



Longerenong College

AEC Terms of Reference and Operating Procedures

Longerenong College Animal Ethics Committee

Approved by the Longerenong College
Animal Ethics Committee December 2021

1. DEFINITIONS 1.1 – 1.11
2. FUNCTION of the COMMITTEE
 - 2.1 - 2.2 Establishing provisions for the Committee
3. RESPONSIBILITY of COMMITTEE MEMBERS
 - 3.1. Confidentiality
 - 3.2. Conflict of Interest
4. MEMBERSHIP and TERM OF OFFICE
 - 4.1. Term of Office
 - 4.2. Number and Category of Members
 - 4.3. Varying, the Number of Members, Replacing and Absentee Members
5. NOMINATIONS and APPOINTMENT of MEMBERS
 - 5.1. Nomination of category A to D members
 - 5.2. Appointment of category A to D members
 - 5.3. Reappointment of the Committee
 - 5.4. Chairperson
6. EXECUTIVE OFFICER SERVICING
 - 6.1-6.3 The role of the Executive Officer
7. BUSINESS OPERATIONS
 - 7.1. Conduct of Meetings
 - 7.2. Correspondence
 - 7.3. Meeting Frequency and Documents
 - 7.4. Attendance of meetings
 - 7.5. Submission of proposals
 - 7.6. Executive
 - 7.7. Voting
 - 7.8. Grievance procedures
8. FINANCIAL ARRANGEMENTS
 - 8.1. Sitting Fees for Members
 - 8.2. Travelling Expenses for Members
9. INSURANCE OF MEMBERS
10. REVISION OF TERMS OF REFERENCE

1. DEFINITIONS

- 1.1 "Animal Ethics Committee (AEC)" shall mean an AEC, as outlined in the 'Code of Practice for the Care and Use of Animals for Scientific Purposes' under Part 3 of *The Prevention of Cruelty to Animals Act 1986 and Regulations 2019*.
- 1.2 "Committee" shall mean the Longerenong College AEC in Victoria.
- 1.3 "Department" shall mean the Bureau of Animal Welfare, Department of Primary Industries.
- 1.4 "Minister" shall mean the Victorian Minister for Agriculture.
- 1.5 "Member" shall mean a person appointed to the Committee by the organisation.
- 1.6 "Proposal" shall mean that as defined in The Australian Code; "a written application to carry out a project for consideration by an AEC"
- 1.7 "Project" shall mean that as defined in The Australian Code; a 'scientific activity' or activities that form a discrete piece of work. A project cannot commence until it has been approved by the AEC"
- 1.8 "Scientific procedures" shall be defined as in Part 3 of the Prevention of Cruelty to Animals Act 1986.
- 1.9 "The Australian Code" shall mean the current edition of The Australian Code of Practice for the Care and Use of Animals for Scientific Purposes, mandatory under Part 3 of The Prevention of Cruelty to Animals Act 1986 and Regulations 2019.
- 1.10 *The Prevention of Cruelty to Animals Act 1986 and Regulations 2019* shall mean that as located at <https://agriculture.vic.gov.au/livestock-and-animals/animal-welfare-victoria>
- 1.11 "Minor Modifications" shall mean, changes to a protocol that do not alter the substantive procedures or processes and have no impact on the management of animal welfare. In terms of animal usage, a minor amendment is restricted to a maximum increase OR decrease of no more than 20 percent of numbers approved in the original application.

2. FUNCTION OF THE COMMITTEE

The primary function of this Committee, on behalf of the institution, is to ensure that all use and care of animals is conducted in accordance with The Australian Code and relevant Victorian Legislation.

- 2.1 The Committee may withdraw or suspend approval for any project where necessary; Where an unexpected incident occurs (as per the application proforma 3.3.6), a report must be forwarded by the project supervisor to the Executive Officer of the Longerenong AEC for distribution to all members of the committee. The committee shall discuss the notified incident and decide on appropriate action.
- 2.2 The Committee must:
 - 2.2.1 Approve and review guidelines for the care of animals that are bred, held and used for scientific or teaching purposes on behalf of the institution;
 - 2.2.2 Examine and approve, approve subject to modification, or reject written proposals as submitted on the agreed institution's application form for up to three years, subject to annual reporting of approved projects;
 - 2.2.3 Review annual and final reports of projects, according to section 2 of The Australian Code;
 - 2.2.4 Monitor the acquisition, transportation, production, housing, care, use and fate of animals involved in an approved project. Establish provisions for monitoring which include ensuring that appropriate records of animal care and use are being kept by the investigator and that

unexpected or adverse effects that impact on the welfare of the animals are reported to and reviewed by the Committee;

Maintain individual and group Livestock Activity Statements. Student trials include rosters and supervision. Students refer any abnormality to supervising staff. Refer to 2.2.8 for further details on management of adverse effects.

2.2.5 Conduct inspections of relevant sites and monitor project activities approved by the AEC, at least bi-annually. The Committee may delegate this authority, on behalf of the AEC as appropriate and where possible a member of the AEC who is external to the institute should participate in inspections;

2.2.6 Recommend to the institution any measures, including training or supervision, needed to ensure that the standards of The Australian Code are maintained;

2.2.7 Facilitate on-going education of AEC members;

2.2.8 Establish protocols to authorise the emergency treatment or euthanasia of any animal;

Unexpected incident must be reported to the Longerenong Farm Manager who will consult with animal production staff (one of whom must be a member of the AEC) to decide an appropriate course of action. A livestock activity statement must be completed following the incident. Such statements will be reviewed annually by AEC. Where a significant event occurs, the chair shall inform the AEC via email within 7 days. Documents relating to the significant event shall be filed separately.

A significant event is defined as the following:

For pigs: 2 deaths out of 80 pigs within a 7 day period –or- 5% affected by illness within a 7 day period.

For sheep and cattle: 5% affected by illness or death, per mob, within a 7 day period.

2.2.9 Maintain a record of proposals and projects for seven years;

2.2.10 Deal with alleged non-compliance with The Australian Code and grievances with Committee decisions, including referral to the institution, AEC Advisory Committee (AECAC) and the Bureau of Animal Welfare as required; (see section 7.8);

2.2.11 Facilitate bi-annual audit by the institution;

2.2.12 Ensure coordination with the AEC Advisory Committee where appropriate;

2.2.13 Provide advice on any relevant matters referred by the institution;

2.2.14 Report at least annually to the institution on the Committee's activities.

3 RESPONSIBILITY OF COMMITTEE MEMBERS

The primary responsibility of members is to ensure that the use of animals for Scientific Procedures and Teaching is ethically justified, provides for their welfare and incorporates the principles of Replacement, Reduction and Refinement based on collective experience and knowledge, and not to represent any particular interest group.

3.1 Confidentiality :

3.1.1 Intellectual property interests of the institution, individual privacy and maintenance of commercial in confidence obligations may be the subject of confidentiality and *in camera* policy may be applied during AEC meetings. Institutions are required to inform AEC members in writing how members may seek advice relevant to fulfilling their role and responsibilities

without breaching confidentiality. Following receipt and acknowledgement of this advice, AEC members may be required to sign a member declaration to maintain confidentiality. Members must not be precluded from seeking advice and guidance, including external advice, on matters pertaining to ethics and animal welfare in research. Member responsibilities include obtaining advice relating to procedural techniques, procedural burden, pain management, experimental end-points, monitoring, animal husbandry and accommodation from a range of reputable sources

3.1.2 A member resigning or retiring from the Committee shall not, without the express approval of the institution, expose or discuss confidential information accruing from membership.

3.2 Conflict of Interest:

3.2.1 Where a member has any direct or indirect interest in any matter of business before the Committee, which may be construed as pecuniary or other gain, that interest shall be declared to the Committee.

3.2.2 Where a member so declares, the Committee may

3.2.2.1 Refuse the member the right to speak to the business

3.2.2.2 Refuse the member the right to vote on that business,

3.2.2.3 Require the member to withdraw from a meeting for the period of discussion and resolution of that business.

4 MEMBERSHIP OF THE COMMITTEE AND TERM OF OFFICE

4.1 Term of Office

Unless otherwise determined by the institution, the term of office of each member, shall be three years. Current members may be reselected.

4.2 Number and Category of Members:

4.2.1 The membership of the Committee shall comprise of up to two members per category, all of whom will have a genuine interest and commitment to the ethical use of animals for scientific procedures or teaching. The Committee must comprise and meet with at least one appointed person from each of the following categories:

- A. A person with qualifications in veterinary science and with experience relevant to the activities of those submitting project applications to the Committee. Veterinarians that lack this experience must familiarise themselves with the biology and clinical characteristics of the species of animals used;
- B. A suitably qualified person 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. A person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed or otherwise by the institution or any potential project applicant, and who is not involved in the care and use of animals for scientific procedures or teaching. Veterinarians with specific animal welfare interest and experience may meet the requirements of this Category. While not representing an animal welfare organisation, that person should, where possible, be selected on the basis of active membership of and nomination by, such an organisation.
- D. A person who is both independent of the institution and any potential project applicant and who has never been involved in the use of animals for scientific procedures or teaching, 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.

- 4.2.2 In selecting all members, the institution will have regard for the need for knowledge and experience concerning ethical use of animals in scientific procedures or teaching. In addition to the prescribed Categories A to D, the institution may appoint persons with knowledge of the routine care and husbandry of animals involved in projects.
- 4.2.3 If the committee has more than four members, Categories C plus D should represent no less than one third of all the members.
- 4.2.4 The Committee must have a quorum in attendance to conduct meetings. A quorum shall consist of one member from each category (see 7.4.2).
- 4.2.5 Before appointment, all members of the AEC should acknowledge in writing their acceptance of the terms of reference of the AEC and any requirements for confidentiality required by the institution, including how advice may be sought without breaching confidentiality.

4.3 Varying and replacing the Members, Absentee Members:

- 4.3.1 The Committee may recommend to the institution that membership be amended.
- 4.3.2 The Committee may co-opt other persons with relevant experience or expertise as required, including persons with experience in the routine care of animals for scientific procedures or teaching. Co-opted members of the Committee can not exercise voting rights and must adhere to the general principles of confidentiality as per voting members.
- 4.3.3 In the event of a member being obliged or electing to retire or resign during the term of the Committee, or being removed by the institution, the institution will seek nominations for a replacement member. Details of the eligibility of the nominated member should be provided to the Bureau of Animal Welfare (BAW) prior to attending the first AEC meeting. The BAW may provide guidance advising if the member suits the criteria of the nominated category.
- 4.3.4 Where a member fails to attend three consecutive meetings of the Committee without providing an apology or excuse, or is demonstrably unable to maintain an adequate level of participation, the Committee shall recommend to the institution that the member be replaced by a new appointee of the same category

5 NOMINATIONS AND APPOINTMENT OF THE COMMITTEE

5.1 Nominations of Category A to D members. The institution shall invite:

- 5.1.1 Existing Victorian AEC members, of any Category, to nominate themselves;
- 5.1.2 Other potential members that fulfil one of the above categories within the institution
- 5.1.3 Veterinarians, with experience specific to the species of animals used by the institution to nominate themselves. Up to two nominations will be selected to be members;
- 5.1.4 Category C members or Animal welfare organisations to nominate a member. Up to two nominations will be selected to be members (see 4.2.1.C).

5.2 Appointment of Category A to D members:

Members may be required to sign a letter of undertaking regarding maintaining confidentiality and acceptance of the terms of reference in accordance with item 2.2.8 of The Australian Code.

5.3 Reappointment of the Committee:

Not less than three months prior to the expiry of the term of appointment of the Committee, and subject to the continuance of the Committee, the institution shall call for nominations in accordance

with 5.1 for the next term of appointment. With the objective of continuance of effective committee functioning, a staggered re-appointment of the Committee members will be attempted.

5.4 Chairperson;

5.4.1 The institution, will appoint a Chairperson who possesses the relevant attributes to bring impartiality to the consideration of applications submitted to the Committee, skills to manage the business of an AEC, to communicate, negotiate and resolve conflict with an understanding of the relevant ethical and animal welfare issues. The Chairperson must accept the agreed terms of reference as a condition of appointment.

The chairperson will;

5.4.2 Ensure that the AEC operates in accordance with the principles and requirements of the Code; the relevant policies of the institution and the agreed AEC procedures.

5.4.3 Ensure that proposals are considered by the AEC and the outcomes conveyed to investigators and teachers in a timely manner,

5.4.4 Advise institutional management regarding the level of resourcing required by the AEC;

5.4.5 Represent the AEC in any negotiations with management;

5.4.6 Oversee all requirements of the AEC to report and review its operations as outlined in the Code.

5.4.7 Ensure AEC records are maintained and made available for review by the institution and authorised external reviews.

5.4.8 Provide a report to the institution at least annually which details the activities of the AEC (see 2.2.40 of The Australian Code).

5.4.9 In the absence of the Chairperson at any meeting of the Committee, the members present shall appoint one of their members as acting Chairperson at that meeting.

6 EXECUTIVE OFFICER

6.1 The institution shall provide an Executive Officer to provide support services to the Committee. The Executive Officer will be the first point of contact for investigators wishing to access the Committee.

6.2 The Executive Officer will not be a voting member usually but have substantial experience in administration of an AEC and detailed knowledge of related issues.

6.3 The Executive Officer will ensure that: all relevant documents (minutes, correspondence, proposals, project reports, Committee decisions and Committee procedural documents) as appropriate are distributed to the Committee prior to each meeting, as well as maintaining a system for the provision of audit.

6.3.1 Documentation related to adverse incidents is to be filed separately.

7. BUSINESS OPERATIONS

7.1 Conduct of Meetings:

Meetings shall be conducted in accordance with the operating procedures established by the Committee under these Terms of Reference. Proposals must be assessed in accordance with the relevant information required in section 2 of The Australian Code.

7.2 Correspondence:

- 7.2.1 Institutional, project or procedural related correspondence from and to the Committee between meetings shall be circulated to all members promptly and a copy filed by the Executive Officer.
- 7.2.2 Written correspondence conveying the Committee's advice to the project applicant or the institution, as appropriate, shall be completed as soon as practicable after the relevant meeting.

7.3 Meeting Frequency and Documents:

7.3.1 General meetings:

The time and venue of general meetings of the Committee shall be determined by the Committee but should aim to meet at least four times per year, unless the BAW has provided an exemption, to facilitate regular consideration of project applications and related matters in accordance with client needs. The Longerenong AEC was granted an exemption by the BAW in October 2009 and will meet at least twice a year.

7.3.2 Special Meetings:

The full Committee may elect to conduct special meetings, if circumstances or the nature of business is urgent or extraordinary.

7.3.3 Meeting Agenda and relevant documents:

The Chairperson shall ensure that the meeting agenda will consider AEC business as required to meet the Committee's responsibilities. The Executive Officer shall circulate not less than seven days prior to a general meeting or a special meeting, an agenda setting out standing business before the Committee and all relevant proposals and related correspondence.

7.3.4 Meeting Minutes:

The Executive Officer will maintain and circulate to members as soon as practicable fourteen days after each meeting, minutes of the meeting specifying each item of business discussed, summarising essential items of discussion, and recording the decisions reached or advice resolved and actions to be taken. The minutes will be confirmed at the subsequent meeting of the Committee.

7.4 Attendance of meetings:

- 7.4.1 A quorum of the Committee is constituted by a membership of at least one representative of each of the categories A to D. If the Committee has more than a quorum of members, Categories C plus D should represent no less than one third of the members.
- 7.4.2 Unless a quorum is in attendance the Committee may discuss proposals but must not approve or reject proposals (see 4.2.4).
- 7.4.3 Attendance of quorate meetings may be facilitated by video-linking or teleconferencing of some members in circumstances, where face-to-face attendance is not possible. Such remote members may authorise the Executive Officer or Chairperson to record their support of any proposals or other decision outcomes.
- 7.4.4 Any duly convened meeting at which a quorum is in attendance shall be competent to consider and resolve any business of the Committee and shall have and may exercise all the functions of the Committee.

7.5 Submission and approval of proposals:

- 7.5.1 Only those experiments which conform to the requirements of all relevant sections of The Australian Code and legislation may be approved.

- 7.5.2 The AEC has the authority to accept or reject proposals.
 - 7.5.2.1 If the committee deems that modifications are necessary, the proposal may be sent back to the researcher to be re written.
 - 7.5.2.2 If modifications are made which meet the requirements of the committee, then the chair or an executive may approve the proposal out of session and the project may proceed.
 - 7.5.2.3 The AEC has the authority to impose conditions as part of the approval process.
- 7.5.3 The Committee is only required to consider completed and signed protocols submitted by the responsible investigator(s) or teacher(s). The organisation may also elect to have proposals signed off by other relevant people such as student supervisor, animal facility manager, the scientific premises licensee or field work licensee.
- 7.5.4 Proposals must be considered and approved only at scheduled or special meetings of AEC. Minor modifications to existing proposals can be approved at any time by the executive (see executive; point 7.6).
- 7.5.5 Experiments must not start before written approval is given by the Committee
- 7.5.6 Where a project has a Standard Operating Procedure (SOP) referred to in the proposal, the AEC members will be provided with a copy of that SOP. (See 2.2.17 of The Australian Code)

7.6 Executive:

The Committee may establish an executive at any time from the available members and must include at least one member from category C or D. The executive may only:

- 7.6.1 Approve minor modifications to projects for review and ratification at the next meeting of the AEC;
- 7.6.2 Specify urgent action required in response to reports of adverse events or emergencies.

7.7 Voting:

- 7.7.1 Decision outcomes at a meeting of the Committee shall be determined by consensus as defined by The Australian Code. Where consensus cannot be reached after reasonable effort to resolve differences, the AEC should explore with the applicant(s) ways of modifying the project that may lead to consensus. If consensus is still unachievable, the AEC should only proceed to a majority decision after members have been allowed a period of time to review their positions, followed by further discussion.
- 7.7.2 No person at a meeting, other than an appointed member, may have the right to vote.

7.8 Grievance Procedures:

The following grievance procedures will be adopted if there is dissent:

- 7.8.1 In the case of dissension with a committee decision the Chair, on behalf of the committee, may follow the following procedure:
 - 7.8.1.1 Attempt to resolve the matter with the dissenting person(s).
 - 7.8.1.2 Seek an opinion from the Licensee or nominated responsible person either at the Committee meeting or as soon as possible after a Committee meeting.
 - 7.8.1.3 Place the matter before the Licensee or nominated responsible person at a formal meeting for resolution. This meeting will be attended by the Chairperson, Executive Officer, dissenting person(s) and other nominated Committee member(s).
 - 7.8.1.4 Refer the decision and discussions back to the Committee.

7.8.2 Where AEC requirements are not being met:

- 7.8.2.1 The Committee receives a report of an alleged incident either prior to or at a regular meeting of the Committee where the matter is discussed.
- 7.8.2.2 The AEC will investigate the report and seek a written explanation of the incident from the applicant or other relevant persons.
- 7.8.2.3 The report is distributed to all Committee members for comment and if necessary an extraordinary Committee meeting may be convened for further discussion.
- 7.8.2.4 The Chairperson will report the incident and the Committee's views(s) to the Licensee for information and may provide recommendations for further action.
- 7.8.2.5 Should an AEC member, after the above procedures have been exhausted, still be unsatisfied that appropriate action has or will be taken to safeguard animal welfare, then that member should advise the Licensee and may report their dissent to the Bureau of Animal Welfare.

8 FINANCIAL ARRANGEMENTS

8.1 Sitting Fees: Not applicable at this time.

Appointed members may be paid meeting fees as prescribed by current Victorian State Government "Guidelines for the Appointment and Remuneration of Part-Time Non-Executive Directors of State Government Boards and Members of Statutory Bodies and Advisory Committees". Schedule C: Sessional Rates, category 2: fees/day for members.

8.2 Expenses: Not applicable at this time.

- 8.2.1 Private motor vehicle usage reimbursement rates, as determined from time to time by the institution, may be paid to all appointed members attending meetings.
- 8.2.2 Costs of travel by train, bus, tram, or taxi to attend meetings of the Committee may be reimbursed.
- 8.2.3 Home office expenses may be reimbursed to external members.

9. INSURANCE OF MEMBERS

Under 14 (3) of the Accident Compensation Act 1985, an appointed member of the Committee is deemed to be an employee of the Crown while attending meetings or while undertaking any directed or approved activity on behalf of the Committee. Cover is afforded by WorkCover.

10. REVISION OF TERMS OF REFERENCE AND OPERATING PROCEDURES

These Terms of Reference and operating procedures will be reviewed as necessary in response to changes in the legislation, institutional policy or concerns expressed by members of this Committee.
