

**THE UNIVERSITY OF NEWCASTLE**  
**ANIMAL CARE AND ETHICS COMMITTEE**  
**CONSTITUTION**

**1.0 INTRODUCTION**

- 1.1 The Animal Care and Ethics Committee (ACEC) was re-established by the Council's 8/95 meeting as a committee of the Council, directly responsible to the Vice-Chancellor (Resolution C199:95). The re-established Committee succeeded the Animal Care and Ethics Committee of the Academic Senate.
- 1.2 The Council further provided by the same resolution that the Deputy Vice-Chancellor (Research) would act as the officer of the University responsible for ensuring compliance of the Animal Care and Ethics Committee with statutory requirements and University policies and procedures; and would be the person to whom the Committee would report on a routine basis.
- 1.3 The Deputy Vice-Chancellor (Research & Innovation) will act as the University officer responsible for the overall institutional governance with respect to the care and use of animals, including the approval of policies, procedures and guidelines concerning the welfare of animals and the conduct of animal based research that are endorsed by the Animal Care and Ethics Committee (Council resolution C12:032). The Deputy Vice-Chancellor (Research & Innovation) will actively participate in the development of such documents through input and debate.
- 1.4 The title "Animal Care and Ethics Committee" is equivalent to "Animal Ethics Committee" as defined in the NSW legislation.
- 1.5 The Animal Care and Ethics Committee also acts as the nominated Animal Ethics Committee for other institutions that are accredited as research establishments under the NSW Animal Research Act, or external researchers, on the basis of a formal agreement between the University of Newcastle and that accredited research establishment or that researcher.

**2.0 TERMS OF REFERENCE**

- 2.1 The Animal Care and Ethics Committee is responsible for ensuring on behalf of the relevant institution that all care and use of animals for research and teaching purposes is conducted in compliance with the NSW Animal Research Act and Regulations, and the "Australian code for the care and use of animals for scientific purposes" (enacted under the NSW Animal Research Act). The role of the ACEC is to ensure that the use of animals is justified, provides for the welfare of those animals and incorporates the principles of Replacement, Reduction and Refinement.
- 2.2 The ACEC performs its responsibilities within the terms of reference as set out in the NSW legislation. The ACEC is required to:
  - 2.2.1 approve guidelines 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);
  - 2.2.2 monitor 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;
  - 2.2.3 recommend to the University (or any other institution, body or holder of an animal research licence for which it has responsibility) any measures needed

- 2.2.4 to ensure that the standards of the legislation are maintained;
  - 2.2.4 ensure documentation of procedures that describe how members are appointed, re-appointed, or retired, in consultation with the University;
  - 2.2.5 ensure that all members declare any perceived or actual conflict of interest;
  - 2.2.6 deal with situations in which a conflict of interest arises as outlined in the “Procedures for the ACEC” as approved by the Deputy Vice-Chancellor (Research & Innovation);
  - 2.2.7 review; require modification; approve or reject written applications relevant to the use of animals for research or teaching purposes;
  - 2.2.8 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 legislation;
  - 2.2.9 approve only those projects that are ethically acceptable;
  - 2.2.10 approve only those projects for which animals are essential and justified and which conform to the requirements of the legislation. This should take into account factors including ethics, the impact on the animal or animals and the anticipated scientific or educational value;
  - 2.2.11 conduct follow-up review of approved projects and activities and allow the continuation of approval for only those projects and activities that are ethically acceptable and conform to the requirements of the legislation;
  - 2.2.12 withdraw approval for any project when necessary;
  - 2.2.13 take appropriate actions regarding unexpected adverse events;
  - 2.2.14 authorise the emergency treatment or euthanasia of any animal;
  - 2.2.15 take appropriate actions regarding non-compliance;
  - 2.2.16 examine and comment on all plans and policies of the University (or any other institution, body or holder of an animal research licence for which it has responsibility) that may affect the welfare of animals used for research or teaching purposes;
  - 2.2.17 maintain a record of applications and projects;
  - 2.2.18 comply with the reporting requirements of the University and the legislation; and
  - 2.2.19 perform all other duties required by the legislation.
- 2.3 The Animal Care and Ethics Committee Constitution is subject to amendments to the NSW Animal Research Act and Regulations, and amendments to the “Australian code for the care and use of animals for scientific purposes” (enacted under the NSW Animal Research Act).

### **3.0 MEMBERSHIP**

- 3.1 The Animal Care and Ethics Committee shall comprise:
- 3.1.1 The Chair, who should be a person holding a senior position in the University and should possess the following attributes:
    - (i) an ability to bring impartiality to the task;
    - (ii) the skills to manage the business of the ACEC;
    - (iii) an ability to communicate, negotiate and to resolve conflict; and
    - (iv) an understanding of the ethical and animal welfare issues involved in the use of animals for scientific purposes.
  - 3.1.2 A Deputy Chair, elected by the Committee from its members, who shall assume the duties of the Chairperson in the absence of the appointed

Chairperson. The Deputy Chair should possess the attributes outlined in 3.1.1.

3.1.3 A least one member in each of the following categories:

- (i) Category A: Persons with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to the University's activities or the ability to acquire relevant knowledge.
- (ii) 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 ACEC. This must include possession of a higher degree in research or equivalent experience. Faculties involved with the use of animals for research and teaching will be invited to nominate members.
- (iii) 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 of, and endorsement by, such an organisation.
- (iv) Category D: Persons 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 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 ACEC, and must not fit the requirements of any other category.

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

Procedures for appointment, re-appointment, or retirement of members shall be as outlined in the 'Procedures for the ACEC' as approved by the Deputy Vice-Chancellor (Research & Innovation).

3.2 Categories C and D must together represent at least one-third of the ACEC membership.

3.3 Before appointment, all members of the Committee shall acknowledge in writing their acceptance of the terms of reference of the Committee and the University's requirements for confidentiality.

3.4 The Chair will support members appointed to the ACEC with appropriate induction and have access to education and resources.

#### **4.0 EXECUTIVE**

- 4.1 The ACEC may establish an Executive that must include the chairperson at least one member from Category C or D.
- 4.2 The Vice-Chancellor has delegated the ACEC Executive the authority to approve minor amendments to approved projects or activities, for ratification at the next ACEC meeting.
- 4.3 The Executive must not approve new applications.
- 4.4 With the exception of the Chair, a member of ACEC would not usually remain a member of the Executive for more than six months at a time.
- 4.5 The ACEC Executive shall provide a report to the ACEC about each matter dealt with.

#### **5.0 TERMS OF OFFICE**

- 5.1 The term of office of the Chair shall be coincident with the appointee's term on the Committee itself.
- 5.2 The members appointed under Section 3.0 shall serve for a term of up to two years as determined by Council.
- 5.3 Members may be re-appointed to serve additional consecutive terms. Members would not usually serve for more than four years continuously, however it is acknowledged that a member may serve for longer periods in exceptional circumstances.

#### **6.0 SUB-COMMITTEES**

- 6.1 The Animal Care and Ethics Committee may establish and maintain such sub-committees as it deems necessary for the effective transaction of the business of the Committee.
- 6.2 Each sub-committee established by the Committee shall be chaired by a member of the Committee.
- 6.3 A sub-committee shall exercise such functions as the Committee delegates to it and shall report as required to the Committee.

#### **7.0 DELEGATION**

- 7.1 The Animal Care and Ethics Committee may delegate authority to act on its behalf.

#### **8.0 MODE OF OPERATION**

- 8.1 The Animal Care and Ethics Committee shall meet as frequently as necessary but at least quarterly.
- 8.2 At least one member from each category described in 3.1.3 (Categories A, B, C and D) must be present at meetings to establish a quorum for the conduct of a meeting, and must be present throughout the meeting. Categories C and D together must represent at least one-third of those members present.
- 8.3 The ACEC will maintain records relating to the business of the ACEC, including:
  - 8.3.1 A register of all applications to the ACEC including the outcomes of the deliberations
  - 8.3.2 Minutes of ACEC meetings that record decisions and other aspects of the ACEC's operation.
  - 8.3.3 Records of inspections conducted by the ACEC.

#### **9.0 OFFICERS IN ATTENDANCE**

- 9.1 A representative of an accredited research establishment that has named the University of Newcastle Animal Care and Ethics Committee as its ACEC, may attend meetings of the ACEC and shall have rights of audience and debate at the invitation of the Chair.
- 9.2 The ACEC may invite people with specific expertise to attend all or part of meetings, to provide advice as required. This may include the Animal Welfare Officer and the Associate Director, Research Infrastructure or representative.

9.3 Researchers may be invited to attend to discuss issues relating to their work.

#### 10.0 REPORTING

10.1 The Animal Care and Ethics Committee shall report to the University Council through the Deputy Vice-Chancellor (Research & Innovation) at least once per year.

10.2 The ACEC shall report in accordance with statutory requirements.

10.3 An institution nominating the ACEC as outlined in 1.5 may be provided with a report.

#### 11.0 SERVICING OF COMMITTEE

11.1 The University shall appoint a secretary to the Animal Care and Ethics Committee.

#### 12.0 ESSENTIAL SUPPORTING DOCUMENTS

Animal Care and Ethics Committee Procedure

Animal Research Act 1985 No 123 (Current version 15 January 2016)

Animal Research Regulation 2010

Australia code for the care and use of animals for scientific purposes

#### 13.0 ESSENTIAL SUPPORTING DOCUMENTS

Conflict of Interest Policy

Approval Authority	Council
Date Approved	28 August 2009
Date Last Amended	10 October 2019
Amendment History	
28 August 2009 – 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 – insertion of Clauses 1.3 and 2.3; amendments to membership (CI 3.1.1 to 3.1.4), insertion of Sections 4 and 7; amendments to Sections 8 to 10. Approved by Council resolution C12:032.	
9 October 2015 – Council resolution C15:153.	
10 October 2019 – Council resolution C19:079.	