**1990 - No. 403**

# ANIMAL RESEARCH ACT 1985 - REGULATION

(Animal Research Regulation 1990)

NEW SOUTH WALES

*[Published in Gazette No. 82 of 29 June 1990]*

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Animal Research Act 1985, has been pleased to make the Regulation set forth hereunder.

JOE SCHIPP
Acting Minister for Local Government.

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## PART 1 - PRELIMINARY

### Citation

**1.** This Regulation may be cited as the Animal Research Regulation 1990.

### Commencement

**2.** This Regulation commences on 1 September 1990.

### Definitions

**3.** In this Regulation:

**"ACEC"** means an animal care and ethics committee;

**"approved"** means approved for the time being by the Secretary,

**"approved project"** means a project which has been approved by an ACEC, on the basis of a proposal;

**"Code"** means the Code of Practice referred to in clause 12;

**"Council"** has the same meaning as in the Local Government Act 1919;

**"distress"** means acute or chronic response of an animal caused by stimuli that produce biological stress which produces observable, abnormal physiological or behavioural responses;

**"investigator"** means the holder of an animal research authority or an animal research licence who is specified in a proposal as an investigator for the proposal;

**"licensed animal supplier"** means the holder of an animal supplier's licence;

**"pound"** means premises maintained by or on behalf of a Council or Councils for the holding of seized or surrendered animals;

**"principal investigator"** means the holder of an animal research authority or an animal research licence who is specified in a proposal as the principal investigator for the proposal;

**"project"** means an experiment or a series of related experiments that forms a discrete piece of animal research and for which a single proposal can be submitted;

**"proposal"** means a proposal required to be submitted under Part 3 or 6 of the Code to an ACEC;

**"rehousing"** means the release of a dog or cat from a supply unit to an individual for use as a companion animal;

**"school"** means a State school, or a registered school, within the meaning of the Education and Public Instruction Act 1987;

**"supply unit"** means premises used by a licensed animal supplier for the receipt, holding and despatch of animals for use in animal research;

**"the Act"** means the Animal Research Act 1985;

**"tranquillizers"** means drugs which are used to treat anxiety or produce sedation.

**Exempt animals**

**4.** An animal which

(a) has a specific medical or genetic condition for which it has not been specifically bred; and

(b) has been released by its owner for use in a project, approved by an ACEC and related to its condition, by means of a declaration in a form approved by the Secretary; and

(c) in the opinion of a representative nominated by the ACEC which approved the project, would be detrimentally affected by spending a period of time at a supply unit,

belongs to a class of animals prescribed for the purposes of paragraph (a) of the definition of "exempt animal" in section 3 (1) of the Act.

## PART 2 - ACCREDITATION AND ADMINISTRATION

### Body prescribed to be a "corporation"

**5.** For the purposes of paragraph (b) of the definition of "corporation" in section 3 (1) of the Act, the following body of persons is prescribed:

Catholic Education Commission (New South Wales)

### Application for accreditation - required particulars

**6.** For the purposes of section 18 (2) of the Act, the particulars to be included in an application for accreditation as a research establishment are:

(a) the names of the directors of the corporation; and

(b) if the corporation or any director of the corporation has been convicted, in the 3 years immediately preceding the application, of an offence under the Act, the Prevention of Cruelty to Animals Act 1979, the National Parks and Wildlife Act 1974, the Exhibited Animals Protection Act 1986 or the regulations made under any of those Acts, or of an offence under any equivalent statute or regulation of any other State or Territory or of the Commonwealth - details of the offence and the penalty imposed; and

(c) if the corporation is not a corporation referred to in paragraph (d) - such other particulars as are required by the approved form, including particulars relating to the following matters:

(i) the ACEC for the corporation, including the qualifications of its members and terms of reference, meetings, decisions and procedures of, and inspections made by, the committee;

(ii) the areas where animals for research or supply are or will be housed or used, the facilities. and accommodation provided or intended to be provided for each species of

animal, the number of animals held at the time of application and the annual turnover of each species;

(iii) the holders or proposed holders of animal research authorities employed by the corporation or the holders of animal research licences supervised by the ACEC for the corporation;

(iv) staff involved in the care of animals for research and any training programmes for such staff;

(v) animal care, husbandry and research procedures;

(vi) suppliers of animals to the corporation;

(d) if the corporation is the Department of School Education, the Catholic Education Commission (New South Wales) or a school or corporation which is seeking accreditation solely to allow animal research to be carried out in a school or schools, such other particulars as are required by the approved form, including particulars relating to the following matters:

(i) the ACEC for the corporation, including the qualifications of its members and terms of reference, meetings, decisions and procedures of, and inspections and activities undertaken by, the committee;

(ii) the name and address of the school or schools conducting animal research;

(iii) the areas where animals for research are or will be housed or used, the facilities and accommodation provided or intended to be provided for each species of animal, the number of animals held at the time of application and the annual turnover of each species and suppliers of animals to the school or schools.

**Application for animal research licence - required particulars**

**7.** For the purposes of section 29 (2) of the Act, the particulars to be included in an application for an animal research licence are:

(a) if the applicant has been convicted, in the 3 years immediately preceding the application, of any offence under the Act, the Prevention of Cruelty to Animals Act 1979, the National Parks and Wildlife Act 1974, the Exhibited Animals Protection Act 1986 or the regulations made under any of those Acts, or of an offence under any equivalent statute or regulation of any other

State or Territory or of the Commonwealth - details of the offence and the penalty imposed; and

(b) such other particulars as are required by the approved form, including particulars relating to the following matters:

(i) the ACEC supervising the research, including inspections made by the committee of the premises where the applicant carries out research;

(ii) the type of research performed or intended to be performed by the applicant;

(iii) the applicant's qualifications;

(iv) the areas where animals for research are or will be housed or used, the facilities and accommodation provided or intended to be provided for each species of animal, the number of animals held at the time of application and the annual turnover of each species;

(v) staff involved in the care of animals for research and any training programmes provided or intended to be provided for such staff;

(vi) animal care, husbandry and research procedures;

(vii) suppliers of animals to the applicant.

**Application for animal supplier's licence - required particulars**

**8.** For the purposes of section 37 (2) of the Act, the particulars to be included in an application for an animal supplier's licence are:

(a) if the applicant is an individual and has been convicted, in the 3 years immediately preceding the application, of any offence under the Act, the Prevention of Cruelty to Animals Act 1979, the National Parks and Wildlife Act 1974, the Exhibited Animals Protection Act 1986 or the regulations made under any of those Acts, or of an offence under any equivalent statute or regulation of any other State or Territory or of the Commonwealth - details of the offence and the penalty imposed; and

(b) if the applicant is a corporation and has been convicted, or any director of the applicant has been convicted, in the 3 years immediately preceding the application, of an offence referred to in paragraph (a) - details of the offence and the penalty imposed; and

(c) such other particulars as are required by the approved form, including particulars relating to the following matters:

(i) the name of any manager or proposed manager of the applicant's animal supply operations;

(ii) the areas where animals for supply are or will be housed and the facilities and accommodation provided or intended to be provided for each species of animal;

(iii) staff involved in the care of animals for research or supply,

(iv) animal care and husbandry procedures;

(v) reproductive data for each species of animal supplied or intended to be supplied, the number of animals held at the time of application and the annual turnover of each species;

(vi) persons to whom animals have been supplied by the applicant for use in connection with animal research and sources from which animals have been acquired or are intended to be acquired by the applicant for the purpose of supply.

**Fees for applications under the Act**

**9. (1)** For the purposes of section 18 (2) (d) of the Act, the prescribed fee to accompany an application for accreditation as a research establishment is $500.

**(2)** For the purposes of section 29 (2) (d) of the Act, the fee to accompany an application for an animal research licence is $100.

**(3)** For the purposes of section 37 (2) (d) of the Act, the fee to accompany an application for an animal supplier's licence is $200.

**Form of inspector's certificate of identification**

**10.** For the purposes of section 49 (5) of the Act, the form of an inspector's certificate of identification is set out in Form 1 in Schedule 2.

**Records**

**11. (1)** An accredited research establishment and a holder of an animal research licence must record the following information in respect of the period of 12 months ending on 30 June in each year:

(a) the number and kind of animals which have been allocated in that period to each research project for which a proposal was submitted;

(b) the number and kind of animals which were allocated by the establishment or the holder of the animal research licence more than a year ago to each project for which a proposal was submitted and which are still allocated to that project;

(c) the objective of each project;

(d) the techniques developed or adopted to reduce the total amount of pain or stress caused to animals in research or to reduce the number of animals used, or both;

(e) in the case of an accredited research establishment:

(i) the number of meetings held by the ACEC for the establishment;

(ii) the number of proposals prepared by the establishment and approved by the ACEC for the establishment;

(iii) the number of ongoing proposals prepared by the establishment and reviewed and reapproved by the ACEC for the establishment;

(iv) the number of projects terminated before completion by the ACEC for the establishment;

(v) the number of proposals revoked by the ACEC for the establishment.

Maximum penalty: $500.

**(2)** An accredited research establishment and a holder of an animal research licence must, on or before 31 July in each year, forward to the Secretary an annual return containing the information recorded under subclause (1).

Maximum penalty: $500.

**(3)** Any such annual return must be in the approved form.

**(4)** This clause does not apply to a school or any accredited research establishment that has been accredited only to allow animal research to be carried out in a school.

## PART 3 - CODE OF PRACTICE

### Code of Practice

**12.** The Code of Practice set out in Schedule 1 is prescribed for the purposes of section 4 of the Act.

## PART 4 - ANIMAL CARE AND ETHICS COMMITTEES AND SUBCOMMITTEES

### Division 1 - Animal care and ethics committees for establishments other than schools and for the holders of animal research licences

### Constitution of animal care and ethics committees for establishments

**13. (1)** An ACEC for an accredited research establishment to which Division 2 does not apply is to comprise at least 4 persons.

**(2)** At least one of the members of the committee must be a person who fulfils the requirements of section 13 (5) of the Act (independence and no involvement with animal research).

**(3)** Each member of the committee must be a person who fulfils the requirements of one or more of the following paragraphs and between them the members of the committee must fulfil all the requirements of those paragraphs:

(a) a person with approved qualifications in veterinary science or with qualifications and experience to provide comparable expertise;

(b) a person with substantial recent experience in animal research;

(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 establishment, and who is not involved in the care and use of animals for recognised research purposes or the supply of animals for use in connection with animal research;

(d) an independent person who does not currently and has not previously conducted research using animals.

**(4)** If the committee is comprised of more than 7 persons, at least 2 members must be persons who fulfil the requirements of subclause

(3) (c) or (d) and are not employed by an accredited research establishment.

**(5)** The committee must be of such a composition and size as, in the opinion of the Panel, will ensure that the variety and volume of animal research to be considered by the committee can be adequately examined.

**Constitution of animal care and ethics committees appointed by the Secretary**

**14. (1)** An ACEC appointed by the Secretary is to comprise at least 4 persons.

**(2)** At least one of the members of the committee must be a person who fulfils the requirements of section 13 (5) of the Act (independence and no involvement with animal research).

**(3)** Each member of the committee must be a person who fulfils the requirements of one or more of the following paragraphs and between them the members of the committee must fulfil all the requirements of those paragraphs:

(a) a person with approved qualifications in veterinary science or with qualifications and experience to provide comparable expertise;

(b) a person with substantial recent experience in animal research;

(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 any animal research licence holder supervised by the committee;

(d) an independent person who does not currently and has not previously conducted research using animals.

**(4)** If the committee is comprised of more than 7 persons, at least 2 members must be persons who fulfil the requirements of subclause (3) (c) or (d).

**(5)** The committee must be of such a composition and size as, in the opinion of the Secretary, will ensure that the variety and volume of animal research to be considered by the committee can be adequately examined.

**Procedures**

**15.** An ACEC must adopt formal procedures for:

(a) the conduct of meetings;

(b) the keeping of records;

(c) the consideration and approval of proposals required to be submitted under Part 3 of the Code in their original or revised forms;

(d) the rejection of proposals;

(e) the revocation of approval of proposals;

(f) the review of animal research projects; and

(g) the preparation and submission of reports, as required under Part 3 of the Code:

(i) in the case of a committee for an accredited research establishment - to the person in charge of the establishment; or

(ii) in any other case - to the Secretary.

**Approval of research proposals**

**16. (1)** Only those proposals which conform to the requirements of all relevant provisions of the Code may be approved by an ACEC.

**(2)** Subject to subclause (3), proposals and revisions of them must be considered, approved or rejected only at meetings of the committee.

**(3)** The Chairperson or Deputy Chairperson of the committee may approve minor revision of a proposal previously approved by the committee, but only if:

(a) requested to do so by the principal investigator for the proposal; and

(b) it would be impracticable to wait until the request for revision could be submitted to a meeting of the committee; and

(c) the revision does not involve issues relating to the pain or distress of the animals to be used.

**(4)** The Chairperson or Deputy Chairperson must notify the committee of any approval given under subclause (3) at the next meeting of the committee.

**(5)** An ACEC must notify the principal investigator for a proposal in writing of the ACEC's decision to approve or reject the proposal.

**(6)** An ACEC must keep a register of all approved proposals.

### Division 2 - Animal care and ethics committees for schools

**Application of Division**

**17.** This Division applies to accredited research establishments which are schools or which have been accredited only to allow animal research to be carried out in schools.

**Constitution of animal care and ethics committees**

**18. (1)** An ACEC for an accredited research establishment to which this Division applies is to comprise at least 4 persons.

**(2)** At least one of the members of the committee must be a person who fulfils the requirements of section 13 (5) of the Act (independence and no involvement with animal research).

**(3)** Each member of the committee must be a person who fulfils the requirements of one or more of the following paragraphs and between them the members of the committee must fulfil all the requirements of those paragraphs:

(a) a person actively involved in animal use for teaching;

(b) a person with identified experience and expertise in the husbandry and management of animal species used for teaching;

(c) a person with no direct involvement with animal use for teaching;

(d) a person with approved qualifications in veterinary science or with qualifications and experience to provide comparable expertise;

(e) a person with a demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not associated in an official capacity with the school or any other accredited research establishment otherwise than in the person's capacity as a member of such a committee.

**(4)** If the committee is comprised of 6 or more persons, at least 2 members must be persons who fulfil the requirements of subclause (3) (e).

**(5)** The Committee must be of such a composition and size as, in the opinion of the Secretary, will ensure that the variety and volume of animal research to be considered by it can be adequately considered.

**Procedures**

**19.** An ACEC for an accredited research establishment to which this Division applies must adopt formal procedures for:

(a) the conduct of meetings;

(b) the keeping of records;

(c) the consideration and approval of proposals for research projects;

(d) the rejection of proposals;

(e) the revocation of approvals of proposals;

(f) the preparation and submission of reports to appropriate school or departmental authorities.

**Approval of research proposals**

**20. (1)** Subject to subclause (2), proposals and revisions of them must be considered, approved or rejected only at meetings of the ACEC.

**(2)** The Chairperson or Deputy Chairperson of the committee may approve minor revisions of a proposal previously approved by the committee, but only if:

(a) requested to do so by the teacher responsible for the project; and

(b) it would be impracticable to wait until the request for revision could be submitted to a meeting of the committee; and

(c) the revision does not involve issues relating to the pain or distress of the animals to be used.

**(3)** The Chairperson or Deputy Chairperson must notify the committee of any approval given under subclause (2) at the next meeting of the committee.

### Division 3 - Animal care and ethics subcommittees

**Constitution and procedures**

**21. (1)** A subcommittee of an ACEC is to consist of 1 or more members of the ACEC.

**(2)** The procedures of an animal care and ethics subcommittee (appointed under section 15 of the Act) are the same as those adopted under clause 15 or 19 by the ACEC which appointed it.

## PART 5 - EXEMPTIONS

**Certain schools exempted from requiring accreditation**

**22.** Any school incorporated under the provisions of the Roman Catholic Church Trust Property Act 1936 or the Roman Catholic Church Communities' Lands Act 1942 is exempted from the operation of section 46 (1) of the Act if any animal research carried on in the school is done with the authority of an ACEC for the Catholic Education Commission (New South Wales) and in accordance with the Code.

**School students exempted from requiring animal research authorities or licences**

**23.** A student at a school is exempted from the operation of section 47 (1) of the Act if any animal research carried out by the student is done under the supervision, and in accordance with the directions, of the holder of an animal research authority or an animal research licence.

**Councils exempted from requiring animal suppliers' licences**

**24.** A Council is exempted from the operation of section 48 (1) of the Act if the supply by the Council of animals for use in connection with animal research is done in accordance with the Code.

## SCHEDULE 1

(Cl. 12)

## CODE OF PRACTICE

## PART 1 - APPLICATION OF CODE

**Application of Code**

1. This Code applies to animal research as defined in section 3 (1) of the Act.

## PART 2 - GENERAL PRINCIPLES FOR THE CARE AND USE OF ANIMALS FOR RECOGNISED RESEARCH PURPOSES

**For the guidance of investigators, accredited research establishments and animal care and ethics committees and all involved in the care and use of animals**

**Application of Part**

2. This Part is for the guidance of investigators, accredited research establishments, ACECs, the holders of animal supplier's licences and all other persons involved in the care and use of animals for animal research. This Part does not apply to animal research to which Part 6 applies.

**General principles**

3. Animal research may be performed only when it is essential to obtain and establish significant information relevant to the understanding of human or animal health and welfare, to the improvement of animal management or production, or to the achievement of educational objectives.

4. People who use animals for animal research have an obligation to treat the animals with respect and to consider their welfare as an essential factor when planning and conducting experiments.

5. Investigators have responsibility for all matters relating to the welfare of the animals they use in animal research.

6. Techniques which replace or complement animal research must be used wherever possible.

7. Animal research may be performed only after a decision has been made that it is justified, weighing the scientific or educational value of the research against the potential effects on the welfare of the animals used.

8. Animals chosen must be of an appropriate species with suitable biological characteris tics, including behavioural characteristics, genetic constitution and nutritional, microbiological and general health status.

9. Animals must not be taken from their natural habitats if animals bred in captivity are available and suitable.

10. Animal research must be scientifically valid, and must use no more than the minimum number of animals needed.

11. Animal research must use the best available scientific techniques and must be carried out only by persons competent in the procedures they perform.

12. Animal research must not be repeated unnecessarily.

13. Animal research must be as brief as possible.

14. Animal research must be designed to avoid pain or distress to animals. If this is not possible, pain or distress must be minimised.

15. Pain and distress cannot be easily evaluated in animals and therefore investigators must assume that animals experience pain in a manner similar to humans. Decisions regarding the animals' welfare

must be based on this assumption unless there is evidence to the contrary.

16. Animal research which may cause pain or distress of a kind and degree for which anaesthesia would normally be used in medical or veterinary practice must be carried out using anaesthesia appropriate to the species and the procedure. When it is not possible to use anaesthesia, such as in certain toxicological or animal production research or in animal models of disease, the end-point of the research must be as early as possible to avoid or minimise pain or distress to the animals.

17. Investigators must avoid using death as a research end-point whenever possible.

18. Analgesic and tranquillizer usage must be appropriate for the species and must at least parallel usage in medical or veterinary practice.

19. An animal which develops signs of pain or distress of a kind and degree not predicted in the proposal must have the pain or distress alleviated promptly and if severe pain cannot be alleviated without delay the animal must be killed humanely. Alleviation of such pain and distress must take precedence over finishing the animal research.

20. Neuromuscular blocking agents must not be used without appropriate general anaesthesia, except in animals where sensory awareness has been eliminated. If such agents are used, continuous or frequent intermittent monitoring of paralysed animals is essential to ensure that the depth of anaesthesia is adequate to prevent pain or distress.

21. Animals must be transported, housed, fed, watered, handled and used under conditions which are appropriate to the species and which ensure a high standard of care.

22. Investigators must submit written proposals for all animal research to the relevant ACEC which must take into account the expected value of the knowledge to be gained, the validity of the research, and all ethical and animal welfare aspects.

23. Animal research must not commence until written approval has been obtained from the ACEC.

24. The care and use of animals for all recognised research purposes must be in accordance with this Code, and with the Act and the regulations.

## PART 3 - RESPONSIBILITY OF ACCREDITED RESEARCH ESTABLISHMENTS AND ANIMAL CARE AND ETHICS COMMITTEES (ACECs)

### Application of Part

25. This Part does not apply to animal research to which Part 6 applies.

### Responsibilities of accredited research establishments

26. Accredited research establishments must:

(a) establish one or more ACECs, directly responsible to the governing body of the establishment or its delegate;

(b) ensure, through the ACEC, that all animal research complies with relevant legislation;

(c) provide each ACEC with facilities and powers to fulfil its terms of reference and operate as set out in clauses 27-45;

(d) refer to the appropriate ACEC for comment all matters which may affect animal welfare in the establishment, including the building, or modification, of animal facilities;

(e) review periodically the operation of each ACEC;

(f) respond effectively to recommendations from each ACEC to ensure that the facilities for the housing, care, use and disposal of animals are appropriate to the maintenance of the health and well-being of the animals;

(g) respond effectively to recommendations from each ACEC to ensure that all animal research within the establishment remains in accord with this Code (if recommended extra or improved facilities, or additional staff or staff training cannot be provided, ACECs must be informed promptly);

(h) upon the advice of the ACEC, discipline investigators who contravene this Code or fail to comply with decisions of the ACEC;

(i) provide all investigators and other relevant staff with details of their duties, the establishment's policy on the care and use of animals and on confidentiality and legal requirements;

(j) provide staff members with information on potential disease hazards from their work with animals, especially specific hazards to pregnant women;

(k) establish mechanisms to respond to enquiries or complaints concerning the use of animals within the establishment and ensure that employees may voice concerns without jeopardising their employment;

(l) ensure that the ACEC develops guidelines for animal care and use within the establishment and that these are implemented, including those which ensure that emergencies are detected promptly and dealt with effectively;

(m) ensure that there are adequate numbers of staff to care for the animals and that all staff are appropriately instructed;

(n) ensure that appropriate veterinary services are available and that there is access to diagnostic services.

## Responsibilities and operation of ACECs

### Terms of reference

27. Each ACEC must have terms of reference which include provisions as to its duty to:

(a) monitor the acquisition, transport, production, housing, care, use and disposal of animals;

(b) recommend to the relevant accredited research establishment or holder of an animal research licence any measures needed to ensure that the standards of this Code are maintained;

(c) examine and approve, approve subject to modification, or reject written proposals relevant to animal research and approve only that research for which animals are essential and which conforms to the requirements of this Code, taking into consideration ethical and welfare aspects as well as scientific or educational value;

(d) withdraw approval for any project or authorise the treatment or humane killing of any animal;

(e) examine and comment on all plans and policies of the relevant accredited research establishment or holder of an animal research licence which may affect animal welfare;

(f) maintain a register of approved proposals;

(g) perform all other duties imposed by this Code, the Act or the regulations.

**Proposals**

28. For any animal research project a proposal that includes the following information as appropriate must be submitted to the ACEC

(a) the project title;

(b) names and qualifications of investigators and all others involved directly in the project;

(c) the name of the person who is to be the principal investigator for the proposal;

(d) a statement that qualifications and experience of personnel involved in the project are appropriate to the procedures to be performed;

(e) a clear description in lay terms of the aims of the project, and the procedures to be employed;

(f) details of the scientific or educational aims of the project;

(g) details of the research techniques, including surgical or other procedures to be used, doses of anaesthetic, analgesic, tranquillizing agents, methods to be adopted to ensure that anaesthesia is adequate and, if animals are to be killed, the method by which they will be killed humanely;

(h) source of animals and any permits for obtaining the animals;

(i) number and species of animals required and justification for both;

(j) duration of the research;

(k) details of animal care and housing during the experiment, including location;

(l) arrangements made for the disposal of the animals at the completion of the research;

(m) Justification of the project in terms of potential value of the research in obtaining or establishing significant information relevant to the understanding of humans or animals, to the maintenance and improvement of human and animal health

and welfare, to the improvement of animal management or production, or to the achievement of educational objectives;

(n) reasons why animals are necessary for the project and why techniques which do not use animals have been rejected as unsuitable;

(o) justification for any repetition of any previously performed research;

(p) identification of and Justification for all procedures which have the potential to cause pain or distress, and details of the steps to be taken to avoid or minimise the pain or distress;

(q) details of how the animals will be monitored during the research;

(r) details of monitoring procedures used to ensure that when neuromuscular or similar blocking agents are used, the potentially painful nature of any such procedure is blocked by appropriate anaesthesia and analgesia;

(s) justification for research which may cause pain or distress, but in which anaesthesia or analgesia cannot be used (Such research includes certain toxicological, pathogenic and animal production studies. The planned end-point and the reason for its choice must be given and justified. Death as an end-point must be avoided wherever possible and if unavoidable must be fully justified by the investigator. Measures to be taken to minimise pain or distress must be detailed.);

(t) identification of and justification for the use of any animal that has been the subject of previous research;

(u) any features of the proposal which raise special ethical considerations;

(v) any health risks to other animals or to staff;

(w) expected commencement and completion dates;

(x) a declaration signed by each investigator stating that he or she is the holder of an animal research authority or animal research licence, and is aware of responsibilities set out in this Code and in the Act and the regulations.

**Operational procedures**

29. Each ACEC must ensure that operational procedures are established which will enable compliance with the provisions of this Code. Such procedures must cover in particular:

(a) specific local factors that must be taken into account when examining proposals;

(b) powers that the ACEC is prepared to delegate to an animal care and ethics subcommittee;

(c) membership of the subcommittee;

(d) any other matter specific to the relevant accredited research establishment or animal research licence holder that will assist compliance with this Code.

**Monitoring**

30. Each ACEC must ensure that adequate records are kept on the acquisition, breeding, health, care, use and disposal of animals and the condition of animals during research.

31. Inspections of all animal housing and laboratory areas where animal research is carried out must be conducted and appropriate records of the inspections must be maintained to ensure compliance with this Code.

32. Each ACEC must ensure that any research breaching this Code or the Act or regulations or not being performed as approved is stopped and reviewed, and appropriate action is taken.

33. On each site where animals are used for research, the ACEC must nominate a person who is authorised to respond to emergencies. Where possible, this person is to be a member of the ACEC.

34. Large accredited research establishments with multiple sites of animal care and use must consider whether an Executive Officer with veterinary or other appropriate specialist qualifications should be appointed. An Executive Officer is to be authorised by the ACEC to ensure compliance with this Code and with the decisions of the ACEC.

35. Before the Executive Officer or other person authorised by the ACEC arranges for the treatment or humane killing of an animal being used in a research project, all reasonable steps must be taken to consult with the principal investigator and a member of the ACEC. Any action taken by such persons must be promptly reported in writing to the principal investigator and the ACEC, including reasons for the action taken.

**Annual review**

36. Animal research of long duration and the long term continuing use of individual animals must be reviewed annually by the ACEC or more frequently if considered desirable by the ACEC.

**Reports**

37. (1) An ACEC for an accredited research establishment must report at least annually to the establishment on its activities, on numbers and types of animal research proposals approved, on the physical facilities for the care and use of animals within the establishment, on any administrative or other difficulties being experienced and any requirements for training staff.

(2) An ACEC appointed by the Secretary must report at least annually to the Secretary on its activities, on numbers and types of animal research proposals approved, on the physical facilities for the care and use of animals operated by licence holders or any administrative or other difficulties being experienced.

**Operational procedures**

38. The ACEC must maintain minutes which record decisions and all other aspects of the ACEC's operation.

39. Meetings of ACECs must be as frequent as the volume of business demands, but should normally be scheduled not less than quarterly.

40. The process by which decisions are made by an ACEC must be fair to investigators and acceptable to all ACEC members.

41. The Chairperson of an ACEC appointed by an accredited research establishment must be a person who holds a senior position in the establishment.

42. Before appointment, all members of an ACEC must acknowledge in writing their acceptance of the terms of reference of the ACEC and any requirement for confidentiality required by the accredited research establishment which appointed the ACEC or, in the case of an ACEC appointed by the Secretary, the Secretary.

43. In the case of an ACEC appointed by an accredited research establishment, a person responsible for the daily care of animals at the establishment is to attend meetings of the ACEC.

44. An ACEC may delegate in writing to an animal care and ethics subcommittee any of its functions except the consideration and approval, or revocation of approval, of proposals required to be submitted under Part 3 of this Code in their original or revised forms.

**Categorising animal research**

45. The ACEC may adopt or develop a system to categorise animal research, to help identify areas of special concern.

## PART 4 - RESPONSIBILITY OF INVESTIGATORS

**Application of Part**

46. This Part does not apply to animal research to which Part 6 applies.

**General**

47. Investigators have responsibility for all matters related to the welfare of their animals. They must act in accordance with all requirements of this Code.

48. The responsibility of investigators extends over all facets of the care and use of animals in their approved projects.

49. Investigators are responsible for the standard of animal care and use by all other persons involved in their approved projects. They must ensure that the extent of supervision is compatible with the level of competence of each person and the responsibilities they are given.

50. Investigators must consult other experienced scientists, veterinarians, or laboratory animal, livestock or wildlife specialists, when necessary.

51. Before any project begins, investigators must submit a proposal to the ACEC which demonstrates that the project will comply with the requirements of this Code and the Act and the regulations.

52. Investigators must not begin animal research before written ACEC approval is obtained, and must adhere to any requirements of the ACEC.

53. Investigators must ensure that satisfactory arrangements are made for contacting them and other responsible persons in the event of emergencies.

54. Investigators must ensure that the choice of species is appropriate for the purpose of the project. Requirements for known genetic constitution, freedom from specific diseases, documented health, nutritional and environmental histories and other relevant factors must be taken into account. When the definition of the biological status of animals is necessary, investigators must ensure that the supplier can provide adequate proof of definition. Where relevant, species and individual animals are to be chosen on the basis that the proposed animal research will result in the least pain and distress. In making this decision, all aspects of the biological nature of the animals, including their behavioural characteristics and their cognitive development, must be taken into account.

55. Investigators must maintain records of the use of animals in their approved projects.

56. Investigators must inform the ACEC when each project is completed or discontinued.

**Animal research at more than one accredited research establishment**

57. When a project is conducted at more than one accredited research establishment, ACEC approval must be obtained from each establishment concerned except when the responsibility for granting approval has been delegated to one ACEC.

**Planning projects**

58. In addition to the information required by the ACEC, the investigator must address the following questions during the planning stages of a project:

(a) Is the project Justified ethically and scientifically?

(b) Can the aims be achieved without using animals?

(c) Has the most appropriate species of animal been selected?

(d) Are suitable holding facilities and competent staff available?

(e) Have all staff been informed of the animal research procedures?

(f) Is the biological status (genetic, nutritional, microbiological, general health) of the animals appropriate?

(g) Are the environmental conditions (including caging or pen type, noise, photoperiod, temperature, humidity, ventilation, density of housing and conditions of social structure) appropriate?

(h) Is the animal research designed so that statistically valid results can be obtained or the educational objectives achieved, using the minimum necessary number of animals?

(i) If the animal research could cause the animals any pain or distress, what will be done to minimise or avoid this?

(j) What arrangements will be made to monitor the animals adequately?

(k) Has any of the animal research been performed previously? If so why should it be repeated?

(1) Are there any permits that must be obtained for the importation, capture, use, destruction or release of the animals?

**Conduct of animal research - general considerations**

**Limiting pain and distress**

59. Investigators must have particular regard to clause 15 of this Code.

60. The investigator must anticipate and take all possible steps to avoid or minimise pain and distress, including:

(a) choosing the most humane method for the conduct of the animal research;

(b) ensuring the technical skills and competence of all persons involved in animal care and use are appropriate to the duties they will be performing with respect to the animal research;

(c) ensuring that animals are adequately monitored for evidence of pain and distress;

(d) acting promptly to alleviate pain or distress;

(e) using anaesthetic, analgesic and tranquillising agents appropriate to the species and the animal research purposes;

(f) conducting projects over the shortest time practicable;

(g) using appropriate methods of euthanasia.

61. The use of local or general anaesthetics, analgesics or tranquillisers must be appropriate to the species, and must at least parallel their use in current medical or veterinary practice.

62. Animal research which is liable to cause pain of a kind and degree for which anaesthesia would normally be used in medical or veterinary practice must be carried out under anaesthesia.

63. Distress can sometimes be avoided or minimised by non-pharmacological means. Before animal research begins, animals must be appropriately conditioned to the research environment and procedures and be familiar with handlers. During and after animal research, appropriate nursing procedures to minimise pain and distress and promote the well-being of the animals must be provided.

64. The monitoring of animals must at all times be adequate to prevent the occurrence, or allow prompt alleviation of, pain or distress.

65. If animals develop signs of severe pain or distress despite the precautions outlined above, they must have the pain or distress alleviated promptly or must be killed humanely and without delay. Alleviation of such pain or distress must take precedence over continuing or finishing the animal research.

**Signs of pain or distress**

66. Investigators must be familiar with the normal behaviour of the animal species chosen, be knowledgeable of signs of pain or distress specific to that species, and must monitor their animals for these signs.

67. Animals must be monitored to allow detection of deviations from normal behaviour patterns. Such deviations are often the first indications that animals are experiencing pain or distress. Change in patterns of sleeping, feeding, drinking, grooming, exploratory behaviour, performance in learning or discriminatory tasks, reproduction or social behaviour must be looked for.

68. Animals must be monitored appropriately for clinical signs of acute pain or distress. These may include one or more of the following: aggressive and/or abnormal behavior (some species may become unduly submissive), abnormal stance or movement, abnormal sounds, altered cardiovascular and/or respiratory function, abnormal appetite, rapid decline in body weight, altered body temperature, vomiting and abnormal defaecation or urination. Indicators of sustained pain or distress may include loss of body weight and failure to thrive, impaired reproductive ability and reduced resistance to disease.

### Repeated use of animals in research

69. Individual animals must not be used in more than one experiment either in the same or different animal research projects, without the express approval of the ACEC. However appropriate re-use of animals may reduce the total number of animals used in a project, result in better design of experiments, reduce stress or avoid pain to other animals.

70. When approving animal research involving the re-use of animals, the ACEC must be satisfied that either:

(a) none of the experiments cause the animals pain or distress; or

(b) the second and subsequent experiments produce little or no pain or biological stress to the animals (e.g. modifying diet, taking a succession of blood samples, repeated non-invasive recording procedures), and the animals have recovered fully from the first experiment before further procedures are carried out.

### Duration of research

71. Experiments conducted as part of an approved project, particularly those which involve pain or distress, must be as brief as practicable. ACEC approval must be sought for the continued long-term use of individual animals in one experiment. The decision to continue must be based on the clinical well-being of the animal and the absence of aversion to the research situation.

### Handling and restraining animals

72. Animals must be handled only by persons instructed and competent in methods which avoid distress and do not cause injury.

73. The use of restraint devices is sometimes necessary for the welfare of the animal and the safety of the handler. Restraint devices must be used to the minimum extent, for the minimum period required to accomplish the purposes of the animal research, and be appropriate for the animal.

74. Tranquillizers or anaesthetics may aid restraint but may prolong recovery from the procedure. When these agents have been used, recovery of the animals must be monitored.

75. Periods of prolonged restraint must be avoided. Where animals are in prolonged restraint, consideration must be given to their

biological needs, including their behavioural requirements, and they must be monitored regularly by a veterinarian or other qualified person not participating in the animal research. If any ill-effects are shown, the animal must be removed from the restraint or the method modified.

### Completion of projects

76. Upon completion of the project, animals must be returned promptly to either normal husbandry conditions or, if appropriate and permitted, to their natural habitat, or be killed humanely.

77. Where practicable, investigators are to share with other investigators tissue from animals being killed.

### Humane killing of animals

78. When it is necessary to kill an animal, humane procedures must be used. These procedures must avoid distress, be reliable, and produce rapid loss of consciousness without pain until death occurs. The procedures must also be compatible with the aims of the animal research.

79. The procedures must be performed only by persons competent in the methods to be used, or under the direct supervision of a competent person. The appropriate means must be readily at hand.

80. Animals must be killed in a quiet, clean environment, and normally away from other animals. There must be no disposal of the carcasses until death is established.

81. When fertilised eggs are used, the method of disposal must ensure the death of the embryo.

### Autopsy

82. Autopsies must be performed when animals die unexpectedly.

## Additional considerations

### Surgery

83. Surgical procedures must be carried out under appropriate local or general anaesthesia. There must be adequate monitoring of the depth of anaesthesia and of side effects such as hypothermia, and cardiovascular and respiratory depression.

84. Anaesthesia and surgery must be performed by competent staff with appropriate training and experience. Instruction in surgical or anaesthetic techniques must be under the direct and constant supervision of such persons.

85. The choice and administration of anaesthetic, analgesic and tranquillising agents must be suitable for the species and appropriate for the purpose of the animal research.

86. When more than one surgical procedure is to be performed the animal must have recovered to good general health between each procedure. Every effort must be made to reduce the total number of procedures and the ACEC must have been informed specifically of the need for more than one.

87. When the animal is not to recover from the surgery, it must be kept unconscious for the whole procedure, either by continuing the administration of the general anaesthetic or by inducing brain death.

88. When the animal is to recover from the anaesthetic, surgical procedures must conform to accepted standards in human and veterinary practice, analgesics and tranquillizers must be used when required and their use must parallel that in current medical and veterinary practice.

**Post-operative care**

89. The comfort of animals must be promoted throughout the post-operative period. Attention must be given to warmth, hygiene, fluid and food intake, and control of infection. The use of analgesics and tranquillizers may be needed to minimise post-operative pain or distress. Care must be taken that animals recovering from anaesthesia do not injure themselves by unco-ordinated movements, and that conditions are such that they are not disturbed, attacked or killed by other animals in the same enclosure.

90. Appropriate clinical records must be kept and be accessible to all involved in the post-operative care of the animal.

91. Investigators must ensure that adequate monitoring, treatment and care of post-operative animals is provided. They must ensure that they are fully informed of the animals' condition.

92. The duties of all staff must be clearly defined and ways of dealing with emergencies established.

93. Any post-operative animal observed to be in a state of severe pain or distress which cannot be alleviated quickly must be killed humanely without delay.

94. Regular observation of surgical wounds is essential to check the progress of healing. Any problems must be attended to immediately.

**Implanted devices**

95. Skilled and specialised attention is required in the care of animals following an operation in which monitoring or sampling devices have been implanted, or a fistula created. Regular observation is essential to permit early detection of signs of distress, pain or infection, which must be treated immediately.

**Neuromuscular paralysis**

96. Neuromuscular blocking agents must not be used without adequate general anaesthesia or an appropriate surgical procedure which eliminates sensory awareness. Immobilisation of an animal solely with a neuromuscular blocking agent is prohibited. When these agents are used with an anaesthetic, special care must be taken to ensure the maintenance of an adequate plane of anaesthesia. Since criteria such as character of respiration and corneal and flexor withdrawal reflexes cannot be used, continuous or frequent intermittent monitoring of physiological variables such as heart rate, blood pressure, pupil size and the electroencephalogram is necessary, together with the effects on these of mild sensory stimuli. Care is required to ensure that drugs used in the experiments do not interfere with this monitoring.

**Electroimmobilisation**

97. Electroimmobilisation must not be used as an alternative to analgesia or anaesthesia. When its use is proposed for the restraint of animals, ACECs must carefully evaluate published evidence to assess whether it may cause distress. If so, an alternate restraint method must be used.

**Animal models of disease**

98. The scientific validity of animal models of human diseases rests in part on how closely they resemble a particular disease. Thus the attendant pain and distress of the human disease may also occur in the

animal. Special care must be taken in selecting the appropriate species and the investigator has responsibility for ensuring that any pain or distress is minimised and that the ACEC is informed of the potential effects of the disease on the animals. The use of painful, distressful or lingering death as an end-point in animal research must be avoided wherever possible.

**Modifying animals' behaviour**

99. Procedures used to modify an animal's behaviour or to induce it to perform specific tasks depend on motivating the animal. The preferred inducement is positive reinforcement, but the inducement may be some form of biological stress. This stress must be as mild as possible. Severe water, food, social or sensory deprivation must not be used. Painful or noxious stimuli must be limited to those which do not distress human beings, and must be used for the minimum time necessary. The animal's behaviour can usually be modified using procedures that involve no more than a physiological stress, e.g. thirst within the range of the normal experience of the species.

**Toxicological experiments**

100. Investigation of the safety of agents intended for use in human beings, animals, the household or the environment or of naturally occurring toxins must only be performed by persons with appropriate training. If suitable non-animal tests are available, they must be used. In particular, in vitro methods must be used as an initial screening test wherever possible.

101. The end-point of such animal research must be as early as is compatible with reliable assessment of toxicity, and must minimise the extent of any pain and distress.

102. Investigators must not allow the animal research to proceed to the painful or distressful or lingering death of animals unless no other research end-point is feasible and the goals of the research are the prevention, alleviation, treatment or cure of a life-threatening disease or situation in human beings or animals.

103. When death is essential as the end-point, the animal research must be designed to result in the deaths of as few animals as possible.

**Animal research involving hazards to humans or other animals**

104. Hazards may arise from sources including viruses, bacteria, fungi, parasites, radiation, radioactivity, corrosive substances, toxins, allergens, carcinogens, recombinant DNA, anaesthetic gases and physical injuries.

105. Any potential pathogenic effects of these hazards when used in animal research must be explained as far as possible to all staff. Tests for evidence of pathogenic effects before, during and after the research may be required for staff.

106. The ACEC must check that appropriate measures for containment, disposal and decontamination have been established.

107. Animals being administered infectious organisms must be quarantined as appropriate, taking into account risks to other animals and to people.

108. The end-point of animal research involving hazardous agents must conform to the requirements for toxicological research.

109. Precautions, security and emergency plans to contain hazardous agents must be appropriate to a "worst-case" situation.

**Animal welfare research**

110. When studying ways of improving the welfare of animals, investigators may sometimes need to design animal research that replicates the welfare problem, such as injury, trauma, disease, physical exertion, disease or environmental stress. Thus, the attendant pain or distress may also be replicated. When such research is necessary, the investigator must ensure that:

(a) the principal aim of the research is to improve animal welfare; and

(b) alternative methods are not possible, such as the use of animals already subjected to the welfare problem; and

(c) all possible steps are taken to minimise any pain or distress; and

(d) the end-point of the research must conform to the requirements for toxicological research.

### Experimental manipulation of animals' genetic material

111. All work involving the introduction of foreign DNA into mammalian cells or whole animals must be conducted in accord with guidelines issued by the Genetic Manipulation Advisory Committee.

112. All proposals to manipulate the genetic material of animals, their germ cells or embryos must also be submitted to an ACEC for approval.

113. The manipulation of the genetic material of animals has the potential to affect the welfare of the animals and their off-spring adversely. Investigators must inform the ACEC of the known potential adverse effects on the well-being of the animals.

114. The clinical status of animals in which the genetic material has been manipulated experimentally must be monitored for unusual or unexpected adverse effects. Investigators must report such effects to the ACEC.

### Experimental induction of neoplasia

115. The site for induction of tumours must be chosen carefully. Subcutaneous, intradermal and flank sites must be chosen when possible. Footpad, brain and eye sites must not be chosen unless there is no alternative.

116. Investigators must monitor their animals closely for signs of pain or distress, especially sudden changes in body weight.

117. Animals with experimentally induced tumours must be killed humanely before predictable death occurs, cachexia becomes advanced, or the tumour becomes large enough to cause ulceration or severe limiting of normal behaviour.

11 8. With ascitic tumours, including hybridomas, investigators must ensure that the volume of ascitic fluid does not cause gross abdominal distension, and solid volumes and cachexia do not become distressful to the animals.

119. In tumour therapy experiments, the end-points chosen must be as early as possible, compatible with reliable assessment of the therapy. Weight changes must be monitored closely. Death from the tumour must not be chosen as a research end-point.

### Lesions of the central nervous system

120. Anatomical or chemical lesions of the central nervous system have been widely used to study its structure and function in health and disease. This animal research demands special consideration when the lesion produces loss or impairment of limb or trunk movements, loss of sensibility to touch, temperature or pain, impairment of the animal's awareness of its surroundings or impairment of appetite or thirst mechanisms. Special animal care, caging, and other facilities may be needed and the ACEC, in approving such research, has a particular responsibility to ensure that these facilities are available and that the condition of the animals is closely monitored.

### Withholding food or water

121. Animal research involving the withholding or severe restriction of food or water must be such as to produce no continuing detrimental effect on the animal. In this research, the fluid balance and/or body weight must be monitored, recorded and maintained within the limits approved by the ACEC.

### Foetal experimentation

122. When foetal experimentation or surgery compromises the ability of the neonate to survive and be without pain or distress, it must be humanely killed before or immediately following birth unless such pain or distress can be relieved.

123. Unless there is specific evidence to the contrary, investigators must assume foetuses have the same requirements for anaesthesia and analgesia as adult animals of the species.

124. During surgery of the mother, consideration must be given to any special requirements for anaesthesia of the foetus.

125. Eggs must be destroyed before hatching, unless hatching is a requirement of the animal research. The ACEC must approve the arrangements made for the hatchlings.

### Research on pain mechanisms and the relief of pain

126. In animal research in which unanaesthetised animals are to be subjected to stimuli designed to produce pain, investigators must:

(a) ensure that these stimuli limit pain at all times to levels comparable to those which do not distress human beings; and

(b) ensure that the animals are exposed to the minimum pain necessary for the purpose of the research; and

(c) provide treatment for relief of pain or allow self-administration of analgesics, or escape from repetitive, painful stimuli, when possible.

**Field work**

127. Field work that is purely observational must be notified to the ACEC so that the need for the submission of a proposal can be determined.

**Tertiary institutions**

128. (1) When animals are being used to achieve educational objectives in the teaching of undergraduate students in tertiary institutions, the investigator in charge of the class must:

(a) ensure that the students in the class are aware that the care and use of animals must be in accordance with the provisions of this Code, the Act and the regulations; and

(b) have relevant training and qualifications; and

(c) consider whether alternative teaching methods can be used; and

(d) obtain prior ACEC approval for any use of animals; and

(e) instruct students appropriately in the care and use of animals before those students participate in animal research; and

(f) ensure that there is close, competent supervision of all students; and

(g) allow students to anaesthetise animals or carry out surgery only if it is essential to their training; and

(h) be responsible for the humane killing of the animals, if required.

(2) Investigators supervising postgraduate students who are training in research must ensure the students are appropriately instructed prior to using animals.

## PART 5 - ACQUISITION AND CARE OF ANIMALS IN BREEDING AND HOLDING AREAS

### Application of Part

129. This Part does not apply to animal research to which Part 6 applies.

### Transport of animals

130. Transportation can cause distress due to confinement, movement, noise and changes in the environment and personnel.

131. The extent of any distress will depend on the animals' health, temperament, species, age, sex, the number travelling together and their social relationships, the period without food or water, the duration, the mode of transport, environmental conditions, particularly extremes of temperature, and the care given during the journey.

132. The conditions and duration of the transport must ensure that the health and well-being of the animals are not unduly compromised.

133. Potential sources of distress must be identified and steps taken to avoid or minimise their effects on the animals.

134. Containers must be escape and tamper-proof. There must be adequate nesting or bedding material and animals must be protected from sudden movements and extremes of climate.

135. Food and water must be provided when necessary.

136. Both the suppliers and recipients of animals must ensure that there are satisfactory delivery procedures, with animals received by a responsible person.

### Admission of new animals into holding areas

137. When new animals are being admitted into animal holding areas, they must be quarantined and inspected by a person with appropriate veterinary or animal care qualifications or experience. Their health must be evaluated, treatment instigated if required, and their suitability for the proposed animal research assessed. This period must also allow their acclimatisation to the holding facility and staff.

138. Animals which do not adapt satisfactorily to their new environment must not be kept. They must be returned promptly to

either normal husbandry conditions or, if appropriate and permitted, to their natural habitat, or be killed humanely.

**Care of animals in holding and production facilities**

139. Facilities include the buildings, yard or paddocks in which animals are kept.

140. Investigators, ACECs and the relevant accredited research establishment or licensed animal supplier must ensure that facilities are appropriately staffed, designed, constructed, equipped and maintained to achieve a high standard of animal care and fulfil scientific requirements.

141. The design and management of facilities will depend on the type of animals to be kept and the research to be undertaken. The overall condition and management of facilities must permit effective maintenance and servicing and be compatible with maintaining the animals in good health.

**Outdoor holding areas**

142. These must be compatible with the needs of the species, provide adequate shelter and water, protect the animals from predation and meet other species-specific needs.

**Indoor housing**

143. Buildings must be compatible with the needs of the animals to be housed and the research projects undertaken. Facilities for free movement and group contact are specially important for some species of animals.

144. Buildings must be designed and operated to control environmental factors appropriately, to exclude or effectively control vermin and to limit contamination associated with the keeping of animals, the delivery of food, water and bedding, and the entry of people and other animals.

145. Buildings must be maintained in good repair. Walls and floors must be constructed of durable materials that can be readily cleaned and disinfected.

146. Buildings must be kept clean and tidy.

147. There must be adequate storage areas for food and equipment.

148. Detergents, disinfectants, deodorants and pesticides may contaminate the animals' environment and choice of agents is to be made in consultation with investigators.

149. There must be a reticulated water supply and proper facilities for drainage, if appropriate.

150. There must be adequate contingency plans to cover such emergencies as the breakdown of lighting, heating or cooling.

151. Precautions against the entry of unauthorised persons must be taken.

**Environmental factors**

152. Animals must be provided with environmental conditions which suit their behavioural and biological needs unless, where the animals are being held by an accredited research establishment or the holder of an animal research licence, the relevant ACEC has otherwise approved for the purposes of a project.

153. Air exchange, temperature, humidity, light and noise must be maintained within limits compatible with the health and well-being of the animals.

154. Effective ventilation is essential for the comfort of animals and the control of temperature, humidity, and odours. Ventilation systems must distribute air uniformly and achieve adequate air exchange.

155. These environmental factors potentially affect the welfare of the animals and may affect the results of experiments. Investigators must be informed in advance of planned changes to the environmental conditions of their animals.

156. Noxious odours, particularly ammonia, must be kept to a level compatible with the health and comfort of the animals and staff. The adequacy of the ventilation system, the design, construction and placement of cages and containers, population densities both within cages and within a room, the effectiveness of cleaning and the frequency of bedding changes, will all influence the level of noxious gases.

### Food and water

157. Animals must receive appropriate, uncontaminated and nutritionally adequate food according to accepted requirements for the species. The food must be in sufficient quantity and of appropriate composition to maintain normal growth of immature animals or normal weight of adult animals and the requirements of pregnancy or lactation. Uneaten perishable food must be removed promptly unless contrary to the needs of the species.

158. Drinking water must be constantly and reliably available, and be clean, fresh and uncontaminated.

159. Variations to these requirements as part of a research project must receive prior ACEC approval.

### Pens, cages and containers and the immediate environment of the animals

160. Pens, cages and containers must be designed, constructed and maintained to ensure the comfort and well-being of the animals, taking into account the following factors:

(a) species-specific behavioural requirements, including free movement and activity, sleeping, privacy, and contact with others of the same species;

(b) species-specific environmental requirements such as lighting and temperature;

(c) provision of single housing for animals when it is appropriate for the species and if necessary for the purpose of the animal research e.g. during recovery from surgery or collection of samples;

(d) the need to provide ready access to food and water;

(e) the need to clean the pen, cage or container;

(f) protection from spread of pests and disease;

(g) requirements of the animal research;

(h) the need to observe the animals readily.

161. Pens, cages and containers must:

(a) be constructed of durable, impervious materials;

(b) be kept clean;

(c) be maintained in good repair;

(d) be escape-proof;

(e) protect the animals from climatic extremes;

(f) not cause injury to the animals;

(g) be large enough to ensure the animals' well-being;

(h) be compatible with the behavioural needs of the species.

162. The population density of animals within cages, pens or containers and the placement of these in rooms must be such that acceptable social and environmental conditions for the species can be maintained.

163. Bedding and litter must be provided if appropriate to the species, and must be comfortable, absorbent, safe, non-toxic, able to be sterilised if needed, and suitable for the particular recognised research purpose.

164. The ACEC and relevant investigators must be informed in advance of planned changes to these conditions, since these may affect the welfare of the animals and the results of the animal research.

**Management and staff**

**Supervisors**

165. A person who operates animal acquisition, breeding and holding facilities in connection with the carrying on of animal research or the supply of animals for use in connection with animal research must ensure:

(a) that the facilities are supervised by a person with appropriate veterinary or animal care qualifications or experience; and

(b) that the supervisor carries out the supervisor's duties and responsibilities under this Part.

166. The supervisor is responsible for the management of the day-to-day care of the animals in holding and breeding facilities, for supervising the work of other staff in the facility and is to act as liaison between the investigators and facility staff.

167. The supervisor must ensure that there is reliable monitoring of the well-being of all animals and staff, and be knowledgeable regarding signs of pain, distress and illness specific to each species housed. After animals are allocated to an approved project the principal investigator

has primary responsibility for ensuring adequate monitoring of the animals' well-being.

168. The supervisor must ensure that ill or injured animals which are not assigned to approved projects are treated promptly and the cause of death investigated for animals which die unexpectedly.

169. The supervisor must ensure that staff are provided with appropriate protective clothing, maintain high standards of personal hygiene, do not eat, drink or smoke in animal areas, and have all required vaccinations, particularly against tetanus and other zoonoses.

170. The supervisor must document procedures used in the management of holding and breeding facilities of which the supervisor is in charge. These procedures must take into account the requirements of the species held, the animal research being conducted, and the health and safety of the staff, including transport, quarantine and disposal of animals, routine husbandry, prevention, diagnosis and treatment of disease, monitoring of health status and genetic constitution, and physical environmental factors. These procedures must be made known to all staff involved in the care and use of the animals and are to be reviewed regularly.

171. The supervisor must ensure that adequate records are maintained of:

(a) the source, care, allocation, movement between locations, use and disposal of all animals, and of any diseases developed; and

(b) the fertility, fecundity, morbidity and mortality in breeding colonies, in order to monitor the management of the colonies, and to assist detection of the origin and spread of disease; and

(c) the health status, genetic constitution and the physical environment of the animals, when definition of these is required.

172. Records maintained by the supervisor must be made available to investigators.

173. The supervisor must ensure that investigators are informed of any changes to the conditions under which animals are held and which may affect the results of their animal research.

**Staff**

174. The most important factor ensuring high standards of animal care is enough well-trained, committed staff. Personnel working with

animals in a holding facility must be appropriately instructed in the care and maintenance of those animals, how they may affect the animals' well-being and how their actions may affect the outcome of animal research.

175. Accredited research establishments and holders of an animal research licence or animal supplier's licence are to encourage and promote formal training in animal science or technology for their staff.

176. Personnel employed in the care of animals are to be instructed in how to recognise at an early stage changes in animal behaviour, performance and appearance.

177. Staff must be informed of the important zoonotic diseases of animals under their care and of precautions that should be taken. Regular health checks of staff who handle animals are recommended in the interests of both staff and animals.

**Identification of animals**

178. Animals must be identified by a method such as tattoo, neckband, individual tag, electronic numbering device, physical mark, or by a label or marking attached to the cage, container, pen, yard or paddock in which the animals are kept.

179. The supervisor of the facility is responsible for ensuring that animals are identified before allocation to an approved project, after which time both the supervisor and the investigator are responsible.

180. The method of identification must be reliable and cause the least stress possible.

**Disposal of animal carcasses and waste**

181. Appropriate provision must be made for prompt and sanitary disposal of animal carcasses and waste material in accordance with any relevant Commonwealth or State legislation, and community standards.

## PART 6 - SPECIAL PROCEDURES FOR THE CARE AND USE OF ANIMALS IN SCHOOLS

**Application of Part**

182. This Part applies to animal research carried on by a school which is an accredited research establishment or carried on in a school

with the authority of an ACEC for an accredited research establishment that has been accredited only to allow animal research to be carried out in schools.

**General principles**

183. Animals are to be used in teaching only when there is no practicable alternative to achieving educational objectives.

184. Teachers undertaking activities involving live animals in schools are responsible for their welfare at all times.

185. All activities which involve live animals in schools must have appropriate approval and must be carried out under the supervision of a teacher. All personnel involved with animals must have appropriate competence and skills.

186. Animals must be treated with respect and care and steps must be taken at all times to prevent pain and distress.

187. Projects must be designed to use the minimum number of animals necessary.

188. Animals must be disposed of in an appropriate manner when they are no longer required.

**Animal care and ethics committees**

**Duties of animal care and ethics committees**

189. (1) An ACEC for an accredited research establishment referred to in clause 182 must:

(a) ensure compliance with the provisions of this Part;

(b) in consultation with the Animal Research Review Panel, compile a list of approved procedures for which no proposal is required to be approved and which links each procedure with appropriate educational objectives;

(c) distribute a copy of the list to each holder of an animal research authority issued by the ACEC;

(d) examine proposals submitted by teachers for activities beyond that list and approve only those which comply with the requirements of this Part;

(e) ensure that activities beyond that list do not commence without the approval by the ACEC of a proposal submitted by the class

teacher undertaking the activity (approval must be confirmed in writing within 30 days of verbal approval being given);

(f) keep appropriate records relating to proposals for activities beyond that list;

(g) require that appropriate records are kept in schools;

(h) monitor animal facilities and activities in schools;

(i) if it is believed that the conditions of any approval previously given have not been complied with, require that the activity be halted until such time as the conditions have been met;

(j) if the activity has resulted in any unforeseen degree of pain, stress or illness, order that the animal(s) receive appropriate treatment and care or, where such pain cannot be alleviated, order the humane destruction of the animal(s);

(k) meet at regular intervals and report to the appropriate school or departmental authorities on matters relating to approval and supervision of activities.

(2) The ACEC must require that each proposal includes the following information:

(a) the title of the activity;

(b) the name of the within school animal welfare liaison officer, if any;

(c) qualifications and experience of the teacher responsible;

(d) purpose of the activity;

(e) evidence that alternatives to animal use have been considered and that there is no practicable alternative to such use to achieve the stated educational objective;

(f) all procedures to be used;

(g) steps to be taken to prevent pain and distress;

(h) expected starting date and duration of the activity;

(i) details of any proposed variations to normal diet, any special restraint or other unusual housing for the animal or animals;

(j) source and ultimate fate of the animals.

**Within school animal welfare liaison officer**

190. (1) Unless it has its own ACEC, a secondary school must nominate a within school animal welfare liaison officer.

(2) In those primary schools which maintain animals, the Principal is the within school liaison officer.

191. The duties of the within school animal welfare liaison officer are:

(a) consideration of all teaching procedures involving animals within the school to ensure they are consistent with this Part;

(b) liaison with the ACEC for the school to ensure that the teaching procedures conform to the standards required by this Part;

(c) compilation and submission of proposals for activities using animals beyond those cited in the list referred to in clause 189;

(d) ensuring the maintenance of appropriate records;

(e) promoting awareness of this Part within the school.

**Responsibilities of the class teacher**

192. The class teacher undertaking the activity involving live vertebrate animals has responsibility for the welfare of the animals from the time of acquisition to the time of appropriate disposal. Hence the class teacher must ensure:

(a) that the use of animals conforms with this Part;

(b) that any activity included on the list referred to in clause 189 is entered in a school register along with the name of the class teacher responsible for implementation (this list must be made available on request to the ACEC);

(c) that, for any activity beyond that list, a proposal is submitted through the animal welfare liaison officer to the ACEC and that approval is received from the ACEC before the activity begins;

(d) that there is involvement of the minimum number of animals necessary to meet valid educational objectives;

(e) that immediate steps are taken to alleviate any pain, distress or illness in an animal;

(f) that the housing, feeding, husbandry and transportation of animals are of an appropriately high standard and that care is provided at all times by persons of appropriate competence and skills;

(g) that restraint of animals is effective, involves the least possible adverse reaction from animals and is of the shortest possible duration;

(h) that there is compliance with legislation relating to the acquisition, transportation, use and disposal of animals;

(i) that activities set out below are not carried out by students or demonstrated to them:

- performance of surgical procedures without anaesthesia other than in the conduct of normal animal husbandry operations;
- induction of infectious diseases;
- nutritional deficiency giving rise to distress;
- administration of drugs or chemicals other than those recommended for a particular therapeutic purpose;
- administration of ionising radiation or other biohazardous material;
- other stimuli causing distress.

**Care and maintenance of animals**

**Housing**

193. (1) Animals must be housed in conditions appropriate to the maintenance of their health and well-being.

(2) Buildings in which animals are to be housed must be soundly constructed and maintained in a sanitary condition.

(3) Animals' requirements for exercise, social contact, rest, sleep and' waking activity must be met.

(4) All steps must be taken to protect animals from predation or harassment.

194. Temperature, ventilation, lighting, noise, vibration and humidity in housing must be compatible with the animals' well-being.

**Care and maintenance**

195. (1) Animals must receive palatable, uncontaminated and nutritionally adequate food.

(2) Potable water must be available at all times.

196. All practicable steps must be taken to prevent, diagnose and treat any disease or injury in, and to prevent distress to, any animal.

197. Transport of animals must be in a manner which is least likely to cause distress or discomfort.

198. Teachers wishing to perform any activity involving free-living animals must comply with the requirements of Part 7 of this Code.

### Disposal of animals

199. Several options are available for disposal of the animals:

(a) **Return to source.** Animals obtained from farms, hatcheries, homes, etc. may be returned to their source, provided appropriate arrangements have been made, and that there is no risk of introduction of infectious disease.

(b) **Release to the wild.** Animals obtained from nature are to be returned only on the advice of relevant wildlife authorities. Non-native animals, and domesticated and cage-reared vertebrates of any kind must not be released into the wild. Particular attention must be paid to the requirements of relevant legislation.

(c) **Release of animals to students.** Students must not be permitted to take animals home unless there is substantial evidence from parents that the animals will be cared for adequately and responsibly. This also applies to the temporary release of animals to students for care over weekends and holiday periods.

(d) **Euthanasia.** If euthanasia is indicated, an accepted humane method must be used by a person competent in the technique chosen. Animals used for dissection or carcass appraisal must be killed first using an accepted humane method.

(e) **Sale.** Farm animals may be sold to appropriate purchasers. Supply of animals, other than exempt animals, to other schools or accredited research establishments, requires an animal supplier's licence.

## PART 7 - SPECIAL PROCEDURES FOR THE CARE AND USE OF FREE-LIVING ANIMALS

### Introduction

200. Parts 1–6 of this Code also apply to free-living animals unless otherwise indicated.

**Acquisition and transport**

**Legal considerations**

201. (1) The National Parks and Wildlife Act 1974 prohibits the taking or holding of most native fauna except under licence. Officers of the National Parks and Wildlife Service must be consulted when such native fauna is required. Specific provision is made for the issue of licences for scientific research.

(2) The taking of these animals may be subject to legislative requirements, especially those concerned with land tenure and the method of taking.

An animal of an endangered species must not be used unless the research will be of direct benefit to the conservation of that species or a closely related species and will not further endanger the species.

Animals may be taken from natural habitats only if animals bred in captivity are not available or are unsuitable for the recognised research purpose.

**Capture**

202. (1) Capture is stressful to free-living animals. When it is unavoidable, steps must be taken to minimise disruption to social structure and breeding activity. There must be careful choice of suitable capture techniques, skilled persons must be used and appropriate and safe enclosures or caging provided after capture. Animals must be monitored for signs of distress following capture, including signs of traumatic or metabolic injury, and appropriate remedial steps must be taken.

(2) The equipment and technique used must:

(a) be suited to the target species; and

(b) be selected so as not to cause, in foreseeable circumstances, unacceptable stress levels, physical injury or death to target animals; and

(c) minimise any impact on non-target species.

(3) Where trapping is used, traps must be inspected at intervals frequent enough to minimise stress to any trapped animal. Care must be taken to protect trapped animals from predators, exposure and deprivation of food and water.

(4) Where large or unknown numbers of animals may be caught, there must be enough competent persons in attendance to process, within a period of time that will minimise stress, the maximum number of animals that might reasonably be expected to be caught.

(5) Where killing is necessary, in addition to adhering to provisions on euthanasia made elsewhere in this Code, the technique chosen must:

(a) render the animals unconscious and insensitive to pain as rapidly as possible; and

(b) be consistent with the research objectives; and

(c) minimise any impact on non-target species.

(6) Where possible, animals must be unaware of danger before being killed.

(7) Fish may be caught using commercial harvesting practices.

**Transport**

203. Transport of animals must be conducted with particular regard to clauses 130–136 of this Code. In addition, the general principles that must be observed are as follows:

(a) construction of transport containers to prevent injury to transported animals;

(b) minimisation of stress by:

(i) covering of the container;

(ii) limiting exposure to noise;

(iii) provision, where appropriate for the species, of an inner shelter within the container;

(iv) ensuring adequate ventilation; and

(v) provision of tranquillisation if appropriate;

(c) protection from environmental extremes by maintenance of temperature and humidity at appropriate levels;

(d) provision of a container that will adequately support animals when the vehicle is in motion;

(e) provision of sufficient space for animals to rest comfortably;

(f) separation of animals to avoid stress arising from incompatibility of species, age, size and reproductive classes;

(g) release on arrival into a suitable area.

**Care and maintenance**

**Handling and restraint**

204. (1) Captured free-living animals are usually apprehensive and are prone to injury or stress-induced diseases.

(2) The risk of injury or disease must be minimised by:

(a) firm and quiet handling;

(b) keeping handling and restraint time to the minimum needed to achieve the research objectives;

(c) using sufficient competent persons to restrain animals and prevent injury to either animals or handlers;

(d) using techniques and timing appropriate to the species and taking advantage, wherever possible, of favourable responses in the species; and

(e) using, where appropriate, chemical restraint (including tranquillisation) where animals are to be held for more than a short time.

(3) A person competent in the handling of the species concerned is to supervise the training of personnel to handle and restrain free-living animals. Where possible the short-term and long-term consequences of capture, handling and restraint are to be monitored.

**Holding**

205. (1) A knowledge of available information on the normal behaviour of species concerned and their likely responses to captivity is essential for animals to be held in a way that minimises stress.

(2) Holding areas must be safe and quiet. Contact, visual and otherwise, with captured animals must be reduced as far as possible except where an aim of the research is to accustom animals to human presence.

(3) Animals must be maintained in hygienic surroundings and provided with suitable food if holding time exceeds the normal feeding interval. Cleaning and feeding operations must be planned to minimise disturbance of animals held.

### Animals held in close confinement

206. Close confinement includes confinement in bags and crates. Such holding devices must:

(a) allow animals to rest comfortably, and

(b) minimise the risk of injury, for example by use of padding; and

(c) be adequately ventilated; and

(d) maintain animals within appropriate levels of ambient temperature and humidity.

### Animals held in compounds

207. Holding compounds must:

(a) be free of sharp objects or unnecessary material likely to injure animals;

(b) be free of inappropriately placed solid objects, such as fence posts and feeding and watering containers;

(c) provide adequate shade;

(d) provide access to potable water at all times for species that require it, unless contraindicated in the research proposal;

(e) include appropriate cover; and

(f) provide protection from predators.

## Specific procedures

### Observation

208. Observation of free-living animals can have adverse effects if there is interference with the normal behaviour of animals, particularly where there is an effect on the rearing of young. Where interference with animals will be substantial, the continuation of the procedure is to be reviewed.

### Identification by artificial marking

209. (1) In the case of native fauna, the only marking methods which may be used are those approved by the National Parks and Wildlife Service.

(2) The method of marking must be that which causes the least interference with the normal functioning of the animal and which still achieves the research objective.

### Surgery

210. Surgery of a minor nature only may be carried out in the field on captured free-living animals and only if:

(a) standards of capture and restraint are such as to ensure a patient which has the maximum chance of surviving the surgery,

(b) surgical procedures are conducted by appropriately qualified or experienced persons in a clean uncontaminated area;

(c) equipment necessary to provide for the health and welfare of animals and relief of their pain is readily available;

(d) uneventful recovery to full consciousness can occur in an area in which animals:

(i) can be readily observed;

(ii) can maintain normal body temperature;

(iii) cannot injure themselves; and

(iv) cannot be attacked by predators;

(e) animals are not released unless assessed as fit by an appropriately experienced person; and

(f) field surgery is not used specifically for training purposes.

### Euthanasia

211. (1) Provisions for euthanasia in Part 4 generally apply to free-living animals.

(2) Euthanasia of captured free-living animals may be markedly more difficult than euthanasia of laboratory or domestic animals.

(3) The choice of method will vary with the species and the circumstances. The principal objective is to rapidly render an animal unconscious and insensitive to pain by depression on the central nervous system. The humaneness of any method must be judged by the speed by which the animal is rendered insensitive.

(4) Investigators in the field must always be equipped to handle euthanasia of an injured individual of the species under study.

(5) The method of euthanasia is to be selected so as not to interfere with the objectives of the research. However, in an emergency the welfare of animals must take priority.

**Release**

212. (1) Animals must be released as soon as possible after capture. When this cannot occur, release is to be delayed until the next period of the day in which animals are at least risk.

(2) Animals must be released at or near the point of capture. Account must be taken of the facts that:

(a) the area around the point of capture is probably familiar and animals can rapidly find their way to a "safe" area;

(b) human perception of the suitability of an alternative area may differ from an animal's perception;

(c) animals may introduce disease or unsuitable genetic material into a new community; and

(d) animals may be stressed, or themselves cause stress, in a community other than that from which they were removed.

(3) Animals about to be released must be handled quietly and firmly. They must not be released unless able to move freely and unaided, and must only be released into an area as free as possible from potentially injurious hazards.

## PART 8 - CONDITIONS FOR THE SUPPLY OF POUND SOURCED DOGS TO LICENSED ANIMAL SUPPLIERS

**Aim**

213. The aim of this Part is to set out conditions under which pound sourced dogs may be supplied for research, including by:

(a) identifying which categories of pound sourced dogs may be used in research;

(b) ensuring the health and safeguarding the welfare of pound sourced dogs supplied for use in animal research in accordance with the Act;

(c) outlining the responsibilities of pounds, animal suppliers and research establishments; and

(d) ensuring that records are maintained so that the identity and fate of every pound sourced dog can be readily ascertained.

**Eligibility of pound sourced dogs for use in animal research**

214. No pound-sourced dog may be used in animal research except:

(a) dogs which do not wear a registration badge or any other means by which an owner may be identified, have spent a minimum of 7 days at a pound, and which, under section 11 (5) of the Dog Act 1966, may be sold or destroyed; or

(b) surrendered dogs that have been accepted by a pound where a form of surrender has been completed on which is recorded

(i) the breed or type, sex, approximate age, and colour of the dog;

(ii) the name and address of the person who surrendered the dog;

(iii) the name of the pound at which the surrendered dog was accepted;

(iv) a declaration signed and dated by the person who surrendered the dog, which states:

I am the owner*/authorised agent of the owner* of the dog described above, and I hereby give my approval to its being supplied alive for use in research conducted in accordance with the Animal Research Act 1985 which governs the conditions under which humane research may be conducted.

* Delete whichever is inapplicable.

**Agreement between Councils and licensed animal suppliers**

215. (1) Before supply of dogs from a pound toa licensed animal supplier commences, a written agreement must be drawn up between the Council(s) operating the pound and the supplier.

(2) The agreement must be signed by the Mayor(s) and/or Shire President(s) of the Council(s) operating the pound, or by his or her delegate and by the licensed animal supplier.

(3) A copy of the agreement must be available at the pound and at the supply unit.

(4) The agreement must:

(a) indicate that the Council(s) will ensure that each dog despatched to a supply unit is identified and accompanied by an approved impounding form;

(b) indicate what arrangements have been made for payment for dogs by the licensed animal supplier;

(c) indicate what arrangements are in place for handling inquiries about lost dogs from members of the public;

(d) indicate what arrangements have been made for pound and Council staff to visit dog holding facilities at supply units and for supply unit staff to visit dog holding facilities at the pound;

(e) indicate by what means dogs will be transported from the pound to the supply unit;

(f) indicate the interval between regular collections of dogs from the pound;

(g) indicate the position of the person who is to be responsible for collection and transport of dogs from the pound to the supply unit.

(5) An outline of the Council's policy and practice on the supply of animals for research is to be available in writing on request by any person.

**Transfer of dogs from the pound**

216. (1) Before despatch, each dog in a consignment, or the cage in which it is held, must be clearly identified.

(2) It is the responsibility of pound officers to ensure that an approved impounding form is completed in duplicate for each dog in a consignment.

(3) The details recorded in the approved impounding form must be checked as dogs are despatched and each form signed by the checking officer.

(4) One copy of the approved impounding form relating to each dog is to be retained at the pound. The other is to be despatched to the supplier with the dog.

**Transport of dogs**

217. (1) Dogs must be transported from the pound to the animal supplier in the shortest practicable time.

(2) Any vehicle used for transporting dogs must:

(a) protect dogs from injury;

(b) provide easy access and operator safety;

(c) protect dogs against extremes of temperature;

(d) protect against unauthorised release of dogs;

(e) have a non-slip floor;

(f) be easy to clean and disinfect.

**Delivery of dogs to the animal supplier**

218. (1) Dogs must be unloaded from the transport vehicle promptly on arrival.

(2) The approved impounding form must be checked promptly against each dog received.

(3) Any discrepancies between a dog described in the approved impounding form and dogs received must be resolved with pound staff as soon as possible.

(4) Unless they are to be rehoused, dogs that are ineligible for use in animal research, and dogs that are eligible but are not required, must be painlessly destroyed promptly after delivery by a veterinary surgeon or competent animal technician, using an overdose of barbiturates.

(5) The bodies of these animals may be supplied, after euthanasia, to an accredited research establishment.

(6) Dogs that are to be supplied for research must be examined within 24 hours of arrival and at least daily thereafter by a competent animal technician until issued for research or otherwise disposed of.

(7) Immediate veterinary attention must be sought by the examining technician for a dog that shows any of the following signs:

(a) nasal discharge;

(b) ocular discharge;

(c) coughing;

(d) vomiting;

(e) diarrhoea;

(f) convulsions;

(g) lameness;

(h) inability to stand or walk;

(i) bleeding.

(8) Within 72 hours of arrival and before any dog is issued, it must be given a comprehensive clinical examination by a veterinary surgeon and any vaccination or treatment, including euthanasia, considered necessary by a veterinary surgeon, to ensure that no animal that is injured, sick or unsuitable is issued.

**Keeping of records**

219. (1) A copy of each approved impounding form must be retained by the animal supplier.

(2) It is the responsibility of the animal supplier to ensure that it is promptly recorded:

(a) on each approved impounding form - whether the dog was retained or destroyed, and the date on which it was destroyed;

(b) on the approved supply unit record form which is to be appended to the approved impounding form in the case of dogs that are retained - the relevant details.

(3) The forms referred to in subclause (2) must be readily accessible to authorised staff at the supply unit.

(4) The findings on examination and the details of any treatments given to dogs must be recorded. This clinical record must accompany each animal when it is supplied for research.

(5) The clinical record for each animal must clearly indicate its identification number as recorded on the approved impounding form.

**Release of animals**

220. (1) Animal suppliers must, at the request of the pound that supplied the dog, return a dog to the pound if it has not been issued or rehoused.

(2) Animal suppliers may make arrangements for the rehousing of dogs.

(3) Where an animal is returned to the pound or rehoused, the approved impounding form must record:

(a) the date on which the dog was released;

(b) the name of the person who authorised the dog's release;

(c) the name and address of the person to whom the dog was released.

## PART 9 - CONDITIONS FOR THE SUPPLY OF CATS AND NON-POUND SOURCED DOGS TO LICENSED ANIMAL SUPPLIERS

### Aim

221. The aim of this Part is to set out conditions under which cats and non-pound sourced dogs may be accepted by a licensed animal supplier to be issued for use in research conducted in accordance with the Act, including by:

(a) requiring a signed form of surrender from the person surrendering the animal;

(b) ensuring the health and safeguarding the welfare of the animals while they are held by the supplier;

(c) requiring animals to be held for a minimum of 5 working days before being issued for research; and

(d) ensuring that records are maintained so that the identity and fate of every animal can be readily ascertained.

### Eligibility of animals for use in research

222. (1) No cat or non-pound sourced dog may be accepted by a licensed animal supplier for issue for use in research except where an accompanying surrender form has been completed on which is recorded:

(a) the species, breed or type, sex, approximate estimated age, and colour of the animal;

(b) details of any identification on the animal at the time of surrender;

(c) proof of identification of the person surrendering the animal;

(d) a declaration signed and dated by the person surrendering the animal, which states:

I am the owner*/authorised agent of the owner* of the animal described above, and I hereby give my approval to its being supplied alive for use in research conducted in accordance with

the Animal Research Act 1985 which governs the conditions under which humane research may be conducted.

* Delete whichever is inapplicable.

(2) No animal may be issued for research until it has been held for at least 5 working days by the licensed animal supplier.

**Veterinary examination**

223. (1) Each animal must be examined within 24 hours of arrival and at least daily thereafter by a competent animal technician until it is issued for research.

(2) Immediate veterinary attention must be sought by the examining technician for any animal that shows any of. the following signs:

(a) nasal discharge;

(b) ocular discharge;

(c) coughing;

(d) vomiting;

(e) diarrhoea;

(f) convulsions;

(g) lameness;

(h) inability to stand or walk;

(i) bleeding.

(3) Within 72 hours of arrival, each animal must be given a comprehensive clinical examination by a veterinary surgeon and any vaccination and/or treatment, including euthanasia, deemed necessary by a veterinary surgeon, to ensure that no animal that is injured, sick or unsuitable is supplied for research.

**Keeping of records**

224. (1) The approved supply unit record form must be completed by or on behalf of the licensed animal supplier, in respect of each animal, at the time of its arrival.

(2) The approved supply unit record form is to be completed and appended to the approved animal surrender form in the case of animals that are retained for supply for research.

(3) The forms referred to in this clause must be readily accessible to authorised staff at the supply unit.

(4) The findings on examination and the details of any treatments given to animals must be recorded. This clinical record must accompany each animal when it is supplied for research.

(5) The clinical record for each animal must clearly indicate its identification number as recorded on the approved animal surrender form.

**Release of animals**

225. (1) The licensed animal supplier must establish a procedure for dealing with inquiries about lost animals.

(2) The licensed animal supplier must release an animal to a previous owner where adequate proof of ownership is provided if the animal has not been supplied for research or rehoused.

(3) The licensed animal supplier may make arrangements for the rehousing of an animal at the conclusion of the 5 working days holding period.

(4) Where an animal is released to a previous owner or rehoused, the approved animal surrender form must record:

(a) the date on which the animal was released;

(b) the name of the person who authorised the animal's release;

(c) the name and address of the person to whom the animal was released.

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## SCHEDULE 2 - FORMS

(Cl. 10)

### Form 1

### CERTIFICATE OF IDENTIFICATION

Animal Research Act 1985

(section 49 (5))

I CERTIFY that ..... whose signature and photograph appear below, is an inspector under the Animal Research Act 1985.

.....
Secretary of the Department
of Local Government

*(photograph of inspector)* Date: .....

.....
Signature of Inspector

**NOTE**

**TABLE OF PROVISIONS**

## EXPLANATORY NOTE

The objects of this Regulation are:

(a) to prescribe the information which must be included in an application for accreditation as an animal research establishment, an application for an animal research licence and an application for an animal supplier's licence under the Animal Research Act 1985; and

(b) to prescribe fees for those applications; and

(c) to make provision for the records to be kept by animal research establishments and holders of animal research licences; and

(d) to provide for the constitution and procedure of animal care and ethics committees and subcommittees; and

(e) to prescribe a Code of Practice for the use of animals in research which outlines the responsibilities of research establishments, animal care and ethics committees and researchers and sets out the principles and procedures to be adopted to ensure the humane treatment of animals used in research.