

Approval of Code of Ethical Conduct (Notice No. MPI 1888)

I hereby give notice that, pursuant to section 91 of the Animal Welfare Act 1999, I have approved, for the period 6 December 2024 to 5 December 2029, the code of ethical conduct submitted to me by the University of Waikato.

Dated at Wellington this 3rd day of December 2024.

STACEY PARBHU, Animal Welfare Science Manager, Ministry for Primary Industries (under delegated authority).

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THE UNIVERSITY OF
WAIKATO
Te Whare Wānanga o Waikato

The University of Waikato Te Whare Wānanga o Waikato

CODE OF ETHICAL CONDUCT

For the Use of Animals in Research, Testing and
Teaching (section 88 of the Animal Welfare Act 1999)

6 December 2024 – 5 December 2029

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1. Background on the Activities of the Code of Ethical Conduct Holder

1.1 Organisational Activities

The University of Waikato Te Whare Wananga o Waikato is a tertiary education organisation that carries out a wide range of research and tertiary teaching as well as providing consulting and other services.

Animals are used at the University of Waikato for research, testing and teaching (RTT). The scope of research includes development of fundamental biological knowledge, conservation and ecology, environmental management, behavioural science and biomedical science. Teaching using animals is predominantly in animal science, psychology and biomedical science. Testing of the potential impacts of environmental pollutants is also undertaken. The range of species used for RTT includes crustaceans, fish, amphibians, reptiles, birds and mammals (laboratory, domestic, farm and wild).

1.2 RTT and Te Tiriti o Waitangi Obligations and Principles

All New Zealand Universities are legally obliged “to acknowledge the principles of Te Tiriti o Waitangi” in the performance of their functions and exercising of their powers in accordance with s281(1)(b) of the Education and Training Act 2020.

Te Whare Wānanga o Waikato shares in the Treaty obligations of the Crown as a public sector organisation, and has specific responsibility to fulfil those obligations. The University of Waikato has in place many structures, policies and practices that reflect our intent to give effect to the Treaty ^[1].

Te Whare Wananga o Waikato endorses the views of The National Animal Ethics Advisory Committee (NAEAC) with respect to upholding the principles of partnership, participation and protection implied by the Treaty of Waitangi. Although the Treaty principles are not specific to the use of animals in RTT, they provide general obligations and considerations of relevance for all those working in RTT in Aotearoa New Zealand, in particular when undertaking RTT with species regarded as Taonga.

1.3 The 3 Rs

The Animal Ethics Committee (AEC) requires that the principles of replacement, reduction and refinement (the 3 Rs) as defined in the Animal Welfare Act 1999^[2] (Section 80) are applied whenever animals are used for RTT. All applicants to the AEC must explicitly demonstrate consideration of the 3R's in their proposed RTT.

The AEC also recommends that all applicants consider the 4th R (respect) in their proposed RTT applications. Applicants are referred to NAEAC's position statement on the 4th R:

<https://www.naeac.org.nz/the-three-rs>

1.4 Responsible Individuals

The Vice-Chancellor of the University of Waikato (“Code Holder”) is ultimately responsible for the administration of the Code of Ethical Conduct (CEC) through the AEC. The Vice-Chancellor delegates this authority to the AEC Chair (nominated person) via the Academic

Board. The CEC is administered by the AEC, which is an advisory committee to the Vice-Chancellor and answerable, through the Academic Board, to the Vice-Chancellor.

1.5 Individuals/Organisations under the CEC

This Code applies to all staff and students and visiting researchers of the University of Waikato and all parented organisations.

2. Functions, Powers and Membership of the Animal Ethics Committee (AEC)

2.1 Functions and Powers of the AEC

Section 99 of the Animal Welfare Act 1999 outlines the functions and powers of the AEC.

(1) The functions of an animal ethics committee are—

(a) to consider and determine on behalf of the code holder applications for the approval of projects:

(b) to consider and determine, under Section 84(1)(a), applications for the approval of projects:

(c) to set, vary, and revoke conditions of project approvals:

(d) to monitor compliance with conditions of project approvals:

(e) to monitor animal management practices and facilities to ensure compliance with the terms of the code of ethical conduct:

(f) to consider and determine applications for the renewal of project approvals:

(g) to suspend or revoke, where necessary, project approvals:

(h) to recommend to the code holder amendments to the code of ethical conduct.

(2) Each animal ethics committee has such powers as are reasonably necessary to enable it to carry out its functions.

Under section 1(d) & 1(e) above, the AEC reserves the right to inspect animals, the facilities where they reside, and related experimental records at any time to satisfy itself that approved procedures are being properly carried out.

2.2 Membership of the AEC

The AEC will consist of a minimum of four statutory members ([section 101](#) of the Animal Welfare Act 1999) in addition to other members appointed by the code holder.

Statutory members

- The Chair shall be a senior staff member, appointed triennially by the Vice-Chancellor, capable of evaluating projects, the skills of the applicants and the scientific or teaching value of the project.

- A veterinarian nominated by the New Zealand Veterinary Association (NZVA) who is not employed by or associated with the code holder
- A person nominated by an approved animal welfare organisation (the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA)), who is not employed by or associated with the code holder, or involved in RTT
- A person nominated by a territorial authority or regional council, not employed by or associated with the Code holder, or associated with the scientific community or an animal welfare agency

Statutory External Members will be paid an agreed amount per AEC meeting for time involved in reading material and attending meetings. Additional costs associated with monitoring projects and animal facilities, and all associated travel costs will be paid. Payments for meeting attendances are arranged quarterly. Processing of payments for monitoring and travel costs will be arranged by the Secretary on a monthly basis.

Organisational members

- One academic staff member (The Deputy Chair), appointed triennially by the Deputy Vice-Chancellor Research (The Code Holder's nominee), capable of evaluating projects, the skills of the applicants and the scientific or teaching value of the project.
- One animal house technician appointed triennially by the AEC.
- One additional member may be appointed by the AEC to assist with scientific or technical matters or with expertise not otherwise represented on the AEC.
- One additional member who is the controller of the Institutional Operating Plan for the use of restricted veterinary medicines. This member may be one of those listed above.

Additional members or advisors

The AEC comprises a maximum of eight members as detailed above. The AEC may, from time to time, seek expert advice from additional individuals from within or external to the organisation in cases where expertise is not otherwise represented on the committee. These advisors do not participate in decision making. External advisors will be remunerated on the same basis as Statutory External Members.

2.3 AEC Appointment Procedures

Members, Chair/Deputy Chair

When seeking appointments of organisational members, the AEC will consider the expertise of current members and may suggest that the nominee has experience in areas that are currently poorly represented.

Statutory members are appointed by the Code holder on the recommendation of their nominating body.

Organisational members are appointed by the Code holder or their nominee on the recommendation of the AEC.

Term of Appointment

Members are appointed for a term of 3 years and may be reappointed for up to two additional terms with the approval of the nominating body, except for the Chair who may serve a maximum of five terms.

Reappointments

Reappointments will be made by the Code holder or their nominee on the recommendation of the AEC and with the approval of the nominating body.

Vacancies

In the event of any member being absent for a planned period of more than six months, their position will be deemed vacant and nominations for a replacement shall be sought from the appointing/nominating party concerned. Where the duration of absence is uncertain, the AEC will decide whether to appoint a replacement person for that duration.

Induction and Training

Induction and training, including NAEAC's new member's induction pack and the CEC, will be provided as appropriate for all newly appointed University and Statutory External Members of the AEC, including the Chair.

The Chair will meet with new members, preferably prior to their first AEC meeting, to discuss how the committee functions. Communications, newsletters and documents sent to the AEC will be forwarded to all members to provide continuing education.

A new Chair will be inducted by the immediate past-Chair or (if that person is unavailable) by the two longest-serving members of the AEC.

Members will be provided with opportunities for upskilling/ongoing development through encouragement to participate in relevant webinars, workshops and conferences.

3. AEC Standard Processes

3.1 General

Protection of AEC Members

No member of the AEC will be personally liable for any act done or omitted by the member or the committee in good faith in the course of the operations of the committee. All members of the AEC are covered by the University's Professional Indemnity Insurance policy when carrying out their duties in relation to the AEC, subject to the policy terms, conditions, exclusions and limitations.

Conflict of Interest

To achieve impartiality, any member of the AEC, including the Chair, who is named as an applicant on an application before the AEC, or who has a conflict of interest whereby the impartiality of that member could be questioned, will declare it and will withdraw from the AEC's assessment of that application. Where the Chair has a conflict of interest they will delegate their position to the Deputy Chair for the assessment of that application. All such conflicts of interest will be recorded in the minutes of the AEC meeting.

Confidentiality

AEC members, additional members and advisors, and any members of the public invited to attend a meeting shall hold in confidence information submitted in applications, amendments, Standard Operating Procedures, reports, complaints and other communications to the AEC. Each such person will acknowledge their obligation to hold all such information in confidence, in writing.

3.2 Meeting Procedures

Scope of AEC Meeting

The following items will be covered during each AEC meeting:

- Standing agenda items
 - Apologies
 - Review of minutes of the previous meeting
 - Matters arising
 - Correspondence
 - Conflicts of interest
 - General business
 - Confirmation of date of the next meeting
- For review
 - New applications (including linked approvals, e.g., ACVM, DOC)
 - Modifications to approved applications
 - Interim & final project reports
 - Standard operating procedures
 - Adverse events
 - Non-compliances
 - Monitoring reports
 - Complaints

Frequency of Meetings

In-person meetings of the AEC will normally occur once in each calendar month except for January and December. In the event that no applications are received in any month, a meeting may be cancelled by the Chair if there is insufficient business to make the meeting necessary. The time and place of each meeting will normally be finalised at least one month prior.

Circulation of Meeting Papers

Meeting papers will be distributed by the Secretary to members of the AEC one week prior to each meeting by providing a link to a document folder in the AEC's online resource (Sharepoint).

Quorum

The quorum for meetings shall be 50% of the number of AEC members plus one, with at least two from the Statutory External Membership category.

Decision Making

The AEC will reach decisions by consensus. If consensus cannot be reached, the applicant or another person (advisor) with relevant expertise may be invited to present additional information and respond to members' questions or the application will be declined. If an application is declined, applicants will be provided with the reasons for decline and may subsequently submit a revised application. The AEC reserves the right to decline an application without the option to resubmit.

Effective Input of Committee Members

External members will be encouraged and expected to participate in and be involved with the business of the AEC in the same manner as University appointees, including opportunities for upskilling and professional development. The Chair will actively ensure that all members have opportunity to provide their full input.

Online Meetings

In-person meetings are preferred. Online meetings may be held when necessary. When AEC members find it necessary to attend a meeting online using video (or telephone links as a last resort), those members will be considered part of the quorum

Establishment and Membership of Sub-Committees

Subcommittees may be established between meetings to consider temporary approvals of new projects, or to consider matters relating to notifications of adverse events or non-compliance. A subcommittee should include the Chair or Deputy Chair and two external statutory members. Decisions made by a subcommittee must be reviewed and ratified at the next AEC meeting by the full committee.

Meeting Attendance by Other Parties

Meetings will be conducted in two parts.

Part I consists of general business and the public may attend.

Part II excludes the public so that matters may be discussed without public disclosure when the AEC is satisfied that there are considerations that outweigh the public interest of disclosure. In the event that external advisors or members of the public are invited to attend Part II of the meeting, they will be held to the same requirements for confidentiality as members of the AEC.

3.3 Consideration Between Meetings

When decisions are required between meetings of the AEC, temporary consents to an application involving manipulations that have a Grade of Manipulation of 'A' or 'B' or minor amendments to an approved protocol may be given by a subcommittee of not less than three members of the Committee, of whom one must be the Chairperson or Deputy Chairperson and that must include at least two external statutory members. Urgent requests by applicants or existing approval holders (with respect to requests for amendments) between meetings involving manipulations that have a Grade of Manipulation of 'C' may be considered by members of the committee constituting a quorum. Decisions made between meetings may use teleconferencing (up to Grade 'C') or e-mail communication (up to Grade 'B'). Unless an application graded C needs to be considered under urgency, all applications graded C or higher must be held over until the next scheduled committee meeting.

Every temporary consent or amendment to a protocol must be brought before the next meeting of the AEC, which may confirm or revoke the consent or amendment, or confirm it subject to conditions or amended conditions. Where a temporary consent is revoked, the relevant work must immediately cease save for any steps necessary to safeguard the welfare of animals involved.

3.4 Secretarial Support

The University provides administrative support to the AEC. The Secretary receives AEC documents, prepares and circulates the agenda and meeting documents, and takes meeting minutes. Other functions include communicating with applicants and AEC members, maintaining all records, reporting annually to internal and external governing bodies and any other duties as required to support the AEC. The Secretary does not contribute to AEC decision-making.

3.5 Record Keeping Requirements

Information Management

The Secretary will prepare meeting agendas and take the minutes. All documentation relating to functioning of the AEC, communications to and from the AEC, applications and reports, is kept in the Research Office and, more recently, electronically in SharePoint. Access to records is controlled by permissions in SharePoint. Paper records are archived after ten years.

Archived records can only be retrieved by authorised personnel. Applications and statistical records will be retained for twenty (20) years and then destroyed. Destruction is undertaken in accordance with the University's Records Management Policy and the Public Records Act 2005^[3].

Animal Use Statistics.

It is a requirement of the Animal Welfare (Records and Statistics) Regulations 1999^[4] that statistics of animal usage in research, testing and teaching be kept and made available to the Director-General of MPI annually or any other time if requested.

Each researcher or teacher responsible for an application (or their nominee) must keep a diary or other record of the species, number of animals used, their source, the procedures they are being or were used for, any unanticipated impact on any animal and their ultimate fate at the completion of the study.

Where animals are used on multiple occasions or for multiple applications, individual animal identification must also be recorded. This record must be kept fully up-to-date and may be inspected or requested at any time.

The chief applicant will be required to make a return of these statistics to the Secretary at the completion of a project or upon request by the Secretary. The Secretary will collate and report animal use statistics to MPI each year by 28 February as required under the Animal Welfare (Records & Statistics) Regulations 1999.

Parented organisations are responsible for submitting their own animal use statistics to MPI.

4. AEC Technical Processes

4.1 Consideration of Applications by the AEC

Criteria for Consideration

Applications from staff and students of the University of Waikato, visiting students and staff from other New Zealand or overseas institutions hosted by the University of Waikato and any parented organisation must be submitted to the Secretary at least one week prior to the next scheduled AEC meeting using the standard application form.

Before an application is submitted, careful attention should be given to the following:

- a) that the manipulation is necessary as part of an education curriculum, or*
- b) that there is good reason to believe the findings will add to the scientific understanding of biological functions and behaviour or will extend the body of knowledge aimed at the improvement of the health and welfare of humans and animals or the productivity of animals or the protection of the environment, and*
- c) that alternative methods, such as mathematical models, audio-visual means, computer simulation and in vitro biological systems, cannot provide the required result or fulfil the purpose.*
- d) that the potential for compassion fatigue exists in animal care personnel and that the applicant(s) have considered this in their application - see section e below (NAEAC Guide).*
- e) that applicants have read the CEC and NAEAC's Good Practice Guide for the use of animals in research, testing and teaching^[5].*

4.1.1 Manipulations should be proposed only after due consideration of the relationship between the ethical cost and the potential benefit to be obtained and where those responsible for the research, testing or teaching are thoroughly conversant with the literature and background information on the subject in question.

4.1.2 Consideration must be given to whether duplication of an experiment is proposed and, if so, whether any such duplication will be undertaken only if the original experiment was flawed or if duplication is appropriately justified.

4.1.3 The impact of the manipulations on the animals and the extent to which any harm or distress can be alleviated must be considered.

4.1.4 The AEC must evaluate whether adequate measures will be taken to ensure the general health and welfare of animals before, during and after manipulation.

4.1.5 To minimise distress, no animal should be subjected to more procedures than are necessary to achieve the objectives of the research, testing or teaching. Proposals to subject individual animals to multiple procedures must be brought to the attention of the AEC at the time approval for a procedure is requested. Multiple procedures may be carried out on a single animal only if the applicant can justify that they are necessary and do not cause avoidable harm to the animal. The applicant must also show that by repeatedly using the same animal, the results from the research, testing or teaching are not compromised.

4.1.6 Animals selected for an experiment should be of an appropriate species and quality.

4.1.7 Research, testing and teaching should be of an appropriate design and performed on the minimum number required to obtain scientifically valid results or meet teaching

objectives. The AEC must evaluate whether the design of the experiment or demonstration is such that it is reasonable to expect that the stated objectives will be met.

4.1.8 The AEC must evaluate whether there is a commitment to ensuring that findings of any experiment will be adequately used, promoted or published.

4.1.9 All applications involving protected native fauna (captive or wild) must provide evidence of approval by the Department of Conservation (DOC) and iwi consultation. Applications involving wild aquatic species must provide evidence of approval by MPI. Applications requiring prior approval by DOC or MPI must include the relevant permit number.

4.1.10 The chief applicant must be a staff member or student of the University of Waikato. For parented organisations the chief applicant must be a staff member of that organisation.

4.1.11 The procedural requirements of the Code of Ethical Conduct for the Use of Animals for Research, Testing and Teaching do not apply to:

- a) tissues obtained from a slaughterhouse, farm or at a routine post-mortem examination, where their use is incidental to the reason the animal died or was killed;
- b) the capture or killing of an animal in a wild state to provide tissues for research, testing or teaching;
- c) the hunting or killing of any animal in a wild state by a method that is not an experimental method;
- d) the killing of an animal by the owner or person in charge as the end point of research, testing, or teaching if the animal is killed in such a manner that the animal does not suffer unreasonable or unnecessary pain or distress;
- e) animals being farmed under normal animal husbandry practices or otherwise maintained in captivity, so long as there are no additional manipulations;
- f) University of Waikato staff, students and visiting researchers who hold approvals by other New Zealand animal ethics committees. However, these persons must comply with the CEC of the host organisation and may be required to provide a signed copy of their approval by the host organisation's AEC;
- g) when a staff member or student is attached to an overseas institution or is based overseas and participates in research, testing or teaching involving animals, the responsibility for which clearly resides with the host institution or nation. In this instance, the proposed work should be considered under the regulations pertaining to that country's laws on the use of animals in research, testing and teaching, provided that there are such regulations and laws in place. Notwithstanding this, the AEC requires the staff member or student to notify it of the type of research being undertaken and conditions pertaining to that research. If there is doubt in any particular situation, the matter should be discussed with the AEC.

Impact Grading

The AEC will grade applications according to ethical cost as set out in the MPI Animal Use Statistics Guidance Document^[6].

Outcomes after Consideration

The AEC will either:

- a) approve an application;
- b) provide temporary approval of an application by the decision of a subcommittee, subject to subsequent approval of the full AEC at its next meeting;
- c) approve an application with additional notes for reference or adherence by the approval holders;
- d) approve an application subject to the approval holder making minor corrections, or administrative or technical modifications and supplying those to the Secretary;
- e) approve an application subject to the approval holder providing specified details to the Secretary that are agreed as being acceptable by the Chair and, where appropriate, specified members of the AEC;
- f) approve an application subject to satisfactory completion and reporting of a preliminary element of the study such as a pilot trial or subject to satisfactory monitoring of the project (conditional approval)
- g) defer an application subject to the provision of specified details by the applicant for consideration by the full AEC; or
- h) not approve an application.

All outcomes will be communicated to applicants as soon as possible after consideration by the AEC or a subcommittee. Approved projects cannot commence until the applicant has been notified in writing by email and not before the starting date specified by the applicant on the application.

Conditions of Approval

When an application is approved, conditions may be stipulated, e.g. that approval holders must report outcomes to the AEC, or that monitoring of the manipulations is required.

Maximum Approval Period

The maximum approval period for any application is 3 calendar years. Applications for ongoing research, testing or teaching procedures must be submitted for consideration at least every three (3) years.

Power to Suspend, Revoke and Vary Approvals

The AEC may direct that any procedure, whether approved or not approved, be stopped or modified on ethical grounds and the animal(s) either euthanised or properly cared for. Between meetings, this power is vested in the Chair (or, where appropriate, the Deputy Chair) or their nominee. The AEC will be notified immediately and this decision ratified at the next AEC meeting.

The AEC reserves the right to cancel or suspend an approval if the chief approval holder fails to comply with the reasonable requests of the AEC in a timely or satisfactory manner.

Modifications to Approved Applications

Any proposed alteration to an approval must be requested using the current 'Amendment Request Form' available on the Animal Ethics Intranet site.

All amendments require approval, whether major or minor. The Chair may sanction the amendment in advance of it being ratified at the next meeting if the amendment is minor or the immediate welfare of animals is at risk. Major amendments must be ratified by the full AEC either by email between meetings (for applications graded as 'A' or 'B'), or by consideration at a meeting. Approval holders must suspend RTT until they have been notified in writing that amendments have been approved.

An amendment will be considered to be minor in nature if it does not adversely affect the welfare of the animals, or increase the number of animals, or reduce the validity of the study or the teaching benefit.

An amendment will be considered to be major in nature if it may adversely impact the welfare of the animals, such as an increase in the grading of a manipulation, requires an increase in the number of animals used, substantially alters the nature of manipulations involved in the project or reduces the expected research or teaching benefits. Major amendments involving applications graded as C, D or E will require the approval holder to submit a modified version of the original application and consideration of that application at the next scheduled meeting of the AEC.

Any change in personnel under an existing approval, including a change in the original approval holder, requires a written amendment to be submitted to the AEC for approval. Where a co-applicant is added to an application after its approval, the new co-applicant will read the application and sign and date a separate copy of the 'Applicant Declaration Form' which can be downloaded from the Animal Ethics Intranet site. The signed declaration must then be emailed to the Secretary with a covering note requesting inclusion of the additional personnel on the application. An application for any co-applicant to replace the original approval holder will only be considered by the AEC after formal inclusion as a co-applicant in the study.

4.2 Standard Operating Procedures considered by the AEC

Standard Operating Procedures (SOPs) describing procedures for teaching and research-related manipulations, training of staff and students in RTT procedures and the management of animal facilities must be submitted to the AEC for approval. SOPs may be obtained from other organisations, or prepared by the user group or contributing personnel with expertise in the area.

It is the responsibility of the chief approval holder to ensure that all personnel performing procedures covered by the SOP have access to and follow the SOP. All SOPs will be made available to applicants and approval holders via the Animal Ethics SharePoint site.

SOPs must be reviewed by the AEC every three years, where their use is ongoing.

4.3 Amend, Suspend or Revoke the CEC

(1) The CEC holder may apply to the Director-General for their approval to the amendment, suspension, or revocation of the CEC in respect of which the CEC holder holds the Director-General's approval.

(2) Every such application must be in writing and must state the reason why the CEC should be amended, suspended, or revoked.

(3) The Director-General must refer to the National Animal Ethics Advisory Committee for its comments every application made under subsection (1) for their approval to the amendment of a CEC and must consult with that Committee with regard to every such application.

(4) Despite subsections (1) to (3), nothing in this section prevents the CEC holder from making minor amendments to a CEC (being minor amendments that would not materially affect the purposes of the CEC) without the approval of the Director-General.

(5) Amendments to the CEC may be proposed by any AEC member, University staff member or parented organisation.

(6) All proposed minor amendments to the CEC will be required to be ratified by the AEC at its next full meeting before the CEC is amended.

(7) Other proposed amendments to the CEC will be required to be approved by the Director-General as described in paragraph (1) above before the CEC is amended.

(8) Following approval, all amendments to the CEC will be immediately notified in writing to the approval holders of all approved protocols and to parented organisations. The amended CEC will be published on the University's website.

(9) Where, in any year ending with 31 December, the CEC holder makes minor amendments to a CEC, the CEC holder must, as soon as practicable after the end of that year but not later than 31 March in the succeeding year, give to the Director-General in writing particulars of those minor amendments.

5. Monitoring by the AEC

The AEC has the power of inspection of animals, their accommodation, and of animal health and experimental records at any time in order to satisfy itself that procedures are being properly carried out. Between meetings, this power is vested in the Chair (or, where appropriate, the Deputy Chair) or their nominee. Any member of the AEC can request access to animals or facilities at any time, subject to the approval of the Chair or Deputy Chair.

5.1 Monitoring during the Approval Period

Applications will be monitored at the discretion of the AEC. Generally, the Chair and at least one external statutory member will undertake this role. Written reports will be provided to the AEC. On discussion of each report, any requirements of the AEC will be recorded in the AEC meeting minutes and communicated in writing to the chief applicant.

Both scheduled and unscheduled monitoring visits may be undertaken.

Where scheduled visits are undertaken, the Chair will inform AEC members of the visit, giving them opportunity to attend subject to their availability. AEC members are encouraged to attend monitoring visits.

5.2 Monitoring by Proxy

Where timing or geographic location prevent direct monitoring, the applicant may be requested to provide photographic, videographic or written report of manipulations where

the AEC is unfamiliar with these and/or where the impact grading is C, D or E. Monitoring by proxy may also be requested where appropriate by staff from external agencies such as DOC, MPI or AECs of other organisations.

5.3 Monitoring across Impact Grades

Where RTT is conducted at University facilities, at least 10% of approvals with manipulations graded A and B will be monitored on an annual basis. All approvals with manipulations graded C, D and E will be monitored annually or within the timeframe of the project where the duration of the project is less than one year. Where RTT is performed in remote locations, monitoring will be undertaken as is practicable and at the AEC's discretion, or will be undertaken by proxy.

5.4 Monitoring Specific Manipulations

Manipulations not previously monitored, those performed by new personnel, those given conditional approval and projects using unfamiliar experimental models are more likely to be selected for monitoring.

5.5 Monitoring Animal Facilities

Facilities in use will be inspected routinely at least annually by the Chair and at least one external statutory member. Additional members of the AEC will attend facility inspections as often as is possible but subject to member availability. All AEC members are encouraged to attend facility inspections. Where animal facilities occur in remote locations, monitoring will be undertaken as is practicable and at the AEC's discretion, or will be undertaken by proxy. Written reports from these inspections will be provided to the AEC.

6. Responsibilities of organisations/individuals with AEC Approved Applications

6.1 Reporting to the AEC

Project Reports

Interim reports may be submitted at any time but may also be required as a condition of approval or as otherwise requested by the committee. Final reports are to be submitted to the AEC using the 'End of Project Report Form' available on the Animal Ethics Intranet site. Final reports must be submitted within 6 months of the specified date of conclusion of the project.

End of Approval Grading & Animal Use Statistics

The 'End of Project Report Form' includes a section on statistics relating to final grading of manipulations, numbers of animals used and other details required to be submitted to MPI as required under the Animal Welfare (Records and Statistics) Regulations 1999. If the statistical records are required to be submitted prior to the submission of the end of project report then the approval holder must supply these records if requested.

Non-Compliance

Any breaches of the CEC, legislation, animal welfare regulations, or deviations from an approved application must be reported. Breaches should be reported as soon as possible (in any case, within one working day) and procedures for dealing with minor or major non-compliance are detailed in Section 7.1.

Adverse Events

Any event during research, testing or teaching that impacts adversely on animal welfare beyond the stated impact of the approved manipulation(s) must be notified to the AEC by the approval holder as soon as practicable, using the Adverse Event Report form available on the Animal Ethics Intranet site. Adverse events that result from facility management and that adversely impact animal welfare to a degree that exceeds normal occurrences must similarly be reported. The report must describe actions taken in response to the event. Appropriate necropsy reports must be conveyed in writing as soon as practicable. The AEC will consider actions taken in response to the event and, if considered inadequate, will require additional responses to manage the animals or reduce future risk.

Adverse events include untoward outcomes, unplanned euthanasia of animals or unplanned deaths of animals as a direct result of the research, testing or teaching procedures, or of conditions under which animals are maintained for such procedures, or the way they are managed.

Expected adverse events should be described (including their mitigations) in each animal ethics application in the relevant section of the application form.

Animals that die unexpectedly or are euthanised prior to completion of the study (with the exception of 'loss due to normal mortality') may require a necropsy to be carried out, wherever possible, by either a pathologist or a registered veterinarian. Where a veterinarian carries out the necropsy, the AEC reserves the right to have the report reviewed by a pathologist.

No necropsy is required when animals die or are euthanised as part of normal animal management practices. As these losses are considered 'normal', they must be stated in the animal ethics application. Where it has not been indicated that losses are expected, or losses exceed expectations, necropsy examination may be required.

Approval holders may, themselves, perform necropsies but, to avoid potential conflicts of interest, the AEC recommends that independent expertise be sought wherever possible.

Notwithstanding the provisions above, any person may notify the AEC in writing of any circumstances that they may consider to constitute an adverse event or a breach of conditions relating to any RTT.

The AEC may provide in-person or written feedback to the approval holder on notifications of or its investigations into adverse events.

All adverse event notifications and their outcomes are to be recorded in the minutes of the AEC.

6.2 Records Management

The AEC and the approval holder must keep records of:

- the research protocol and data obtained from the experiment;
- the AEC approval, amendments, non-compliances and adverse events;
- the animals used and whether they have previously been used for other RTT work;
- the manipulations performed and actual impact grading resulting therefrom, as determined and approved by the AEC;
- any veterinary treatment or medicines administered;
- the fate of the animals at the conclusion of the project;
- personnel training records (as relevant).

These records must be kept by the approval holder for a minimum of five years and by the AEC for 20 years (see Section 3.5) after provision of the end of approval reports.

6.3 Appropriate Qualifications

Applicants who are going to carry out manipulations under an approval, must provide details of their own, all co-applicants' and animal technicians' competencies to perform RTT in the relevant section of the application form. The AEC may request further information or evidence of competency prior to approval of a project and may require the applicant to attend a meeting of the AEC to assess their competence.

6.4 Sick and Injured Animals

Sick or injured animals should immediately, according to circumstances, either receive appropriate veterinary care or be euthanised. Animals that suffer severe or chronic pain, distress, discomfort or disablement that cannot be relieved should be immediately euthanised. This also applies to animals held in animal facilities managed by the University or parented organisations, or farms listed as facilities in applications. All instances of sickness or injury, and their outcomes must be reported to the AEC within five working days and recorded in the minutes of the next meeting of the AEC.

6.5 Standard Operating Procedures developed by the CEC Holder

SOPs describing teaching and research-related manipulations or AEC procedures may be developed by the CEC Holder. SOPs may be obtained from other organisations, or prepared by a subcommittee with contributing personnel with expertise in the area.

SOPs must be reviewed by the AEC every three years, where their use is ongoing.

6.6 Management of Animal Facilities

Policies & Procedures

Applicants and approval holders should ensure that all animal facilities are appropriate in their design, construction, equipment, staffing and maintenance to guarantee the health and welfare of animals and to meet the requirements of the application and to reflect good practice and scientific knowledge. Animal facilities must have SOPs that include procedures for emergency management, maintenance, housing and transport of animals.

Emergency Management

All facilities, including those operated by parented organisations, must identify potential large-scale events such as pandemic, fire, earthquake, flood, drought, failure of water supply and power outage that could be harmful to the animals or their management.

Contingency plans must be in place for animal care and management should such an event occur, and preparations made in advance. Contingency plans must not contradict human health and safety policies and procedures. All personnel using animals for RTT at a facility and all staff managing animals must be aware of the contingency plans.

Housing of Animals

Animals in facilities must be housed so as to ensure that their general health and welfare are safeguarded and that undue stress is avoided. Sufficient space, according to the species, should be allocated for each animal. Environmental needs such as temperature, humidity, ventilation, lighting, enrichment and social interaction should also be consistent with the needs of the species concerned. Animals must receive a supply of foodstuffs appropriate to their requirements and of the quality and quantity adequate to preserve their health, with free access to water, unless the object of the experiment is to study the effects of variation in these nutritional requirements. The Codes of Welfare published by MPI may contain relevant information about appropriate standards. Requirements for reporting of adverse events that occur due to facility management practices are described in section 6.1.

Transportation of Animals

Animals must be transported under safe, humane and hygienic conditions appropriate to the species.

The AEC refers applicants and approval holders to MPI's Codes of Welfare for guidance. Animal transport that occurs as part of an RTT procedure must be included in the original application and considered as part of the AEC deliberations.

6.7 Euthanasia for Tissue Collection

AEC approval must be obtained for animals that are euthanised for the primary purpose of dissection or tissue collection unless those animals are collected from the wild (Section 4.1.11 b). Where animals are primarily euthanised for other purposes but are subsequently used for dissection or tissue collection, AEC approval is required if animal management or the method of euthanasia differs substantially from what the animal would otherwise experience (i.e. the method is not covered by an approved animal manipulation protocol or an approved SOP or by the Code of Welfare: Commercial Slaughter).

The AEC may recommend or consider tissue sharing with other organisations as part of RTT applications.

6.8 Rehoming

Efforts to rehome animals when no longer required or suitable for RTT should be attempted where the animal is likely to adapt to the new home environment and experience good quality of life.

Animals that present an increased risk of causing harm to people, the environment or other animals, or are required to be kept under biosecurity containment should not be rehomed.

Animals should only be rehomed to owners who are equipped to manage them in a manner which provides them with good quality of life. Any ill health or behavioural problems must be disclosed prior to seeking agreement to rehome. The AEC Chair should be contacted if assistance is required with rehoming.

Animals must not be released to the wild at the conclusion of RTT unless appropriate approvals from the relevant authorities (MPI or DOC) have been obtained and provided to the AEC.

7. Compliance Breaches & Complaints Procedures

7.1 Compliance Breaches

Non-Compliance with an AEC Approval

The Animal Welfare Act 1999 provides that every person who commits an offence in contravention of, or fails to comply with, any provision of the regulations is liable, on summary conviction, to a fine or to imprisonment or both. Maximum penalties for individual and corporate offences against the Animal Welfare Act 1999, the Animal Welfare (Records and Statistics) Regulations 1999 and other legislation and regulations that apply to the use of animals for research, testing and teaching are included in the text of each Act and Regulation.

However, no member of an animal ethics committee is personally liable for any act done or omitted by the member or the committee in good faith in the course of the operations of the committee.

All Acts of Parliament, regulations and by-laws pertaining to the obtaining, holding possession, care and treatment of animals are to be complied with. All conditions required of an approved application for RTT must be complied with.

Minor Non-Compliance with Legislation or Regulations (including the CEC)

Breaches of the CEC or conditions of an approval should be corrected or dealt with immediately under the direction of the AEC. Breaches of a serious nature will be dealt with by the AEC in conjunction with the Head of School. Heads of School have a special responsibility to see that staff under their authority observe the CEC. Breaches of the CEC by staff of parented organisations will be dealt with by discussion with that organisation's CEO or their nominee and in accordance with that organisation's staff code of conduct. Breaches of the CEC by staff at parented organisations may be reported to MPI for further action.

The AEC will investigate suspected or alleged non-compliance of the CEC or legislation by (an) individual(s) and, where transgression of the CEC is evident, instigate disciplinary procedures in accordance with the principles set out in the University of Waikato's Codes of Conduct for staff and students. Other University policies that will guide the response, where relevant, are:

- University of Waikato Student Complaints and Grievance Procedures
- Dispute Resolution Procedures at the University of Waikato
- University of Waikato Staff Code of Conduct
- University of Waikato Interest (Conflicts of Interest) Policy
- University of Waikato Bullying, Harassment and Discrimination Policy

Major Non-Compliance with Legislation or Regulations

An offence against the Animal Welfare Act involving major non-compliance may also be reported to the MPI Animal Welfare compliance team if there has been a serious impact on animal welfare.

7.2 Animal Welfare Complaints

The AEC will only investigate complaints regarding concerns for animal welfare, procedures and processes relating to RTT. Complaints will be recorded in the AEC meeting documents and brought to the attention of the AEC to raise awareness. Any complaint will be evaluated, investigated and, if needed, escalated to the Deputy Vice-Chancellor Research. Animal welfare complaints may also be lodged with MPI, the SPCA or the Police. Complaints will be investigated as soon as practicable. Outcomes will be recorded in the AEC meeting documents.

If the identity of the complainant is known to the AEC, the outcome will be reported to them either verbally or in writing.

A suspected offence against the Animal Welfare Act may be reported in writing to the Secretary or Chair. Alternatively, the public may communicate the complaint to an animal welfare agency or to MPI.

By the Public

A suspected offence against the Animal Welfare Act may be reported in writing to the Secretary or Chair. Alternatively, the public may communicate the complaint to an animal welfare agency, MPI, or seek further information from the University via a request made under the Official Information Act 1982.

By Employees

As there is a corporate responsibility inherent in the Animal Welfare Act, it is expected that all University personnel, whether directly involved in the conduct of a project or not, will inform the AEC if a suspected breach of the CEC is detected. The Chair or the Secretary may be contacted in the first instance. (Staff may wish to refer to the University's Protected Disclosures Policy to understand the protection they are afforded by the Protected Disclosures (Protection of Whistleblowers) Act 2022).

Complaints of any nature about the activities of the AEC, its members or its decisions shall be notified to the Chair or the CEC Holder as appropriate to the circumstance.

By AEC Members

The responsibility of AEC members to hold information included in applications in confidence does not prevent AEC members from making a complaint. Procedures for dealing with complaints by members of the AEC will follow those procedures for complaints by employees, Members of the AEC may also make a complaint or raise concerns directly to MPI.

7.3 Procedural Complaints

By Applicants and Approval holders

Procedural complaints by applicants or approval holders of the University of Waikato or parented organisations of any nature about the activities of the AEC or its decisions shall be notified to the Chair or the CEC Holder or their nominee as appropriate to the circumstance. Applicants and approval holders may also make a complaint directly to NAEAC via MPI.

By AEC Members

Procedural complaints by members of the AEC should, in the first instance, be raised with the Chair or Deputy Chair who will investigate the nature of the complaint and seek a resolution as appropriate to the circumstance. AEC members may also make a complaint directly to NAEAC via MPI.

Against the Chair/Deputy Chair/Administrator

Complaints against the Chair should be made to the Deputy Vice-Chancellor Research (the CEC Holder's nominee), or the Deputy Chair. Complaints against the Deputy Chair or Secretary should be made to the Chair.

8. Arrangements for External Parties to Use the CEC and AEC

Permission may be granted for external organisations to use the CEC and AEC. Organisations should, in the first instance, provide a written proposal to the Secretary of the AEC to establish a parenting agreement with the AEC outlining the proposed general nature of the organisation's RTT and the likely maximum number of applications to be submitted in any calendar year.

Agreement to establish a parenting agreement will be considered at the next full meeting of the AEC, taking into consideration the likely increase in the AEC's workload and the relevant expertise of members of the AEC pertaining to the proposed nature of the organisation's RTT.

If approval is granted by the AEC to establish a parenting agreement, a formal written agreement using a standard form is to be signed between the CEC Holder's nominee (AEC Chair) and the CEO or their nominee of the external organisation. Upon signing the agreement, notification of an established parenting agreement will be made to MPI.

The following conditions apply to organisations with parenting arrangements:

- organisations with parenting arrangements are responsible for submitting animal use statistics to MPI;
- organisations with parenting arrangements are responsible for submitting SOPs to the AEC for review (as stated in section 6.5 of this document);
- any organisation with an arrangement must comply with this CEC.

References

1. The University of Waikato 2022. Te Tiriti o Waitangi me te Whare Wānanga o Waikato.
<https://www.waikato.ac.nz/about/governance/docs/university-of-waikato-treaty-statement/>
2. Animal Welfare Act 1999.
<https://www.legislation.govt.nz/act/public/1999/0142/latest/dlm49664.html>
3. Public Records Act 2005.
https://www.legislation.govt.nz/act/public/2005/0040/latest/DLM345529.html?search=qs_act%40bill%40regulation%40deemedreg_public+records_resele_25_h&p=1&sr=1
4. Animal Welfare (Records and Statistics) Regulations 1999
<https://www.legislation.govt.nz/regulation/public/1999/0392/latest/DLM1045.html?src=qs>
5. NAEAC 2024. Good Practice Guide for the use of animals in research, testing and teaching.
<https://www.mpi.govt.nz/dmsdocument/33585-good-practice-guide-for-the-use-of-animals-in-research-testing-and-teaching>
6. MPI 2022. Guidance Document; Animal Use Statistics.
<https://www.mpi.govt.nz/dmsdocument/1477-Animal-Use-Statistics-Guidance-for-Completing-Statistical>Returns>