

Animal Research Review Panel

Terms of Reference

Endorsed by the Animal Research Review Panel at meeting 240 September 2020 – minor update to reflect changes in Government administrative arrangements

26 March 2025

Purpose

The Animal Research Review Panel (“the Panel”) is a statutory body established under the *Animal Research Act 1985* (“the Act”) to oversee implementation of the Act throughout New South Wales.

The Panel carries out inspections and other monitoring activities to ensure that the standards provided by the Act and the national code of practice for the care and use of animals for scientific purposes are met by researchers.

The Panel brings together representatives of the research community including academic institutions and industry, government agencies and animal welfare organisations.

The Act provides for the membership, functions, activities and procedures of the Panel.

Scope

The Act provides for the following functions of the Panel:

- Investigation of matters relating to the conduct of animal research and the supply of animals for use in connection with animal research
- Investigation and evaluation of the efficacy of the *Australian Code for the Care and Use of Animals for Scientific Purposes 8th edition 2013* (“the Code”)
- Investigation of applications and complaints referred to the Panel under the Act, and provide a report to the Secretary on each matter
- Approval of applications to keep an animal for the purposes of research longer than 3 years
- Such other functions as the Minister may from time to time confer or impose on it
- Reviews and comments on proposals referred to it which relate to the making, amendment or review of the regulations under the Act.¹The Act also provides that the Panel:

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- May request the Secretary to cause site inspections in order to ensure compliance of organisations and individuals with animal research legislation.
- Authorises members of the Panel to accompany inspector’s on-site inspections
- Reviews applications to carry out LD50 testing and makes relevant recommendations to the Minister
- Receives records of all approved lethality tests from accredited animal research establishments and publishes these records (other than the name of the research establishment) in the annual Animal Use Statistics Report
- Assists school ethics committees to prepare approved procedure lists with reference to appropriate educational objectives

¹ This additional function was conferred on the Panel in November 1998 by the then Minister, the Hon. Richard Amery MP.

The Panel may delegate to a person the exercise of any of its functions (except the power of delegation). These delegations are made with an Instrument of Delegation. The delegations can be found on the NSW Department of Primary Industries and Regional Development website under the *Animal Research Act 1985* [legislation page](#).

Membership

The Panel consists of 12 members appointed by the Minister from nominations received from industry, government and animal welfare groups as follows:

Prescribed Organisation/Individual	Number of Members	Prescribed Qualifications
New South Wales Vice-Chancellors Committee	3	Experience in animal research and involvement in animal welfare
Medicines Australia	1	Experience in animal research
Royal Society for the Prevention of Cruelty to Animals (New South Wales) (RSPCA NSW)	2	Must be a member of the society at the date of nomination and have involvement in animal welfare
Animal Societies' Federation (New South Wales)	2	Must be a member of a Federation member group at the time of nomination and have involvement in animal welfare
New South Wales Minister for Health	1	
New South Wales Minister for Education and Training	1	
New South Wales Minister for Agriculture (<i>Minister administering the Biosecurity Act 2015</i>)	1	
New South Wales Minister for the Environment and Climate Change (<i>Minister administering the National Parks and Wildlife Act 1974</i>)	1	Must be an officer of the Department of Climate Change, Energy, the Environment and Water

Members are normally appointed for a term of three years and, if otherwise appropriately qualified, are eligible for reappointment.

The selection and appointment of members is undertaken in accordance with the *Public Service Commissioner's Appointment Standards: Boards and Committees in the NSW Public Sector*.²

When vacancies arise, requests are sent to the nominating organisations and individuals to provide the Minister with their nomination(s) for Panel membership. The Minister considers the nominations and appoints members by signing an instrument of appointment.

All new members are advised of their selection by the Minister in a Letter of Appointment. Members also receive a copy of the Panel's induction pack³ from the Department, which includes a member details form, pecuniary interests' declaration form and expense claim form.

² Appointment Standards – NSW Boards and Committees in the NSW Public Sector (P2013-01)

³ See Premier's Memorandum M2013-06 - *NSW Government Board and Committee Guidelines* s 6.1

The Chairperson and Deputy Chairperson are appointed by the Minister.

Vacancies

A member shall be deemed to have vacated office in circumstances outlined in Schedule 1 Clause 7 of the Act.

A member resigns from the Panel by written instrument to the Minister. The Minister may remove a member from the Panel at any time.

Operation of the Panel

The Panel will determine the process for calling meetings and the conduct of business at the meetings.

Each calendar year, there will normally be five scheduled meetings of the Panel. A quorum is formed by seven members of the Panel of whom:

- At least one member was nominated by the New South Wales Vice-Chancellor's Committee or Medicines Australia
 - At least one member was nominated by the Royal Society for the Prevention of Cruelty to Animals NSW or the Animal Societies' Federation NSW
 - At least one member was nominated by the NSW Minister for Health or NSW Minister for Education and Training or the NSW Minister administering the *Biosecurity Act 2015* or the Officer of the Department of Climate Change, Energy, the Environment and Water nominated by the Minister administering the *National Parks and Wildlife Act 1974*.
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The Chairperson or Deputy Chairperson shall preside over meetings. If both are absent, a chairperson shall be selected by the present Panel members for that meeting.

The presiding member has, if required, a casting vote. Although the Panel should strive to achieve consensus decisions, due to the members being representatives of various industry, government and animal welfare groups, this may not always be possible and should be recorded in the minutes of the meeting. A quorum must be present to enable a majority vote of the Panel to be resolved.

The Panel is required to keep accurate minutes of the proceedings of each meeting.

With the consent of the Minister, the Panel may establish advisory committees as required to enable it to fulfil its roles and responsibilities. At least one member of each advisory committee shall be a member of the Panel. The constitution and procedure of an advisory committee shall be prescribed.

The Department will provide secretariat support as required by the Panel.

Responsibilities of Panel members and Advisory Committees

The responsibilities of the Chairperson include (but are not limited to):

- ensuring the Panel performs its functions while acting within the legislation and relevant policies
- conducting meetings of the Panel and ensuring each member contributes to Panel activities
- developing the capability of the Panel and its members
- enabling the flow of information and liaising with Panel members and the Minister
- authenticating any document requiring verification or can delegate this responsibility to another member of the Panel.⁴

The responsibilities of all Members to support the Panel to perform its functions, including the Chairperson, include (but are not limited to):

- making the necessary commitment of time, including preparing for and having the ability to attend meetings as required
- undertake adequate consultation and/or research prior to Panel meetings to enable participation in discussions and decisions
- accompany inspectors on research site inspections when authorised by the Panel
- disclose any direct or indirect, private or pecuniary interests (including those of an associate or close relative) in corporations, partnerships or other businesses or organisations that may be relevant to the discussions and activities of the Panel
- comply with the *NSW Government Board and Committee Guidelines* and the *Code of Conduct for Members of Advisory Committees/Boards*
- adhere to these terms of reference

Members of any established Advisory Committees will report to the Panel.

Reporting

The Panel will report to the Minister. The Panel will provide the Minister with an Annual Report outlining its work and activities at the end of each financial year and before 31 December each year.

Conduct

The conduct of the Panel will be consistent with the requirements of the Act and the *NSW Government Boards and Committees Guidelines*⁵ and the *NSW Department of Primary Industries and Regional Development NSW Code of Ethics and Conduct*⁷.

The Panel shall record disclosures of pecuniary interests in a book kept for the purpose.

Former and existing members of the Panel will not, without the express approval of the Minister or in accordance with Section 56 of the Act, expose any document or other information obtained whilst being a member.

Financial Arrangements

Payment of any fees to Panel members will be consistent with the Public Service Commission's Classification and Remuneration Framework for *NSW Government Boards and Committees*⁶.

Members of the Panel are entitled to be paid remuneration, including travelling and subsistence allowances.

Any member that is a public sector employee will not receive remuneration.

⁴ See the *Animal Research Act 1985* Sch 2 (6)

⁵ See Premier's Memorandum M2013-06 s7 - *NSW Government Board and Committee Guidelines*

⁶ See Premier's Memorandum M2012-18 - *Classification and Remuneration Framework for NSW Government Boards and Committees*

⁷ See the *NSW Department of Primary Industries and Regional Development NSW Code of Ethics and Conduct*.

Definitions

Act means the Animal Research Act 1985.

Animal means an animal, as defined under the Act.

Animal Research means any form of animal research, as defined under the Act.

Code means the Australian Code for the Care and Use of Animals for Scientific Purposes 8th Edition 2013.

Department means the NSW Government department responsible for administering the *Animal Research Act 1985* (Note - currently the NSW Department of Primary Industries and Regional Development).

Induction Pack means the Induction Pack, as defined in the NSW Government Boards and Committees Guidelines.

LD50 Test means an LD50 test, as defined under the Act.

Minister means the NSW Government Minister responsible for administering the *Animal Research Act 1985* (Note - currently the NSW Minister for Agriculture)

Member means a person appointed to the Panel by the Minister.

Panel means the Animal Research Review Panel in New South Wales.

Secretary means the Secretary of the NSW Department of Primary Industries and Regional Development NSW.

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