

Terms of Reference (Vice-Chancellor approved) - Animal Ethics Committee

Section 1 - Overview

Establishment of Committee

(1) The Animal Ethics Committee (AEC) is established as a Committee of the Vice-Chancellor and Chief Executive Officer (VC & CEO) and has been delegated a number of functions in relation to animal research at the University.

Objectives

(2) The primary role of the AEC is to ensure that all activities relating to the care and use of animals are conducted in compliance with the [Australian Code for the Care and Use of Animals for Scientific Purposes](#) 8th edition 2013 (the Code). In carrying out this function, the AEC must:

- a. satisfy the legal and ethical requirements of the governing provisions of:
 - i. the Code;
 - ii. the [Animal Research Act 1985](#) NSW; and
 - iii. the [Animal Research Regulation 2021](#).
- b. facilitate appropriate research and teaching activities;
 - i. primarily by encouraging awareness of legal and ethical issues of animal welfare among researchers and teachers; and
 - ii. by reserving the power to enforce compliance in accordance with the governing provisions.
- c. The AEC must ensure that the care of all animals on University properties minimises pain, distress and discomfort.

(3) Animal use in research and teaching is allowable only when:

- a. there is no available acceptable alternative to the use of animals;
- b. justification is provided in terms of expected advancement in knowledge;
- c. facilities and techniques are available to ensure that pain, distress and discomfort to animals are minimised; and
- d. the researcher or teacher is competent in the appropriate procedures.

(4) In applying these principles, the AEC follows what is widely regarded as best practice, namely the “three Rs” of Replacement, Reduction and Refinement in the use of animals.

(5) The AEC is obliged to consider all ethical and welfare aspects, as well as the scientific or educational value of the use of animals for research and teaching purposes. The AEC does so in accordance with the UNE [AEC Operating Procedures](#) and associated governing provisions, including the Code.

Section 2 - Committee membership

(6) In compliance with the Code there will be four categories of AEC members, with at least one person from each four categories of membership:

- a. Category A member - persons with qualifications in veterinary science and with experience relevant to the activities of the institution. Veterinarians who lack this experience must familiarise themselves with the biology and clinical characteristics of the species of animals used.
- b. Category B member - persons with substantial recent experience in the use of animals in scientific or teaching activities. This will usually entail possession of a higher degree in research.
- c. Category C member - persons with demonstrable commitment to, and established experience in, furthering the welfare of animals, who are not employed by or otherwise associated with the institution, and who are not involved in the care and use of animals for scientific purposes. While not representing an animal welfare organisation, a person should, where possible, be selected on the basis of active membership of, and nomination by, such an organisation.
- d. Category D member - persons who are both independent of the institution and who have never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their under-graduate education. Category D members should be viewed by the wider community as bringing a completely independent view to the AEC, and must not fit the requirements of any other Category.

(7) The Deputy Vice-Chancellor Research (DVCR) may appoint additional members to assist the Committee to function effectively. These may include a person responsible for the routine care of animals within the University and others with skills and backgrounds of value to the AEC.

(8) Research Services (RS) are required to provide the AEC with an annual training session to ensure that members are aware of their responsibilities and have access to the most up-to-date information regarding the governing provisions in order to make informed decisions.

Terms of Membership

(9) Category A to D members will hold office for a two-year period and may serve a maximum of two consecutive terms unless invited by the Deputy Vice-Chancellor Research (DVCR) to continue as a member for an additional period in the event that no suitably qualified alternative members can be identified.

(10) If a Category A to D member vacates office prior to the conclusion of their term, written resignation must be made to the Chair of the AEC. The replacement will be appointed for a new two-year term.

(11) The Chair may ask a member to resign from the AEC, by providing not less than 24 hours' notice in writing, if the Chair deems this course of action to be in the best interests of ensuring that the AEC is able to perform its functions effectively. If the member does not accede to the Chair's request, the Vice-Chancellor and Chief Executive Officer may initiate action through the DVCR to retire the member. The Vice-Chancellor and Chief Executive Officer may retire members at any time by providing not less than 24 hours' notice in writing.

(12) Members are recommended for appointment in writing to the DVCR by the AEC Executive, with the AEC's endorsement. For Category C members, this occurs after appropriate consultation with animal welfare organisations. The DVCR makes the final appointment.

Obligations of Members

(13) Committee members are obliged to treat AEC business as confidential and to declare any conflict of interest to the Committee. Members are required to complete a confidentiality acknowledgement and declaration of conflict of

interest undertaking prior to their appointment. If members have any questions or concerns about an application they may seek clarification from the researcher, prior to the meeting, after consulting the Chair. Refer to the responsibilities of members and the conflict of interest section of the [AEC Operating Procedures](#).

Chair

(14) The Chair should be nominated by the DVCR, in consultation with the Committee, following a selection process and approved by the Vice-Chancellor and Chief Executive Officer. Appointment of the Chair must be approved by the [NSW Animal Research Review Panel](#).

(15) The Chair should either hold, or have previously held, a senior position at UNE, or may be external. The Chair is to be appointed in addition to Category A to D members (Code, 2.2.2, 2.2.3).

(16) The term of office will be for two years. This period may be extended with the approval from the DVCR in consultation with the Committee.

(17) The Chair shall be responsible for impartially guiding the operation of the AEC, resolving conflicts of interest related to the business of the AEC, and representing the AEC in any negotiations with the Institution's management (Code, 2.2.13).

(18) The Chair must be provided with the necessary support and authority to carry out the role.

Deputy Chair

(19) Appointed from the membership and chosen by the DVCR, in consultation with the Committee. The person must be a UNE employee (i.e. a Category B member). The Deputy Chair will hold office for the term of their appointment to the AEC.

(20) The Deputy Chair will act as Chair, if the Chair is not available. If the Deputy Chair is unavailable to act as Chair then the most senior Category B member will act as Chair.

Gender representative objectives

(21) Gender representation shall accord with the [Gender Representation on Decision Making and Advisory Committee Policy](#).

Section 3 - Functions of the Committee

(22) The functions of the Committee are to:

- a. review applications for projects and approve only those projects that are ethically acceptable and conform to the requirements of the Code (s 2.3.2.1 & 2, 2.3.5);
 - i. Consideration of what is deemed to be ethically acceptable shall be guided by the ethical framework contained in Section 1 of the Code and requires that:
 - ii. respect for animals must underpin all decisions;
 - iii. methods that replace or partially replace the use of animals must be investigated, considered and, where applicable, implemented; and
 - iv. ethical review must balance whether the potential effects on the wellbeing of the animals involved is justified by the potential benefits.
- b. 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;

- c. monitor the acquisition, transportation, production, housing, care, use and fate of animals by inspecting animals, animal housing and the conduct of procedures involved in the care of animals in facilities, and reviewing records and reports (2.3.17-2.3.23);
- d. conduct follow-up review of approved projects and activities, and allow the continuation of approval for only those projects and activities that are ethical and conform to the requirements of the Code;
- e. withdraw approval for all or any part of any project if deemed ethically unacceptable to the AEC per the requirements of the Code;
- f. maintain a record of proposals and projects;
- g. comply with the reporting requirements of the University and the governing provisions.
- h. take appropriate actions regarding unexpected adverse events, including authorisation of the emergency treatment or euthanasia of any animal;
- i. take appropriate actions regarding non-compliance;
- j. examine, comment on and approve guidelines and plans for the care and use of animals on behalf of the University;
- k. provide advice and recommendations to the University;
- l. report on its operations to the University and recommend measures needed to ensure that the standards of the Code are maintained;
- m. describe how members are appointed, re-appointed, or retired, according to procedures developed by the institutions;
- n. require that all members declare any conflict of interest and deal with situations in which a conflict of interest arises;
- o. consider and report on any matter referred to it by the Vice-Chancellor and Chief Executive Officer or the Academic Board; and
- p. perform all other duties imposed on the University by the Code.

Section 4 - Authorities

(23) The AEC is established under the authority of the Vice-Chancellor and Chief Executive Officer to perform the functions set out in these Terms of Reference and all matters ancillary to those functions.

(24) The governing body as defined by the Code is the UNE Council.

(25) The Deputy Vice-Chancellor Research representing the Vice-Chancellor and Chief Executive Officer is the person responsible for overall institutional governance with respect to the care and use of animals. This includes providing adequate resources to ensure that the AEC and people involved in the care and use of animals can meet their responsibilities, including monitoring animals and managing adverse impacts on their wellbeing (2.1.5.1).

Section 5 - Conduct of Committee business

Reporting

(26) The AEC reports regularly to the DVCR. The AEC also provides the University with an annual report on all projects conducted in the previous year.

Meetings

(27) The Committee will meet on a monthly basis. Extraordinary meetings can be called at the discretion of the Chair.

Quorum

(28) At least one member from each of the membership categories A, B, C and D must be present at meetings to establish a quorum for a meeting. Categories C and D together must represent at least one-third of those members present.

Business papers

(29) Unless the Chair directs otherwise, Committee business papers, and explanatory documents accompanying them, will be distributed to Committee members and any official attendees as required and with as much notice as is practicable in the circumstances. Any additional documents may be tabled at short notice with prior approval by the Chair.

Executive

(30) The AEC delegates certain powers to its Executive (Refer to [AEC Operating procedures](#) - UNE AEC Powers of Executive) which consists of the Chair, the Secretary and one C or D member. Those AEC members participating in the AEC Executive may change depending on availability, provided that the above requirements for membership are met. The Deputy Chair acts as a reserve member for the Chair. Categories C and D together must represent at least one-third of the Executive. The Secretary attends AEC meetings and serves on the Executive in a non-voting capacity.

(31) The Executive may not approve new proposals but it may approve minor modifications (Refer to [AEC Operating Procedures](#) - amendments to approved projects) to existing projects for ratification by the full Committee at the next AEC meeting. It will also review responses to conditions set down by the AEC.

Minutes

(32) Meeting minutes will be prepared by the meeting Secretary and circulated promptly following the meeting.

Disclosure of information

(33) Disclosure of business papers, minutes and other information received by the Committee should be made via the Chair or Secretary to the Committee.

Use of technology

(34) Face-to-face meetings are the preferred mode of meeting, where this is not possible the Committee will use video-conferencing, or, in special circumstances teleconferencing as arranged by the Chair and/or Committee Secretary. Meeting papers will be distributed via an online secure sharing program.

Self-Review

(35) Once every twelve-month period, the Committee shall devote at least one part of one meeting to the review of its policies, practices and procedures over the preceding twelve months.

Secretary to Committee

(36) Research Services (RS) is responsible for ensuring that the AEC has appropriate support to ensure it can meet its responsibilities under the Code.

(37) Support for the AEC must include:

- a. administrative assistance including development of policies and procedures for the submission, receipt and processing of applications and reports to the AEC, and make these policies and procedures readily available;
- b. recruiting, orientation and education of AEC members.

- c. service on the Committee and Executive in a non-voting capacity;
- d. reimbursement of members' out-of-pocket expenses and/or payment of an allowance to AEC members;
- e. development and implementation of procedures to include management of conflicts of interest, confidentiality, appointment and delegation of functions to an AEC Executive, meeting procedures, communication, records and documentation;
- f. maintaining communication with the [Animal Welfare Unit of NSW Department of Primary Industries](#) and the [NHMRC Animal Welfare Committee](#); and
- g. ensuring all Committee agendas, minutes and reports are recorded in the University's corporate record keeping system in accordance with the University's [Records Management Rule](#).

Status and Details

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Glossary Terms and Definitions

"Research" - Is the creation of new knowledge and/or the use of existing knowledge in a new and creative way so as to generate new concepts, methodologies, inventions and understandings. This could include synthesis and analysis of previous research to the extent that it is new and creative. (Defined by the Australian Research Council)