1.0 SUMMARY DETAILS

Established: 08 May 1990

Reporting to: Research Committee

Review Date: March 2017

2.0 ESTABLISHMENT

2.1 The Animal Ethics Committee was established by decision of University Council at the 9/90 meeting of Council.

2.2 This revised constitution of the Animal Ethics Committee was approved at the 6/2015 meeting of Academic Committee held on 16 July 2015.

2.3 The Animal Ethics Committee is a sub-committee of the Research Committee. The Senior Deputy Vice Chancellor (“Senior DVC”) as chair of the Research Committee is the person responsible for overall University governance with respect to the care of use of animals.

3.0 FUNCTIONS

3.1 The Animal Ethics Committee (in this document, referred to as the “AEC” or the “Committee”):

(a) advises the University on the appropriate ethical standards in relation to the use of animals in research and teaching, and whether these standards satisfy the Animal Care and Protection Act 2001 (Qld) (“Act”) and the terms of the Australian code for the care and use of animals for scientific purposes (2013) (“Code”);

(b) monitors compliance with the Australian Code for the Responsible Conduct of Research (2007), and the Griffith University Code for the Responsible Conduct of Research as they relate to research and teaching with animals;

(c) advises individuals within the University on compliance with the Act and the Code; and

(d) reports on its operations to the Research Committee as well as to State and Commonwealth Government authorities.
3.2 The AEC has no delegated authority in relation to budgetary or management issues, but does advise the University on matters which may have budgetary implications.

3.3 As required by the Code, the University will:

(a) conduct an annual review of the operation of the AEC (see clause 2.2.1 of the Code); and

(b) ensure that an independent external review is conducted at least every four years to assess the University’s compliance with the Code, and to ensure the continued suitability, adequacy and effectiveness of its procedures to meet its responsibilities under the Code (see clause 6.1 of the Code).

4.0 DISCHARGE OF ITS FUNCTIONS

4.1 The AEC will ensure that all animal care and use within the University is:

(a) conducted in compliance with the Act and the Code; and

(b) incorporates the principles of “Replacement, Reduction and Refinement” as outlined in the Code.

4.2 Where the proposed use of an animal species is not covered by the Code, the University shall determine whether AEC approval is required, taking into account emerging evidence of sentience and ability to experience pain and distress.

4.3 The AEC must consider ethical and welfare aspects as well as the scientific or educational value of the use of animals for scientific purposes.

4.4 Consistent with clause 2.3.2 of the Code, the AEC must:

(a) review applications for projects and approve only those projects that are ethically acceptable and conform to the requirements of the Code;

(b) 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;

(c) conduct follow-up review of approved projects and activities, and allow the continuation of approval for only those projects and activities that are ethically acceptable and conform to the requirements of the Code;

(d) monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals in facilities;

(e) take appropriate actions regarding unexpected adverse events;
(f) take appropriate actions regarding non-compliance;

(g) approve guidelines for the care and use of animals on behalf of the University;

(h) provide advice and recommendations to the University; and

(i) report on its operations to the University.

4.5 The AEC does not apply a processing fee to the consideration of any proposal for ethical clearance, and does not process ethical clearance matters which do not relate to Griffith University research or teaching.

5.0 COMPOSITION OF THE COMMITTEE

5.1 The Animal Ethics Committee shall be comprised of not less than four (4) Members, who are appointed by the Senior DVC in accordance with section 6.0 of this Constitution.

5.2 The AEC may also be supported by:

(a) a non-member Secretary, who will provide logistical and administrative support as described in section 12.0 below; and

(b) non-member advisers (people with specific expertise who can provide advice as required) as described in section 16.0 below.

6.0 APPOINTMENT OF COMMITTEE MEMBERS

6.1 The Senior DVC shall appoint as “Members” of the AEC:

(a) at least one member from each of the categories described in section 7.0 below (“Core Members”), provided that persons appointed members under Categories C and D must together represent at least one-third of the total AEC membership; and

(b) such additional members as he or she determines, being persons having skills and background of value to the AEC (eg. in ethics or statistics), to assist the Committee to function effectively.

6.2 Members will be appointed for a term of not more than two years. Such appointments are renewable.

6.3 Prior to their appointment taking effect (and before subsequent renewal of their membership), all AEC Members must sign a Membership Deed, which confirms (among other things) their commitment to abide by:

(a) this Constitution;
(b) the Standard Operating Procedures of the Committee; and
(c) the terms of the University’s Personal Information Privacy Plan.

7.0 QUALIFICATIONS OF CORE MEMBERS

7.1 Consistent with clause 2.2.4 of the Code, the AEC must include, as Members, at least one person from each of the following four categories of membership:

(a) 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 University’s activities or the ability to acquire relevant knowledge;

(b) Category B — a suitably qualified person with substantial and recent experience in the use of animals for scientific purposes relevant to the University and the business of the AEC. This must include possession of a higher degree in research or equivalent experience. If the business of the AEC relates to the use of animals for teaching only, a teacher with substantial and recent experience may be appointed;

(c) Category C — a person with demonstrable commitment to, and established experience in, furthering the welfare of animals, who is not employed by or otherwise associated with the University, and who is not currently involved in the care and use of animals for scientific purposes. Veterinarians with specific animal welfare interest and experience may meet the requirements of this category. While not representing an animal welfare organisation, the person should, where possible, be selected on the basis of active membership of, and endorsement by, such an organisation; and

(d) Category D — a person not employed by or otherwise associated with the University 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.

7.2 Consistent with clause 2.2.8 of the Code, Categories C and D Members must together represent at least one-third of the Committee membership.

8.0 RATIFICATION OF APPOINTMENTS

8.1 Appointments made under section 6.1 of this Constitution must be ratified by Biosecurity Queensland. The AEC Secretary will provide notice to Biosecurity Queensland of:

(a) the nomination of new Members;
(b) an existing Member changing membership category; and

(c) the retirement of a member,

and will seek approval of the appointment or change.

8.2 The AEC Secretary will also ensure that changes in AEC membership are notified to all other States and Territories where accreditation is held.

8.3 The Secretary will advise each Member in writing once his or her appointment has been ratified.

9.0 APPOINTMENT OF THE CHAIRPERSON

9.1 The Senior DVC shall appoint a person (who shall hold a senior academic position) to the role of Chairperson of the Committee, for a two year term. For the avoidance of doubt, the Chairperson may be chosen from among the Core Members referred to in section 6.1(a) or from the additional Members referred to in section 6.1(b).

9.2 The Chairperson’s appointment (as Chairperson) is renewable only once, ie. they may hold the position of Chairperson for a maximum of two consecutive two year terms.

10.0 ROLE OF THE CHAIRPERSON

10.1 The Chairperson shall have (at a minimum) the same rights and obligations as all other Committee Members.

10.2 In addition to the standard duties, authorities and responsibilities of a chairperson outlined in the University’s Guide to Committee and Meeting Skills, clause 2.2.13 of the Code imposes on the Chairperson of the AEC responsibility for:

(a) impartially guiding the operation of the AEC;

(b) resolving conflicts of interest related to the business of the AEC; and

(c) representing the AEC in any negotiations with the University’s management.

10.3 The Chairperson may not direct the Committee to act in a way which is contrary to the requirements of the Act or the Code.

10.4 Where this Constitution or the Standard Operating Procedures provides for a decision of the AEC to be made by majority (rather than consensus), the Chairperson has a casting vote in addition to their personal deliberative vote, in the event of an equality of votes. In the context of AEC decisions on whether particular projects or activities should be approved, the Chairperson should keep in mind the guidance set out in clause 2.3.11 of the Code and should only exercise his or her casting vote once the procedure in section 17.4 has been followed.
11.0 DEPUTY CHAIRPERSON and AEC EXECUTIVE

11.1 At the first meeting of the year, the AEC shall elect a Deputy Chairperson from among its Members (excluding the Chairperson). The Deputy Chairperson will serve for a period of one year.

11.2 The Deputy Chairperson shall exercise the responsibilities of the Chairperson on those occasions when the Chairperson is absent from the meeting or where the Chairperson registers a conflict of interest in relation to a particular matter under discussion.

11.3 At the first meeting of the year, the AEC shall also elect at least one Category C or D Member to serve, with the Chairperson, on the AEC Executive.

11.4 Consistent with clause 2.2.23 of the Code, the AEC Executive:

(a) may approve minor amendments to approved projects for ratification at the next Committee meeting; and

(b) must not approve new proposals, major amendments or annual reports.

12.0 ADMINISTRATIVE SUPPORT

12.1 The Director, Office for Research will appoint a Secretary to the Committee who will have rights of audience and debate. The Secretary will normally be the Research Ethics Officer responsible for administration of animal ethics.

12.2 The Secretary is not a Member of the Committee, and does not have voting rights.

12.3 A detailed description of the role of the Secretary is set out in the Standard Operating Procedures.

13.0 RESIGNATION OR TERMINATION OF MEMBERSHIP

13.1 A Member may resign from the AEC at any time by advising the Chairperson in writing (or in the case of the Chairperson, the Senior DVC). If possible at least two months’ notice should be given.

13.2 The Senior DVC may terminate a Member’s membership if the Member:

(a) fails to attend three consecutive meetings without the prior approval of the Committee Chairperson (or in the case of the Chairperson, the prior approval of the Senior DVC);

(b) ceases to fulfil the criteria for their membership category; or

(c) fails to comply with the terms of their Membership Deed.
13.3 The Chairperson or Senior DVC will advise the AEC Secretary of the resignation or termination, and a new Member will be sought.

14.0 RESPONSIBILITIES OF COMMITTEE MEMBERS

14.1 Consistent with the Committee’s commitment to confidentiality, Members must not discuss matters relating to the Committee’s deliberations outside the Committee, unless:

(a) they are discharging a delegated or official responsibility of their membership (eg. an Animal Ethics Advisor discussing with a head of an element a pattern of problems with applications submitted from that element); or

(b) disclosure is required in relation to official University business.

14.2 Members must also make themselves aware of the University’s conflict of interest policy, and must disclose any actual, potential or perceived ongoing conflict of interest in accordance with section 18.0 of this Constitution.

14.3 Members must immediately notify the Chairperson of the AEC in writing should any Disqualifying Event happen to them, during the period of their membership of the AEC. “Disqualifying Event” has the meaning given to that term in the Act, which is currently – a conviction (other than a spent conviction) for an “animal welfare offence” or similar offence committed in another Australian jurisdiction. “Animal welfare offence” is currently defined as an offence against certain provisions of the Act or the Criminal Code, section 468 (“Injuring animals”).

15.0 AEC MEETINGS

15.1 The annual meeting schedule for the AEC will be determined at the end of the preceding year. Generally, the AEC will meet at least 9 times a year.

15.2 A quorum constitutes at least one Member from each of the membership categories A, B, C and D. Categories C and D together must represent at least one-third of those Members present. When a face-to-face meeting is not possible, a quorum may be established through the use of video-linking or, in special circumstances, teleconferencing with remote Members. A quorum is required for all Committee decisions.

16.0 ATTENDANCE BY NON-MEMBERS AT AEC MEETINGS

16.1 Meetings of the AEC may be attended by the following non-members, none of whom shall be counted in reaching a quorum:

(a) the AEC Secretary – appointed under section 12.0 above;
(b) the animal facilities manager – the Chairperson may invite the attendance and participation at its meetings of the person currently holding the position of animal facilities manager (or equivalent) at the University, being the person responsible for the routine care of animals within the University. For the avoidance of doubt, this person is not a Member of the AEC and does not have voting rights;

(c) additional non-Member advisors - the Chairperson may invite the attendance and participation at its meetings of such persons who, by reason of their special expertise or experience, can assist the Committee’s deliberations on any particular matter. Such persons may participate in debate if invited to do so, but cannot exercise a vote;

(d) Responsible Investigators - the Chairperson can elect to invite the Responsible Investigator to attend a meeting of the AEC to discuss their application with the Committee, if it is felt that this will assist with the review of the application. The Responsible Investigator shall not be present when the Committee makes its decision; and

(e) Observers - Observers may attend Committee meetings at the Chair’s discretion or invitation. AEC Members should be advised before a meeting if an observer will be in attendance. Such persons may have an interest in research ethics and the review process but are not Committee Members. Observers must sign a confidentiality agreement before papers are shared and the meeting commences.

17.0 DECISIONS BY THE COMMITTEE

17.1 Members have debate and voting rights for all matters before the Committee unless a conflict of interest exists (see section 18.0 below regarding conflicts of interest).

17.2 Wherever possible, Committee decisions should be made on the basis of consensus (as per clause 2.3.11 of the Code).

17.3 Notwithstanding section 17.2 above, each Member is responsible for deciding whether, in their own judgement, an application or other matter under consideration by the Committee is ethically acceptable (as per clause 1.3 of the Code) and meets the requirements of the Code. To fulfil this responsibility members should:

(a) be familiar with the Code and other policies and guidelines relevant to the business of the AEC; and

(b) provide opinions on the ethical acceptability of applications and other matters under consideration by the AEC.
17.4 Where two or more Members oppose a proposal, it should not be approved until the Committee has explored with the applicant(s) ways of modifying the project that may lead to consensus. If consensus is still not achieved, the AEC should only proceed to a majority decision after Members have been allowed a period of time to review their positions, followed by further discussion (see clause 2.3.11 of the Code).

18.0 CONFLICTS OF INTEREST

18.1 The AEC Secretary will maintain a register of conflicts of interest.

18.2 A Committee Member (or other attendee at the AEC Meeting) who has an interest or a perceived interest in a matter under discussion must declare the interest immediately upon becoming aware of it. Examples include (but are not limited to) membership of the research team, supervision of a member of the research team, family relationship with a member of the research team, or pecuniary interest in a project.

18.3 Ongoing interests (e.g., an employment relationship or membership of an external organisation) will be recorded in the register and do not need to be re-declared at each meeting.

18.4 The Committee will decide (on a majority basis) whether the interest declared constitutes a conflict of interest.

18.5 Minutes of Animal Ethics Committee meetings must contain records of all declared interests and conflicts of interest relevant to specific matters under consideration at that meeting, and of any measures taken to address the conflicts of interest.

18.6 Where the Committee determines that a declared interest constitutes a conflict of interest, Members or other attendees with that conflict of interest in relation to a matter under consideration must withdraw from the meeting while that matter is being discussed. Once any Members so conflicted have withdrawn, the number of remaining Members must still constitute a quorum if a decision is required.

19.0 PHYSICAL INSPECTIONS

19.1 All University activities that involve the care and use of animals for scientific purposes are subject to monitoring by the AEC. As required by clause 2.3.17 of the Code, the AEC monitors the care and use of animals by inspecting animals, animal housing and the conduct of procedures, and/or by reviewing records and reports.

19.2 Consistent with clause 2.3.21 of the Code, the Committee shall determine the frequency and timing of inspections.

19.3 The Committee may request that individual Committee Members or suitably qualified University staff undertake such inspections on its behalf in relation to remote facilities or sites.
19.4 Where an inspection detects activities that are considered to be non-compliant with the Code or an approved protocol, the Committee must direct the researcher in writing to cease any activities that have the potential to adversely affect animal wellbeing immediately and initiate remedial action.

**20.0 EMERGENCY ACTIONS**

20.1 Consistent with clause 2.5.5 of the Code, animal facilities staff and consultant veterinarians may carry out the emergency treatment or euthanasia of animals where they reasonably believe this is necessary for the maintenance of animal welfare.

20.2 If an emergency welfare intervention is considered necessary, animal carers must take reasonable steps to first contact the Responsible Investigator or Teacher following the procedures outlined in the Animal Facility Procedure – Animal Health Monitoring document. However, the welfare of the animal must be the priority at all times and may necessitate immediate intervention.

20.3 Animal carers must promptly:

(a) advise the Responsible Investigator of actions taken and the reasons for emergency interventions; and

(b) report the event to the AEC, via the AEC Secretary.

20.4 The Chairperson (as the person delegated by the Senior DVC) may issue a written notice to a responsible investigator of suspension of activities in relation to an adverse event or apparent breach of an approved protocol in cases where the Chairperson reasonably believes that the welfare of animals will be seriously compromised if the activities are permitted to continue. Any such suspension of activities must be considered by the Committee at its next meeting, and the Committee should make a decision on whether the relevant approval should be suspended, modified or withdrawn.

20.5 Consistent with the Australian and Griffith University Codes for the Responsible Conduct of Research, the Chairperson (in consultation with the Office for Research) will also consider whether any apparent breach of an approved protocol should be referred for formal investigation pursuant to the University’s procedures for dealing with misconduct or serious misconduct, and will make a recommendation accordingly.

**21.0 REPORTING PROCEDURES**

21.1 The Chairperson, with the support of the Committee will:

(a) promptly report to the Senior DVC (or delegate) any event or issue that may require referral to Biosecurity Queensland or other regulatory body;
(b) provide an annual report to the University Council through the Research Committee; and

(c) assist the University with the preparation of any other reports required by law relating to the use of animals for scientific purposes, including those required by the National Health and Medical Research Council and Biosecurity Queensland, Department of Agriculture, Fisheries and Forestry or its equivalent.

21.2 The Chairperson shall also participate in an interview with the Senior DVC to discuss the annual report.

21.3 Consistent with the requirements of clause 2.3.29 of the Code, the AEC’s annual report to the University Council should advise on:

(a) numbers and types of projects and activities assessed, and approved or rejected;

(b) the physical facilities for the care and use of animals by the University;

(c) actions that have supported the educational and training needs of AEC members and people involved in the care and use of animals;

(d) administrative or other difficulties experienced; and

(e) any matters that may affect the University’s ability to maintain compliance with the Code and, if appropriate, suitable recommendations.