

La Trobe University
ANIMAL ETHICS COMMITTEE

Terms of Reference

Establishment

The [Prevention of Cruelty to Animals Act 1986](#) (POCTA) requires that persons conducting research using animals comply with the National Health and Medical Research Council [Australian code for the care and use of animals for scientific purposes 8th edition 2013](#) ('the Animal Code'). Licence holders must nominate an Animal Ethics Committee (AEC) to oversee the organisation's care and use of animals and facilities for scientific purposes.

The La Trobe University Animal Ethics Committee's (LTU AEC) composition, terms of reference, functions and responsibilities and method of operation must conform to the requirements of the current Australian Code for the Care and Use of Animals for Scientific Purposes 2013 ("the Animal Code"), the Victorian Prevention of Cruelty to Animals Act (POCTA) 1986 ("the Act"), and the Victorian Prevention of Cruelty to Animals Regulations 2019 ("the Regulations").

1. Purpose

1.1. The LTU AEC functions prescribed under POCTA 1986 are:

- 1.1.1. To ensure that all care and use of animals is conducted in compliance with the Australian code.
- 1.1.2. To consider whether the potential effects on the well-being of the animals used for science is justified by the potential benefits to humans, animals or the environment. The LTU AEC is concerned with the well-being of animals before, during, and after a project, including animals kept for breeding of research animals.

1.2. The LTU AEC must:

- 1.2.1. Review applications for:
 - 1.2.1.1. new projects
 - 1.2.1.2. proposed modifications to approved projects
 - 1.2.1.3. activities applicable to breeding programs
 - 1.2.1.4. activities associated with the care and management of animals in facilities.
- 1.2.2. Conduct follow-up review of approved projects and activities
- 1.2.3. Monitor the care and use of animals, including housing conditions, practices, and procedures involved in the care of animals in facilities
- 1.2.4. Take appropriate actions regarding non-compliance and unexpected adverse events

- 1.2.5. Approve guidelines for the care and use of animals on behalf of the institution
- 1.2.6. Provide advice and recommendations to the institution regarding the care and use of animals
- 1.2.7. Report on its operations to the institution.

1.3. The Animal Code, stipulates that the LTU AEC must:

- 1.3.1. 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 Animal Code.
- 1.3.2. Review applications for projects and approve only those projects that are ethically acceptable and conform to the requirements of the Animal Code.
- 1.3.3. 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 Animal Code.
- 1.3.4. Conduct follow up review of approved projects and activities and allow continuation of approval of projects and activities that are ethically acceptable and conform to the requirements of the Animal Code.
- 1.3.5. Monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals in facilities
- 1.3.6. Approve guidelines for the care, management and use of animals that are bred, held and used for scientific purposes on behalf of the institution.
- 1.3.7. Provide advice and recommend to the institution any measures needed to ensure that the standards of the Animal Code are maintained.
- 1.3.8. Describe how members are appointed, re-appointed, or retired, according to procedures developed by the institution in consultation with the AEC.
- 1.3.9. Require that all members declare any conflict of interest and deal with situations in which a conflict of interest arises.
- 1.3.10. Withdraw or suspend approval for any project or activity.
- 1.3.11. Authorise the emergency treatment or euthanasia of any animal.
- 1.3.12. Take appropriate action regarding unexpected adverse events.
- 1.3.13. Take appropriate action regarding non-compliance when projects or activities that are in breach of the Animal Code are detected.
- 1.3.14. Examine and comment on all institutional plans and policies that may affect the welfare of animals used for scientific purposes.
- 1.3.15. Maintain a record of proposals and projects as specified in the Animal Code.

1.3.16. Comply with the reporting requirements of the institution and the Animal Code including reporting on the Committee's operations to the institution; and

1.3.17. Perform all other duties required by the Animal Code

2. Membership

2.1 The Chairperson of the LTU AEC is to be independent of the care and use for scientific purposes at LTU.

2.1.1 The Chairperson is appointed in addition to other membership categories of the LTU AEC.

2.1.2 The Chairperson is responsible for impartially guiding the operation of the LTU AEC, resolving conflicts of interest related to the business of the LTU AEC, and representing the LTU AEC in any negotiations with the institution's management.

2.1.3 A Deputy Chairperson from the LTU AEC membership will be appointed by the Executive Director Research Office. This person will act as the Chairperson in the Chairpersons absence.

2.2 In addition to the Chairperson, the LTU AEC will have a minimum of 6 members with at least one person from each of four categories of membership below:

2.2.1 Category 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.

2.2.2 Category 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.

2.2.3 Category C—a person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with the institution, and who is 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 based on active membership of, and endorsement by, such an organisation.

2.2.4 Category 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.

2.3 As a part of accepting appointment to the LTU AEC, prospective members must:

- 2.3.1 Acknowledge and accept the LTU AEC Terms of Reference; and
- 2.3.2 Fully execute the La Trobe University Deed of Confidentiality.
- 2.4 Members must complete the mandatory training required under the Regulations within six (6) months of their appointment and provide evidence of their completion to the Senior Coordinator Animal Ethics and Biosafety.
- 2.5 If an LTU AEC member has not completed the mandatory training within the required time, they will be no longer be eligible to remain on the LTU AEC.
- 2.6 LTU reserves the right to require members to attend repeat the training in the event of changes to guidelines, legislation or regulations.
- 2.7 Members are appointed or co-opted for a term of office of three years but may be reappointed or co-opted for additional terms at the discretion of the Chair and Executive Director Research Office.
- 2.8 Members may not be appointed for more than four consecutive terms, except in extenuating circumstances where a fifth consecutive term may be approved by the Deputy Vice Chancellor Research and Industry Engagement (DVCRIE)
- 2.9 Representatives from LTU in the following positions should attend LTU AEC meetings to provide appropriate support and advice (non-voting members, ex-officio members).
 - 2.9.1 Manager LARFT Operations
 - 2.9.2 Senior Coordinator Animal Ethics and Biosafety
- 2.10 The LTU AEC may invite other people to attend individual meetings to provide expert opinion to assist deliberations.
- 2.11 All additional attendees to LTU AEC meetings will also be obligated to execute a Deed of Confidentiality.

3. Meeting Requirements and Processes

- 3.1 The LTU AEC meets at least monthly (excluding January) but may meet more frequently as necessary to ensure decisions are made as promptly as possible.
 - 3.1.1 Minutes shall be maintained by the Office of Ethics Integrity and Biosecurity (EIB) and provided to the LTU AEC, as required.
 - 3.1.2 The quorum for the LTU AEC meetings is four members, and must include a separate person from each of categories A, B, C and D as stipulated by the Animal Code.
 - 3.1.3 Category C and D members together must represent no less than one third of the members present at a meeting.
 - 3.1.4 The Chairperson must be an additional member to the Category A, B, C and D members, and is not counted for the purposes of determining whether a quorum is present.

- 3.1.5 If a quorum is not able to be established, the meeting must be rescheduled.
- 3.1.6 If the Chairperson has a conflict of interest, the Deputy Chairperson will take over as Chairperson.
- 3.1.7 In the rare event that both the Chairperson and Deputy Chairperson have conflicts of interest, the LTU AEC shall elect a temporary Chairperson.
- 3.1.8 The Committee may establish an Executive that must include the Chairperson and at least one member from Category C or D.
- 3.1.9 The Executive may approve minor modifications to approved projects or activities and deal with emergencies. The Executive must not approve new applications. Any decisions made by the Executive must be ratified the next AEC meeting.
- 3.1.10 The LTU AEC expects that the day-to-day responsibility for ensuring that high standards of animal care are maintained will rest with the Nominated Person of the Scientific Procedures Premises Licence(s).
- 3.1.11 A report on the animal facilities should be made to each meeting of the LTU AEC, and the animal facilities should be available for inspection by the LTU AEC at the time of each meeting.
- 3.1.12 A formal inspection by the LTU AEC of all animal facilities and laboratory areas from within the relevant Scientific Procedures Premises Licence(s) must be conducted at least once a year.
- 3.1.13 All AEC members must have ready access to the LTU animal facilities at any reasonable time during the year and to experiments performed within the relevant Schools. Such access must be arranged through the Chairperson of the LTU AEC or nominee
- 3.1.14 La Trobe University and the LTU AEC will undergo an independent external review that is conducted at least every four years to assess the institution's compliance with the Animal Code, and to ensure the continued suitability, adequacy and effectiveness of its procedures to meet its responsibilities under the Animal Code.

4. Accountability

- 4.1 The LTU AEC is accountable to the Deputy Vice Chancellor Research and Industry Engagement (DVCRIE) of LTU.
- 4.2 LTU will conduct an annual review of the operation of the AEC.
- 4.3 The LTU AEC Chair will meet quarterly with the DVCRIE and AWV Licence Nominee.
- 4.4 The LTU AEC will produce an annual report for the DVCRIE and Research and Graduate Studies Committee (RGSC) and relevant regulatory authorities in accordance with their requirements. These reports will advise on:
 - 4.4.1 numbers and types of projects and activities assessed and approved or not approved. the physical facilities for the care and use of animals

- 4.4.2 actions that have supported the educational and training needs of LTU AEC members and people involved in the care and use of animals
- 4.4.3 administrative or other difficulties experienced
- 4.4.4 any matters that may affect the LTU AEC's ability to maintain compliance with the Australian code
- 4.4.5 any matters that relate to LTU's ability to maintain compliance with the Australian code; and appropriate recommendations to address matters of non-compliance and measures for effective/remedial change.

5. Review and Evaluation

- 5.1 The LTU AEC Terms of Reference will be reviewed every three years or as necessary in response to changes in legislation, La Trobe policy or upon the request of the LTU AEC.
- 5.2 The LTU AEC will be consulted when revising these Terms of Reference.
- 5.3 The La Trobe Research and Graduate School Committee is responsible for approving these Terms of Reference.

6. Related Documents

6.1 Legislation& Guidelines

- 6.1.1 [Victorian Prevention of Cruelty to Animals Act 1986](#)
- 6.1.2 [Victorian Prevention of Cruelty to Animals Regulations 2019](#)
- 6.1.3 [Australian Code of Practice for the Care and Use of Animals for Scientific Purposes 8th Edition 2013 \(updated 2021\)](#)
- 6.1.4 [Australian Code for the Responsible Conduct of Research 2018](#)

6.2 La Trobe University Policies and Procedures Research

- 6.2.1 [Animal Ethics Procedure](#)
- 6.2.2 [Conflict of Interest Policy](#)
- 6.2.3 [Research Data Management Policy](#)
- 6.2.4 [Research Governance Policy](#)
- 6.2.5 [Research Integrity Policy](#)
- 6.2.6 [Research Misconduct Procedure](#)