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CHM Alliance Pty Ltd Terms of Reference for the Animal Ethics Committee		

Function of the Committee

The CHM Alliance Pty Ltd Animal Ethics Committee (AEC) has responsibility for ensuring that all care and use of animals for research purposes on company farms complies with the requirements of *The Animal Care and Protection Act 2001 (Qld)* (the Act) and the *Australian code for the care and use of animals for scientific purposes, 8th Edition 2013* (the Code).

In accordance with the requirements of the Act and the Code, the CHM Alliance Pty Ltd Animal Ethics Committee (CHM AEC) will apply the principles that govern the ethical conduct of staff whose work involves the care and use of animals for scientific purposes. The care and use of animals for scientific purposes must be subject to ethical review.

Scientific purposes are those purposes which aim to acquire, develop or demonstrate knowledge or techniques in any area of science including teaching, field trials, environmental studies, research, diagnosis, product testing and the production of biological products

The CHM AEC must ensure that the use of animals is justified, provides for the welfare of those animals and incorporates the principles of replacement, reduction and refinement. When animals are used, the number of animals involved must be minimised, the wellbeing of the animals must be supported, and harm, including pain and distress, in those animals must be avoided or minimised. 'Death as an endpoint' must be avoided unless it is essential for the aim(s) of the project. In these circumstances, the means to prevent or minimise harm, including pain and distress, must be considered, implemented and reviewed at all stages of a project.

The CHM AEC will normally consider proposals from staff who wish to conduct activities at farm sites, co-operator (for example, private landholder) sites and collaborator (for example, university) sites. The CHM AEC may also consider proposals from external applicants wishing to conduct an activity on a farm site and any exceptional proposal, matter or issue referred to it.

The CHM AEC is responsible to the Board through the Chairman. Accordingly, the CHM AEC has the Board's approval and support to act as an AEC in accordance with these Terms of Reference, the Act and the Code.

Membership of the Committee

The members of the CHM Alliance Pty Ltd Animal Ethics Committee are appointed by the Chairman of the CHM Alliance Pty Ltd Board or his nominee. The appointment is initially for a one year period with extensions offered at the discretion of the Board Chairman. The committee is comprised of 2 persons per membership categories A, B, C, and D at all times so that a quorum is obtained at all meetings. There is one non-member adviser with no voting rights.

Composition of the Committee:

- **Chairperson** who is experienced in chairing and managing committees as well as conducting evaluation and compliance activities whose responsibilities are to:
 - Ensure that the AEC complies with current state and national animal ethics regulations, principles and requirements of the Code, the relevant CHM policies and the agreed AEC procedures
 - Represent the AEC in negotiations with CHM management
 - Oversee all requirements of the AEC to report and review its operation as outlined in the Code
 - Advise the Chair of the Board regarding the level of resourcing required by the AEC
 - Organise regular meetings of the committee and arrange the circulation of documents associated with those meetings
 - Chair each meeting and ensure that minutes and other records of its decisions and outcomes are prepared for later review as required
 - Ensure an annual report of AEC activities is made to the CHM Alliance Pty Ltd Board and to all external organisations entitled to request such a report
 - Ensure AEC records are maintained and made available for review by CHM Alliance Pty Ltd
 - Ensure that proposals are considered by the AEC and the outcomes are conveyed to the project leaders in a timely fashion
 - Ensure that relevant personnel are available for AEC auditors as required
 - Ensure that an independent external review of AEC operations is conducted at least every four years
- **Category A** (two members) with qualifications in veterinary science that are recognised for registration as a veterinary surgeon in Australia and with experience relevant to the AEC's activities or the ability to acquire relevant knowledge.
- **Category B** (two members) who are suitably qualified and have substantial and recent experience in the use of animals for scientific purposes relevant to the companies of the CHM Alliance Pty Ltd and the business of the AEC. This must include possession of a higher degree in research or equivalent experience.
- **Category C** (two members) with demonstrable commitment to, and established experience in, furthering the welfare of animals, who are not employed by or otherwise associated with CHM Alliance Pty Ltd and who are 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.
- **Category D** (two members) not employed by or otherwise associated with CHM Alliance Pty Ltd and who have never been involved in the use of animals in scientific or teaching activities, either in their employment or beyond their under-graduate 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.
- One non-voting adviser member who is an employee responsible for the routine care of pigs in accordance with section 2.2.5.

- **Administrator:** The Administrator does not have voting rights. The Administrator will assist the Chair and efficient operation of the AEC by:
 - Being the first point of contact for applicants wishing to access the AEC
 - Expediting project applications and approval processes through the provision of advice and assistance to researchers regarding ethics applications, procedures and mandatory reporting requirements
 - Overseeing database integrity and requirements and producing and disseminating agendas, minutes and other documents associated with AEC activities
 - Collation and submission of reports required by regulatory bodies

From time to time AEC meetings may also be attended by non voting independent experts or advisors in accordance with section 2.2.7 may be invited to assist in providing advice as required for the assessment of a particular activity or project.

The AEC may select an Acting Chair from within its membership to cover short-term absences by the Chair.

Executive

The Executive of the Committee is empowered to approve minor modifications to projects and deal with emergencies such as investigations into disease outbreaks. It must not approve new project proposals. All decisions by the Executive must be reviewed by the AEC at its next meeting. Executive members will be the Chairperson, one Category C member and one Category D member.

Term of appointment

One to three years at the discretion of the Board Chairman.

Meetings

- A minimum of four meetings will be held annually in February, May, August and November
- The Chair will ensure that an agenda is produced by the Administrator prior to each meeting and the meeting will consider AEC business as required to fulfil the Committee's responsibilities
- The Administrator will ensure that: all relevant documents (for example, minutes, correspondence and applications) are distributed prior to the meeting allowing reasonable time for members to read, consider and prepare questions. The Administrator will also maintain the 'hard copy' filing system for the animal ethics system.
- Each meeting will be quorate (ie at least one member from each of Categories A, B, C, D. Category C and D members must represent no less than one-third of the members participating in a meeting. The Chair must close the meeting immediately if either the Category C or D member withdraws support during the meeting. A meeting can continue if the Adviser non-voting member is not present. However, every effort will be made to ensure their presence at every meeting.
- In exceptional circumstances, a member required to meet quorum may meet via videoconferencing (preferable) or teleconferencing link. Members in addition to those required to meet quorum may teleconference whenever it is not possible and/or practical for the additional member to attend the meeting in person. The electronic link must utilise a conferencing feature so that all participating members can hear each other during the meeting discussions and decision making. This type of participation must be recorded in the minutes.
- The Administrator will maintain minutes of decisions and other aspects of AEC business for each meeting.

Responsibilities of the AEC

As its primary responsibility on behalf of CHM Alliance Pty Ltd the AEC will ensure that all activities relating to the care and use of animals are conducted in compliance with the code.

The AEC must:

- Review applications for the projects and approve only those projects that are ethically acceptable (clause 1.3) and conform to the requirements of the Code.
- Review applications for the 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
- Conduct follow-up review of approved projects and activities (see clause 2.2.32(ii)) and allow the continuation of approval for only those projects and activities that are ethically acceptable and conform to the requirements of the Code.
- Monitor the care and use of animals, including housing conditions, practices and procedures involved in the care of animals in facilities
- Take appropriate actions regarding unexpected adverse events
- Take appropriate actions regarding non-compliance
- Approve guidelines for the care and use of animals on behalf of the institution
- Provide advice and recommendations to the institution
- Report on its operations to the institution (2.3.2)

Specific AEC Tasks

1. The AEC must approve guidelines for the care of animals that are bred, held and used for scientific purposes on behalf of CHM Alliance Pty Ltd:

- a. Calling for and considering guidelines from CHM Alliance Pty Ltd units. Guidelines should cover all aspects of animal care and wellbeing and use plus contingencies such as fire, power failure, flooding and dealing with critically ill and/or injured animals.
- b. Reviewing approved guidelines every three years or when a change to any part of the approved guidelines is proposed.

2. The AEC must monitor the acquisition, transportation, production, housing, care, use and fate of animals used for scientific purposes :

- a. Reviewing the relevant sections of a project proposal against the Act, the Code and the Primary Industries Ministerial Council (PIMC) Codes of Practice. The AEC also may refer to other guidelines and standards developed for the ethical treatment of animals and that considered acceptable by the AEC.
- b. Carrying out inspections of CHM Alliance Pty Ltd research sites and activities and non CHM Alliance sites where the AEC has approved activities and it is practical for the AEC to conduct inspections. Inspections should be conducted at least annually or more frequently if deemed necessary by the AEC.
- c. Authorising delegates to carry out inspections of sites and activities on behalf of the AEC. Delegates must prepare written reports for the AEC following inspections. Such inspections can be submitted to the Committee through documentary evidence such as videos, photographs, copies of records and project staff interview materials.

- d. Viewing animals during site inspections and monitoring activities and ensuring that appropriate records are being kept of animal care and wellbeing and use. A copy of the report of the inspection or monitoring will be provided to the Research team leader and person in charge of animals and managers where appropriate.
- e. Receiving reports of and commenting on unexpected or adverse effects that impact on the welfare of animals used for scientific purposes.
- f. Take prompt and appropriate action in response to unexpected events to ensure the animals' wellbeing is not compromised as per 2.1.5 (v)(d):
Actions required for unexpected adverse events and emergencies, including those that require welfare interventions such as the emergency treatment or humane killing of any animal, to ensure that adverse impacts on animal wellbeing are addressed rapidly. Such guidance should include timeframes for actions, prompt reporting to the AEC, liaison between animal carers and investigators, and circumstances when consultation with a veterinarian, the performance of a necropsy by a competent person and access to diagnostic investigations are required.
- g. Take appropriate action regarding non-compliance by ensuring that:
 - (i) Actions are taken to ensure that animal wellbeing is not compromised, the issue is addressed promptly and activities that have the potential to adversely affect animal wellbeing cease immediately (see Clause 5.2(i) and 5.4 (i)). Actions may include suspending or withdrawing approval for the project or activity
 - (ii) Actions are taken to address the issues in consultation with the person(s) involved
 - (iii) When consider necessary, such matters are referred to the institution for action
 - (iv) Non-compliance receives appropriate follow-up (2.3.25)
- h. Reviewing long-term projects (maximum approval three years) at least annually by requiring annual reports for each activity from the Project Leader. Annual Reports must be reviewed by the AEC to monitor that animal use is consistent with and in accord with the approved application for the activity.
- i. Reviewing activity completion reports to confirm that animal use is consistent with and in accord with the approved application for the activity.
- j. The Annual Project Report should contain the necessary details to allow the committee to make an informed and timely decision on the fate of the project as outlined in 2.3.4; 2.3.8 and 2.3.9 (ii) of the Code.

3. The AEC will recommend to CHM Alliance Pty Ltd any measures needed to ensure that the standards of the Code are maintained by:

- a. Taking appropriate actions regarding non-compliance and recommending remedial action to the Project Leader (the investigator or teacher who is responsible for the activity and as nominated on the application form), animal care and wellbeing, and facility manager. The AEC may comment on the standard of the facilities/ infrastructure, animal management staff competencies.
- b. Reporting significant contraventions of the Code or approved project procedures to the Board.
- c. Provide advice and recommendations to the Chairman of the Board regarding the training and personal development needs of AEC members, research leaders, animal care and wellbeing and managers in relation to animal ethics philosophy and practice.

4. The AEC members will be appointed or retired according to the following CHM Alliance Pty Ltd procedures:

- a. The Chair of the AEC will monitor the membership needs of the AEC.
- b. If a new member is required, the Chair will call for 'expressions of interest' or may make direct approaches to representative groups.
- c. Unsolicited applications lodged periodically by persons with an interest in serving on the AEC may be considered also.
- d. An interested person must complete an *AEC membership application form* to acknowledge their acceptance of the terms of reference of the AEC and indicate in writing on what basis they satisfy the relevant membership category criteria as defined in section 2.2.4 of the Code.
- e. The completed forms must be submitted to the Chair of the AEC.
- f. The Chairman of the Board of CHM Alliance Pty Ltd, in consultation with the Chair of the AEC will assess applications and make recommendations to the Board.
- g. The Board may accept or reject recommended appointments.
- h. The AEC Chair will obtain a signed confidentiality agreement from each prospective new member before producing letters of appointment for the Chairman of the Board's signature.
- i. The Administrator (CHM Alliance Pty Ltd AEC) will maintain a record of all appointments to the AEC and associated documents.
- j. Members are appointed to the CHM AEC until either they resign, are retired by the Chairman of the Board or die.
- k. A member may resign from the AEC at any time by advising the Chair in writing. The Chair will advise the Chairman of the Board.
- l. The Chair may ask a member to resign from the AEC if it is deemed to be in the best interests of the AEC. If the member does not accede to the Chair's request, the Chairman of the Board may initiate action to retire the member.
- m. The Chairman of the Board may retire members at any time by providing not less than 24 hours notice in writing.
- n. Members may be reappointed to the Board consecutively or after a period of absence providing they have satisfied the requirements of the Board, the Terms of Reference and Standards set by legislation and CHM Alliance Pty Ltd. The procedures for appointment, resignation and retirement will be followed.
- o. Changes in the membership of the AEC will be noted at the next AEC meeting and recorded in the minutes.

5. The AEC will require that all members must declare any conflict of interest by:

Signing a declaration included in the member application form prior to their appointment and including a Declaration of Conflict of Interest item to each meeting agenda.

6. The AEC will deal with situations in which a conflict of interest arises, including any situation where a member of an AEC has an interest that may be seen to influence the objectivity of a decision by:

- a. Requiring members to disclose the nature of their interest and conflict as soon as practicable after they become aware of anything that may be reasonably considered to be a conflict of interest.
- b. Requiring a member whose objectivity may be influenced by an interest (including consideration of a proposal submitted by that member) to leave the meeting as an appropriate time (certainly during the decision making process).

- c. Considering and responding to any concern raised by a Project Leader or other party that an AEC member has an interest that may have influenced the objectivity of an AEC decision.

Note: The Chair must advise the complainant, in writing, of the AEC's response. If the complainant is not satisfied with the AEC's response a formal complaint may be lodged.

7. The AEC will examine and approve, approve subject to modification, or reject written proposals relevant to the use of animals for scientific purposes by:

- a. Considering new proposals, modifications to existing activities and reviewing Executive decisions on minor modifications at quorate meetings.
- b. Inviting comment from a person(s) with specific technical expertise. The person may submit written comments or address the meeting, either in person or via a teleconferencing or videoconferencing link. The AEC should reach agreement on how it may seek advice, without breaching confidentiality.
- c. Seeking clarification of and/or agreement to amendments to a proposal from the Project Leader. The Leader may be invited to address the AEC in person or via a teleconferencing or videoconferencing link.
- d. Making decisions on the basis of consensus. Where consensus cannot be reached after reasonable effort to resolve differences, the AEC should explore with the applicant(s) ways of modifying the project that may lead to consensus. If consensus is still unachievable, 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.

Note: The Chair must advise the Project Leader of the AEC's decision using the approved form. The Chair must provide reasons to the Project Leader if the proposal is rejected by the AEC.

The Project Leader may seek clarification of the reasons for rejection from the AEC and, subsequently, provide additional relevant information/comment from other parties (for example, persons with specialist expertise). The Chair may invite the Project Leader to address the AEC at its next meeting.

If the matter is not resolved, the Project Leader may lodge a formal complaint covering the AEC decision.

8. The AEC will approve only those studies for which animals are essential, the proposed use of animals is ethically acceptable and their use is justified and conforms to the governing principles of the Code. This should take into consideration whether the potential impacts on the wellbeing of the animals is justified by the potential benefits.

- a. Assessing applications for the use of animals for scientific purposes only after the committee receives a completed and signed application form that is completed to the Committee's satisfaction.
- b. Assessing whether the information provided by the Project Leader adequately and concisely details appropriate justification of the proposed animal use, the impact on the animals of the proposed use and adequately shows the means by which it will be

minimised, and that it complies with the principles of Replacement, Reduction and Refinement.

- c. Insisting that all applications are written in language that can be understood by all members of the AEC.
- d. Requesting, if necessary, advice or clarification from appropriately experienced people regarding the assessment of particular projects. The AEC should reach agreement on how advice can be sought from outside experts without breaching confidentiality.
- e. Ensuring that, in addition to ethics approval, the Project Leader is aware of the need to obtain all relevant permits for use of Genetically Modified Organisms and hazardous substances and bringing to the attention of the Leader any perceived Workplace Health and Safety issues concerning the activity.

9. The AEC may withdraw approval for any project when:

- a. An inspection detects activities that are non-compliant with the Code, the AEC must ensure that such activities cease immediately and remedial action is initiated.
- b. An animal is used in a way other than as approved in the initial application or subsequent approved modification or amendment to an application.
- c. It becomes aware that an activity or project is associated with a higher negative welfare impact than was approved or an unnecessary or unjustified welfare impact.

Note: If the AEC decides that approval for an activity should be withdrawn, the Chair must advise the Project Leader.

The Project Leader may seek clarification of the reasons for rejection from the AEC and, subsequently, provide additional relevant information//comment from other parties (for example, persons with specialist expertise).

The AEC must consider any objection raised and additional relevant information provided by the Project Leader. The Chair may invite the Project Leader to address the AEC at its next meeting. If the matter is not resolved, the Project Leader may lodge a formal complaint against the AEC decision.

10. While it is the Project Leader's responsibility to authorise emergency treatment or euthanasia of any animal, the AEC may instigate action when the scientific use is outside normal animal husbandry and when:

- a. The AEC decides that the treatment or euthanasia is in the best interests of the animal.
- b. The Chair authorises an examination of the animal by a veterinarian or another appropriate person on the recommendation of the Committee members.

Note: If emergency treatment or euthanasia is deemed necessary, before an animal is treated or euthanased the Chair should take all reasonable steps to consult with the Project Leader/owner, advise them of the veterinarian's (or other appropriate person's) opinion and consider any objection raised by the Project Leader and/or owner. All advice, actions and decisions should be documented by the Chair.

Any critical incident must be reported promptly to the AEC with reasons for the action taken. A written report must be received.

11. The AEC will examine and comment on all CHM Alliance Pty Ltd plans and policies that may affect the welfare of animals used for scientific purposes by:

- a. Reviewing plans and policies used by CHM Alliance farms.
- b. Considering information/comments provided by any person who has concerns regarding the care and use of animals by CHM staff and/or at CHM sites.
- c. Considering information/comments provided by delegates who conduct site and activity inspections on behalf of the AEC or in accordance with the agreed monitoring strategy.
- d. Discussing matters pertaining to plans and policies.
- e. Making recommendations reflecting a consensus view of the Committee.
- f. Making comments in its annual report to the Board.

12. The AEC will maintain a record of proposals and projects by:

- a. Authorising the Administrator to retain, on file, all documentation associated with AEC business (including minutes, proposals, decisions, inwards and copies of outwards correspondence, reports and comments provided by the AEC).
- b. Authorising the Administrator to maintain an electronic database (register) of all proposals to the AEC (approved and rejected), including the outcomes of the committee's deliberations.

13. The AEC will comply with the reporting requirements of CHM Alliance and the Code by:

- a. Submitting an annual internal report as per section 2.3.29 of the Code on the activities of the AEC to the Board by the end of November each year. The report will include information and comments on:
 - i. numbers and types of projects assessed and approved or rejected
 - ii. the physical facilities for the care and use of animals
 - iii. activities that have supported the educational needs of the AEC members and of personnel involved in the care and use of animals
 - iv. administrative or other difficulties being experienced
 - v. any matters that may affect the CHM Alliance's suitability to maintain compliance with the Code and if necessary the provision of suitable recommendations.
- b. Establishing a clear reporting mechanism to the committee of:
 - Principle investigator reports to the AEC Administration officer
 - AEC Administration officer reports event or issue to the Chair
 - AEC Administration officer liaises with the Chair and Principle Investigator on appropriate action required
 - Chair then reports to the Board if required. (2.2.18 iii)
- c. Promptly reporting to the Board any event or issue that may need to be referred.

- d. Submitting any reports relating to the use of animals for scientific purposes by CHM Alliance Pty Ltd as required by law, including the Annual Animal Use Statistics Report to DAF.
- e. Submitting any other reports relating to the use of animals for scientific purposes by CHM Alliance as required (eg funding bodies).

14. The AEC will perform all other duties required by the Code

Further functions:

Confidentiality

AEC members sign confidentiality agreements on joining the committee. Members must use the confidential information obtained on the committee only for the purpose of carrying out their responsibilities and delegations as a member of the AEC. Names and personal details of the members of the committee are also treated as confidential and not divulged to third parties.

Biosecurity

All biosecurity requirements must be followed by AEC members.

Indemnity

CHM Alliance Pty Ltd undertakes to indemnify AEC members against personal injury and public liability for claims resulting from their deliberations except where there is fraudulent or criminal intent.

Period of approval

Approval for animal use is normally given for a maximum three year period. An annual report must be submitted and an activity completion report and full proposal resubmitted after each three year period of further use is required.

Concerns and complaints

If any person has concerns regarding the care and treatment of any animal they may report the matter to any member of the AEC. The grievance, concern or complaint is handled and recorded according to the documented procedure.

Monitoring

Adequate project records are maintained and include:

- the emergency procedures in place for each project
- appropriate skills and knowledge of current techniques possessed by project personnel
- regular project reports submitted as required

Training

Committee members are trained and inducted prior to commencement of their duties. Project proposers and personnel are also provided with relevant information

The printed guidelines include:

- Copy of the Act
- Copy of the Code
- Committee procedural guidelines and policy
- Information on how to access web sites for further information
- Application and assessment process
- Compliance with requirements

Remuneration for committee members

AEC members may be paid as part of their CHM Alliance Pty Ltd or normal work duties or paid a committee membership allowance and will be reimbursed for out-of-pocket expenses in accordance with rates determined by the Board.

Revision

These Terms of Reference will be reviewed as necessary in response to changes in legislation and organisational policy.

References

Animal Care and Protection Act 2001

Australian code for the care and use of animals for scientific purposes, 8th Edition 2013

Contact

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