member of the University staff nor otherwise associated with the University.
8. A representative member of a students organization at Victoria University.

The committee shall have power to co-opt, subject to the approval of the Vice-Chancellor. In exceptional circumstances, an internal member of the committee may serve in more than one of the above capacities.

Decisions on protocols can only be made if a quorum is present at a meeting. A quorum consists of 6 members of the Committee, of which at least two must be external members. In exceptional circumstances, the veterinarian responsible for approving Institutional Drug Administration Orders (IDAOs) for the University can substitute for the AEC veterinarian.

The terms of appointment for members of the committee are 5 years with provision for reappointment. Reappointment would require confirmation of the appointment by the original nominating body or the Vice-Chancellor in the case of University members.

Outside members of the AEC will be reimbursed for their travel in the Wellington area at the standard University rate, and will receive \$100 per meeting for their time or \$50.00 if they provide input but cannot attend the meeting in person.

### 3. Applicability of the Code of Ethical Conduct

#### 3(a) Species

Approval for use of animals must be sought with respect to the following species, as defined in the Animal Welfare Act 1999

- 1) all mammals (including any marine mammal)
- 2) all birds
- 3) all other vertebrate animals ( including reptiles, amphibians, and fish)
- 4) any octopus, squid, crab, or crayfish (including freshwater crayfish)
- 5) any other member of the animal kingdom that is declared from time to time by the Governor General, by Order in Council, to be an animal for the purposes of the Animal Welfare Act 1999.
- 6) The above species include any mammalian foetus, or any avian or reptilian pre-hatched young, in the last half of its period of gestation or development, including marsupial pouch young but not including human beings or other prenatal, pre-hatched, larval, or other such developmental stages of species other than mammals, birds, and reptiles.

#### 3(b) Manipulations requiring approval

Approval shall be required for all procedures involving animals, including the sacrifice of animals for dissection or for use of their tissues. In particular, approval for use of the above species must be sought if the animal is subject to one of the following, defined as a manipulation by the Animal Welfare Act 1999.

- any interference with its normal physiological, behavioural, or anatomical integrity by

- i) Deliberately exposing it to any parasite, microorganism, drug, chemical, biological product, radiation, electrical stimulation or environmental condition.
- ii) Subjecting it to enforced activity, unusual restraint, abnormal nutrition, or surgical intervention.
- iii) Depriving it of its usual care.

Any therapy or prophylaxis necessary or desirable for the welfare of any animal will not require approval.

Note: Where the application of this code is uncertain, the AEC encourages informal consultation with the committee.

#### 4. Method of application and statutory responsibility

##### 4(a) Method of application

Approval shall be sought by application to the AEC on appropriate application forms available from the executive officer. Approval shall be given for a period of 3 years or any lesser period the AEC shall determine. The AEC may require inspection of the facilities, procedures and personnel before giving approval. Any significant modification to the protocol or change in personnel must be subject to approval from the AEC. Modifications and amendments to an approved protocol can be made by submission of the appropriate form to the AEC for approval. Interim approval may be given when necessary by an interim approval subcommittee of the AEC consisting of the AEC veterinarian, a second external member of the committee, and a third member of the committee. In exceptional circumstances, an application or modification/amendment may be evaluated by the whole committee by email or telephone, and interim approval given. All interim approvals will be confirmed at the next regular meeting of the AEC.

The AEC may on occasion provide assistance to external organisations. Such arrangements with outside organizations shall be considered by the AEC on a case-by-case basis. The AEC will accept such arrangements only if it believes the committee has the appropriate expertise to review the application and the conditions for monitoring of animal manipulations, as set out by the committee, are confirmed with the applicant. An external applicant shall be required to complete the standard animal use application form. Members of the AEC shall perform local supervision, and distant supervision shall be by arrangement with personnel contracted to act on behalf of the AEC. Such contracted personnel shall have appropriate qualifications and experience, as determined by the AEC, to be able to satisfactorily monitor manipulations performed on animals. Formal written reports shall be used to document all monitoring activity of the organisations. All such

arrangements shall be notified in writing to the Director-General, Ministry for Primary Industries. Such outside organisations shall comply with the Code.

#### 4(b) Compliance

- i) The AEC or its appointed representative shall have the right at any time to inspect the facilities in which the animals are housed, the procedures used and the condition of the animals; and where there is concern they shall be required to investigate and to take appropriate action. All members of the University or other persons may bring to the attention of the AEC any concern regarding compliance with the code.
- ii) The AEC will conduct routine monitoring of all research and teaching laboratories, paying particular attention to laboratories in which ethical impacts are high. Whenever possible, a laboratory visit will be conducted prior to each AEC meeting, in addition to occasional arrangement of special demonstrations of techniques outside of normal meeting times. Principal investigators and co-investigators will also be invited to the AEC meetings to meet the committee members and discuss their research programmes. The AEC shall be responsible for monitoring compliance with the code of ethical conduct and can require a University member through the chairperson of their school to either modify (as directed by the committee) or stop their teaching or research programme involving live animal usage.

#### 4(c) Reporting of animal use

All use of animals approved by the AEC must be recorded. Individual users shall, on behalf of the AEC, maintain the records for their use and make them available as required in terms of the regulations. These records shall be kept for a minimum of 7 years and shall comprise the records required under the Animal Welfare Act 1999 as stipulated on the *Animal Use Statistics Application/Final Return Form* provided by MPI and shall include a record of

- (a) The type of animal manipulated or used
- (b) The number of animals of each species manipulated or used
- (c) The source of supply of each animal used
- (d) The status of each animal used.
- (e) The purpose for which each animal was used.
- (f) The previous history of use of the animal
- (g) The grade or degree of manipulation of the animal.
- (h) The fate of each animal used.

#### 4(d) Responsibility

The principal investigator or course organiser must accept primary responsibility for work undertaken including the selection of an appropriate animal species, the choice of the number of subjects, the nature of the procedures and all matters related to the continuing

welfare of the animals and their ultimate disposal according to the principles outlined in the code.

The committee requires interim progress reports from some protocols and final reports on all research protocols and reserves the right not to approve new protocols in the event of non-compliance.

5. Code of ethical conduct

Animals used for experimental purposes must be lawfully acquired, properly cared for, of appropriate species, and used in suitable numbers. The animals must also be of suitable health status. Detailed guidance on these issues can be obtained from the National Animal Ethics Advisory Committee's *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*. Overall, the benefits of the use of animals must be balanced against any harms that may be caused to them by a manipulation. In considering whether to approve an application for animal use, the AEC must be satisfied with respect to the following, each of which the applicant is specifically required to address in making application to the AEC.

- i) The application shall state why the proposed use of animals is desirable and whether there are any practical alternative approaches that avoid the use of animals and yet achieve the identical goal.
- ii) The application shall state whether the species is appropriate on scientific, technical, humanitarian and educational grounds for the procedures proposed, to allow extension of the body of knowledge in the case of a research proposal or to provide the desired educational aim in the case of a teaching proposal. The AEC will not approve use of an endangered or threatened species unless the findings are expected to assist the management and conservation of that species.
- iii) (a) In the case of a research protocol, the application shall include an assurance that the number of animals used will be minimised to ensure that no more animals are used than are necessary to ensure unequivocal interpretation of the findings. An indication of the number likely to be used shall be given in the application. The AEC must be satisfied that the experimental design is adequate.  
  
(b) In the case of a teaching protocol, an assurance must be given that the number of animals to be used is the minimum compatible with the educational objective.
- iv) In the case of a research protocol there must be good reason to believe that the findings will add to the scientific understanding of biological functions and behaviour, or will extend the body of knowledge aimed at improvement in the health and welfare of humans or animals or the productivity of animals.

In the case of a research protocol the investigator shall state whether the protocol is a duplication of previous work. Duplication shall in general only be considered ethical if evidence is provided that the original study requires scientific validation, or if the study was flawed or inadequate such that the conclusions were invalid.

- v) Teaching is a prime function of Victoria University of Wellington. With respect to applications for teaching purposes, in general, live animals may only be used where there is no alternative satisfactory method to achieve an appropriate educational objective.

Graduate education is an essential role of the University and applications for the use of animals for research towards a dissertation or thesis shall be made by the supervisor and shall be considered with respect to both educational and research objectives.

- vi) In general the AEC will not approve multiple procedures on a single animal but recognizes that in certain experimental or teaching exercises multiple procedures may be necessary. Excessive intervention shall be grounds for not approving an application.
- vii) The application shall state whether the animal has been lawfully acquired and whether the source of animal is appropriate for the proposed use. Where possible, animals should be used that have been specifically bred for research and teaching.
- viii) The application shall provide details of where and how the animals are to be housed, who is to care for them, who is to perform any manipulations and who has primary responsibility for their care and for the experiment/teaching. The AEC must be satisfied that the facilities are adequate to allow for the general health and welfare of the animals at all times, that the personnel have the appropriate training and expertise to care for the animals and to perform the manipulations. Where people from organisations other than those on the VUW campus are undertaking manipulations, proof of their ability/training will be required by the committee before protocols are approved.
- ix) The application shall state the proposed fate of the animal at the end of the experiment/teaching. If it is to be destroyed, either as part of the manipulation or subsequently, the means of euthanasia and the personnel involved must be approved by the AEC. The means of euthanasia and disposal must comply with the methods considered by the AEC to be humane and generally in accord with standard practice.
- x) The applicant shall provide details and satisfy the AEC that the animals will be inspected at frequent intervals by persons with sufficient expertise to recognise any animal in ill health or distress. Appropriate means must be available to maintain pain and distress at a minimum, within reasonable levels and in the case of post-operative care consistent with the accepted practice of veterinary surgeons. Facilities must be available, provision made in the protocol and authority given to those in immediate care of the animal to allow for immediate humane destruction of animals if pain and distress cannot be held within reasonable levels.
- xi) The AEC must be satisfied that during operative procedures, appropriate anaesthetics are used to eliminate sensitivity to pain. Where recovery from



anaesthesia is not intended, the animal must be killed in a humane way at the conclusion of the experiment.

- xii) The AEC will not approve the use of a neuromuscular blocking agent without concurrent use of an anaesthetic except in exceptional circumstances.

6. Complaints about the operation of the committee

Complaints shall be addressed in the first instance to the convener of the committee and shall be in writing. The chair may consult with the members of the committee as appropriate, and may call a special meeting of the committee to resolve the matter. If the matter cannot be resolved within the committee, it shall be reported to the Vice-Chancellor. A complaint made with regard to the convener should be reported directly to the Vice-Chancellor.

7. Conflicts of interest within the committee

In cases where members of the AEC may have conflicts of interest, such as when their own protocols are under discussion by committee members, the members may on occasion be asked to leave the meeting while the applications are discussed. In most cases, however, members will remain at the meeting and contribute to the discussions about their protocols.

8. Modifications to the Code of Ethical Conduct

Amendments to this Code shall be subject to the approval of the Director-General of the Ministry for Primary Industries (as required in accordance with the Animal Welfare Act 1999). The AEC, through the convener, has the right to recommend to the code holder that amendments be made to the code, with notification sent to the MPI for approval of any such amendments.





## **WINTEC CODE OF ETHICAL CONDUCT**

**January 2013 – December 2017**

Released under the Official Information Act 1982

**For Period January 2013 – December 2017**

MPI Approval..... 16 October 2012, subject to amendments

Amended.....28 October 2012

MPI Final Approval

Released under the Official Information Act 1982

# WINTEC CODE OF ETHICAL CONDUCT FOR ANIMAL USE

## Part 1: Guiding Principles

- 1.1 This Code of Ethical Conduct (CEC) complies with all the requirements of the Animal Welfare Act 1999 (the Act) so that animals as defined by this Act can be used for teaching and research at Wintec. In particular, the CEC complies with sections 80 and 100 of the Act.

Section 80 sets out the purposes of the regulatory system for the use of animals in science and in particular, stipulates that efforts should be made to reduce the number of animals used, refine invasive techniques to increase benefits gained and replace the use of animals with alternative methods where these are appropriate.

Section 100 covers criteria for considering any application for the approval of a project and in setting, varying, or revoking conditions of the approval of a project.

The animals being used include those belonging to the Institute, to other organisations for example AgResearch, to staff, students and the public. These animals provide the teaching and research materials in the fields of animal husbandry, animal biology, anatomy, physiology, biochemistry and surgery. The major use of animals at the Institute is for teaching purposes.

### 1.2 Legal Responsibility

Animals used for research purposes or for teaching as defined under the Act must be lawfully acquired, maintained and used in strict compliance with all legislation which relates to their welfare and humane treatment.

### 1.3 Responsibility of the Person Undertaking any Manipulation

Both the person carrying out any manipulation and the Institute must accept responsibility for the work undertaken. Such responsibility will include the selection of an appropriate animal species, the choice of the number of animals, the nature of the procedures and all matters related to the continuing welfare of the animals and their ultimate disposal.

### 1.4 Responsibility for Day-to-Day Care of Animals

It is the responsibility of the Institute to ensure that the person/s responsible for the day-to-day needs of the animals is/are properly trained in animal health and welfare, and has access to a registered veterinarian should the need arise.

### 1.5 Value of a Proposed Manipulation

It should be a guiding principle that the manipulation of live animals should only be undertaken:

- a) where manipulation is a required part of an educational curriculum

- b) where there is a good reason to believe that the findings will add to the scientific understanding of biological functions and/or behaviour, or will extend the body of knowledge aimed at improvement in the health and welfare of humans and/or animals and the productivity of animals.

Acceptance of this principle means that those responsible must be thoroughly conversant with the literature and background information on the subject of study.

#### 1.6 Choice of an Appropriate Animal Species

1.6.1 The choice of species must be determined not only by the nature of the manipulation and the questions posed in planning it, but also by other relevant considerations. Animal subjects should not be used at all if other techniques are available and will prove equally appropriate. Endangered or threatened species should not be used unless the findings are expected to assist the survival of that species.

1.6.2 The precise choice of animal species in any study will depend on scientific, technical and humanitarian criteria. Expediency and economic factors must not be allowed to distort these criteria.

#### 1.7 Minimisation of Distress

The following points must be taken into consideration:

- the selection of techniques which, while achieving the desired result, will impose the least possible stress and pain on the animal;
- ensuring that the person(s) carrying out the manipulation is/are adequately trained in the technique;
- the use of anaesthesia and analgesia whenever necessary - the indications for anaesthesia and analgesia parallel those accepted in veterinary practice;
- the avoidance of multiple procedures in order to minimise the distress suffered by each animal - animals should not be subjected to more procedures than are necessary to achieve the objective of the manipulation;
- the termination and, if necessary, abandonment of studies which if continued, would lead to an unacceptable level of suffering to the animals.

#### 1.8 Limitation of Animal Numbers

1.8.1 It is unacceptable to embark on a manipulation which, because of insufficient numbers of animals or faulty design, cannot provide meaningful results. However, when planning manipulations the number

of animals used should be the minimum necessary to provide a valid result.

1.8.2 Consideration must be given to:

- the design of the manipulation;
- the level of accuracy necessary in the results;
- the possible confounding effects of animal variation;
- the needs of statistical analysis.

1.8.3 The accuracy required in results must be determined at the commencement of the study since the achievement of an approximate answer only may be appropriate and may involve the use of considerably fewer animals than would be required for greater accuracy.

1.8.4 If animal variation is likely to confound the results, a sufficient number of animals must be used to reduce the effects of variation to a level enabling meaningful interpretation. It may be necessary to establish the extent of animal variation by carrying out a preliminary manipulation so that the minimum number of animals to use in the main manipulation can be calculated.

1.8.5 In general, duplication of manipulations involving live animals should only be contemplated when it is considered that the original study requires scientific verification or was flawed or inadequate in some way which would invalidate its conclusions.

1.9 General Health and Welfare of Animals

In addition to exercising control over all manipulations on live animals, every care must be taken to ensure that housing, feeding and general care is of a high standard. The housing and nutrition of experimental animals must be supervised by a veterinarian where necessary. Collection and transport of animals must be carried out in such a way as to cause minimum distress. Appropriate arrangements must be made for the final disposal of animals either to non-experimental circumstances (such as farms in the case of large animals) or by euthanasia. The National Animal Ethics Advisory Committee's (NAEAC) publication *Good Practice Guide for the Use of Animals in Research, Testing and Teaching* will be used as a standard reference.

1.10 An Animal Ethics Committee (AEC) will approve projects and proposals to use animals so such usage can be regulated and monitored to ensure adequate standards of animal welfare are maintained.

1.11 The AEC will consist of internal members appointed by the CEO and three external members appointed in accordance with section 101 of the Act.

1.12 External members of the AEC will be appointed for a period of up to 3 years with the possibility of their terms being renewed.

- 1.13 The Chairperson must ensure that all members of the AEC are fully prepared for their role on the AEC, new members will be provided with a NAEAC Induction pack.
- 1.14 Adequate complaint handling procedures have been set up by the Chairperson.
- 1.15 The AEC will provide all applicants with an instruction guide and a checklist for project proposals, plus advice, assistance and training when deemed necessary.
- 1.16 All projects will be monitored by the AEC.
- 1.17 Secretarial services and an operating budget for the AEC will be provided by Wintec including secure information storage.

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## Part 2: Details Of Animal Ethics Committee Procedures

2.1 The AEC will consist of 9 members.

- i) (6) Internal members appointed by the CE may include,
  - a. Chairperson subject to the endorsement of the AEC;
  - b. A person capable of evaluating proposals in terms of benefits to be gained and the competence of the proposer;
  - c. A person with experience in laboratory animal management (this person will usually also be the AEC Executive Officer);
  - d. A veterinary surgeon to conduct surgery and maintain animal welfare standards
  - e. A person with experience in sheep and cattle husbandry;
  - f. A person with experience in animal biology;

Some of these positions may be amalgamated and/or altered at the discretion of the Chairperson and CE

- ii) (3) External members appointed by the Code Holder.
  - a. A veterinary surgeon nominated by the New Zealand Veterinary Association; this person will also fulfil the role of Deputy Chairperson and will carry out the duties of the chairperson in the chairperson's absence.
  - b. A person nominated by an approved animal welfare organisation such as the SPCA;
  - c. A person nominated by a local body or regional council;

These appointees will not be associates of the code-holder.

Experts in particular fields may be co-opted to the AEC when necessary.

2.2 Members of the AEC will be appointed for a period of up to 3 years. External members of the committee will be appointed to the committee by nomination from appropriate external bodies. Internal member appointments will be made by the chair of the committee in consultation with committee members, and the CE of Wintec will confirm their appointments. Renewals of the term are possible but external committee members will need to be re-nominated by the appropriate external body. When members are replaced, every effort should be made to ensure that the new committee member is a person with comparable knowledge and experience.



- 2.3 The Chairperson must ensure that all members of the AEC are fully prepared for their role on the committee by providing them with appropriate information and documents. New members will be provided with a NAEAC induction pack so as to be fully informed of their responsibilities under the the Act.
- 2.4 The AEC will meet at least twice a year and on additional occasions when required. At least two weeks' notice of such meetings, in writing, shall be given to all members, by the Executive Officer.
- 2.5 A quorum will consist of 5 members including at least 2 external members. All decisions will be by consensus.
- 2.6 The Chairperson will follow the meeting procedures adopted by Wintec's Academic Board and its sub-committees as referenced in the Wintec Policy: The Academic Board and its Committees AB1-5/00
- 2.7 AEC meetings will be subject to the requirements of the Local Government Official Information and Meetings Act 1987. The Chairperson may exclude the public from all or part of a meeting to protect the privacy of natural persons or the commercial sensitivity of information to be disclosed. The CE will deal with any requests under the Official Information Act in consultation with the Chairperson and any persons who may be involved.
- 2.8 Agendas and protocol applications, including any accompanying documentation, must be sent to committee members at least two weeks before meetings. If protocol applications have not been sent to committee members before this time, then the committee reserves the right to postpone its discussion until the next meeting.
- 2.9 The Chairperson will establish an appropriate remuneration system for external members.
- 2.10 Wintec will provide secretarial services to the AEC and a budget to cover expenses. All information pertaining to minutes of proceedings, project applications, committee decisions, operations and records is to be stored and maintained satisfactorily for not less than 7 years. Access to this information will only be with the approval of the Chairperson or the CE.
- 2.11 The AEC will provide project applicants with an application form, written instructions on how to correctly complete it and a checklist of the items required for the approval process. All applications must conform to the requirements of the Act. Every application shall clearly identify the persons primarily engaged in carrying out the animal manipulation and those responsible for the manipulations and shall be signed by them. Applicants are responsible for ensuring that all personnel involved in the project and the care of animals are aware of their obligations under the code.

If necessary, applicants will be provided with advice, assistance and instruction on animal welfare requirements. This may initially be provided by the evaluating member, the Chairperson or AEC members with particular experience.

Proposals may be accepted, modified or rejected by the Committee.

The committee can suspend and/or revoke protocol approvals where they have concerns for the welfare of the animals. A sub-committee comprising the Chairperson, one external member and the staff veterinarian can revoke or suspend project approvals; such actions will be immediate. These decisions will be submitted for ratification by the full committee at its next meeting.

Where the committee declines an application, then the applicant can seek guidance from committee members about the committee concerns and recommendations. Modified protocols can then be resubmitted to the committee for their reconsideration.

The AEC will require a definite end-point for all proposals. No teaching protocols will be approved for more than 3 years. Research projects will be approved for a maximum of one year, but the researchers may apply to have their approvals extended.

A short report will be required at the end of each project to confirm that conditions of approval have been met, to record any unexpected or untoward results and any additional actions taken. A standard report form will be provided for these purposes.

The AEC will require interim annual reports for standard teaching recurring protocols, and annual interim reports for research based projects.

Any requests for amendments to approved proposals must be submitted to the AEC and accepted by the committee before changes are made.

Applicants must disclose the source of animals they are proposing to use, the number of animals to be used, where they are located during use, the competence and experience of persons involved in their use or care, measures to be taken to ensure the health and welfare of animals used before, during and after manipulation, measures to minimise pain and distress to animals being used and methods of humane destruction of animals when this is necessary.

- 2.12 Monitoring of the activities of applicants, the facilities for housing animals, animal health and welfare and proper documentation, particularly in relation to observing the conditions of project approvals, will be carried out at least annually. Random visits will be made to projects by individuals or groups of AEC members to ensure that all procedures conform to accepted animal welfare standards.

The AEC may appoint an Animal Welfare Officer for Wintec to oversee all animal practices and facilities to ensure that they comply with current good practice and scientific knowledge.

The results of monitoring visits will be reported at the next AEC meeting.

- 2.13 AEC members will consider all project applications at a formal meeting. Teleconferencing may be used in an emergency situation. In the event of a conflict of interest, an AEC member will stand down from discussions on that subject.

Requests for modifications to AEC approved research proposals, or for simple proposals involving minimal animal welfare concerns may be given by a sub-committee, where the request is urgent and the category of suffering is recorded as Grade A or B. The subcommittee shall comprise the Chairperson, one external member, the person evaluating the proposals and the staff veterinarian.

Proposals approved by sub-committee or teleconference will be submitted for ratification at the next AEC meeting.

- 2.14 Complaint and appeal procedures will be set up by the Chairperson to deal fairly and promptly with complaints from applicants, AEC members, staff, students and the public.

The Chairperson will set up a sub-committee including 2 external members to investigate such complaints by interviewing all persons concerned and providing a written report to the committee with recommended actions. A copy of the report is to be provided to the CE and the complainant.

Complaints against the Wintec AEC committee chairperson should be directed to the Chief Executive of Wintec in the first instance. The CE (or their nominee) will then consult with a minimum of two of the external committee members, one of whom should be the NZVA nominee. The NZVA nominee in consultation with the CE (or their nominee) may correspond directly with the chairperson to resolve the issue, and / or correspond with MPI if the complaint is of a nature that the NZVA nominee believes justifies this action. If the complaints are upheld then the CE is authorised to take whatever actions considered appropriate. These may include:

- Removal of the chairperson from the role and the appointment of a new chairperson from within the existing committee, or a new appointment external to the committee but a Wintec staff member, and in consultation with the existing committee
- Removal of the former chairperson from the committee

- 215 The AEC will provide an annual report to the CE through Wintec's Academic Board summarising its activities; such as the number of protocols approved, difficulties encountered, complaints received and a copy of the Animal Use Returns required by the Animal Welfare (Records and Statistics) Regulations 1999.

- 2.16 The AEC will consider parenting arrangements (for consideration of external applications) from outside organisations on a case-by-case basis. The AEC may accept such parenting arrangements only if it believes the committee has the appropriate expertise to review the application. Parented organisations shall comply with this Code. The conditions for monitoring of animal manipulations, as set out by the committee, shall be confirmed with the applicant. Members of the committee shall normally carry out monitoring of animal manipulations. However, distant supervision may be by arrangement with personnel contracted to act on behalf of the AEC. Such contracted personnel shall have appropriate qualifications and experience, as determined by the AEC, to be able to satisfactorily monitor animal manipulations. Formal written reports shall be used to document all monitoring activity of parented organisations. Full cost recovery shall apply in the absence of a collaborative agreement. All parenting arrangements shall be notified in writing to the Ministry for Primary Industries.

2.17 Amendments to the Code of Ethical Conduct

The AEC may recommend to the Code Holder that the CEC be amended. Where the code holder agrees to the amendment, then minor amendments will be notified to MPI. Any amendments which are not minor must be approved by MPI.

*This is to certify that the code holder undertakes to conform with all the requirements of the Animal Welfare Act 1999 and will ensure that all persons involved in the animal manipulations and carrying out of these activities are appropriate persons according to that Act. It is accepted that the code holder is also responsible for distributing information on the requirements of the Act to the Animal Ethics Committee to help ensure that the Animal Ethics Committee follows the requirements of the law.*

Signature of applicant: .....

Date: .....

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