ANIMAL ETHICS COMMITTEE TERMS OF REFERENCE

Sub-Committee of Research Committee

UNIVERSITY OF NEWCASTLE AUSTRALIA

1. Establishment

1.1 The Animal Ethics Committee (the Committee), originally named the Animal Care and Ethics Committee (ACEC), was established as a standing committee of the University of Newcastle's (University) Research Committee on 11 August 2026.

1.2 Prior to establishment as a standing committee of the Research Committee, the Committee was a Committee of Council, directly responsible to the Vice-Chancellor (resolution C199:95).

1.3 This Terms of Reference replaces all versions of the Animal Care and Ethics Committee (ACEC) Constitution as of 11 August 2026.

2. Purpose and Functions

2.1 Purpose

2.1.1 The Animal Ethics Committee is responsible for:

a. ensuring, on behalf of the University or other relevant institutions, that all care and use of animals for research and teaching purposes is conducted in compliance with the NSW Animal Research Act (1985); associated Regulations; and the Australian Code for the care and use of animals for scientific purposes (the Code); and any subsequent amendments;

b. ensuring that the use of animals in research and teaching is justified and that the welfare of those animals is provided for and incorporates the principles of replacement, reduction and refinement; and

c. reporting and providing advice to Academic Senate, via the Research Committee, on the risks associated with the use of animals in research and teaching.

2.2 Functions

2.2.1 The Animal Ethics Committee, in accordance with relevant University policy:

a. may approve Standard Operating Procedures for the care of animals that are bred, held and used for research or teaching purposes on behalf of the University or any other institution, body or holder of an animal research licence

for which it has responsibility;

b. monitors the acquisition, transportation, production, housing, care, use and fate of animals including housing conditions, practices and procedures involved in the care of animals in facilities;

c. may recommend appropriate measures to individual Researchers, the Deputy Vice-Chancellor (Research and Innovation), the Research Committee, or other relevant University bodies, or to any other institution, body or holder of an animal research licence for which it has responsibility, to ensure that legislative and Code requirements are maintained;

d. may review, require modification, approve or reject applications for ethical approval of the use of animals for research or teaching purposes;

e. must only provide ethical approval of applications for projects or activities associated with the use, care and / or management of animals where the:

    i. project or activities are ethically acceptable and conform to the requirements of the relevant legislation;

    ii. involvement of animals is essential and justified, taking into consideration ethics, potential impact on the animal(s), and the anticipated scientific or educational value; and

    iii. the proposal demonstrates clear application of the 3Rs — Replacement, Reduction and Refinement, demonstrating that alternatives have been considered, animal numbers have been minimised without compromising scientific integrity, and all procedures are designed to minimise harm and enhance animal wellbeing;

f. conducts follow-up reviews of ethically approved projects and activities and allows the continuation of approval for only those projects and activities that remain ethically acceptable and compliant with the relevant legislation;

g. may suspend or withdraw ethical approval for any project or activity when necessary, including where immediate animal welfare concern is identified;

h. must take appropriate actions regarding unexpected adverse events that occur during the conduct of any project or activity or the acquisition, transportation, production, housing, and care of animals;

i. must take appropriate actions when it is detected that projects or activities are in breach of the Code;

j. must, at a minimum, provide an annual report to Academic Senate via the Research Committee that details its operations in relation to the institution(s) for which it acts, including but not limited to:
   i. the numbers and types of projects and activities assessed, approved or rejected for each relevant institution;
   ii. the physical facilities for the care and use of animals by each institution for which it acts;
   iii. actions that have supported the educational and training needs of Committee members and people involved in the care and use of animals;
   iv. administrative or other difficulties experienced;
   v. any matters that may affect the University's ability to maintain compliance with the Code, and if appropriate, suitable recommendations; and
   vi. identification of current and emerging risks including but not limited to broad, systemic, or unmitigated risks associated with the use of animals in research and teaching, together with actions taken or proposed to mitigate those risks; and

k. must provide an annual report to the Department of Primary Industries and Regional Development (DPIRD) as the external regulator of animal research activities in accordance with legislative requirements.

2.3 Meetings

2.3.1 The Animal Ethics Committee will meet as frequently as necessary, but at least quarterly.

2.3.2 For the conduct of AEC meetings, the Committee adopts the Standing Orders of the Academic Senate. The AEC will follow those Standing Orders when reporting to, and appearing before, the Research Committee.

3. Reporting

3.1 The Animal Ethics Committee will report to the Risk Committee of Council via the Academic Senate and Research Committee in accordance with *Section 2.2 Functions* as listed in this Terms of Reference and any annual cycle of business requirements.

3.2 In addition to formal reports under clause 3.1, the Animal Ethics Committee will provide regular updates to the Research Committee through the Pro Vice-Chancellor (Research) reports, provided five times per year, summarising key trends, activities, risks identified by the AEC, and any mitigation strategies implemented or recommended.

3.3 The membership of the Committee will be endorsed annually by the Research Committee.

4. Secretariat

4.1 Secretariat services for the Committee will be provided by a Committee Executive Officer.

4.2 The responsibilities of the Committee Executive Officer, as outlined in this Terms of Reference, and the Animal Ethics Committee Procedure, are undertaken by the University's incumbent Animal Ethics Officer, or another nominee as appointed by the Manager, Animal Ethics or Deputy Vice-Chancellor (Research and Innovation).

5. Membership

The Animal Ethics Committee shall consist of the following members:

5.1 Ex Officio (without voting rights)

5.1.1 Deputy Vice-Chancellor (Research and Innovation).

5.2 Members

5.2.1 At least one member from each of the following categories:

a. Category A – Veterinarians registered in Australia with expertise related to the University's activities;

b. Category B – Suitably qualified persons with substantial and recent experience in the use of animals for scientific purposes, relevant to the institution and the business of the Committee. Suitably qualified includes possession of a higher degree in research, or equivalent experience. Colleges of the University that are involved with the use of animals for research and teaching will be invited to nominate members;

c. Category C – persons with demonstrable commitment to, and established experience in furthering the welfare of animals, who are not employed by or otherwise associated with the University (or any other institution, body or holder of an animal research licence for which it has responsibility), and who are 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 or, and endorsement by, such an organisation.

d. Category D – Persons not employed by or otherwise associated with the University or any other institution, body or holder of an animal research

licence for which it has responsibility and who have 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 Committee and must not fit the requirements of any other category.

5.2.2 Additional members with skills and background as is deemed necessary to ensure the effective functioning of the Committee.

5.2.3 Members from categories C and D must represent at least one-third of the Committee membership.

5.3 Rights of Audience

5.3.1 AEC Executive Officer.

5.3.2 Pro Vice-Chancellor (Research).

5.3.3 Director, Research Ethics and Integrity.

5.3.4 President Academic Senate.

5.3.5 In accordance with the Academic Senate Standing Orders, the Chair may grant rights of audience and debate for a specific purpose, meeting or item(s) in a meeting to such a person, persons or categories of person as deemed appropriate.

5.4 Terms of Reference

5.4.1 New members are required to acknowledge in writing their acceptance of these Terms of Reference.

5.5 Chair Appointment

5.5.1 The Committee Chair is appointed on the recommendation of the Deputy Vice-Chancellor (Research and Innovation) and endorsed by the NSW Department of Primary Industries and Regional Development.

5.6 Deputy Chair Appointment

5.6.1 The Committee may elect a Deputy Chair from among its members by simple majority vote at any scheduled meeting where a quorum is present.

5.6.2 Any member may nominate themselves or another member to be elected Deputy Chair, providing the nominee accepts the nomination.

5.7 Member Appointment

5.7.1 Recruitment of new members may involve:

a. expressions of interest from community and professional bodies for

members from categories A, C and D;

b. consultation with College Pro Vice-Chancellors for members from category B; and

c. engagement with accredited research establishments for representative appointments.

5.7.2 Candidates for membership must undergo a panel interview, with the panel consisting of at least two of the following:

a. the Committee Chair;

b. Manager, Animal Ethics;

c. Director, Research Ethics and Integrity.

5.7.3 Prospective members must disclose all personal interests and conflicts of interest in accordance with the Disclosure of Interests Policy and associated procedure.

5.7.4 Recommendations for membership must be made to, and approved by, the Deputy Vice-Chancellor (Research and Innovation).

5.7.5 New members must undergo an induction process coordinated by the Manager, Animal Ethics, or their nominee, which must include orientation to:

a. this Terms of Reference;

b. the Code;

c. relevant University policies, including Disclosure of Interest Policy; and

d. Committee procedures.

5.8 Term of Office

5.8.1 Members will be appointed for a two-year term of office, commencing from the date of appointment. Appointments are made when vacancies arise and are not aligned to calendar years.

5.8.2 The term of office for the Chair and Deputy Chair will align with their term as a member of the Committee.

5.8.3 Members may apply to be re-appointed to serve additional consecutive terms, on an unlimited basis subject to continued eligibility and the recommendation of the Committee Chair

5.9 Member Retirement

5.9.1 Members may advise the University of their intended retirement by notifying the Manager, Animal Ethics in writing.

5.9.2 The Deputy Vice-Chancellor (Research and Innovation) may retire a member of

the Committee on reasonable grounds, subject to Clause 5.9.3 and 5.9.4. For the purposes of this clause, reasonable grounds include (without limitation):

a. a conflict of interest that cannot be effectively managed;
b. persistent non-attendance under the Standing Orders of Academic Senate;
c. a breach of the Staff Code of Conduct, confidentiality obligations or applicable University policies and procedures;
d. misconduct or behaviour that undermines the Committee's integrity or operation;
e. loss of eligibility to be a Committee member;
f. significant performance concerns that impede the Committee's function and that remain unremedied after prior notice.

5.9.3 Before a retirement decision is made by the Deputy Vice-Chancellor (Research and Innovation), the following must occur:

a. the member must be notified in writing of the proposed retirement, including the grounds for retirement and relevant facts;
b. an opportunity must be provided for the member to respond within a reasonable period proportionate to the circumstances;
c. the member's response must be considered in good faith before finalising the decision.

5.9.4 Notice of a decision by the Deputy Vice-Chancellor (Research and Innovation) to retire a member must be provided in writing with no less than 24 hours' notice, stating:

a. the effective date and time of retirement;
b. the grounds and key reasons;
c. that the decision is not subject to appeal.

5.9.5 The required notice period stated in 5.9.4 may be reduced where immediate action is reasonably necessary to protect safety, legal compliance, confidentiality, the Committee's integrity, or the University's reputation. In these circumstances, the President Academic Senate must be notified as soon as practicable.

5.9.6 Changes in members must be notified to the following within 30 days:

a. Research Committee;
b. Animal Research Review Panel NSW.

6. Responsibilities

6.1 Conflicts of Interest

6.1.1 Members must comply with the University Disclosure of Interest Policy and its associated procedure. This includes:

a. declaring any actual, potential or perceived conflict of interest for any

matter being considered at a meeting before discussion of the matter begins;

b. absenting themselves during debate and decision-making on any matter where they have declared a conflict of interest; and
c. not participating in final decision regarding any matter where they have declared a conflict of interest.

6.2 Confidentiality

6.2.1 All matters considered by the Committee or its sub-committee, including discussions, documents and decisions are strictly confidential and must not be disclosed to any person who is not a Committee member, except where:

a. disclosure is required by law; or
b. prior written authorisation is given by the Chair or Deputy Vice-Chancellor (Research and Innovation).

6.3 Committee Members

6.3.1 In addition to 6.1 and 6.2, all individual Committee members are responsible for:

a. impartially determining the ethical acceptability of applications and ensuring compliance with the Code and relevant legislation;
b. familiarising themselves and upholding compliance with relevant legislation, the Code and University policies;
c. participating in training and development;
d. complying with all relevant University policies;
e. attending meetings regularly and contributing to deliberations;
f. participating in inspections and monitoring of approved projects and activities; and
g. referring concerns regarding other members failing to meet their responsibilities outlined in this Terms of Reference to the Chair and Executive Officer.

6.3.2 Category B members are responsible for serving as Research Ethics Advisors (REA), including:

a. providing a support network for targeted ethics guidance and serving as a point of contact for specific ethics queries from Researchers within their respective College or discipline area;
b. providing guidance on ethical considerations and regulatory requirements, but not comprehensive application review or drafting services;
c. upon request by Researchers, providing assistance in responding to issues identified during application reviews by the Committee;
d. declining requests that exceed reasonable scope or timing

expectations;

e. establishing mutually agreed response timeframes with each Researcher, recognising the REA's other commitments;
f. referring complex or time intensive queries to the Animal Ethics Office for institutional support;
g. contributing to the development and delivery of educational sessions and workshops on animal research ethics for the research community;
h. acting as the conduit between the Committee and the broader research community;
i. promoting awareness of ethical standards and best practices in animal research;
j. facilitating communication between Researchers and the Committee on process matters; and
k. communicating workload concerns to the AEC Chair or Animal Ethics Office.

6.4 Deputy Vice-Chancellor (Research and Innovation)

6.4.1 The Deputy Vice-Chancellor (Research and Innovation) is responsible for:

a. approving the appointment of members, subject to the recommendation of the panel (see 4.3.2, 4.3.3);
b. ensuring the Committee is sufficiently resourced to perform their functions and responsibilities;
c. retiring members, where required, and in accordance with this Terms of Reference;
d. leading an annual review of the Committee in accordance with 2.2.11

6.5 The Chair

6.5.1 In addition to the 6.1 and 6.2, the Chair is responsible for:

a. ensuring the Committee operates in accordance with the principles and requirements of relevant legislation, this Terms of Reference, relevant University or institutional policy, and the Animal Ethics Committee Procedure Manual;
b. leading Committee meetings, ensuring respectful conduct and participation;
c. guiding the operations of the Committee in an impartial manner;
d. ensuring consideration of applications and the communication of outcomes in a timely manner;
e. acting as the official spokesperson of the Committee and representing the Committee in any negotiations with the University or other relevant institution(s);

f. managing any concerns referred to them regarding members failing to meet their responsibilities, including seeking independent assistance where appropriate;
g. advising the University Council of the level of resourcing required by the Committee;
h. participating in an annual review of the Committee, as required by this Terms of Reference, led by the Deputy Vice-Chancellor (Research and Innovation).

6.6 The Deputy Chair

6.6.1 The Deputy Chair is responsible for fulfilling the responsibilities of the Chair in their absence.

6.7 The Executive Officer

6.7.1 The Executive Officer is responsible for:

a. preparing and distributing meeting agendas and materials;
b. coordinating meeting schedules, room bookings and catering arrangements;
c. taking and distributing Committee meeting minutes;
d. managing meeting logistics and providing administrative support;
e. fulfilling responsibilities under the Animal Ethics Committee Procedure Manual that may generate matters to be considered by the Committee;
f. facilitating communication between the Committee, Researchers and relevant University staff, including but not limited to coordinating communication of Committee decisions to applicants;
g. managing Committee correspondence and liaison activities with external bodies and regulatory authorities;
h. serving as the primary point of contact for all Committee related enquiries;
i. Committee record management in accordance with the Animal Ethics Committee Procedure and Records Governance Policy;
j. ensuring Committee records are made available for review by the University or relevant institution, and/or authorised external reviewers;
k. planning and coordinating facility inspection schedules by creating and maintaining inspection rosters, assigning personnel to attend inspections, and managing all related documentation.
l. maintaining registers of outstanding actions and matters determined or considered by the Committee; and
m. supporting the Chair and Committee members in fulfilling their responsibilities.

6.8 Quorum

6.8.1 At least one member from each of the membership categories of A, B, C and D must be present at meetings to establish quorum for the conduct of a meeting and must be present for the full duration of the meeting.

6.8.2 Members from categories C and D together must represent at least one-third of those members present.

6.8.3 The following decisions can only be made at quorate meetings of the Committee:

a. ethical approval of new (initial) applications;
b. ethical approval of major variation applications;
c. renewal of ethical approval applications or annual progress reports;
d. required or requested reports of projects or activities.

6.8.4 When a meeting becomes inquorate (either due to insufficient attendance or conflict of interest exclusions), the meeting may proceed to:

a. review and discuss applications and reports;
b. provide detailed feedback to Researchers;
c. make recommendations for the next quorate meeting; and
d. conduct administrative business not requiring formal decisions.

6.8.5 Inquorate meetings cannot result in:

a. ethical approval of any project or activity;
b. imposing conditions on projects or activities;
c. making binding decisions.

6.8.6 Where a scheduled meeting is inquorate and annual progress report or renewal applications cannot be considered, an automatic one-month approval is granted to affected projects or activities. These applications must be reviewed at the next quorate meeting of the Committee.

6.8.7 Proxies are not permitted. Members are required to participate, either in-person or via approved virtual attendance, and may not delegate their responsibilities or voting rights.

7. Sub-Committees

7.1 The Animal Ethics Executive Committee is the only sub-committee of the Animal Ethics Committee.

7.2 The Animal Ethics Executive Committee must operate in accordance with its Terms of Reference approved by the Animal Ethics Committee.

7.3 No other sub-committee may be established unless expressly approved by Academic Senate in accordance with the Governance Rule and Delegation of Authority Framework.

7.4 A sub-committee cannot exercise any delegation of authority granted to the Animal Ethics Committee unless this has been explicitly granted to the sub-committee in accordance with the University's Governance Rule and the Delegation of Authority Framework.

8. Working Groups

8.1 The Animal Ethics Committee may establish working groups at any time to address specific tasks or emerging needs

8.2 Working groups:

8.2.1 do not hold delegated authority;

8.2.2 are not classified as sub-committees;

8.2.3 must operate for a defined purpose and duration that is approved by the Animal Ethics Committee; and

8.2.4 must report outcomes or recommendations to the Animal Ethics Committee for consideration.

9. Delegation of Authority

9.1 The Animal Ethics Committee shall abide by the authority as outlined in the University Delegations Schedules and exercise any delegated authority in accordance with the Delegation of Authority Framework.

9.2 In accordance with the Schedules to the Governance Rule, the Animal Ethics Committee is granted the delegated authority by Council to:

9.2.1 Approve, suspend, modify or withdraw an ethics application for a research or teaching project involving animals.

9.3 On behalf of the Animal Ethics Committee, the Chair may exercise the authority stated in 9.2.1 to suspend an ethics application, where seeking a decision by the Animal Ethics Committee would place the welfare of animals at medium or higher risk, and urgent exercise of the delegation is necessary.

9.4 The exercise of the authority stated in 9.2.1 must only be undertaken where recommended by the Animal Ethics Executive Committee and must be reported to the Deputy Vice-Chancellor (Research and Innovation) and the Research Committee.

9.5 Any further action following exercise of delegated authority by the Chair, such as to

re-approve or withdraw ethical approval, must be considered and determined by the Animal Ethics Committee.

9.6 Matters determined by the Chair in accordance with 9.3:

9.6.1 must be reported to the next AEC meeting for ratification;

9.6.2 must be reported in the Chair's Report to the Research Committee.

10. Editorial Amendments to Terms of Reference

10.1 Editorial amendments may be made to this Terms of Reference following approval by the Chair.

10.2 An editorial amendment is an amendment to a title or naming convention, updating hyperlink(s), correcting an inaccurate reference, or rectification of a typographical error. An editorial amendment to a position title is limited to changes where there has been no change to responsibilities.

10.3 All editorial amendments must be communicated to the next meeting of the Committee and must be ratified by the Research Committee.

11. Contact

Manager, Animal Ethics, Research and Innovation Division

12. Essential Supporting Documents

Academic Senate Handbook

Animal Ethics Committee Procedure Manual

Animal Research Act 1985 (NSW)

Australian Code for the care and use of animals for scientific purposes

Schedule 2 of the Governance Rule – Academic Delegations

Standing Orders of the Academic Senate

Terms of Reference – AEC Executive Committee

13. Related Documents

Delegation of Authority Framework

Disclosure of Interest Policy

Disclosure of Interest Procedure

Governance Rule

University of Newcastle Act 1989 (NSW)

University of Newcastle By-Law 2017 (NSW)

Document History and Authority		
Date Approved		
Approval Authority	Academic Senate	
Date	**Approved By**	**Amendment**
28 August 2009	University Council	Constitution of 9 March 2007 amended in Clause 3.1.3 (i), (ii), Iv) b and 3.1.4 by Council Resolution C09:148.
8 August 2011		Minor amendment by Governance and Policy Unit – correction of numbering of points (iv) and (v) to (i) and (ii) under clause 3.1.4.
23 March 2012	University Council (C12:032)	Insertion of Clauses 1.3 and 2.3; amendments to membership (Cl 3.1.1 to 3.1.4), insertion of Sections 4 and 7; amendments to Sections 8 to 10.
9 October 2015	University Council (C15:153)	
10 October 2019	University Council (C19:079)	
11 August 2026	University Council	Approval by Academic Senate for the Committee to be a standing committee of Research Committee. Council, via urgent business delegation by the Chancellor and Vice-Chancellor, approved the disestablishment of the Animal Care and Ethics Committee as a committee of Council on 11 September, 2026.