

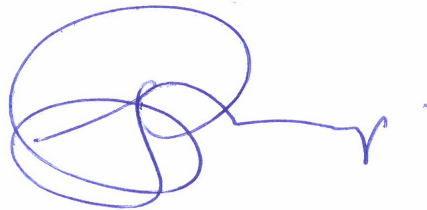
Animal Research Instrument of Delegation (Animal Research Review Panel) 2021

under the

Animal Research Act 1985

I, Professor Jacqueline Phillips, Chairperson of the Animal Research Review Panel, as authorised by the Animal Research Review Panel and in pursuance of section 12 of the *Animal Research Act 1985*, make the following Instrument of Delegation.

Dated this 13th day of April 2021



Professor Jacqueline Phillips,
Chairperson
Animal Research Review Panel

Explanatory note

This Instrument is made under section 12 of the *Animal Research Act 1985*.

The object of this Instrument is to delegate functions conferred or imposed on the Animal Research Review Panel by or under the *Animal Research Act 1985*.

1 Name

This Instrument is the *Animal Research Instrument of Delegation (Animal Research Review Panel) 2021*.

2 Commencement

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

3 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 in the Crown Employees Award, and whose responsibilities include supporting the Act or any instruments made under the Act by the Department.

Administrative and Clerical Officer Grade 7 or above means a person employed by the Department as an Administrative and Clerical Officer at Grade 7 or above under the Crown Employees (Administrative and Clerical Officers - Salaries) Award 2007 in the Crown Employees Award, and whose responsibilities include supporting the Act or any instruments made under the Act by the Department.

Crown Employees Award means the Crown Employees (Public Sector – Salaries 2019) Award approved by the NSW Industrial Relations Commission, as amended, consolidated or replaced from time to time.

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 in the Crown Employees Award, and whose responsibilities include supporting the Act or any instruments made under the Act by the Department.

Professional Officer Grade 1 or above means a person employed by the Department at Grade 1 or above level under the Crown Employees (Department of Industry, Skills and Regional Development) Professional Officers Award in the Crown Employees Award, and whose responsibilities include supporting the Act or any instruments made under the Act by the Department.

function includes a power, authority or duty, and exercise a function includes perform a duty.

inspector means an inspector under section 49 of the Act, and who is employed by the Department.

Senior Executive Band 1 means a senior executive employed by the Department in Band 1 under the *Government Sector Employment (Senior Executive Bands) Determination 2014* or in any equivalent band in a determination made by the Minister administering the *Government Sector Employment Act 2013* under section 35 of that Act.

Senior Executive Band 2 means a senior executive employed by the Department in Band 2 under the *Government Sector Employment (Senior Executive Bands) Determination 2014* or in any equivalent band in a determination made by the Minister administering the *Government Sector Employment Act 2013* under section 35 of that Act., and whose responsibilities include supporting the Act or any instruments made under the Act by the Department.

Senior Executive Band 3 means a Senior Executive employed in the Department in Band 3 under the *Government Sector Employment (Senior Executive Bands) Determination 2014* or in any equivalent band in a determination made by the Minister administering the *Government Sector Employment Act 2013* under section 35 of that Act, and whose responsibilities include supporting the Act or any instruments made under the Act by the Department.

the Act means the *Animal Research Act 1985*.

the Department means the Department of Primary Industries within Regional NSW.

the Panel means the Animal Research Review Panel

the Regulation means the Animals Research Regulation 2010.

- (2) Unless otherwise defined in this Instrument, words and expressions that are defined in the Act have the same meaning in this Instrument.
- (3) The summary of a function delegated in Column 2 of Schedule 2 is only for general explanation and does not limit the delegation of a function under the provisions identified in Column 1 of that Schedule except to the extent that it is clearly identified as a limitation pursuant to clause 4(3).

4 Delegation of functions

- (1) The functions conferred or imposed on the Panel under the Act in Column 1 of Schedule 2 are delegated to any person assigned to the delegate category specified in Column 3 of Schedule 2.
- (2) Delegate categories are defined in Schedule 1 by the letter A to G. Each delegate category specified in Column 1 of Schedule 1 has the meaning specified adjacent to that letter in Column 2 of the table.
- (3) Any limitation on a delegation is specified in Column 4 (if any) of Schedule 2.
- (4) The person assigned to a delegate band or grade specified in Column 2 of Schedule 1 includes any person who is for the time being acting in that band or at that grade.

5 Revocation of Animal Research Review Panel Instruments of Delegation

- (1) Pursuant to section 12(2)(c) of the Act, the Panel revokes all instruments of delegation previously made by the Panel.

Schedule 1 – Delegate categories

Column 1 Delegate Category	Column 2 Delegate Band or Grade
A	<p>Senior Executive Band 3.</p> <p>Senior Executive Band 2.</p> <p>Senior Executive Band 1, with responsibility for animal welfare.</p>
B	<p>Senior Executive Band 3.</p> <p>Senior Executive Band 2.</p> <p>Senior Executive Band 1, with responsibility for compliance and enforcement operations.</p>
C	Food Safety Officer Grade 5 or above.
D	An Administrative and Clerical Officer Grade 9 or above, with responsibility for compliance and enforcement operations.
E	An Administrative and Clerical Officer Grade 7 or above, with responsibility for animal welfare.
F	A Professional Officer Grade 1 or above, with responsibility for animal welfare.
G	Inspector.

Schedule 2 – Animal Research Act 1985

(Panel functions)

Column 1 Section	Column 2 Summary of functions delegated	Column 3 Delegate category	Column 4 Limitation (if any)
Part 2, The Animal Research Review Panel			
9(a)	Investigate matters relating to the conduct of animal research and the supply of animals for use in connection with animal research	A, B, C	
9(b)	Investigate and evaluate the efficacy of the Code of Practice in regulating the conduct of animal research and the supply of animals for use in connection with animal research.	A, B, C	
9(c)	Investigate applications and complaints referred to the Panel under the Act.	B, C, D	
10(1)	Request the Secretary to cause an inspection to be made of the designated land of an accredited research establishment or of the designated land in relation to an animal research authority or animal supplier's licence.	B, C	
10(2)	Authorise a member of the Panel to accompany an inspector during the conduct of an inspection.	B, C	

11(1)	Prepare and forward to the Minister a report of the Panel's work and activities.	A, B	
Part 4, Accreditation and licencing			
19(2)	Investigate accredited research establishment applications and furnish the Secretary with a report.	D	
23(2)	Investigate complaints about accredited research establishment and furnish the Secretary with a report.	C, G	
28A(2)	Investigate complaints about animal research authority and furnish the Secretary with a report.	C, G	
43(2)	Investigate complaints about animal suppliers' licence and furnish the Secretary with a report.	C, G	
Schedule 1 Provisions relating to the members of the Panel			
8(3)	Cause particulars of any disclosure of pecuniary interests to be recorded in a book kept for the purpose.	E, F	
Schedule 2 Provisions relating to the procedure of the Panel			
1	Determine the procedure for the calling of meetings of the Panel and for the conduct of business at those meetings.	E, F	
5	Cause full and accurate minutes to be kept of the proceedings of each meeting of the Panel.	E, F	