

1. Preamble

The Australian Nuclear Science and Technology Organisation (ANSTO) has established an Animal Ethics Committee (ACEC) in accordance with requirements described in the [Australian Code for the Care and Use of Animals for Scientific Purposes \(8th edition, 2013\)](#) (the Code).

As a leading research organization, ANSTO leverages great science to deliver big outcomes. At the core of ANSTO's DNA is the commitment to ethical, humane, and responsible use of animals for scientific purpose.

In compliance with its NSW licencing and accreditation, ANSTO is subject to provisions as outlined in the [NSW Animal Research Act 1985](#) (the Act) and [NSW Animal Research Regulation 2021](#) (the Regulation).

These Terms of Reference:

- i) Describe the purpose, scope and structure of the ACEC, outlining its roles and responsibilities
- ii) Have been developed in accordance with the Code, Act and Regulation (2.2.18), ensuring proper provisioning of:
 - The ACECs responsibilities for ethical review, approval, monitoring and of animal care and use
 - The ACECs Institutional accountability
 - The ACECs mechanisms of reporting; and
 - The composition by which the ACEC membership meets the requirements for compliant operation and exercise of function.
- iii) Come into effect upon approval of the ACEC and ANSTO CEO
- iv) Are to be made publicly available
- v) Are to be read alongside the ACECs operating procedure



Animal Care and Ethics committee (ACEC) Terms of Reference

AG-2049

2. Responsibilities

2.1. Primary responsibility of the ANSTO ACEC

The primary objective and responsibility of the ANSTO ACEC is to ensure that all activities relating to the care and use of animals for scientific purpose at ANSTO comply with the Code, Act and Regulation, satisfying all Accreditation and License conditions.

The ACEC is to consider applications for Animal Research Authorities (ARAs) via Animal Ethics applications (research projects) submitted by staff and researchers of ANSTO and any other accredited research establishment with which a current Memorandum of understanding (MOU) or Delegation to Monitor (DOM) exists.

2.2. Responsibilities for ethical review and approval

In execution of its primary responsibility with regard to the ethical review and approval for the care and use of animals for research purposes, the ACEC is to:

- i) Review applications for projects and approve only those projects that are ethically acceptable and conform to the requirements of the Code (2.3.2 [i][ii]:2.3.5). Consideration as to what is ethically acceptable is to be guided by section 1 of the code. Primarily, the code requires that
 - Respect for animals must underpin all decisions;
 - Methods that replace or partially replace the use of animals must be investigated, considered, and where applicable, be implemented; and
 - Ethical review must balance whether the potential effects upon animal wellbeing is justified by the potential benefits that their use may yield;
- ii) Review applications for activities associated with the care and management of animals in facilities, including procedures applicable to breeding programs integral to the maintenance of an animal line, and approve only those activities that are ethically acceptable and conform to the requirements of the Code (2.3.2 [ii]);
- iii) Conduct follow-up review of approved projects or when circumstance triggers additional review and allow the continuation of approval for only those projects and activities that continue to be ethically acceptable and conform to the requirement of the Code (2.3.2 [iii]);
- iv) Monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals by inspecting facilities where animals are housed and used for research purposes (2.3.2 [iv]);
- v) Take appropriate actions regarding unexpected adverse events (2.3.2 [v]);
- vi) Take appropriate actions regarding non-compliance (2.3.2 [vi]);
- vii) Review and approve guidelines/procedures pertaining to the care and use of animals (2.3.2 [vii]);
- viii) Provide advice and recommendations to NSW DPI (2.3.2 [viii]);
- ix) Report on its operations by providing an annual report to the ANSTO CEO (Clause 2.3.2 [ix]);
- x) Submit annual reports regarding committee operation, function and number of animals used for research purpose as per obligations outlined in the NSW ACT;
- xi) maintain a record of all correspondence including new applications, renewal applications, final reports and minutes of meetings;

2.3. Responsibilities in providing advice and recommendation to applicants of the committee.

- i) The ANSTO ACEC, in ensuring that the use of animals is justified and compliant to the Code, Act and Regulation, is to advise researchers on the general principles of Replacement, Reduction and Refinement (3R's) for all activities involving the use of animals for scientific purpose;
- ii) The ACEC shall also, in compliance with the Code, require personnel involved in either the a) review and approval of applications involving the care and use of animals for scientific purpose; or b) Conduct of any procedure relating to either the maintenance, care husbandry or experimental procedure involving the use of animals for scientific purpose; to undertake relevant animal ethics training; and/or undertake training and maintain competency in procedures the individual is listed as responsible for performing in an ethics application.
- iii) The ACEC, under delegated authority by the CEO or delegate thereof, may at any time: Issue, Suspend or Withdraw an ARA or Animal Breeding Permit in response to breaches of the Code, Act and/or Regulation, non-compliance to either the aforementioned legislation or non-compliance with procedure approval in the relevant ethics application or in response to failure to provide necessary report (ie Annual, Pilot)

2.4. Responsibilities in providing recommendations and advice to the institution.

- i) The ACEC is to advice and recommendations to ANSTO regarding the care and use of animals for scientific purposes conducted on behalf of the institution, and strategies required ensuring that the requirements of the Code are maintained and that matters affecting animal wellbeing are addressed (2.3.27).
- ii) The ACEC is to be consulted during the planning of new facilities or refurbishment or modification of existing facilities which are to be licenced by NSW DPI for involving the care and use of animals used for scientific purpose. New, refurbished or modified facilities must be inspected and approved for use by the AEC prior to housing animals to establish that the facility meets the Code's requirements for animal housing (2.1.6[v], 3.2.14, 3.2.17-20) and environmental conditions (3.2.17[i]).

3. Membership

The Code (2013) sets out the composition of the AEC's and describes the responsibilities of the Chairperson and each membership category for quorate operation of ethics committees. The ANSTO ACEC must comprise of at least one member from each category (A-D) and maintain at least a 1/3rd composition of category C and D members of total committee vote carrying roles.

3.1. Chairperson

The ANSTO CEO, as per the ANSTO Delegations Manual (AG-1682), is to appoint a senior manager within the organisation to the role of ACEC Chairperson. This position is to carry the title, ACEC delegate to the CEO. Appointment to the role must satisfy the following requirements:

- i. The Chairperson must hold a senior management position within ANSTO.
- ii. The Chairperson must be independent of (not directly involved in) the care and use of animals for scientific purposes.
- iii. ANSTO must provide the Chairperson with sufficient resourcing to fulfil the role.
- iv. The Chairperson may be appointed in addition to the minimum quorate committee composition of category A-D members, or may be a category member of the committee who fulfills the role of chairperson in addition to the responsibilities and requirements of their category role (2.2-2.2.4)

- v. The committee may appoint a Deputy Chairperson(s) to act in the chairperson role when a scheduled or unexpected absence of the Chairperson occurs. The Deputy Chairperson(s) must be an existing member of the committee and shall be elected to the role by the remaining committee members via consensus.
- vi. In the absence of both Chairperson and Deputy Chairperson(s), the ACEC may elect a member who shall act as Chairperson (Title: Acting Chairperson), who assumes the delegated authority of the Chairperson in alignment with committee composition under the code so that a scheduled meeting is not abandoned, until which time either the Chairperson or Deputy chairperson return to their role.

3.2. Category members

The ACEC is to comprise of at least one member in each of the following categories:

- Category A A person with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia, and with experience relevant to the institution's activities or the ability to acquire relevant knowledge.
- Category B: A suitably qualified person with substantial and recent experience in the use of animals for scientific purposes relevant to the institution and the business of the ACEC. This must include possession of a higher degree in research or equivalent experience.
- Category C A person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with ANSTO and who is not currently involved in the care and use of animals for scientific purposes. Veterinarians with specific animal welfare interest and experience may meet the requirements of this category. While not representing an animal welfare organisation in their role on an AEC, the person should, where possible, be selected on the basis of active membership or affiliation and endorsement by such an organisation.
- Category D A person not employed by or otherwise associated with the institution and who has never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their undergraduate education. Category D members should be viewed by the wider community as bringing a completely independent view to the AEC and must not fit the requirements of any other category.
- Category O (Other): The CEO may appoint a person or persons in category "other". These appointments are to assist the ACEC in execution of its function. Such appointments may include: Animal facility manager, Animal welfare officer, Subject matter expert (ie biostatistician).

3.3. Conditions of membership and appointment

- i. An incumbent member to the ACEC must receive a letter of offer from ANSTO, detailing category of appointment, remuneration etc. The incumbent member must reply to this letter, accepting the position in writing.
- ii. Prior to appointment, all members must acknowledge in writing, the acceptance of the ACEC's Terms of Reference, operating procedure, and confidentiality policy of ANSTO.
- iii. Each person nominated to any category must receive approval of their membership from the Animal Research Review Panel (ARRP)
- iv. Appointment procedures must include the declaration of any conflicts of interest by an incumbent member and the management of said conflicts of interest in making appointments.
- v. ANSTO is to ensure that ACEC members undergo appropriate induction, training and orientation upon accepting a role. ANSTO is to ensure that committee members have ongoing appropriate access to education programs and resources.
- vi. Terms of appointment to the ACEC is to be for a period of 4 years, after which time positions in category roles are to be advertised. Incumbents may be reappointed (2.2.18 [iv])

4. Reporting

- i) The ACEC Chairperson, ACEC Executive officer and the ANSTO CEO are to meet at least annually to report on the activities of the ACEC.
- ii) The ACEC Chair may directly notify or meet with the ANSTO CEO relating to the ACEC or matters there related at other times at his or her discretion.
- iii) The ACEC must submit a written report on its operation at least annually to the ANSTO CEO (2.3.28).
- iv) The content of the ACEC annual report is align with requirements as per the ANSTO ACEC Operating Procedure.
- v) ANSTO must ensure that the ACECs reporting obligations to the NSW Department of Primary industries are met.

5. Acceptance of terms upon application

Upon making an application to the ANSTO ACEC, the applicant is understood to have read and accepted the conditions, obligations and requirements as outlined in both the ANSTO ACEC Terms of Reference (AG-2049), Operating Procedure (AG-7554) and any relevant policy or procedure maintained by ANSTO or the ACEC. Failure to comply with legislative requirements, TOR or ACEC policy may result in committee refusal to issue ARA, assess further works, applications and/or amendment until which time the burdened applicant has remedied all issues/overdue items and/or served any period of exclusion.

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