

## Animal Research Instrument of Delegation 2024

I, Steve Orr, Secretary, Department of Regional NSW, make this Instrument of Delegation under section 59A of the *Animal Research Act 1985*.

### 1 Delegation of functions

- (1) The functions under the Act specified in Column 1 of Schedule 1 are delegated to any person in the delegate category specified in Column 3 of Schedule 1.
- (2) The functions under the Regulation specified in Column 1 of Schedule 2 are delegated to any person in the delegate category specified in Column 3 of Schedule 2.

### 2 Interpretation

- (1) In this Instrument:

**administrative and clerical officer grade 9 or above** means a person employed by the Department as an Administrative and Clerical Officer at Grade 9 or above under the Crown Employees (Administrative and Clerical Officers - Salaries) Award 2007.

**delegate category** means the categories described in Column 1 of Schedule 3.

**food safety officer grade 5 or above** means a person employed by the Department as a Food Safety Officer at grade 5 or above level under the Crown Employees (Department of Industry, Skills and Regional Development) Food Safety Officers Award.

**person in the delegate category** means any person who is for the time being assigned to a role, or performing the duties and responsibilities of a role, specified in Column 2 of Schedule 3 in respect of each delegate category.

**professional officer grade 6 or above** means a person employed by the Department at grade 6 or above level under the Crown Employees (Department of Industry, Skills and Regional Development) Professional Officers Award.

**role** includes office, and a person **assigned** to a role includes the **holder** of an office.

**senior executive band** has the same meaning as in the senior executive bands determination made under the *Government Sector Employment Act 2013*.

**the Act** means the *Animal Research Act 1985*.

**the Department** means the Department of Regional NSW.

**the Regulation** means the Animal Research Regulation 2021.

- (2) Words and expressions that are defined in the Regulation have the same meaning in this Instrument.
- (3) The summary of a function in Column 2 of Schedules 1 and 2 is for general explanation and does not limit the delegation of functions under the provisions identified in Column 1 of Schedules 1 and 2.

**3 Commencement**

This Instrument commences on the day on which it is signed.

**4 Revocation**

All delegations previously made under section 59A of the Act are revoked.

Dated this 24th day of June 2024.

A handwritten signature in black ink, appearing to be 'Steve Orr', with a long horizontal stroke extending to the right.

STEVE ORR

SECRETARY

DEPARTMENT OF REGIONAL NSW

## Schedule 1 – Delegation of functions under the Act

Column 1 section	Column 2 Summary of function delegated	Column 3 Delegate category
10	Cause an inspection.	B
13	Appoint animal care and ethics committees.	C
18	Approve application form for accreditation as a research establishment.	B
19	Refer application for accreditation to the Panel for investigation.	D
20(1)	Determine application for accreditation as a research establishment.	D
20(3)	Cause notice of a refusal to accredit a research establishment to be served on applicant.	D
20(5)	Issue a certificate of accreditation to research establishment.	D
20(6)	Approve the form for a certificate of accreditation for an accredited research establishment.	B
21	Determine period of accreditation following cancellation or suspension.	D
23	Refer complaint to the Panel in respect of an accredited research establishment.	D
24	Determine a complaint in relation to a research establishment.	B
25	Issue an authority for an individual to carry out animal research.	C
25A	Approve form of an animal research authority application, determine applications and cause written notice of refusal to be served on the applicant for the authority.	C
26	Approve form of animal research authority and determine the form and manner of application for the concurrence of the Minister.	B
28A	Refer complaint to the Panel in respect of an animal research authority.	D
28B	Determine complaint in relation to an animal research authority	B
37	Approve form for application for an animal supplier's licence.	B
38	Refer application for animal supplier's licence to the Panel for investigation.	D

39	Determine application for animal supplier's licence and cause a notice of refusal to be served on the applicant.	D
40	Approve form of animal supplier's licence.	B
43	Refer complaint to the Panel in respect of an animal supplier's licence.	D
44	Determine complaint in relation to an animal supplier's licence.	B
49	Appoint inspectors and cause inspectors to be issued with a certificate of identification.	B
57	Instituting proceedings for offences.	A
59	Sign evidentiary certificate.	B

### Schedule 2 – Delegation of functions under the Regulation

Column 1 section	Column 2 Summary of function delegated	Column 3 Delegate level
13	Being satisfied that requiring payment of a fee by the school would be an unreasonable imposition.	B
24	Approve form of report.	B
25	Waive or refund all or part of any fee payable under the Act or Regulation.	B
Schedule 1, Item 9	Approve form for licensed animal supplier	B
Schedule 3, Item 9	Approve form of declaration used by relevant animal ethics committee.	B

### Schedule 3 – Delegate categories

Column 1 Delegate category	Column 2 Role
A	Senior executive band 3. Senior executive band 2.
B	Senior executive band 3. Senior executive band 2. Senior executive band 1.

C	<p>Senior executive band 3.</p> <p>Senior executive band 2, with responsibility for administering the Secretary's animal care and ethics committee for the purpose of supervising the animal research carried out by holders of animal research authorities.</p> <p>Senior executive band 1, with responsibility for administering the Secretary's animal care and ethics committee for the purpose of supervising the animal research carried out by holders of animal research authorities.</p>
D	<p>Senior executive band 3.</p> <p>Senior executive band 2.</p> <p>Senior executive band 1.</p> <p>Administrative and clerical officer grade 9 or above.</p> <p>Professional officer grade 6 or above.</p> <p>Food safety officer grade 5 or above.</p>