

Charles Darwin University Animal Ethics Committee

TERMS OF REFERENCE

1. TITLE OF COMMITTEE

Charles Darwin University Animal Ethics Committee (AEC).

2. ESTABLISHMENT

The Animal Ethics Committee is established under Part 3 Section 15 of the [Charles Darwin University Act 2003](#).

3. FUNCTIONS AND RESPONSIBILITIES

The Animal Ethics Committee is responsible for ensuring, on behalf of the University or any other organisation for which it acts (the Organisation), that all activities relating to the care and use of animals by the University or the Organisation are conducted in compliance with the current version of the [Australian code for the care and use of animals for scientific purposes](#) (the Code), the Northern Territory Animal Welfare Act and the corresponding legislation in each State or Territory in which the University is registered in.

To this end the Animal Ethics Committee will:

- Review applications for projects and approve only those projects that are ethically acceptable (in accordance with Section 1.3 of [the Code](#)) and conform to the requirements of [the Code](#);
- Review Animal Research Permits and approve only those that meet the requirements of the Northern Territory Legislation;
- Review applications for activities associated with the care and management of animals in facilities, including procedures applicable to breeding programs integral to the maintenance of an animal line, and approve only those activities that are ethically acceptable and conform to the requirements of [the Code](#);
- Conduct follow-up reviews of approved projects and activities in line with Section 2.2.32 (ii) of [the Code](#), and allow the continuation of approval for only those projects and activities that are ethically acceptable and conform to the requirements of [the Code](#);
- Monitor the care and use of animals, including acquisition, transport, housing conditions, practices and procedures involved in the care of animals in facilities and provisions for animals at the conclusion of their use or appoint a suitably qualified person to perform these duties;
- Take appropriate actions regarding unexpected adverse events, including authorising the emergency treatment or euthanasia, by a suitably qualified person, of any animal to ensure that animal wellbeing is not compromised, the issue is addressed promptly, and activities that have the potential to adversely affect animal wellbeing cease immediately. Actions may include consulting with relevant people and, where necessary, suspending or withdrawing approval for the project or activity.

- Take appropriate actions regarding non-compliance to ensure that animal wellbeing is not compromised, the issue is addressed promptly, and activities that have the potential to adversely affect animal wellbeing cease immediately. Actions may include suspending or withdrawing approval for the project or activity. Actions taken to address the issues must be in consultation with the person(s) involved, and when necessary, such matters are referred to the University for action. The Animal Ethics Committee must ensure non-compliance receives appropriate follow-up;
- Approve procedures or guidelines, as defined by [the Code](#), for the care and use of animals on behalf of the institution, and maintain and publish on the University's website an electronic library of approved procedures and guidelines for subsequent use.
- Provide advice and recommendations to the institution;
- Report on its operations to the institution and regulator;
- Require that all members declare any perceived, potential or actual conflicts of interest and appropriately deal with such situations; and
- Perform all other duties required by [the Code](#).

These Terms of Reference of the AEC will be reviewed by the Vice-Chancellor every four (4) years, at a minimum following the external review of the AEC, or as required.

These Terms of Reference are to be publicly available and maintained on the University's internet site.

4. MEMBERSHIP

Members of the Animal Ethics Committee are appointed by the authority of the Vice-Chancellor or delegate in accordance with [the Code](#) as follows:

- The AEC will have a minimum membership of at least two (2) separate persons in each category specified as mandatory by section 2.2.4 of [the Code](#) which are:
 - **Category A:** a person with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to the institution's activities or the ability to acquire relevant knowledge;
 - **Category B:** a suitably qualified person with substantial and recent experience in the use of animals for scientific purposes relevant to the institution and the business of the AEC. This must include possession of a higher degree in research or equivalent experience. If the business of the AEC relates to the use of animals for teaching only, a teacher with substantial and recent experience may be appointed;
 - **Category C:** a person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with the institution, and who is not currently involved in the care and use of animals for scientific purposes. Veterinarians with specific animal welfare interest and experience may meet the requirements of this category. While not representing an animal welfare organisation, the person should, where possible, be selected on the basis of active membership of, and endorsement by, such an organisation;
 - **Category D:** a person not employed by or otherwise associated with the institution and who has never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their undergraduate education. Category D members should be viewed by the wider community as bringing a completely independent view to the Animal Ethics Committee, and must not fit the requirements of any other category;

- The Animal Ethics Committee may include such additional members as is deemed necessary to ensure its adequate functioning provided that Categories C plus D represent no less than one third of the members; and
- The Animal Welfare Officer will attend meetings with rights of audience and debate, but will not have voting rights. The Animal Welfare officer will conduct inspections and investigations on behalf of, and report their findings to, the Animal Ethics Committee.

Before appointment, all members must acknowledge in writing their acceptance of the Terms of Reference of the Animal Ethics Committee and agree to the conditions of confidentiality contained in the University's Confidentiality Agreement for Animal Ethics Committee members.

Animal Ethics Committee Executive Committee

The Animal Ethics Committee Executive Committee will be appointed by the Animal Ethics Committee, in accordance with section 2.2.23 of *the Code* and must include the Animal Ethics Committee Chair and at least one (1) member from Category C or D. Appointment will take place after a call for volunteers at each meeting of the Animal Ethics Committee, and the term of appointment will be for the period up to the next scheduled meeting of the Animal Ethics Committee.

The role of the Executive is to expedite any urgent considerations of minor amendments to approved projects, where the proposed change is not likely to cause harm to animals including pain and distress, which arise outside of scheduled meeting of the Animal Ethics Committee.

The Executive may:

- Approve minor amendments to approved projects or activities, for ratification at the next Animal Ethics Committee meeting. Minor amendments include minor and straightforward changes to procedures addition of non-invasive minor procedures, small changes to animal numbers or strains, addition or removal of investigators and extensions of time; and
- Review responses to conditions on applications and/or modifications specifically referred to it by the Animal Ethics Committee.

The Executive must not approve new applications.

All decisions by the Executive will be reviewed and ratified by the Animal Ethics Committee at its next quorate meeting.

The Executive will take a cautious approach and refer any contentious issues to the full Animal Ethics Committee. Matters requiring a resolution by the Executive will be determined by consensus of the members present. The vote must have unanimous support. If any member is unwilling to support an approval motion, the matter will be referred back to the full Animal Ethics Committee for review.

5. CHAIR

The Vice-Chancellor, in accordance with *the Code*, will appoint the Chair of the Animal Ethics Committee. The Chair should hold a senior position at the University who need not be an experienced animal researcher. The Chair may be from a discipline unrelated to animal experimentation. The Chair will normally preside at all meetings of the Animal Ethics Committee.

Members of the Animal Ethics Committee will appoint the Deputy Chair, from within the membership of the Animal Ethics Committee. In the absence of the Chair, the Deputy Chair will perform all the functions of the Chair.

6. SECRETARY

The Office of Research and Innovation provide the functions of the secretary at meetings and administrative services to the Animal Ethics Committee and its members.

7. TERM OF OFFICE

All members, other than the Chair, are appointed for a term of three (3) years. At the end of their term the position will be advertised by the Office of Research and Innovation. The standing member may reapply, but if reappointed can only serve one (1) more three (3) year term such that no member can serve more than two (2) consecutive terms at a time. It is acceptable for members to subsequently be re-appointed to the Animal Ethics Committee after a period of three (3) years' absence. Appointments to the Animal Ethics Committee should, meet the University's [Equal Opportunity Policy](#), wherever possible.

Replacement of members will be phased to ensure the maintenance of a quorum and expertise on the Animal Ethics Committee. Where a replacement member is not able to commence an appointment at the end of a current member's term, the current member will be asked to remain on the Animal Ethics Committee until the replacement has been appointed and inducted.

Members who do not attend three (3) consecutive meetings, or a minimum of half of the annual scheduled Animal Ethics Committee meetings without approved leave of absence may have their membership terminated.

8. QUORUM

A quorum will comprise at least one (1) member from each category specified as mandatory by [the Code](#). If more than four (4) members are present, members from Categories C plus D must represent not less than one-third of those members present.

If a quorum is not achieved, the meeting will be rescheduled.

When a member is unable to attend an Animal Ethics Committee meeting due to unavoidable circumstances, the Animal Ethics Committee may use video conferencing or web-conferencing to ensure a quorate meeting. Teleconferencing can only be conducted in special circumstances where the meeting cannot be rescheduled; and where video conferencing and web conferencing is not possible.

Members unable to attend meetings must advise the Chair as early as possible, and may forward comments on the business before the meeting.

For efficient operation of the Animal Ethics Committee, all members will be full members of the committee, proxy or alternative membership will not be allowed.

Members who leave to undertake professional development will either resign from the Animal Ethics Committee or obtain formal leave of absence at the commencement of these activities.

9. MEETINGS

The Animal Ethics Committee will meet at least seven (7) times per year. Extra meetings may be called if circumstances or the nature of business is urgent or extraordinary.

Minutes of the meeting, specifying each item of business discussed, summarising essential items of discussion and recording the decision reached or advice resolved, will be circulated to all the members as

soon as practicable after each meeting. The minutes will be confirmed at the subsequent Animal Ethics Committee meeting.

The Animal Ethics Committee may invite people with specific expertise to provide advice as required. Any experts so invited are subject to Animal Ethics Committee confidentiality requirements.

10. RESOLUTIONS OF THE COMMITTEE

Matters requiring a resolution by the Animal Ethics Committee will be determined by consensus of the members present whenever possible, but where necessary, resolution will be achieved via a majority of votes of the members present and voting.

The Chair has a vote and, in the case of an equality of votes, the deciding vote.

11. AGENDA

A written agenda with supporting documents will be distributed in advance of the meeting date.

12. CONFLICTS OF INTEREST

Conflict of interest arises when a member has an interest in a matter that may be reasonably construed as having the potential to influence the impartiality of that member in relation to that matter. The conflict of interest may be reasonably perceived, potential or actual conflict of interest. Members must declare conflicts of interest to the Chair who will exercise discretion and give direction to resolve the conflict of interest.

If any member is in doubt as to whether conflict may exist, they are encouraged to seek advice from the Chair or Animal Welfare Officer.

The chairperson must not preside over matters in which he or she has a conflict of interest.

For decision-making, members with a conflict of interest must withdraw from the meeting for the discussion of the particular agenda item. Once such members have withdrawn, the remaining members must constitute a quorum as defined in [the Code](#) clause 2.2.25—that is, one (1) member from each of the membership categories A, B, C and D, with Categories C and D together representing at least one-third of members present.

13. REVIEW OF DECISIONS AND COMPLAINTS

The Animal Ethics Committee will follow the approved procedures for the fair resolution of disagreements between Animal Ethics Committee members, between the Animal Ethics Committee and investigators or teachers and between the Animal Ethics Committee and an Organisation for which it acts.

14. REPORTING

The Animal Ethics Committee reports to the Vice-Chancellor as the nominated representative of the institution, on all matters affecting animal research at the University.

The Animal Ethics Committee must submit a written report on its activities at least annually to the Vice-Chancellor for presentation to Council. The report includes information on:

- Numbers and types of projects assessed and approved or rejected;
- The physical facilities for the care and use of animals by the University;

- Activities that have supported the educational needs of Animal Ethics Committee members, and of personnel involved in the care and use of animals;
- Administrative or other difficulties being experienced; and
- Any matters that may affect the institution's ability to maintain compliance with [the Code](#); and if necessary, the provision of suitable recommendations.

The Animal Ethics Committee is also held accountable for its activities through the provision of annual compliance and activity reports to:

- The Animal Welfare Authority, Northern Territory Department of Primary Industry and Fisheries;
- Other State and Territory Governments regulatory bodies, as required; and
- Relevant funding bodies, as required.

15. RELEVANT DEFINITIONS

In the context of this document and defined by the Australian code for the care and use of animals for scientific purposes:

Code means the Australian code for the care and use of animals for scientific purposes;

Conflict of interest means a situation in which a person's individual interests or responsibilities have the potential to influence the carrying out of his or her institutional role or professional obligations, or where an institution's interests or responsibilities have the potential to influence the carrying out of its obligations;

Institution means any organisation or agency involved in the care and use of animals for scientific purposes, including universities, hospitals, research institutes, government departments, teaching organisations (including schools and colleges), vocational training organisations, agricultural organisations, commercial companies, and organisations involved in animal breeding and supply;

Investigator means any person who uses animals for scientific purposes. Includes researchers, teachers, undergraduate and postgraduate students involved in research projects, and people involved in product testing, environmental testing, production of biological products and wildlife surveys;

Procedure means a technique employed when caring for or using animals for scientific purposes. One or more procedures may be used in an activity;

Project means an activity or group of activities that form a discrete piece of work that aims to achieve a scientific purpose; and

Teacher means any person in charge of a teaching activity.

Document History and Version Control

Last amendment:	15 Dec 2017
Sponsor:	Vice-Chancellor
Contact Officer:	Animal Welfare Officer

Version	Date Approved	Approved by	Brief Description
1.00	11 Jun 2010	Vice-Chancellor	Creation of original document and upload to CDU website.
1.01	11 Mar 2013	Governance	<ul style="list-style-type: none"> • Converted document to new template • DVC Research and International changed to DVC in line with current position titles • Added and updated hyperlinks • Minor changes to wording, formatting and grammar • Addition of sections 10-13 in line with current practice and the Code • Assigned document number
2.00	28 Oct 2015	Vice-Chancellor	<p>Major review of document in line with changes to legislation and the Code, 8th Edition 2013</p> <p>Quorum</p> <ul style="list-style-type: none"> • Removal of Members representing the Department of Natural Resources, the Environment, and the Arts and Sport, Department of Resources, or the Menzies School of Health Research, shall be entitled to send a proxy who has been previously approved by the Committee • Addition of For efficient operation of the AEC, all members will be full members of the committee, proxy or alternative membership will not be allowed <p>Meetings</p> <ul style="list-style-type: none"> • Removal of Appeal and Conflicts of Interest • Addition of meeting details <p>Addition of Conflicts of Interest and Review of Decisions and Complaints as new sections</p> <p>Reporting</p> <ul style="list-style-type: none"> • Addition of report details to the VC to include: numbers and types of projects assessed and approved or rejected; the physical facilities for the care and use of animals by the University; activities that have supported the educational needs of AEC members, and of personnel involved in the care and use of animals; administrative or other difficulties being experienced; and Any matters that may affect the institution's ability to maintain compliance with the Code and, if necessary, the provision of suitable recommendations. • Addition of annual compliance and activity reports details to include: the Animal Welfare Authority, Northern Territory Department of Primary Industry and Fisheries; other State and Territory Governments regulatory bodies, as required; and the National Health and Medical Research Council.
2.01	30 Aug 2017	Vice Chancellor	Amendments to reflect compliance requirements for registration with Queensland government Functions and Responsibilities

			<ul style="list-style-type: none"> • Added ...or Territory in which... to first sentence • Dot point 2 - replace ...Animal Welfare Act and Regulations with ...Northern Territory Legislation • Dot point 5 - add ...or appoint a suitably qualified delegate to perform these duties; • Dot point 6 - add ... by a suitably qualified person,... <p>Dot point 7 - add ...procedures..., ...as defined by the Code... and ... and maintain and publish on the University’s website an electronic library of approved procedures and guidelines for subsequent use;</p> <p>Membership</p> <ul style="list-style-type: none"> • Added ...or delegate... to first sentence • Added to last dot point - The Animal Welfare officer will conduct inspections and investigations on behalf of, and report their findings to, the AEC • Under AEC Executive Committee may dot point 1 – added... addition of non-invasive minor procedures, small changes to, the AEC ... <p>Chair</p> <ul style="list-style-type: none"> • Replaced ...preside at meetings... withperform all the functions of the Chair. <p>Secretary</p> <ul style="list-style-type: none"> • Added ...and its members. <p>Term of Office</p> <ul style="list-style-type: none"> • Added...the current member... <p>Quorum</p> <ul style="list-style-type: none"> • Added mandatory to first sentence • Replaced in last paragraph...depart on PDL may... with ...undertake professional development leave will...and ...their PDL ... with ...these activities... <p>Conflicts of Interest</p> <ul style="list-style-type: none"> • Removed....in accordance with the University’s conflicts of Interest Policy and Procedures as this does not apply to external members of AEC; • Addition of last paragraph...For decision-making, members with a conflict of interest must withdraw from the meeting for the discussion of the particular agenda item. Once such members have withdrawn, the remaining members must constitute a quorum as defined in the Code clause 2.2.25— that is, one (1) member from each of the membership categories A, B, C and D, with Categories C and D together representing at least one-third of members present; <p>Reporting</p> <ul style="list-style-type: none"> • Removed The National Health and Medical Research Council from • Addition of Relevant funding bodies, as required; • Relevant Definitions • Addition of all definitions from the Code • Updated hyperlinks • Corrected grammatical errors
2.02	30 Nov 2017	Governance	<ul style="list-style-type: none"> • Conversion to new Governance template due to new University branding • Updated hyperlinks

