

Animal Research Review Panel Annual Report 2023-24

Animal Research Review Panel together with Department of Primary Industries and Regional Development.

October 2024



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Framework Under the Animal Research Act 1987

The Animal Research Act 1985

The NSW Animal Research Act 1985 (the Act) was the first piece of self-contained animal research legislation introduced in Australia. In introducing the legislation in 1985, the Hon. Kevin Stewart, Minister for Local Government, said that it was based on ‘the twin tenets of ... enforced self-regulation and public participation in the decision-making process’. The Act received bipartisan support in the Parliament when it was introduced in 1985 and continues to do so.

The primary aim of the legislation is to protect the welfare of animals used in research and teaching by ensuring that their use is justified, humane and considerate of their needs. The Act incorporates a system of enforced self-regulation, with community participation at the institutional and regulatory levels.

The Act establishes a system of accreditation, licensing and authorisation of organisations and individual researchers. The Act also establishes the Animal Research Review Panel (the Panel) to provide a mechanism for representatives of government, scientific and animal welfare groups to participate jointly in monitoring the effectiveness of the legislation.

The Act creates offences for conducting animal research without appropriate authorisation, with substantial custodial and financial penalties.

The Minister for Agriculture is responsible for administration of the Act.

The Australian code for the care and use of animals for scientific purposes

The Australian code for the care and use of animals for scientific purposes (the Code) is a nationally accepted document and is prescribed by the Animal Research Regulation 2021 (the Regulation). The Code is reviewed by the Code Advisory Group, under the auspices of the National Health and Medical Research Council (NHMRC). The Code Advisory Group includes representatives from NHMRC, the Commonwealth Scientific and Industrial Research Organisation, the Australian Research Council, Universities Australia, the state government ministries with responsibility for animal welfare, commonwealth government departments for the sectors of environment, education and primary industries, RSPCA Australia and Animals Australia.

The Animal Research Review Panel

The Panel has responsibility for overseeing the effectiveness and efficiency of the animal research legislation, investigating complaints, and assisting in evaluating compliance of individuals and establishments with the legislation.

The constitution, membership and mode of operation of the Panel are set out in the Act. The Panel has 12 members with equal representation from industry, government and animal welfare groups. This provides for a range of expertise in regulating the conduct of animal research in New South Wales.

Apart from developing overall policy on animal research issues, the Panel is closely involved in the administration of the legislation. This is achieved through evaluating applications for accreditation and licences of research establishments, conducting site visits to assess compliance, and investigating complaints. The Panel also has a role in considering amendments to the Regulation. NSW Department of Primary Industries and Regional Development (the department) staff provide executive support for the Panel.

Panel mission statement

To protect and enhance the welfare of animals used in scientific research, testing and teaching in New South Wales.

To promote an understanding within the New South Wales community of the ethical and technical issues involved in the use of animals for scientific purposes.

The strength of the Panel lies in the diversity of expertise, opinions, and ethical perspectives of its members, which has resulted in the development of cohesive and progressive policies. All members are employed in other fields and participate on a largely voluntary basis. Non- government members are paid fees for attending formal meetings and participating in site inspections. Members are not paid for time spent preparing for meetings and inspections, for considering applications for accreditation or licenses, or for drafting discussion papers.

Functions of the Animal Research Review Panel

Section 9 of the Act defines the functions of the Panel as:

- The investigation of matters relating to the conduct of animal research and the supply of animals for use in connection with animal research
- The investigation and evaluation of the efficacy of the Code in regulating the conduct of animal research and the supply of animals for use in connection with animal research
- The investigation of applications and complaints referred to it under the Act
- Such other functions as the Minister may from time to time confer or impose on it.

In November 1998, the then Minister, the Hon. Richard Amery MP, conferred the following additional function on to the Panel, pursuant to section 9 (d) of the Act:

- The consideration and comment on proposals referred to the Animal Research Review Panel which relate to the making, amendment, or review of the regulations under the Act.

There have been no other functions formally conferred on the Panel under section 9 (d) of the Act since it commenced.

Membership

The Panel consists of 12 members appointed by the Minister based on nominations received from industry, government and animal welfare groups. The nominating organisations are:

- New South Wales Vice-Chancellors' Committee: three nominees
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- Medicines Australia: one nominee
- New South Wales Minister for Health: one nominee
- New South Wales Minister for Education: one nominee
- New South Wales Minister administering the *Biosecurity Act 2015*: one nominee
- New South Wales Minister administering the *National Parks and Wildlife Act 1974*: one nominee
- Animal Societies' Federation (New South Wales): two nominees
- Royal Society for the Prevention of Cruelty to Animals, New South Wales (RSPCA NSW): two nominees.

All members of the Panel are part-time and are normally appointed for a term of 3 years.

During the period 1 July 2023 – 30 June 2024, the membership of the Panel was:

- Professor Jacqueline Phillips (Chair) (nominated by the NSW Vice-Chancellors' Committee; reappointed 28 January 2023)
- Associate Professor Keiron Rooney (Deputy Chair from February 2023) (nominated by the NSW Vice-Chancellors' Committee)
- Dr Damian O'Brien (nominated by Medicines Australia)
- Ms. Sally Bannerman (nominated by the Minister for Education and Training; reappointed 6 March 2023)
- Associate Professor Sophie Riley (nominated by the Animal Societies' Federation;)
- Ms. Paula Wallace (nominated by the Animal Societies' Federation)
- Mr Anthony Croker (nominated by RSPCA NSW; resigned 13 March 2024)
- Dr Alice Marshall (nominated by the Minister administering the Biosecurity Act 2015; resigned 9 February 2024)
- Associate Professor Marina Pajic (nominated by the Minister for Health;)
- Dr Gemma Ma (nominated by RSPCA NSW)
- Professor Tim Karl (nominated by the NSW Vice-Chancellors' Committee;)
- Dr Marie-Clare Demers (nominated by the Minister for the Environment)
- Dr Kate Wingett (nominated by the Minister administering the Biosecurity Act 2015; appointed 15 April 2024)
- Dr Elizabeth Arnott (Nominated by RSPCA NSW, appointed 17 June 2024)

Information on members of the Panel in 2023–24 is as follows:

Professor Jacqueline PHILLIPS BVSc Hons (USyd), PhD (ANU) (Chair)

Professor Phillips was appointed to the Panel in 2010. Professor Phillips is Professor of Neurophysiology in the Faculty of Medicine, Health and Human Sciences, Macquarie University and is currently Chair of Macquarie Universities Academic Senate. She is a registered veterinarian who

has worked in small animal veterinary practice and has extensive experience with laboratory animals. She has served on Animal Ethics Committees as a Category A member at the Australian National University (ACT) and Murdoch University (WA). Professor Phillips has been the Panel Chair since November 2019.

Associate Professor Kieron ROONEY BSci Hons (USyd), PhD (USyd) (Deputy Chair)

Associate Professor Rooney was appointed to the Panel on 14 October 2019. A/Professor Rooney is based in the Sydney School of Health Sciences, Faculty of Medicine and Health, University of Sydney and co-leads the Bias in Research Node of the Charles Perkins Centre. He is a SYRCLE Ambassador and was a member of the NC3Rs working group revising the ARRIVE guidelines (2018-2020). He is a registered Nutritionist and has utilised small animal models to investigate parameters of metabolic biochemistry since 1998. He has been a Category B member of the University of Sydney Animal Ethics Committee since 2015.

Dr Damian O 'BRIEN BVSc (USyd)

Dr O'Brien was appointed to the Panel on 1 October 2019. He is an employee of MSD Animal Health (MSDAH), and a registered veterinary surgeon who has had a career in private veterinary practice and in the pharmaceutical industry. He currently manages Technical Market Development for MSDAH across Australia and New Zealand, involving research and development and post-authorisation stewardship of innovative pharmaceuticals and vaccines for use in farm and companion animals.

Ms. Sally BANNERMAN BSAgr (USyd), Grad Dip Ed

Ms. Bannerman is the Animal Welfare Coordinator for the NSW Department of Education, Catholic Schools NSW and the Association of Independent Schools of NSW. She administers the work of the Schools Animal Ethics Committee for the three school sectors and their 3500 schools. She has extensive experience in agricultural education and has worked in face-to-face delivery, distance education and teacher support for over 35 years. Ms Bannerman was reappointed in March 2023.

Associate Professor Sophie RILEY LL.B (USyd), LL.M (UNSW) PhD(UNSW)

Associate Professor Riley was first appointed to the Panel in 2016. She is an Associate Professor in the Faculty of Law at the University of Technology Sydney and is one of two deputy chairs of the Human Research Ethics Committee at the University of Technology Sydney. A/Professor Riley teaches Animal Law and Policy, Environmental Law, and Corporate Law. Her research interests focus on the ethics and treatment of invasive species, farm animals and wildlife welfare. She is the editor of an animal law case book, comprising case notes written by students as part of their assessment; and she has also written a book titled "The Commodification of Farm Animals", published by Springer in February 2022. In 2020 she was appointed as one of two review editors for Chapter 6 (policy) of a report on invasive alien species that IPBES, (the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services) that in 2023 was presented to, and accepted by, the United Nations. A/Professor Riley was reappointed to the Panel in October 2022.

Ms Paula WALLACE

Ms Wallace was first appointed to the Panel in 2016. She is a communications professional with a wide portfolio of business journalism who currently provides advisory services to the government sector. She has played a role in developing the movement for rehoming animals from research in Australia including the establishment of not-for-profit Liberty Foundation Australia. Since 2017, the

organisation has worked with research establishments to rehome hundreds of animals as pets and companions in the community. Ms Wallace was reappointed to the Panel in October 2022.

Mr Anthony CROKER

Mr Croker was first appointed to the Panel in October 2018. He holds a Diploma of Government Investigations among other certificates. Mr Croker has been an Inspector for the RSPCA NSW since 2001 and Team Leader of the Southern Region since 2005. He has also been a Category C (animal welfare) Animal Ethics Committee member on multiple committees since the early 2000's. Mr Croker resigned from the Panel 13 March 2024.

Dr Alice MARSHALL BVSc Hons I (USyd)

Dr Marshall was appointed to the Panel in September 2020 as the nominee of the Minister for Primary Industries. Dr Marshall is Manager Animal Welfare Policy and Programs for the NSW Department of Primary Industries. She reports to the NSW Chief Animal Welfare Officer and leads a team to support positive animal welfare outcomes for NSW. She is a registered veterinarian with experience across mixed veterinary practice, animal pharmaceutical and animal nutrition roles. She has a background in media, communications, and journalism. Dr Marshall resigned from the Panel 9 February 2024.

Associate Professor Marina Pajic PhD (UNSW Sydney)

Associate Professor Pajic was appointed to the Panel in October 2022. She is Head of the Personalised Cancer Therapeutics Lab and Co-Head of the Precision Cancer Medicine Program at the Garvan Institute of Medical Research. With over 92 research publications, she is one of Australia's leading experimental biologists for pancreatic cancer. She has over 20 years' experience in the development of animal models of cancer and has utilised small animal models to understand the complex mechanisms behind treatment failure in cancer. From these critical insights, she has developed novel treatment approaches for some of the hardest-to-treat malignancies, including pancreatic cancer.

These new therapies have entered clinical testing (with two clinical trials underway and recruiting patients). She has been a Chair of the Garvan Institute and St Vincent's Hospital animal ethics committee since 2022.

Dr Gemma MA BVSc (USyd), PhD (USyd)

Dr Ma was appointed to the Panel in October 2022. Dr Ma is a veterinarian with over 10 years' experience in general small animal practice and shelter medicine. She is currently Project Manager – Keeping Cats Safe at Home and Community Veterinarian at RSPCA NSW. Dr Ma graduated with a PhD from the University of Sydney School of Veterinary Science in 2021. Her thesis explored the role of companion animals in human and environmental health. As a Research Affiliate with the Sydney School of Veterinary Science Dr Ma undertakes research into the human-animal bond, dog and cat population management, human behaviour change, cat ecology and shelter medicine.

Professor Tim KARL MSc-equivalent (University of Muenster, Germany), PhD (Leipzig University Hannover, Germany)

Professor Karl was appointed to the panel in October 2022. He is a Professor for Behavioral Neuroscience in the School of Medicine, Western Sydney University (WSU), and is currently the Chair of the WSU Animal Care and Ethics Committee. Prof Karl's team carries out preclinical research into brain disorders with a particular focus on mental health and neurodegenerative

diseases. The research also aims to enhance the validity of animal models and the well-being of test animals in medical research by improving laboratory test conditions and establishing more natural test paradigms. Prof Karl has been a category B member of Animal Ethics Committees at WSU and the University of New South Wales and is also a volunteer for wildlife organisations such as WIRES.

Dr Marie-Claire DEMERS BEnvSc Hons (UoW), PhD (UoW)

Dr. Demers was appointed to the Panel in November 2022 and serves as a Project Officer in the Threatened Species Unit at NSW National Parks and Wildlife Service. With over 15 years of experience of applied research experience, she has made impactful contributions to species conservation and ecosystem management. Her PhD from the University of Wollongong focused on understanding ecological interactions in endangered ecosystems. Dr. Demers previously coordinated the Ecological Research Centre at the University of Wollongong. She currently leads conservation initiatives for threatened fauna and flora across NSW.

Dr Kate Wingett BVSc (hons) (USyd) PhD (USyd)

Dr Kate Wingett was appointed to the panel in March 2024. She is currently in the role of Manager, Animal Welfare Policy & Programs in the Animal Welfare Unit at the NSW Department of Primary Industries and Regional Development and has been since February 2024. Prior to joining the Animal Welfare Unit, Kate was a member of the Animal Biosecurity Unit at the Department of Regional NSW for close to eight years. Here Kate had numerous roles, including Senior Technical Officer and Deputy Chief Veterinary Officer.

Kate is a registered veterinary practitioner and spent 19 years in private practice prior to joining the NSW Department of Primary Industries and Regional Development in 2016. She has also recently been awarded a PhD from the University of Sydney, for her thesis “Exploring pre-consumer losses from the Australian sheep meat value chain and the impact on food and nutrition security using mixed methods”.

Dr Elizabeth Arnott BVSC MVS MANZCVS (Small Animal Medicine & Animal Welfare) PhD

Dr Arnott is a veterinarian with experience in clinical practice, industry, and regulatory roles. She is the Chief Veterinarian of RSPCA NSW with a particular interest in supporting animal cruelty investigations and the provision of expert evidence. Liz was previously employed to lead the Animal Welfare team of the NSW Department of Primary Industries, a role which provided good insight into the administration of animal welfare laws and policy in NSW. During 15 years of small animal private practice, she completed a Masters of Veterinary Studies through Murdoch University and attained membership of the Australian and New Zealand College of Veterinary Scientists. Liz undertook research into working dog welfare and behavioural genetics to complete a PhD through the University of Sydney in 2018. She was appointed the Panel in June 2024.

Animal Ethics Committees

At the establishment level, Animal Ethics Committees (AECs) provide avenues for public participation in the regulation of animal research.

AECs are responsible for approving and monitoring research within establishments, including inspections of animals and facilities. No animal research may be carried out without AEC approval. AECs must consider and evaluate applications to conduct research based on the researchers’

responses to a comprehensive set of questions, including their justification for the research, its likely impact on the animals, and procedures for preventing or alleviating pain or distress.

On behalf of the establishment, AECs have the power to stop inappropriate research and to discipline researchers by withdrawing their research approvals. They can require that adequate care, including emergency care, is provided for animals. They also provide guidance and support to researchers on matters relevant to animal welfare, through means such as the preparation of guidelines and dissemination of relevant scientific literature. AECs are responsible for advising institutions on the changes to physical facilities that should be made to provide for the needs of the animals used.

The membership and duties of AECs are set out in the NSW legislation and in the Code, which also provides guidance on how AECs should operate.

AEC membership must include members as follows:

- Category A: a veterinarian
- Category B: an animal researcher
- Category C: a person with a demonstrated commitment to animal welfare who is not associated with the establishment, and not currently involved in the care and use of animals for research.
- Category D: an independent person who does not fit the requirements of the other categories, is not associated with the establishment and who has never been involved in the use of animals for research.

The Code states that more than one person may be appointed to each category and, if an AEC has more than four members, categories C and D must represent no less than one-third of the members.

Accreditation and licencing

The legislation requires that all applications for Accreditation and Animal Supply Licences be referred to the Panel for consideration. The Panel has established procedures to deal with the considerable workload this entails and has regularly reviewed and updated these procedures to take account of changes in needs and resources.

The Panel conducts its assessment of applicants through a comprehensive review of written submissions. This process involves a thorough examination of each application to determine whether the candidate complies with the fundamental requirements set forth in the relevant legislation. If required, the Panel may request an evaluation of the applicant at a site inspection.

The recommendations of the Panel are referred to the delegate of the Secretary of the department (the Secretary), who has statutory authority for the issue of accreditation and licences and for imposing conditions of accreditation or licence.

Accreditation and licences are issued subject to standard conditions. Other conditions may also be stipulated, as relevant, to the operation of each establishment. The standard conditions applied were revised in 2018 with the move of the accreditation and licensing functions to the department Compliance Unit (see Appendix H for standard conditions on Accreditation and Licences). New Animal Research Establishment Accreditations are issued for a one-year period, with renewing accreditations being issued for a 3-year period.

Evaluation of applications

New and renewal applications for accreditations or licences are assessed firstly by the department staff according to criteria developed by the Panel.

The Panel considers the recommendations and applications, then advises the Secretary (or their delegate) as to whether applications should be approved and under what conditions.

The delegate of the Secretary considers the Panel's recommendation and makes a determination on the applications. Applicants are advised in writing of the outcome, including any conditions that apply.

The criteria against which the Panel assesses written applications are drawn from the legislation. Considerations include whether the AEC is properly constituted, whether its procedures are adequate, whether it meets frequently enough to deal with the volume of work, and whether it is conducting inspections of the animals and facilities it supervises. The types and numbers of animals held, and their accommodation are also checked, and likely problem areas are flagged for follow-up at site inspections. Similarly, numbers and qualifications of animal care staff are assessed for adequacy, as is the training provided for animal care staff and researchers.

Monitoring of animal care and use by the AEC is another area of assessment. Numbers of AEC inspections carried out must be provided. Questions on the source and destination of animals allow a double-check on compliance with the Act's provisions relating to animal supply.

Form R- application for accreditation as an animal research establishment and licence as an animal supplier, and the criteria for application assessment are published on the Animal Ethics Infolink website.

Site inspections

Inspections of establishments are conducted by an authorised veterinary inspector under the Act. Members of the Panel can also accompany an inspector during inspections, in accordance with section 10 of the Act.

Inspections are prioritised based on risk and are undertaken in order to assess establishments for compliance with the Code, the Act, the Regulation and any licensing conditions. The range of items assessed can include the membership, procedures and activities of the AEC; animal care procedures; animal research procedures; physical facilities for housing and using animals; and the wellbeing of the animals held.

This assessment typically occurs through a review of written material and a site visit. Routine inspections are arranged in advance and usually require one to four days on site.

Initially implemented in response to the COVID-19 pandemic, many AEC meetings continue to be held via videoconferencing. Therefore, videoconferencing was utilised by the inspector and Panel members for some inspections to facilitate attendance at AEC meetings. This method has been reported to work well for both AECs and the department.

Assessment of written material

Assessment typically begins before a site visit through an examination of documents provided by the establishment. Examples of documents assessed include records of research applications

approved by the AEC, AEC meeting minutes, records of AEC inspections, operational procedures of the AEC and standard operating procedures.

This assessment is carried out by an authorised veterinary inspector appointed under the Act. Panel members who have been nominated to accompany the inspector may also participate in this aspect of the inspection. This evaluation allows potential problem areas to be identified prior to a site visit.

Site Inspection

During the site inspection, the inspector and any accompanying Panel members may examine animal housing and facilities, speak to researchers and animal care staff, review records of animal monitoring, and attend an AEC meeting. Issues identified by the inspection team are discussed with the AEC and representatives of the establishment during the inspection.

Inspection report

After the inspection, a report is prepared by the inspector with input from any Panel members that participated in the inspection. The report outlines issues identified and any additional recommendations from the inspection team. Reports are provided to the establishment as soon as possible following the inspection. Reports are also referred to a full meeting of the Panel for consideration, and any additional feedback from the Panel is then provided to the establishment.

Response to inspection reports

Establishments are asked to respond in writing to the inspection report. This response should address any recommendations and non-compliances identified from the inspection, and actions that have been taken in response to these. Responses are typically considered at meetings of the Panel, and an assessment is made of whether the responses are satisfactory. If necessary, further follow up with the establishment can be carried out, such as additional inspections.

The Animal Research Act in schools and TAFE NSW

The Act allows the use of animals for educational purposes when there is a demonstrated educational benefit, when there is no suitable alternative, and when the least number of animals is used, with the least impact on their wellbeing. Their use also presents opportunities to promote in students an understanding of the ethical and technical issues involved with the use of animals.

Although animals are used for educational purposes in many situations, their use in schools and TAFE colleges presents special issues, such as mechanisms for approval and monitoring of animal use across the State. Oversight of animals used in teaching under the Act is provided by the relevant Animal Ethics Committee of each establishment.

Administration

Executive support for the Panel and administration of the Act is provided by the department Animal Welfare and Compliance Units.

Report on Work and Activities

Administration and planning

Administrative functions have varied from activities such as assessments of Accreditation and Licensing, to formulating the Panel's strategic plan for 2024–26. The appendices to this annual report contain details of the operational and strategic functions of the Panel. These include:

- the dates of, and Panel member attendance at Panel meetings (Appendixes A and B) and site inspections (Appendix C).
- the Animal Research Review Panel Strategic Plan 2022–24 (Appendix D) and
- Panel operating expenses (Appendix E).

Additionally, the Panel has also developed a working Annual Agenda Plan to assist with aligning activities of the Panel with its function, mission and Strategic Plan items cross the year, as well as standard agenda items, to assist with the Panel's workload.

Strategic Plan July 2022- June 2024

The Panel's two-year strategic plan for 2022-24 identifies the primary goals of the Panel and strategies for achieving these goals (Appendix D).

Liaison with establishments and individuals

The Panel liaises with establishments and individuals to offer advice and to facilitate the implementation of legislative requirements and adherence to replacement, reduction and refinement principles.

During the 2023-24 financial year, liaison was conducted via discussions during, and feedback after, site inspections. The Panel provided recommendations to establishments during the assessment of Accreditation and Licence applications and AEC Annual Reports (see section 2.4 for more information).

Additionally, as part of the 2022-24 Strategic Plan, the Panel facilitated a webinar series for AEC members, research animal carers, researchers, animal science students, and interested members of the public (see Appendix D or visit [Animal Ethics Infolink](#) for further information).

Assessment of applications

During 2023-24, the Panel considered and made recommendations to the Secretary on:

- 63 new applications for accreditation of animal research establishments
 - 54 renewal applications for accreditation of animal research establishments
 - 2 new applications for animal suppliers' licences
 - 1 renewal applications for animal suppliers' licences
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- 30 extensions to existing Accreditation and/or Animal Supply Licenses

As of 30 June 2024, the department maintained a total of 292 research establishments accreditations and animal suppliers' licences. This number included 172 accredited research establishments that do not house animals, 84 accredited research establishments that house animals and 36 holders of animal suppliers' licences.

Lethality Testing

Accredited research establishments must keep data on lethality testing and submit these to the Panel. Lethality testing is defined as 'any animal research procedure in which any material or substance is administered to animals for the purpose of determining whether any animals will die or how many animals will die'. Lethality tests include, but are not limited to, LD50 tests (see item 2.2.2).

Figures on lethality testing are included in the Form L Animal use statistics returns and are published in the annual [Animal Use Statistics reports](#) on the Animal Ethics Infolink website.

LD50 Testing

LD50 is a toxicity test used to determine the dose or concentration of a test substance – that is, the lethal dose – that is expected to kill 50% of the animals to which it is administered. For the purposes of the Act the definition of LD50 has been broadened.

Included are all tests in which a potentially lethal dose of a substance will be administered and is expected to kill a proportion of the individuals in any group of animals to which it is given. In NSW such tests may be undertaken only under the approval of a properly constituted AEC with the concurrence of the Minister.

Applications for permission to conduct LD50 tests are evaluated by a Panel subcommittee. The subcommittee makes recommendations to the Panel, which in turn advises the Minister.

In 2023–24 the subcommittee considered one application (five tests) from an Accredited Animal Research Establishment.

The testing is used in quality control during the manufacturing of vaccines and in the development of new vaccine formulations. Most of the tests are related to the manufacture of clostridial vaccines, used to protect livestock and companion animals against tetanus, enterotoxaemia, black leg and black disease that are rapidly fatal if contracted by unvaccinated animals.

The Panel recommended the Minister grant concurrence between 1 May 2024 to 30 April 2025 in accordance with the following conditions:

1. Data is provided in graphical form by 31 January 2025 with figures comparing 2022, 2023 and 2024 calendar years on the following:
 - a) The number of animals used for each quality control test in relation to a relevant measure to be determined by the establishment. The measure should provide information on the trends in numbers of animals used over time.
 - b) The number of animals used for development and research over time, with an explanation of the purpose – for example replacement of a test, refinement of a procedure.
 - c) The total number of animals produced in relation to numbers of animals used in tests.
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- d) The number of animals that die in tests and the number euthanised as an early end- point in tests.
2. The establishment is to furnish a report to the ARRP no later than 1 July 2024 with information relating to the following:
- a) Provide an update on the development of alternatives methodologies, as well as the establishment's progress on the implementation of the 3R's initiatives currently in planning.
3. Any application for Ministerial concurrence to conduct LD50 tests between 1 May 2025 and 30 April 2026 must be presented by the establishment to the department by 31 January 2025.
4. The establishment must continue, in consultation with the Animal Ethics Committee, to identify and implement refinements to lessen the impact of existing approved tests on animals, and methods of reducing the numbers of animals used in existing approved tests or replacing animal tests with alternatives. This must be reported on to the department by 31 January 2025.
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Animal Research Amendment (Right to Release) Act 2022

The Animal Research Amendment (Right to Release) Act was assented, and came into effect, on 25 November 2022.

The Panel established a subcommittee to facilitate the development of procedures and guidance material to assist industry in meeting the new regulatory requirements.

Section 54C(4)(a) of the Act allows for applications to be made to the Panel to keep a dog or cat for research for longer than 3 years. The Panel is required to report on numbers of these applications that have been made, approved and refused.

No applications were made during the 2023-2024 reporting period.

Assessment of changes to AEC membership

In the 2023–24 year the Panel assessed and made recommendations to the department on the appointment of 62 members of Animal Ethics Committees (AEC).

All establishments are required to advise the department of changes to AEC membership. The Panel assesses and makes recommendations to the department on the suitability of the qualifications of the new members for the categories of membership to which they are nominated.

The qualifications of AEC members are assessed in accordance with the requirements set out in the Code and [Panel Policy 9: Criteria for Assessment of Animal Ethics Committee Membership](#).

When examining applications from establishments for animal research accreditation, the membership of AECs is assessed by the Panel to ensure they are of acceptable composition. The Panel also reviews, and makes recommendations to the department, on the suitability of all new appointments to AECs. During site inspections, the Panel also assesses the operation of the AECs.

Assessment of Animal Research Establishment AEC Annual Reports

Each year, the Panel provides feedback on the annual reports to establishments and their AECs. For the 2023 reporting year, Panel members reviewed 58 AEC Annual Reports.

The Panel provides advice to the NSW Government on the use of animals in research and teaching in NSW. Each year as part of their annual Form L animal use statistics returns all Accredited Animal Research Establishments and holders of Animal Research Authorities must submit a copy of their AEC Annual Report to the department.

AEC annual reports are written to inform the heads of the establishment of the activities of the AEC and to identify problems that need to be addressed. The reports also provide a means for self-assessment of the establishment's compliance with the animal research legislation and help identify measures needed to ensure ongoing compliance. This self-assessment is a central component of an establishment's responsibilities under NSW animal research legislation. Additionally, the preparation of a report also provides an opportunity for the AEC to reflect on its activities and self-assess its operations.

Subcommittees

The Panel appoints subcommittees to deal with particular issues. They explore issues in depth and have discussions with relevant members of the scientific and broader communities.

Subcommittees provide reports, recommendations, and draft guidelines/industry material to the full Panel for consideration.

Focus areas of subcommittees in the 2023–24 year included:

- Evaluation of applications for LD50 testing
 - Animal Research Amendment (Right to Release) Act 2022
 - Scent Conservation Dogs
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Statistics on animal use

The Animal Research Regulation 2021 requires accredited research establishments (other than schools) and animal research authority holders to record and submit information on the number of animals used in research each year.

The requirements for reporting on animal use provide data on the numbers of animals used in all research projects in NSW, reported against the purpose of the research and the types of procedures in which they were involved. The aim of collecting these statistics is to give some indication of the level of invasiveness of the procedures on the animals and to provide data on the use of animals in research. Aspects of the system include the recording of:

- an animal in all projects in which the animal is used
- animals for each year in which they are held in long-term projects
- the types of procedures used (giving an indication of the impact of procedures) combined with the recording of the purpose of the research

Categories used are based on those used on a national basis. Data are collected cover a calendar year, rather than financial year. The information is collated into an annual Animal Use Statistics report by the department staff. This report is approved by the Panel and published on the Animal Ethics Infolink website.

In addition to information on numbers of animals used, information is collected on initiatives in the 3R areas relating to reduction, replacement, and refinement of animal use. A summary of this information is included in the annual Animal Use Statistic reports on the Animal Ethics Infolink website.

In 2019, a mandatory category for reporting on the fate of domestic cats and dogs was introduced with voluntary reporting for other species.

With the introduction of the *Animal Research Amendment (Right to Release) Act 2022*, there are additional requirements for reporting on cats and dogs kept at research establishments for the 2023 reporting year onwards.

Support for Animal Ethics Committees

The Panel and the department continue to provide ongoing support to assist AECs in performing their duties. This includes the conducting of site inspections; the development of webinars, writing of policies, guidelines and fact sheets where a need is identified; the maintenance of a website dedicated to animal research issues (Animal Ethics Infolink) and the supply of advice.

Several deliverables of the Strategic Plan July 2022 – June 2024 are related to the development of supporting material for AECs to assist with their education and training. Topics identified, and supporting material produced or updated, and published on Animal Ethics Infolink are listed in section 2.10.

The Panel hosted a ‘webinar series’ during the 2023-24 period. This included:

- 22 August 2023 – Housing and Enrichment for animals in research settings
 - 14 November 2023 – Ethical Decision Making relating to teaching and wildlife studies
 - 28 May 2024 – Advances and Institutional Approaches in Alternatives to Animal Testing
-

Website: Animal Ethics Infolink

Development and maintenance of a website by the Panel and the department - ‘Animal Ethics Infolink’ - is aimed at assisting researchers, teachers and members of Animal Ethics Committees to access information about the operation of the animal research legislation in NSW.

In addition to specific information about the legislation, including Panel policies and guidelines, this site provides general information about legislation in other states and countries and links to many sites from which useful information promoting the humane care and use of animals for scientific purposes can be sourced. The website also gives the broader community access to information about animal use for research and teaching in NSW.

See [Animal Ethics Infolink](#) for further information.

In the 2023–2024-year seventeen (17) site inspections were conducted by an inspector appointed under the Act. Panel members accompanied the inspector during nine of the seventeen site inspections (Appendix C). Reports from ten of the seventeen inspections have been presented to the full Panel for review and any additional feedback.

Policies and Guidelines

The Panel and the department produce policies and guidelines to aid researchers, AECs, research establishments, animal suppliers and members of the broader community to understand and comply with the requirements of the animal research legislation. These documents can be found by following the links from the, Animal Ethics Infolink website (see Appendix G for a list of guidelines and policies). In 2023-24 the Panel embarked on a complete audit and review of all policies and guidelines for currency.

Policies and guidelines are developed or revised to fill needs identified by the Panel. In 2023-24 five guidelines were reviewed and revised:

- Guideline 21 Guidelines for the Housing of Guinea Pigs in Scientific Institutions (revised Nov 2023)
- Guideline 18 Guidelines for the Care and Management of Rabbits in Scientific Institutions (revised 2023)
- Guideline 16A Supply of dogs and cats for use in research (revised September 2023)
- Guideline 30– The Forced Swim Test (under review)
- Guideline 28 – Smoke inhalation Procedures in Rodents (under review)

Initiatives in replacement, reduction and refinement

Information submitted by each establishment on Form L ‘Animal use statistics’ includes information on techniques developed or used by the establishment to replace, reduce, and refine animal use in research and teaching. The adoption of such techniques is actively encouraged by the Panel. Lists of the initiatives submitted are collated and published to facilitate information sharing and industry development in the annual Animal Use Statistics Reports on Animal Ethics Infolink website.

Complaints

A statutory process for making complaints about animal research is set out in sections 22, 28 and 42 of the Act.

Complaints must be made in writing to the Secretary, who refers the complaint to the Panel for investigation. The Panel is bound by the Act to investigate complaints made in this manner, and to furnish the Secretary with a report. The Secretary then makes a determination as per section 24, 28B or 44 of the Act. Both the complainant and the individual or establishment being investigated have a right to apply to the NSW Civil and Administrative Tribunal for administrative review of the determination.

In the 2023-24 reporting period, one statutory complaint was made and an investigation commenced.

Appendices

Appendix A: Dates of Animal Research Review Panel Meetings

Meeting number	Date of meeting
254	13 July 2023
254a	2 August 2023 (Out of Session)
255	21 September 2023
255a	23 November 2023 (Out of Session)
256	7 December 2023
257	22 February 2024
258	9 May 2024

Appendix B Attendance of members at Panel meetings

MEETING NUMBER							
MEMBER	254	254a	255	255a	256	257	258
Professor Jacqueline Phillips (Chair)	A	*	*	*	*	*	*
A/Professor Kieron Rooney (Deputy Chair)	*	*	*	*	*	*	*
Mr. Anthony Croker	*	*	*	*	*	A	
A/Professor Sophie Riley	*	*	*	*	*	*	*
Ms. Paula Wallace	*	*	*	A	A	*	*
Ms. Sally Bannerman	*	*	A	A	*	A	*
Dr Damian O'Brien	*	*	A	A	A	A	*
Dr Alice Marshall	*	*	*	*	*		
Professor Tim Karl	*	*	*	*	*	*	*
Dr Marie-Claire Demers	*	A	A	A	*	*	A
Dr Gemma Ma	*	*	*	*	*	*	A
A/Professor Marina Pajic	*	*	*	*	A	*	*
Dr Kate Wingett							*
Dr Elizabeth Arnott							

* = Present

A = Absent

Grey Box – Not appointed during the meeting period.

Appendix C: Dates of Inspections attended by Panel members July 2023-2024

Inspection number	Inspection date/s	Category of Panel member/s in attendance (section 6(2) of the Act)
1	13 September 2023	S6(2)(c) RSPCA and Minister for Education and Training
2	10 October 2023	s6(2)(g) Minister administering the <i>Biosecurity Act 2015</i>
3	12 October 2023	s6(2)(a) Vice Chancellors Committee
4	15 November 2023	s6(2)(a) Vice Chancellors Committee and S6(2)(c) RSPCA NSW
5	26 February 2024	s6(2)(a) Vice Chancellors Committee and S6(2)(c) RSPCA NSW
6	21 March 2024	S6(2)(h) Minister administering <i>National Parks and Wildlife Act 1974</i>
7	15 May 2024	s6(2)(a) Vice Chancellors Committee, S6(2)(c) RSPCA NSW and S6(2)(d) Animal Societies Federation
8	17 June 2024	s6(2)(a) Vice Chancellors Committee
9	18 June 2024	s6(2)(a) Vice Chancellors Committee, S6(2)(c) RSPCA NSW and S6(2)(d) Animal Societies Federation

Appendix D: Animal Research Review Panel Strategic Plan: July 2022-June 2024

- Objective: Protect and promote the welfare of animals used in research and teaching (What are we seeking to achieve?)

- Performance measurement:

(How are we going to measure success?)

Success	KPI/Evaluation	Basis for Comparison	Status at 30 June 2024
ARRP actions shape continual improvement by research establishments regarding their compliance with the Animal Research Act, Regulation and the <i>Australian code for the care and use of animals for scientific purposes</i> .	ARRP initiates and monitors follow up on all reports of non-compliance.	Performance over time.	Ongoing
	Effective engagement in and review of DPI inspections.	Performance over time.	Ongoing
	Effective oversight of independent external reviews	Performance over time.	Ongoing
	Satisfactory response to Q8 of AEC annual report assessment	Performance over time.	Ongoing
	Accreditation applications and renewals reviewed thoroughly and consistently	Performance over time.	Ongoing
High proportion of complaints satisfactorily resolved (i.e., completed and closed) in accordance with the Animal Research Act.	Complaints resolved according to procedure and in a timely fashion	Performance over time.	Ongoing
High proportion of establishments are well informed and have access to information to enable them to improve animal welfare in research	% and number of establishments that report ease and adequate access to information provided in webinars and other surveys.	Performance over time.	Ongoing
	% and number of establishments that report ease and adequate access to information from a satisfactory	Performance over time.	Ongoing

response to Q6 of AEC Annual
Report assessment
Infolink page view statistics

Performance
over time.

Ongoing

Strategies:

(How are we going to get there?)

Strategy/Deliverable	Who	When	Output/Level of activity	Status at 30 June 2024
Education/Training				
1.1 Develop guideline for AECs on improved decision making with respect to research/teaching applications	Panel/Animal Welfare	November 2022	Guideline Published/Updated	Guidelines 12, 24 and 31 published on Animal Ethics Infolink
1.2 Develop an implementation plan for ongoing Establishment and AEC education/training	Panel/ Animal Welfare/ Compliance	December 2023	Ongoing	Ongoing
1.3.1 Development of annual webinar series	Panel/Animal Welfare	Ongoing	Webinars presented	Three webinars completed 23-24; Ongoing for '24-25
1.3.2 Follow- up surveys after each webinar to assess the ongoing education/training needs and delivery methods for Establishments and AECs		Ongoing	Surveys completed and analysed	Three webinar surveys completed 23-24; Ongoing for '24-25
1.4 Develop and publish Statistics guideline for use by AEC members	Panel/Compliance	March 2023	Guideline developed and published	complete
1.5 Develop and publish supporting material to accompany rehoming guideline	Panel/Animal Welfare	October 2022	Supporting fact sheets developed and published.	Fifteen species-specific rehoming guidelines

published on				
Animal Ethics Infolink				
1.6 Develop and publish a guideline for housing of cats and other animals not already available	Panel/ Animal Welfare/ Compliance	September 2024	Guideline developed and published	Ongoing
1.7.1 Update of Smoke inhalation procedures guideline (ARRP Guideline 28)	Panel/Animal Welfare	December 2024	Guideline published	In progress
1.7.2 12-month Review of Smoke inhalation procedures guideline		December 2024	Review of annual reports and institutional reporting re use of Smoke inhalation procedures	In progress
1.8. Update of Forced Swim Test and other swimming procedures guideline	Panel / Animal Welfare	December 2024	Guideline published	Ongoing
1.9. Review and update of the Animal Ethics Infolink including webpage design and content (particularly policies and guidelines)	Panel / Animal Welfare	June 2025	Animal Ethics Infolink updated with new webpage design, and review and update of policies and guidelines as appropriate	In progress
Industry liaison and communication				
2.1 Provide timely response to media enquiries	Panel / Animal Welfare / Compliance	Ongoing as required	Provision of timely responses as requested	Ongoing
2.2 Provide timely review and feedback on independent external review reports	Panel / Compliance	Ongoing as required	Provision timely feedback on independent external review reports to	Ongoing

			establishments as required	
2.3 Review of data collection and collation for Annual Animal Use Statistics 2021 report (Form L)	Panel / Animal Welfare / Compliance	December 2022	Review complete and process updated as applicable	Completed
2.4 Review of information requested to be provided in AEC Annual Reports	Panel / Animal Welfare / Compliance	December 2022	Review complete and information request updated as applicable	Completed
Legislation				
3.1 Participate in NSW Animal Welfare Reform through comment and advice	Panel	Ongoing as required	Provision of timely advice throughout reform program, as requested.	Ongoing
3.2 Participate in Parliamentary Inquiries and processes	Panel	Ongoing as required	Provision of timely advice and participation as required.	Ongoing
3.3 Review Use of primates and other animals in medical research in New South Wales Inquiry report recommendations and explore options for the Panel to respond	Panel / Compliance / Animal Welfare	When report is released	Response provided to Inquiry Committee	Completed

Appendix E: Animal Research Review Panel expenses

- Note: The following figures do not include the time and costs incurred by individual Panel members — and met at their own expense — for work such as planning for the AEC members meeting, and input into the development of guidelines. In addition, support provided to members by their employing establishments (for example: salaries paid by government departments for their employees' time spent on Panel business) is not included in the figures.

• Fees and retainers	\$7665.00
• Travel and subsistence	\$3710.01
• Stores (including catering)	\$0
TOTAL	\$11375.01

Appendix F: Animal Research Review Panel policies and guidelines

(Available from <http://www.animaethics.org.au>)

Policies

1. Payment of External Members of Animal Ethics Committees (revised May 2017)
2. Activities prohibited under the NSW Prevention of Cruelty to Animals Act 1979 (revised Dec 2017)
3. Non-Research Animals at Accredited Animal Research Establishments (revised Dec 2017)
4. Annual Reporting by Animal Ethics Committees to Accredited Animal Research Establishments (revised Jan 2020)
5. Accredited Animal Research Establishment Support for Animal Ethics Committees (revised May 2014)
6. Differentiation between animal research and veterinary treatment (revised May 2014)
7. Establishment of Protocols for Grievance Procedures (revised Dec 2014)
8. Criteria for Assessment of Animal Ethics Committee Membership (revised Feb 2022)
9. 1Emergency Procedures
10. Formal Agreements between Accredited Research Establishments sharing Animal Ethics Committees
11. Frequency of Animal Ethics Committee Meetings (revised Jan 2020)
12. Inspections by Animal Ethics Committees
13. The use of restricted drugs and the conduct of restricted acts of veterinary science in animal research (revised Feb 2014)
14. Orientation of New Members of Animal Ethics Committees
15. Conflict of Interest with Membership of Animal Ethics Committees (revised Mar 2020)

Guidelines

- G3. Collaborative Research between Accredited Animal Research Establishments (May 2018)
- G4. Use of Animals undergoing surgical procedures for educational purposes (revised Aug 2020)
- G5. Collection of Voucher Specimens (revised January 2020)
- G6. Use of Pitfall Traps (revised January 2020)
- G7. The use of non-indigenous vertebrate pest species in research (revised March 2020)
- G8. Teaching Artificial Insemination and Pregnancy Testing in Cattle
- G9. Radio Tracking and GPS Tracking (revised January 2020)
- G10. Wildlife Surveys (revised January 2020)
- G11. Guidelines for Tick Serum Producers

- G12. Animal Research Application Form (Model) (updated February 2023)
- G14. Guidelines for the Care and Housing of Dogs in Scientific Institutions (March 1999)
- G15. Blood Collection
- G16. Animal Ethics Committee supervision of obtaining, breeding, keeping and supplying animals for use in research (revised June 2021)
- G16a. Supply of dogs and cats for use in research (revised August 2020) G17. Training Personnel
- G18. Guidelines for the Housing of Rabbits in Scientific Institutions (August 2003)
- G19. Teaching Cervical or Vaginal Artificial Insemination of Sheep (draft)
- G20. Guidelines for the Housing of Rats in Scientific Institutions (December 2007)
- G21. Guidelines for the Housing of Guinea Pigs in Scientific Institutions (May 2006)
- G22. Guidelines for the Housing of Mice in Scientific Institutions (April 2012)
- G23. Guidelines for the Housing of Sheep in Scientific Institutions (June 2010)
- G24. Consideration of high impact projects by Animal Ethics Committees (updated February 2023)
- G25. Common issues encountered during inspections of animal research establishments (May 2018)
- G26. Animal Ethics Committee reporting and amendment application templates (March 2018)
- G27. Research Animal Rehoming Guidelines (December 2020)
- G28. Smoke inhalation procedures in rodents (July 2022)
- G29. Daily checking of research animals (September 2022)
- G30. The forced swim test in rats and mice (November 2022)
- G31. Ethical decision-making in Animal Ethics Committees (February 2023)

In January 2023, 15 species-specific rehoming guides were published to support the implementation of Guideline 27 - Research Animal Rehoming Guidelines.

Appendix G: Standard conditions for Accreditation and Animal Supply Licence

The following are standard conditions that were placed on establishments Accredited as Animal Research Establishments and Licensed as Animal Suppliers, if relevant to their activities. Additional conditions are added on a case-by-case basis.

Accreditation

The holder of the accreditation must comply with the following conditions:

- Animals (other than exempt animals) must only be obtained from a licensed animal supplier.
- Failure to comply with the terms, conditions, limitations or restrictions of this licence may result in the suspension or cancellation of the accreditation.
- Must notify the Department of Primary Industries and Regional Development within 7 days of any changes unless otherwise specified in the Act or Regulation.
- The accreditation holder ensures that the provisions of the Australian code for the care and use of animals for scientific purposes (the Code) are complied with in relation to carrying on of any activity authorised by the accreditation.
- The accreditation holder must ensure that the provisions of the Animal Research Act 1985 and Animal Research Regulation 2021 are complied with in relation to the carrying on of any activity authorised by the accreditation.
- The accreditation holder must ensure, unless otherwise approved by the Animal Ethics Committee, animals should be housed in accordance with the ARRP guidelines on animal housing for specific species found at www.animaethics.org.au.
- The accreditation only relates to the designated land described on it.
- This accreditation is not transferable.

Animal Supply Licence

The holder of the licence must comply with the following conditions:

- Failure to comply with the terms, conditions, limitations or restrictions of this licence may result in the suspension or cancellation of the licence.
- Must notify the Department of Primary Industries and Regional Development within 7 days of any changes unless otherwise specified in the Act or Regulation.
- The accreditation holder must ensure, unless otherwise approved by the Animal Ethics Committee, animals should be housed in accordance with the ARRP guidelines on animal housing for specific species found at www.animaethics.org.au.
- The business must ensure that the provisions of the Australian code for the care and use of animals for scientific purposes (the Code) are complied with in relation to carrying on of any activity authorised by the licence.
- The licence holder must ensure that the provisions of the Animal Research Act 1985 and Animal Research Regulation 2021 are complied with in relation to the carrying on of any activity authorised by the licence.

- The licence only relates to the designated land described on it.
- This licence is not transferable to another person

Special conditions

These conditions are applied to accreditations and licenses based on the animals that will be used or housed for research purposes and supply.

Wildlife studies

Unless approved by the Animal Ethics Committee, wildlife studies should be carried out in accordance with the ARRP guidelines on wildlife research found at www.animaletics.org.au.

Chickens

Unless approved by the Animal Ethics Committee, chickens must be provided with housing that meets their behavioural needs including straw or suitable bedding to cover the floors of cages, perches and dust bathing substrate.

Ducks

Unless approved by the Animal Ethics Committee, ducks should be housed in enclosures in accordance with the European Convention for the Protection of Vertebrate Animals (Appendix A) used for Experimental and other Scientific Purposes.

Primates

The establishment must comply with NHMRC Principles and guidelines for the care and use of non-human primates for scientific purposes found at www.nhmrc.gov.au.

Secretary's AEC

Must obtain prior approval from the Secretary's Animal Ethics Committee before any project has commenced.

Pigs

Unless approved by the Animal Ethics Committee, pigs should be housed in enclosures in accordance with the European Convention for the Protection of Vertebrate Animals used for Experimental and other Scientific Purposes - Appendix A

Cats

Unless otherwise approved by the Animal Ethics Committee on the basis of compelling evidence for the requirements of projects, housing for cats must include:

- A minimum floor area (not including shelves) of 1.5m² per cat and a minimum height of 2.0m.
- Shelves to enable cats to sit at varying heights must be provided.

In addition to these requirements, facilities for cats must at least meet the guidelines of the Council of Europe (2006).