

NAEAC POLICY STATEMENT ON WHICH ANIMAL ETHICS COMMITTEE SHOULD ASSUME THE APPROVAL ROLE AND CONSIDERATION OF RESEARCH, TESTING AND TEACHING UNDERTAKEN BEYOND NEW ZEALAND JURISDICTION

Question: Where individuals from more than one organisation are involved in a research, testing or teaching (RTT) project, which animal ethics committee (AEC) should be used?

The AEC linked to the organisation that is the primary host for the research, testing or teaching, and is therefore best placed to assess the necessary criteria under s100ⁱ, should be used to gain approval. This AEC must be advised of names, affiliations and suitability of all researchers involved in the project including any not employed by the primary host.

Where a protocol is going to involve activities occurring at more than one organisation associated with an AEC, and there is no obvious primary host institution, the investigators may choose which AEC they use. However, all other AECs must receive a copy of all protocols, correspondence and be provided with the opportunity to have a representative present at the AEC meeting where the protocol is discussed.

Where a protocol has been reviewed and approved by one AEC and the venue needs to change to another organisation, then the AEC associated with the new organisation must be contacted for advice regarding any further approval that may be required.

For all applications to an AEC, the applicant must be a suitable person with respect to s82ⁱⁱ, i.e. they are employed by the code holder of that AEC or have a suitable contract such as a parenting agreement, in place.

Question: When an AEC is asked to consider and approve RTT to be undertaken beyond New Zealand jurisdiction on behalf of a code holder or employee should it do so?

An AEC established under section s98ⁱⁱⁱ must operate under an approved code of ethical conduct (CEC) and adhere to all requirements of that CEC. Unless there is a special provision within the CEC to do otherwise, all aspects of AEC consideration, including assessment of suitability of all personnel involved in the project and the ability to monitor the approval must be considered. Numbers of animals used in any such approval must be reported back to the AEC but these numbers MUST NOT be reported in annual statistics to the Ministry for Primary Industries since they are not manipulated in New Zealand

ⁱ **100 Criteria**

NAEAC Policy February 2016
Replaced *Use of more than one AEC* (approved August 2001) and *Which AEC should assume the approval role?* (Reviewed and amended November 2007, February 2011, and February 2016)

In considering any application for the approval of a project and in setting, varying, or revoking conditions of the approval of a project, every animal ethics committee must have regard to such of the following matters as are relevant:

- (a) the purposes of this Part; and
- (b) any matters that the committee is required to consider by regulations made under this Act; and
- (c) the scientific or educational objectives of the project; and
- (d) the harm to, or the distress felt by, the animals as a result of the manipulation, and the extent to which that harm or distress can be alleviated by any means (including, where the pain or distress cannot be held within reasonable levels, the abandonment of the manipulation or the humane destruction of animals); and
- (e) whether the design of the experiment or demonstration is such that it is reasonable to expect that the objectives of the experiment or demonstration will be met; and
- (f) the factors that have been taken into account in the choice of animal species; and
- (g) whether the number of animals to be used is the minimum necessary to ensure a meaningful interpretation of the findings and the statistical validity of the findings; and
- (h) whether adequate measures will be taken to ensure the general health and welfare of animals before, during, and after manipulation; and
- (i) whether suitably qualified persons will be engaged in supervising and undertaking the research, testing, or teaching; and
- (j) whether any duplication of an experiment is proposed and, if so, whether any such duplication will be undertaken only if the original experiment—
 - (i) is flawed in a way that was not able to be predicted; or
 - (ii) needs to be duplicated for the purpose of confirming a result that was unexpected or has far-reaching implications; and
- (k) whether the same animals are to be used repeatedly in successive projects, and, if so, the cumulative effect of the successive projects on the welfare of the animals; and
- (l) whether there is a commitment to ensuring that findings of any experiment will be adequately used, promoted, or published; and
- (m) any other matters that the committee considers relevant.

ii **82 Restrictions on research, testing, and teaching involving use of animals**

- (1) No person may carry out research, testing, or teaching involving the use of animals unless—
 - (a) that person holds a code of ethical conduct approved under this Part; or
 - (b) that person is authorised or required by a contract of employment, or any other type of contract, entered into with a person of the kind described in paragraph (a) to carry out the research, testing, or teaching.
- (2) A person commits an offence who contravenes subsection (1).

iii **98 Establishment of animal ethics committees**

Every code holder must establish and maintain an animal ethics committee.