



AEC Terms of Reference and Operating Procedures

BOX HILL INSTITUTE

ANIMAL ETHICS COMMITTEE

Approved by the AEC

Date: 7/12/2018

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DEFINITIONS

- 1.1 "Animal Ethics Committee (AEC)" shall mean an AEC, as outlined in the 'The Australian Code for the Care and Use of Animals for Scientific Purposes, 2013' under Part 3 of *The Prevention of Cruelty to Animals Act 1986 and Regulations 2008*.
- 1.2 "Committee" shall mean the "Box Hill Institute" AEC in Victoria.
- 1.3 "Department" shall mean the Department of Economic Development, Jobs, Transport and Resources.
- 1.4 "Investigator or Teacher" shall mean any person who uses animals for scientific purposes or teaching.
- 1.5 "Minister" shall mean the Victorian Minister for Agriculture and Regional Development.
- 1.6 "Member" shall mean a person appointed to the Committee by the organisation.
- 1.7 "Proposal" shall mean that as defined in The Australian Code; "a written application to carry out a project for consideration by an AEC"
- 1.8 "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"
- 1.9 "Scientific procedures" shall be defined as in Part 3 of the Prevention of Cruelty to Animals Act 1986.
- 1.10 "The Australian Code" shall mean the current edition of The Australian Code for the Care and Use of Animals for Scientific Purposes, 2013, mandatory under Part 3 of The Prevention of Cruelty to Animals Act 1986 and Regulations 2008.
- 1.11 *The Prevention of Cruelty to Animals Act 1986 and Regulations 2008* shall mean that as located at <http://agriculture.vic.gov.au/agriculture/animal-health-and-welfare/animal-welfare/animal-welfare-legislation/prevention-of-cruelty-to-animals-legislation>
- 1.12 "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 of no more than ten (10) 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**. A summary of the responsibilities of the Committee are located in Appendix 2.

- 2.1 The primary responsibility of an AEC is to ensure, on behalf of the institution for which it acts, that all activities relating to the care and use of animals are conducted in compliance with the Code.
- 2.2 The Committee must:

- 2.2.1 Review applications for projects and approve only those projects that are ethically acceptable and conform to the requirements of the Code
- 2.2.2 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
- 2.2.3 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 Code
- 2.2.4 Monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals in facilities
- 2.2.5 Take appropriate actions regarding unexpected adverse events as outlined in the Australian Code, section 2.1.5 and 2.3.24
- 2.2.6 take appropriate actions regarding non-compliance
- 2.2.7 approve guidelines for the care and use of animals on behalf of the institution
- 2.2.8 Provide advice and recommendations to the institution
- 2.2.9 Report on its operations to the institution.

2.3 The AEC must :

- 2.3.1 Monitor the care and use of animals by inspecting animals, animal housing and the conduct of procedures, and/or reviewing records and reports.
- 2.3.2 Monitor all activities relating to the care and use of animals (including the acquisition, transport, breeding, housing and husbandry of animals) on a regular and ongoing basis to assess compliance with the Code and decisions of the AEC. The AEC must ensure that identified problems and issues receive appropriate follow-up and, if necessary, refer suspected breaches of the Code to the institution.
- 2.3.3 Monitor activities that are likely to cause pain or distress at an early phase during the conduct of the activity. This requirement should be a condition of approval for the project or activity. These activities could include the study of pain, responses to stressors, models of human and animal diseases, or attempts to change behaviour by physical or chemical means.
- 2.3.4 Determine the frequency and timing of inspections. Influencing factors include the number and accessibility of sites, the number and types of projects and activities, and whether inspections can be combined with scheduled AEC meetings. In addition, the AEC may decide that certain projects or activities require more frequent inspection than others. Inspections may be announced or unannounced.
- 2.3.5 Maintain records of inspections that include the names of attendees, observations, any identified problems, recommended actions, ongoing or outstanding issues, and outcomes take appropriate action in response to unexpected adverse events 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.

2.3.6 When projects or activities that are in breach of the Code are detected, the AEC must ensure that:

- actions are taken 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 are taken to address the issues in consultation with the person(s) involved
- when considered necessary, such matters are referred to the institution for action
- non-compliance receives appropriate follow-up.

2.3.7 Facilitate on-going education of AEC members;

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

2.3.9 Management of animal emergencies is critical at each BHI site where projects are undertaken directly by BHI staff or under an auspice arrangement.

- Box Hill Campus, Level 3 Bldg 8 animal facility and associated classrooms
- Box Hill Campus, Ground floor, veterinary clinic and grooming facility and associated classrooms
- ___(new equestrian venue)_____
- RSPCA animal facilities
- Lilydale High School Reptile facility
- Centre for Adult Education (CAE), 253 Flinders Lane, Melbourne (Animal Approved Classrooms)
- Lilydale Lakeside Campus, Jarlo Drive, LB Level 1 animal facility, animal holding areas and classrooms

2.3.10 On each site where animals are used an authorised person has been nominated to respond to emergencies, including unexpected adverse outcomes, in the absence of the investigator or teacher. These people are:

- Aaron Seymour – Box Hill E8, level 3
- Jenna Goldt – Box Hill E8, Ground floor
- Shelley Childs- Oakwood Riding School
- Sally Meakin - RSPCA animal facilities
- Mark White - Lilydale High School Reptile facility
- Diane Golledge – Lilydale Lakeside Campus

2.3.11 In cases of emergency all reasonable steps must be taken to consult with the responsible investigator or teacher before an animal is treated or euthanized. However the wellbeing of the animal is always the priority and immediate intervention must occur if necessary. Consultation with a responsible veterinarian

- must occur promptly so that the appropriate response can be given to alleviate any welfare issue associated with the animal(s).
- 2.3.12 If the investigator or teacher cannot be contacted, the responsible person must contact the Chair of the AEC and a responsible veterinarian so that the appropriate response can be given to alleviate any welfare issue associated with the animal(s).
- 2.3.13 Any treatment or euthanasia must be reported promptly to the responsible investigator or teacher and the AEC with reasons for the action taken, and confirmed in writing.
- 2.3.14 In the case of an emergency such as power failure, the responsible person must be contacted immediately to determine that the appropriate course of action is taken. The power outage must be reported to the Facilities Department and return of power monitored.
- For animals in IVCs the lids should be removed if the outage extends beyond 48 hours.
 - Temperature in the animal rooms must be monitored. Doors do not need to be opened as all doors have a relief grill built into the door.
 - Light cycles must revert to natural daylight should the power outage continue for more than 12 hours by keeping the room doors open and allowing daylight into the rooms through the windows in the passageway.
- 2.3.15 Where the power is unaffected but emergencies such as the breakdown of lighting, heating or cooling occur, the responsible person must immediately respond by monitoring the impact in the environmental status and implementing the following actions:
- 2.3.16 If the temperature in the rooms is below the required temperature for the welfare of the animals, heaters should be placed in the rooms to bring the temperature to the required level.
- 2.3.17 Mice and rats: 22°C; Rabbits: 20°C; Guinea pigs: 20-22°C; Dogs/Cats – 20°C; Surgical/anaesthetised dogs/cats: 22°C; Thermo-neutral zone for horses: 13°C.
- 2.3.18 If the temperature is above the required temperature for the welfare of the animals, fans should be used in the rooms to create air exchange and cooling to achieve the temperatures listed above.
- 2.3.19 If air flow to the rooms is absent, fans should be used in the rooms to create air exchange and disperse odours, gas release and dust created by the animals or procedures being undertaken.
- 2.3.20 These measures must continue until the heating, cooling or air flow is returned and the environmental conditions are returned to those required for maximum animal welfare.
- 2.3.21 In the case of an emergency such as fire, earthquake or flood, all staff must follow the emergency procedures for the building or facility including evacuation. The safety of people must always be pre-eminent to that of animals. Re-entry to the building or facilities can only occur after the chief warden has declared an all clear. At this time the well-being of the animals can be assessed and appropriate treatment and/or euthanasia provided.

- 2.3.22 It is the responsibility of the investigator or teacher to monitor the well-being of animals that they use pre-, during and post-procedurally in order to determine normal clinical and behavioural status and thus be able to identify and respond to post-procedural (including surgical or anaesthetic) emergencies. In the case of an adverse event, the investigator or teacher must seek veterinary assistance when needed, manage pain and distress and administer appropriate responses such as analgesia, warmth, fluids, CPR and/or euthanasia.
- 2.3.23 As soon as possible after an emergency, a report must be prepared for the AEC by the investigator or teacher or the responsible person that outlines the details of the emergency and the consequences to the animals including treatment and/or euthanasia.
- 2.3.24 Maintain a record of proposals and projects for four (4) years;
- 2.3.25 Facilitate annual audit by the institution;
- 2.3.26 Provide advice on any relevant matters referred by the institution;
- 2.3.27 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 and provides for their welfare by ensuring that that the overall benefit outweighs the risks to the animals.

When using animals for teaching, the overall benefit is achieving competence in the techniques that will be used on animals by the students in their future employment.

The potential harm or risks to the animals with the techniques being taught must be limited or eliminated by application of the 3Rs.

- Replacement – Methods which replace or avoid the use of animals,
- Reduction – Methods which minimise the numbers of animals used, and
- Refinement – Methods which minimise suffering and improve animal welfare

All decisions of the committee should be based on collective experience and knowledge of the committee members, and not represent any particular interest group.

- 3.1 Each member is responsible for deciding whether, in their own judgement, an application or other matter under consideration by the AEC is ethically acceptable and meets the requirements of the Code.
- 3.2 To fulfil this responsibility, members should:
- 3.2.1 be familiar with the Code and other policies and guidelines relevant to the business of the AEC
- 3.2.2 provide opinions on the ethical acceptability of applications and other matters under consideration by the AEC.
- 3.3 During their appointment to the AEC, and before any deliberations of the AEC, members must declare any interest that could influence the objectivity of their decision making.

Conflict of Interest:

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.

Where a member so declares, the Committee may

- Refuse the member the right to speak to the business
- Refuse the member the right to vote on that business,
- Require the member to withdraw from a meeting for the period of discussion and resolution of that business.

3.4 Members must maintain confidentiality regarding the content of applications and the deliberations of the AEC, in accordance with institutional requirements.

Confidentiality:

Intellectual property interests of the institution, individual privacy and maintenance of commercial in confidence obligations may be the subject of confidentiality and an *in camera*¹ procedure may be applied during AEC meetings.

As part of committee induction, AEC members will be informed in writing about how they may seek advice relevant to fulfilling their role and responsibilities without breaching confidentiality. Following receipt and acknowledgement of this advice, AEC members will be required to sign a member declaration to maintain confidentiality.

Members will not be precluded from seeking advice and guidance, including external advice, on matters pertaining to ethics and animal welfare in teaching however advice sought should be broad, keeping the specific details private. Once this information has been obtained it must be brought back to the committee for consideration.

If members are unsure about the confidentiality of material or issues considered by the committee, they are advised to contact the Chair for clarification. Should the matter involve the Chair, they can approach the Licence Nominee.

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.

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.

4 MEMBERSHIP OF THE COMMITTEE AND TERM OF OFFICE

4.1 Term of Office

The term of office of each member, shall be four (4) years. Current members may be re-selected.

¹ Highly sensitive issues or materials with a wider remit than just the AEC. Some or all members may be present but not the secretary.

4.2 Number and Category of Members:

4.2.1 The membership of the Committee shall comprise of one (1) member per Category A and Category B with no alternates. Category C and Category D can have up to 2 members, to allow alternate attendance if required. All members 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 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;
- 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.
- 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 endorsement by, such an organisation.
- 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 AEC, and must not fit the requirements of any other category.

4.3 Additional members to assist the AEC to function effectively

- E.** A person responsible for the routine care of animals from within the institution.
- F.** A person with skills and background of value to the AEC

4.3.1 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.

4.3.2 Institutions will ensure that AEC members undergo appropriate induction, and have access to appropriate education programs and resources.

4.3.3 If the committee has more than four members, Categories C plus D should represent no less than one third of all the members.

4.3.4 The Committee must have a quorum in attendance to conduct meetings. A quorum shall consist of one member from each category.

4.3.5 Before appointment, all members of the AEC must 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.

4.4 Varying and replacing the Members, Absentee Members:

- 4.4.1 The Committee may recommend to the institution that membership be amended.
- 4.4.2 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.
- 4.4.3 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 Department prior to attending the first AEC meeting. The Department may provide guidance advising if the member suits the criteria of the nominated category.
- 4.4.4 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. One (1) nomination will be selected to be a member;
- 5.1.4 Category C members or Animal welfare organisations to endorse a member. One (1) nomination will be selected to be a member.

5.2 Appointment of Category A to D members:

Members will be required to sign a letter of undertaking regarding maintaining confidentiality and acceptance of the terms of reference.

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 chairperson is 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
- 5.4.2 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;

- 5.4.3 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.
- 5.4.4 Ensure that proposals are considered by the AEC and the outcomes conveyed to investigators and teachers in a timely manner,
- 5.4.5 Advise institutional management regarding the level of resourcing required by the AEC;
- 5.4.6 Represent the AEC in any negotiations with management;
- 5.4.7 Oversee all requirements of the AEC to report and review its operations as outlined in the Code.
- 5.4.8 Ensure AEC records are maintained and made available for review by the institution and authorised external reviews.
- 5.4.9 Provide a report to the institution at least annually which details the activities of the AEC.
- 5.4.10 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 SECRETARY

- 6.1 The institution shall provide a Secretary to provide support services to the Committee. The Secretary will be the first point of contact for teachers or investigators wishing to access the Committee.
- 6.2 The Secretary 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 Secretary will ensure that: all relevant documents (agenda, 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 Secretary.

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 will meet at least four (4) times per year to facilitate regular consideration of project applications and related matters in accordance with client needs.

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, in order to achieve the Committee's responsibilities. The Secretary shall circulate not less than five working (5) 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 Secretary will, following consultation with the AEC Chair, maintain and circulate to members within five working (5) 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.

- 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 Secretary 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 proposals that 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 investigator or teacher 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 proposals submitted by the responsible investigator(s) or teacher(s). The proposal must also be signed by the senior educator who supervises the investigators or teachers participating in the proposal.
- 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.

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:

7.8.1 Where there is a dissent with a committee decision or AEC requirements are not being met the grievance procedures for the AEC will be followed.

8 FINANCIAL ARRANGEMENTS

8.1 Expenses:

8.1.1 Parking and refreshment costs for AEC members will be provided by Box Hill Institute

8.1.2 Out of pocket expenses (eg travel) incurred by external AEC members in order to attend meetings of the Committee may be reimbursed at a rate to be determined by Box Hill Institute as a single annual payment

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 biennially or as necessary in response to changes in the legislation, institutional policy or concerns expressed by members of this Committee.

Acceptance of the Terms of Reference

I accept the terms and conditions as set out in the above document for my term as a member of the BHIG Animal Ethics Committee

Signed by Recipient: _____ Date: _____

Category Member on the AEC: _____

APPENDIX 1 NON-COMPLIANCE PROCEDURE

1. Institutions that use animals for scientific purposes must implement processes so that the governing body of the institution or its delegate is assured of compliance with the Australian Code and relevant legislation. These processes must at least include addressing concerns raised by the AEC regarding non-compliance with the Australian Code which may include disciplinary action upon advice of the AEC.
2. Non-compliance may be regarded as a minor or major.
3. A minor non-compliance relates to failure to fulfil administrative requirements where there is no risk of potential or actual compromising of animal welfare.
4. A major non-compliance involves the potential or actual compromising of animal welfare such as:
 - exceeding of authorised animal numbers for the project
 - use of a non-approved species
 - inappropriate housing and/or husbandry
 - failure to provide adequate and suitable feed and/or water
 - inappropriate handling and restraint
 - failure to use appropriate analgesia
 - failure to monitor animals correctly
 - use of incorrect or inappropriate anaesthesia
 - failure to use aseptic surgical techniques
 - failure to use correct non-surgical techniques
 - failure to respond promptly and appropriately to identified welfare issue
 - other serious issues as identified in the Australian Code
5. All major non-compliance matters must be reviewed by the whole AEC.
6. Non-compliance that is reported to or identified by the AEC will be reviewed by the Chair to determine if it is a major or minor non-compliance.
7. For a major non-compliance, the Chair will immediately implement a response to any actual animal welfare issue by:
 - contacting a relevant veterinarian and immediately relieving the welfare issue for all animals involved, including euthanasia if appropriate
 - suspending the project until the investigation has been completed and been reviewed by the AEC
 - establishing an executive committee according to the Code in order to investigate the major non-compliance
8. The executive committee will establish the terms of the investigation and will communicate with the investigator, teacher and/or other relevant persons to determine the circumstances of the non-compliance and undertake the investigation.
9. The executive committee will prepare a report on the investigation for the AEC and the AEC will review all aspects of this report and the circumstances of the non-compliance in order to determine what action must be taken and if a penalty should be applied. Where necessary a special meeting of the AEC will be held specifically to address the non-compliance matter and executive committee report.
10. Possible outcomes may include:
 - reinstatement of the project approval and no further action
 - continuation of suspension of project
 - training of the project staff
 - supervision of project staff

- withdrawal of project approval
11. The investigator or teacher will be advised in writing of the outcome of the investigation, AEC review and decisions.
 12. The investigator or teacher can appeal the AEC process and decision within five (5) working days of receipt of this letter and provide written reasons to the AEC. The AEC will consider this appeal and determine if it will amend or maintain its decision.
 13. If the investigator or teacher remains unhappy with the AEC process and decision an appeal in writing can be submitted within five (5) working days to the CEO.
 14. The CEO can review the process followed by the AEC only and not the actual decision of the AEC. The response of the CEO is final.
 15. The AEC will prepare a report for the CEO on any major non-compliance that requires significant intervention.
 16. Any other non-compliance matters will be reported to the Institute through the normal annual reporting structure.
 17. Process timeline

Non-compliance Process	Time to complete	Time line
Review of non-compliance as minor or major	24 hours	Day 1
Response to actual animal welfare issue		Day 1
Executive committee set up		Day 1
Executive committee investigation	5 working days	Day 7
Executive committee report		Day 7
AEC review	5 working days	Day 14
Letter to investigator or teacher		Day 14
Report to CEO	5 working days	Day 21
Appeal by investigator or teacher to AEC	5 working days	Day 21
Review by AEC of appeal	5 working days	Day 28
Appeal by investigator or teacher to CEO	5 working days	Day 35
CEO response to appeal	5 working days	Day 42

APPENDIX 2 AEC RESPONSIBILITIES

The Animal Ethics Committee will:

1. approve guidelines for the care of animals that are bred, held and used for scientific purposes on behalf of the institution
2. monitor the acquisition, transportation, production, housing, care, use and fate of animals
3. recommend to the institution any measures needed to ensure that the standards of the Code are maintained
4. describe how members are appointed, re-appointed, or retired, according to procedures developed by the institution in consultation with the AEC
5. require that all members declare any conflict of interest
6. deal with situations in which a conflict of interest arises
7. examine and approve, approve subject to modification, or reject written proposals relevant to the use of animals for scientific purposes
8. approve only those studies for which animals are essential and justified and which conform to the requirements of the Code. This should take into consideration factors including ethics, the impact on the animal or animals and the anticipated scientific or educational value
9. withdraw approval for any project when considered appropriate
10. authorise the emergency treatment or euthanasia of any animal, as appropriate
11. examine and comment on all institutional plans and policies that may affect the welfare of animals used for scientific purposes
12. maintain a record of proposals and projects
13. comply with the reporting requirements of the institution and the Code and
14. perform all other duties required by the Code