

CODE OF ETHICAL CONDUCT

For the Use of Animals in Research, Testing and Teaching

(section 88 of the Animal Welfare Act 1999)

Nelson Marlborough Institute of
Technology

6 December 2024 – 5 December 2029

The logo for Nelson Marlborough Institute of Technology (NMIT) features the lowercase letters 'nmit' in a white, sans-serif font. Above the letter 'i', there is a stylized graphic element consisting of three curved lines that suggest a globe or a signal.

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Overview

This document is a Code of Ethical Conduct for the use of animals in Research, Testing, and Teaching at Nelson Marlborough Institute of Technology (NMIT). This Code of Ethical Conduct (Code) is designed to implement the Animal Welfare Act 1999, the Animal Welfare (Records and Statistics) Regulations 1999, and any other relevant legislation. It is also intended to meet or exceed standards of animal manipulation and management as detailed in the National Animal Ethics Advisory Committee (NAEAC): Good Practice Guide for the Use of Animals in Research, Testing and Teaching. The following articles in this Code cover the welfare and humane treatment of live animals (including those killed for harvesting tissues) used in research, testing, and teaching both on and off campus by researchers, staff, and learners within NMIT and parented organisations.

1. Background on the Activities of the Code Holder

([Section 89](#) and [Section 93](#) of the Animal Welfare Act 1999)

1.1 Organisational Activities

NMIT has an overall mission to build a stronger community through education that creates value and meaning for people. The use of animals, where appropriate, makes an important contribution to these areas supporting educational programmes, research, and career development. The main activities covered by this code will involve low level impact graded Animal Use Protocol (AUP's) and Standing Operating Procedure (SOP's) involving aquatic animals linked to Aquaculture and Conservation in NZ. (See Appendix A, for list of Abbreviations)

At NMIT, research, testing, and teaching (RTT) activities involve performing manipulations on animals, guided by this Code and under the approval of the NMIT AEC. Research, testing, and teaching activities at NMIT may be carried out in the fields of animal health, husbandry, and management; animal biology, anatomy, and physiology; understanding of ecosystems, biodiversity, and species conservation; and others.

1.2 RTT and Te Tiriti o Waitangi Obligations and Principles

NMIT is a Tiriti-led organisation with a statutory mandate to reflect Māori-Crown partnerships in order to ensure that, among other things, its governance, management, and operations give effect to Te Tiriti o Waitangi (Te Tiriti).

Our approach to ethics in NMIT has been developed within the context of our Charter (as set out in Schedule 13 of the Education and Training Act 2020) and the ethical expectations outlined across relevant frameworks and regulations. Inside these sit the principles of Te Ara Tika Guidelines for Māori Research. These guidelines extrapolate Te Tiriti principles and apply tikanga. Meeting NMIT obligations under Te Tiriti encompasses articulating the ethical dimensions of tikanga as they relate to research, testing and teaching to support members of ethics committees to fulfil their kaitiaki (guardian/advocate) responsibilities; and, to assist ethics committees during the ethical deliberations; and, to guide researchers and educators more generally with respect to Māori ethical understandings and perspectives. Te Tiriti articles also provide obligations of taonga for research including active protection of mātauranga Māori, Te Reo, tikanga, and taonga Māori. NMIT acknowledges its

responsibilities in ensuring it is actively protecting all taonga including whenua, flora, and fauna deemed to be taonga. Four key principles from Te Tiriti articles can be adapted to the animal ethics environment:

1. *Whakapapa (relationships and connectedness to mana whenua)*

Consulting meaningfully and developing authentic relationships contributes to the ethical tenor of all research and teaching. Where research and/or teaching is of direct relevance to iwi, procedures for consultation are set out in this code and NMIT expects all researchers and/or educators to consult with relevant stakeholders in a culturally appropriate manner prior to undertaking any animal manipulations.

2. *Tika (purposefulness)*

Research and teaching involving animals should only be carried out in circumstances where the perceived benefits outweigh the harms caused. In this context, purposefulness is the expectation that the research and/or teaching is well designed and carried out to a sufficient standard to be able to deliver these benefits (i.e., that it is fit for purpose).

3. *Manaakitanga (active protection)*

All participants in research and teaching should act with respect and care for others. This respect extends to all sentient beings involved in the research, testing, and teaching, be they human or members of other species.

4. *Mana (justice and equity)*

When research and/or teaching involves animals, the benefits of the work often accrue to a different group than those that bear the costs. Under these circumstances, particular care should be taken to ensure that the group bearing the costs is treated with as much care as possible to minimise this imbalance.

In recognition of these principles, this Code integrates and incorporates mātauranga Māori by drawing on a foundation of tikanga Māori to enhance understanding of Māori ethical concepts, support decision-making around Māori ethical issues, assist with identifying ways to address Māori ethical concerns. It aims to improve the capacity of key personnel within the system of ethical review to respond more appropriately to Māori issues and, in doing so, enhance Māori communities' confidence and trust in the decisions made by NMIT.

NMIT recognises that Māori have specific interests in the way their land is used and in the indigenous fauna of New Zealand. This Code, therefore, ensures active protection of Māori autonomy in relation to their mātauranga and taonga as it applies to this code. It ensures that NMIT operates with tiaki and whakaute when using these resources, and provides a useful guide to educators, researchers, ethics committee members, and those who engage in consultation or advice about animal ethical issues.

1.3 RTT and the 3 Rs

NMIT is committed to planning and conducting the most humane and properly justified animal RTT, based on constructive dialogue with trust and respect between and among stakeholders. To achieve this, researchers, and educators at NMIT are required to apply the following guiding principles based on the 3 Rs and additionally reflecting the NMIT core value of respect and manaakitanga as the fourth

R. Acceptance of these principles means that those responsible must be thoroughly conversant with the literature and background information on the principles, and subject of study.

- i. Replace the use of animals where possible, by substituting with non-sentient or non-living alternatives.
- ii. Reduce the number of animals manipulated to a minimum required to achieve teaching and scientific requirements while also minimising impacts to animals.
- iii. Refine the way studies or Animal Use Protocols (AUPs) are carried out to minimise harm to animals, eliminate or reduce animal suffering and enhance animal welfare.

In accordance with the principles above, **manipulation** of live animals (including harvesting tissue, euthanasia, etc.) must consider Section 3 of the Act - definition of manipulation. Manipulation must only be undertaken:

- i. Where an alternative to the use of live animals is not appropriate or feasible;
- ii. Where there is a good reason to believe that the findings will add to the scientific understanding of biological functions and behaviour or will extend the body of knowledge aimed at improvement in the health and welfare of humans and animals and the productivity of animals;
- iii. Where manipulation is a required part of the educational curriculum and/or research project.

In accordance with the principles above, consideration for **teaching** using live animals includes:

- i. The value of the proposed manipulation is beneficial to the learning outcome for the students.
- ii. Whether a non-animal alternative can be used or used alongside live animals to reduce numbers.
- iii. The choice of appropriate animal species and individual animals that are used for manipulations to minimise stress.
- iv. Management of animal to student ratios to maximise student learning and minimise individual animal stress.

In accordance with the principles above, consideration for **research and testing** using live animals includes:

- i. All animals are sentient beings and must be afforded respect and manaakitanga, recognising that their welfare needs are the first priority.
- ii. Animal subjects should not be used at all if other techniques are available and will prove equally appropriate.
- iii. Where the use of an animal is necessary for the research, the choice of species and health status must be determined not only by the nature of questions posed in planning it, but also by other relevant considerations.
- iv. Appropriate experimental design and analyses should be employed to provide a statistically valid result with the minimum necessary number of animals through consultation with a biostatistician, if required.
- v. The choice of animal species will depend on scientific and technical criteria and animal welfare. Expediency and economic factors must not be allowed to distort these criteria.

- vi. Animals used for experimental purposes or for teaching as defined under the Act must be lawfully acquired, maintained, and used in strict compliance with all legislation which relates to their welfare and humane treatment.
- vii. Endangered, threatened, and indigenous species should not be used unless under the guidance or permitting of the Department of Conservation, and only with appropriate iwi consultation.
- viii. Manipulation of live animals should only be undertaken in accordance with the Ministry for Primary Industries Guidance Document for Animal Use Statistics and the National Animal Ethics Advisory Committee: *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*. Considerations must be applied to minimise distress.

Additionally, in reflecting NMIT core values of respect and manaakitanga a fourth R will be prioritised. The respect for animals, as defined in the Act as sentient beings, will be considered. The AEC recognises that all animals used in teaching and research should have their welfare needs as the first priority. This integrates the Māori holistic view of health and well-being, where an animal's welfare extends through life and into death, and that when an animal dies, parts of its body may be seen to have mana or mauri of their own.

1.4 Responsible Individuals

Nelson Marlborough Institute of Technology ("Code Holder") is ultimately responsible for the administration of the CEC. The responsible individual/s for the day-to-day administration of code of ethical conduct is the NMIT Executive Director. In practice, they may choose to delegate the day-to-day administration to relevant personnel within the organisation. The Executive Director shall retain the institutional responsibility to ensure NMIT meets its legal responsibilities as defined by the relevant legislation. Other responsible persons include all NMIT staff and students, contractors, and AEC members.

NMIT may from time to time enter into an animal ethics parenting agreement with other organisations who request and are granted permission to operate under this Code. In this instance a Memorandum of Understanding will be agreed outlining requirements.

Any organisation that enters into a parenting agreement with NMIT, will undertake to comply with this Code, including that all individuals using this Code are familiar with responsibilities and administration therein.

1.5 Individuals/Organisations under the CEC

This Code applies to the following:

- i. All employees (kaimahi), contractors, and learners (ākonga) of NMIT or parented organisations.
- ii. Members of NMIT AEC.
- iii. Persons named on NMIT approved AEC AUPs and associated documents.
- iv. Persons responsible for any aspect of care and welfare of animals used in RTT at NMIT, or parented organisations.
- v. All animals used in RTT at NMIT or parented organisations.

All individuals in either NMIT or parented organisations that use animals for RTT under the approval of a NMIT AEC must comply with this Code.

All members will be provided with training as per section 2.3.

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

Pursuant to the Act, and amendments, NMIT will have a single functioning Animal Ethics Committee (AEC) that shall be guided by this Code.

The AEC shall be established and maintained by NMIT in accordance with the Act, and in consideration of the NAEAC Good Practice Guide for the Use of Animals in Research, Testing and Teaching.

Should the AEC be disbanded, all current projects, and any obligations under the Code relating to those projects, will be passed to another organisation with an approved Code and AEC.

2.1 Functions and Powers of the AEC

The purpose of the AEC is to consider ethical matters pertaining to the manipulation of animals for research, testing, and teaching at NMIT, as well as the manipulation of animals by parented organisations.

Responsibilities of the AEC are:

- i. To ensure that the highest ethical standards are observed by all persons associated with it, in relation to the manipulation and use of animals by NMIT or parented organisations.
- ii. To ensure compliance with the Act, and amendments, and all other relevant legislation, by all persons named on approved AEC AUPs, procedures, and associated documents.
- iii. To act in accordance with the National Animal Ethics Advisory Committee (NAEAC) Good Practice Guide for the Use of Animals in Research, Testing and Teaching.
- iv. To respond to, and respect, ethical dimensions of tikanga Māori involving animal use including support for kaitiaki roles of Māori ethics committee members; identifying and responding to key ethical concerns for Māori; and implementing effective and responsive decision-making around Māori ethical issues relating to animal use.
- v. To advise the Code Holder of all matters pertaining to the welfare of animals involved in manipulation in the organisations covered by this Code.
- vi. To promote a culture of care which fosters integrity and accountability of the actions and decisions of all staff, learners, contractors, committee members, and parented organisations.

Pursuant to section 99 of the Act, functions of the AEC are

- i. To consider Animal Use Protocol (AUP) applications to use animals for RTT.
- ii. To set, vary, and revoke conditions of project approvals.
- iii. To monitor compliance with conditions of project approvals.
- iv. To consider and monitor adherence to standard operating procedures (SOPs).

- v. To review results of approved projects.
- vi. To monitor animal facilities used for RTT.
- vii. To monitor routine animal husbandry, welfare, and animal manipulations.
- viii. To set conditions for pre-approval from the Department of Conservation and/or an appropriate iwi group, if required.
- ix. To recommend to the Code Holder, amendments to the Code.

The AEC will have such powers as are reasonably necessary to enable it to carry out its functions to ensure the welfare and humane treatment of live animals that are used for research or teaching both on and off campus by staff in NMIT, or their agents, as covered by this Code.

These functions extend equally to all teaching and manipulation of animals, projects, and facilities approved by the AEC.

The AEC has the power to inspect animals used in RTT, including but not limited to, their fitness, welfare, housing, environment, and related experimental records at any time to satisfy itself that approved procedures are being properly carried out. The AEC has the power to direct that any procedure, whether approved or not, be stopped or modified on ethical grounds. The AEC can also direct that animals be properly cared for or, if appropriate, euthanised.

2.2 Membership of the AEC

NMIT AEC shall consist of the following roles as outlined below. Conflict of interest for all members shall be recognised and managed as per section 3.1 of this Code. The AEC shall have a maximum of 6 members, with at least 3 of these being external members. At least one internal member should have experience with statistical analysis.

Statutory members

- A Chair who is a senior representative of the organisation, and who is nominated by the NMIT Executive Director subject to the endorsement of the AEC. The Chair is required to be a senior member of the staff of NMIT appropriately qualified and experienced in the manipulation and use of animals (i.e. as required by the Act).
- 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 NMIT, or associated with the scientific community or an animal welfare agency.

Terms of Appointment

Every member of the AEC shall be appointed for a term of three (3) years. Reappointments will be on a case-by-case basis by the Executive Director.

Organisational/internal members

Organisational/internal members shall be employees of NMIT, and their selection should reflect the diversity and inclusiveness of the organisation. They will be supported by NMIT to perform their duties in relation to the AEC. Refer to section 3.1 regarding management of any conflict of interest.

Pursuant to section 101 (4) of the Act, they shall be capable of evaluating all the following:

- i. Each proposal to consider the justification for a project or AUP.
- ii. The qualifications and skills of the proposer and personnel of a project or AUP.
- iii. The scientific value or the teaching value, as the case may require, of a project or AUP.
- iv. Ethical justification for the project or AUP and the animal welfare aspects to ensure that any harms are minimised.

External members

External appointees must not be associates of the Chief Executive of NMIT and/or must not be employed by NMIT.

For external AEC members, NMIT will provide a fair remuneration to cover time spent attending AEC meetings, meeting preparation, monitoring activities and travel costs associated with AEC meetings and any other associated work. Support for specific AEC member to attend events and conferences (e.g., NAEAC AEC Workshop, ANZCCART Conference) may be provided on a case-by-case basis.

Additional members

The AEC has the power to co-opt additional expertise where additional skills or knowledge gaps are identified. This may be in relation to the science involved in AUP or SOP applications, the species of animal or similar situations. Co-opted advisors do not participate in decision-making.

If the co-opted additional expertise is a NMIT representative, this will occur as part of their role so no additional remuneration will apply. If the co-opted additional expertise is external to NMIT, they will be remunerated commensurate with their skills and the complexity of the advice sought.

2.3 AEC Appointment Procedures

Pursuant to section 101 of the Act, and section 4.11 of the NAEAC: *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*, all members of the AEC shall be appointed from time to time by the Code Holder, or their nominee; and may include both members of the AEC and persons who are not members of the AEC.

Members, Chair/Deputy Chair

In appointing members of the AEC, NMIT, with endorsement of the Chairperson of the AEC, shall have regard to:

- i. Their personal attributes; and their ability to contribute to the functions of the AEC.

- ii. At least one statutory member must be appointed based on their capability to evaluate the scientific validity of projects, and in accordance with section 4.11.1 of the NAEAC: Good Practice Guide for the Use of Animals in Research, Testing and Teaching.

The Chairperson shall be appointed by the Code Holder, and subject to the endorsement of the AEC. The Chairperson of the AEC shall be a representative of NMIT who can evaluate projects, the qualifications and skills of applicants, the teaching value of the AUP, and the ethical justification for the projects, including welfare impacts.

A Deputy Chairperson shall be elected by the AEC members at the start of the term of the Code and will chair the meeting and perform other chairperson's duties as required should the Chairperson be unavailable for any meeting. They also may serve as Chair if the Chairperson declares a conflict of interest.

Persons not eligible to be an AEC member include anyone who has a conviction against any of the following Acts of Parliament or any replacement, substituted or added Act of Parliament, as specified in section 89(1)(c) of the Animal Welfare Act 1999; including, The Animals Protection Act 1960, The Agricultural Compounds and Veterinary Medicines Act 1997, The Biosecurity Act 1993, The Companies Act 1993, The Crimes Act 1961, The Dog Control Act 1996, The Serious Fraud Office Act 1990, The Trade in Endangered Species Act 1989, and The Veterinarians Act 2005.

Eligibility criteria for appointment include:

- i. Endorsement from the AEC.
- ii. A record of consistent and fair leadership (for the Chairperson and Deputy Chairperson, only).
- iii. A record of consistent adherence to compliance and operational matters related to the AEC.

All organisational (internal) members of the AEC are required to hold an academic qualification at level 6 or above, have experience in the use of animals in research and/or teaching, and be qualified to provide critical evaluation of AUP and SOP applications.

Term of Appointment

Every member of the AEC shall be appointed for a term of three (3) years. These term limits apply to both organisational and external members.

Reappointments

From time to time, existing or previous members may be reappointed. Eligibility criteria for reappointment include the above conditions, as well as evidence of continued and consistent endorsement by the AEC.

When members are replaced, every effort shall be made to ensure that the new AEC member is a person with suitable knowledge and experience. External members of the AEC will be nominated by the appropriate external bodies and appointed by the Code Holder. Internal member appointments will be made by the Chairperson of the AEC in consultation with AEC members, and the Code Holder will confirm their appointments.

Vacancies

Vacancies must be filled as promptly as possible. The procedure for replacement of an AEC member due to resignation during the term of the Code shall follow the appointment procedure described earlier in this Section. If a member has an unexplained absence from the AEC for three consecutive meetings, this member will have been deemed to have resigned their position on the AEC and the vacancy will be filled in accordance with Section 2. Vacancies in the membership of the AEC will not invalidate its actions if a quorum of members as outlined in Section 3.2 is still available for AEC meetings. A quorum requires two external statutory members and 50% +1 of the AEC members to be present.

Induction and Training

It is the responsibility of the Chair to ensure all members of the AEC are fully prepared for their role on the AEC. New members meet with the Chair prior to beginning duties and are given an orientation session on the functions and procedures of the AEC, and the roles performed by the members of the AEC. On the appointment of a new Chair, the incumbent Chair will fully induct the new Chair in the post and responsibilities of the role including the formal induction pack. The Executive Administrator of the AEC will provide new AEC members with a formal induction pack, including:

- i. Electronic access to the current Code.
- ii. The NAEAC induction pack.
- iii. A copy of the minutes from the last meeting, including a summary of approved and active AUPs and procedures.
- iv. Instructions on how to access the Act, and other relevant legislation.
- v. An outline of expectations for attendance and engagement with the AEC.
- vi. A brief bio of each member of the AEC.

Members may also be required to attend NAEAC workshops, conferences and/or training courses during their term on the AEC. Ongoing continuing education shall be facilitated by the distribution of relevant literature. The Chair can also facilitate contact of AEC members with outside experts if requested.

3. AEC Standard Processes

3.1 General

Protection of AEC Members

In accordance with section 104 of the Act regarding the protection of AEC members: no member of an AEC is personally liable for any act done or omitted by the member or the AEC in good faith during the operations of the AEC.

Conflict of Interest

Members of the AEC are expected to perform their duties in good faith, honestly, and impartially, and avoid situations that might compromise their integrity or otherwise lead to conflicts of interest.

At the start of each meeting, AEC members must declare any actual or potential conflict of interest to be recorded in the minutes, which may be audited by accredited reviewers. A conflict of interest is generally accepted to exist when an AEC member's duties or responsibilities to the AEC's entity could be affected by some other interest or duty that the member may have.

The recorded minutes should reflect the expression of a specific conflict of interest, what it is in relation to, and how the conflict is being handled. Actions in response to the conflict of interest depend on the individual case, and may include:

- I. The conflicted member participates in discussion but not contribute to any decision-making;
or
- II. The conflicted member responds to questions but does not participate in the discussion or decision-making.
- III. The conflicted member withdraws from all discussions and deliberations, and is usually asked to leave the meeting, particularly when decisions are made.

Where the Chair has the conflict of interest, then the Deputy Chair will assume the chair for the duration of the matter where conflict has been declared.

Confidentiality

AEC members are required to sign a NMIT confidentiality agreement at the time of their appointment to the AEC and must treat all information submitted to the AEC, and any related documentation and correspondence, as confidential. Members are expected to keep all documents (either electronic or hardcopy) in a secure place. Documentation held by members of the AEC shall be returned when no longer required and destroyed by the Executive Administrator. No documentation shall be released unless approved by the Chairperson.

3.2 Meeting Procedures

Scope of AEC Meeting

The AEC meetings will provide an opportunity for members to perform their duties, as outlined in Section 2.1, including providing advice on matters relating to animals used in RTT to ensure the highest ethical standards are maintained.

At each meeting, the AEC will consider modifications, monitoring reports, adverse events, end of study reports, complaints as well as any other relevant documentation (to encompass related approvals from other bodies like ACVM, DOC etc).

Minutes will be taken by designated staff, using a standardised template including:

Standing agenda items

- Apologies
- Review of minutes of the previous meeting
- Matters arising
- Correspondence

- Conflicts of interest
- 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

End of year meetings will also include:

- Animal use statistics.
- End of year monitoring, research, testing, and teaching reports.
- Final project reports as per section 6.1

Completed meeting minutes will be checked with the Chairperson and made available to the AEC at the next meeting, and where appropriate, ensuring full confidentiality of parented organisations, to the Research and Ethics Committee, or the relevant Subcommittee of Te Poari Akoranga (Academic Board). In the case of information being shared outside of the AEC, information will be limited to number of applications, animal use statistics and applications specifically from NMIT.

Restricted minutes of the AEC will be made available to Research and Ethics Committee members ensuring confidentiality for parented organisations.

If changes are required, minutes will be discussed and amended at the next AEC meeting before they are approved. Minutes will be labelled “awaiting confirmation” until they are approved. Meeting minutes shall be retained as per record keeping detailed in Section 3.5.

Frequency of Meetings

The AEC will meet face-to-face at least two times a year, and additionally when required to enable it to fully carry out its responsibilities including reviewing teaching and research AUP and SOP applications. As per section 3.2, video conferencing may be used when extenuating circumstances prevent face-to-face meetings. A schedule of meetings will be approved by the AEC. Notice of planned meeting times, dates, and places will be provided to all AEC members in writing at least two weeks prior to the first meeting of each year. There is provision for out of schedule meetings to be called by the AEC Chairperson when required.

Circulation of Meeting Papers

Meetings will be organised by the Executive Administrator (EA) who sets and distributes the AEC agenda, AUP and SOP applications, and all other appropriate information by email to AEC members at least two weeks prior to the meeting. If AUP or SOP applications are not received on time they will

not be accepted as agenda items for the meeting. The Executive Administrator will record the meeting minutes and distribute minutes to members for approval.

Between meetings, urgent AUP applications for A and B gradings will be sent to AEC members for consideration. Members will send written comments to the Chair. These comments are collated and filed by the AEC EA. Comments on AUP applications with only A and B gradings can be sent to the applicant by the Chair prior to the next face to face AEC meeting. Any feedback and revisions will then be circulated to AEC members, and if a consensus can be reached, the AUP application will be tentatively approved as an Interim Decision, allowing work to commence, and will be ratified at the next face-to-face meeting.

AUP applications with C and higher gradings are only approved after discussion at a face-to-face meeting. Urgent AUP applications received with C or higher gradings trigger an out of sequence meeting to be held within the following month to ensure they are dealt with in line with the applicants required timeframe.

Procedures are the same for internal applicants and parented organisations.

Quorum

A quorum will be achieved through attendance of 50% +1 members including two external statutory members appointed as described in Section 2.2. Meetings may not proceed without quorum (as this would impede decision making). It should be noted that discussions can be had without quorum, but no decisions can be made.

Decision Making

Decisions will be made by consensus of a quorum after all AEC members present have had the opportunity to express their views. Specifically, “consensus of quorum” means an agreement of all members present at the meeting and quorum requirements are met. Appointed members, as outlined in Section 2.2 will discuss the matter and a consensus needs to be reached within the quorum with AUP applications revised until all members are satisfied. If consensus cannot be reached, the default should be to reject the AUP application.

Decisions will provide outcomes as outlined in Section 4.2. All decisions will be recorded in the minutes and the applicant advised of the outcome in writing with the reasons for any rejection clearly outlined. The applicant can seek guidance from the AEC Chair regarding the AEC concerns and recommendations. If the outlined issues are addressed, then the AUP can be resubmitted.

Decisions made between meetings will be communicated via email to AEC members and the applicant and ratified at the next formal meeting.

All decisions regarding AUPs will be recorded in the AEC correspondence to be presented at the end of year AEC meeting, as well as being recorded at the end of the related AUP.

Effective Input of Committee Members

To ensure effective input, all members will have equal opportunity to contribute to the business of the meeting. Members will have access to applicants involved in the manipulation of animals so that

they can obtain information and answers to questions they have regarding AUP application. The views of external members should be sought in each case, and fully considered. External members will be provided with support from the Executive Administrator including the NAEAC induction pack and monitoring guidelines. External members are provided with support to fully participate in the work of the AEC (they are heard, and their views are considered). The Chairperson has the right to ask visitors to leave the meeting at any time. All members will otherwise have normal speaking rights.

Online Meetings

While the AEC prefers face-to-face meetings, it recognises that that with adequate software, videoconferences can be considered the equivalent of face-to-face meetings. For any meeting format, all meeting procedures must be adhered to, and a quorum must be reached for the meeting to proceed.

Establishment and Membership of Sub-Committees

If a subcommittee is needed, a subcommittee formed by the AEC will comprise at least two statutory external member and one other committee member. Decisions will then be ratified at the next full AEC meeting.

Public presence at meetings

Meetings will not be open to the public and are invitation only. Information about AEC meetings is official information under the terms of the Official Information Act 1982, and requests by members of the public for its release are to be treated as requests pursuant to that Act.

Applicant presence at meetings

The AEC may invite applicants to be present at the meeting in support of their AUP application and to answer any questions the AEC may have. This may consist of a face-to-face meeting, a web conference, or a phone call, and it may be scheduled, or unscheduled. Applicants are welcome to bring a support person to the AEC meeting.

Applicants may write to the Chairperson requesting attendance at the AEC meeting to present on their AUP and answer questions from the AEC, which will be at the discretion of the Chairperson. In all cases, applicant or project personnel must not be present in any capacity during AEC deliberations on the project.

3.3 Consideration Between Meetings

Matters arising between scheduled meetings should be deferred to a scheduled meeting in the future, when possible or dealt with through an interim decision-making process depending on the grading of the application.

Consideration between meetings for grade A & B AUP applications for, or modifications of approved grade A & B AUP applications may be made by the AEC through a decision-making system after electronic document review and commentary.

Consideration between meetings for a new grade C-E AUP application or a request to alter a grade C-E AUP may be issued (as described in section 4.1) on a case-by-case basis, where there are sufficient grounds for the urgency of the approval. If there is sufficient cause for urgency of the request, a special meeting of the AEC can be called to consider the AUP application following the procedure outlined below:

- i. Upon receipt of the AUP application for a new AUP or request for alterations to an existing approved AUP, a special meeting will be called by the AEC chair. The meeting may be in person or via videoconference.
- ii. Prior to the special meeting taking place, the AUP application will be made available to all AEC members via email and members given 10 business days to consider the AUP application. Any feedback is distributed to all AEC members for consideration and response prior to the meeting.
- iii. After all feedback has been received and considered, the AUP will be considered at the special meeting and a decision made by consensus of a quorum of the AEC which includes the chair or deputy chair, in addition to a minimum of two external statutory and two non-statutory members. The quorum will make a point to consider the feedback of any AEC members who were unable to attend.
- iv. A decision is made, and the applicant (including Principal Coordinator) is notified about when manipulations may commence.
- v. The decision is ratified at the next full AEC meeting. If the full committee consensus goes against the decision made by the quorum, the Principal Investigator (PI) will be contacted and instructed to immediately halt manipulations. The approval will be withdrawn until a full review can be completed at the next full AEC meeting.

3.4 Secretarial Support

In addition to AEC members, an Executive Administrator (EA) with appropriate skills shall be appointed by NMIT and endorsed by the AEC for the purpose of overseeing administration matters of the AEC. The EA shall be an employee of NMIT and is 'in attendance' for the AEC and does not form part of the consensus decision-making processes of the AEC. In addition to the EA, a separate Minute Taker will be present at the meetings to take the minutes. This Minute Taker is not a member of the AEC and could be on a rolling schedule.

Duties of the EA include:

- a. Organising meetings, including preparing videoconference links, agendas, and memos; distributing materials; coordinating meetings.
- b. Maintaining secure records of agendas, minutes, decisions, correspondence with investigators, site visit reports, AUP and SOP application forms and all other relevant documentation.
- c. Recording correspondence (and forwarding to members if relevant).
- d. Collating animal use data and forwarding statistics on animal use to the Ministry for Primary Industries each year.
- e. Notifying AUP holders if their AUPs or SOPs are coming up for renewal.
- f. Helping direct applicants and other staff using animals.

3.5 Record Keeping Requirements

Information Management

Pursuant to the Animal Welfare Act 1999 and amendments, the Animal Welfare (Records and Statistics) Regulations 1999, and the MPI Guidance Document: Animal Use Statistics, records must be kept and reported for all animals that are manipulated for the purposes of research, testing and teaching.

Records to be retained include:

- i. Study protocols/AUPs
- ii. AEC approval
- iii. Manipulations carried out and actual impact grade resulting
- iv. Details of animal husbandry routines & actual environmental conditions
- v. Variations approved
- vi. Deviations/non-compliances
- vii. Adverse events
- viii. Staff training records
- ix. Veterinary treatment
- x. Results of manipulations/ treatments
- xi. The approved Code
- xii. A record of past and ongoing approved AUPs and SOPs
- xiii. AEC responses to AUP and SOP applications and associated correspondence
- xiv. Monitoring visits and reports
- xv. MPI Animal Use Annual Returns
- xvi. Minutes of AEC meetings

Minutes will be taken and recorded as described in Section 3.2.

AEC documentation shall be held in electronic format, in appropriate folders within the NMIT network. All sensitive information pertaining to minutes of proceedings, AUP or SOP applications, AEC decisions, operations and records must be stored in NMIT's secure database, accessible by AEC members only. Approved AUPs, SOPs, the Code, and other approved documents will be accessible to select NMIT staff or other people that require access to fulfil their duty of care.

Pursuant to the Act, records shall be retained securely for not less than the period of 7 years beginning with the expiry of the year in respect of which the records were kept. Access to stored records will require approval from the AEC Chairperson or the Code Holder.

Information storage, maintenance, archiving, and file deletion shall be handled in accordance with the relevant NMIT information and records management policy including historical paper records stored in a locked archive room, or digital records stored in a restricted and backed up drive and maintained for not less than 7 years. Destruction after 7 years will be through a secure document destruction and recycling company.

Parented organisations will be made aware of the requirements set out under the Animal Welfare (Records and Statistics) Regulations 1999 that require you to keep ‘readily accessible’ records regarding animals used in research, testing, teaching, and the production of biological agents.

Animal Use Statistics

Animal use statistics will be recorded by AUP holders, including those within parented organisations, and data from Animal Use forms will be collated by the EA of the AEC at the end of every year. Data from parented organisations must be separately identified as a return. These records are to be sent to the MPI by individual parented organisations and NMIT annually by 28 February, as per legislative requirements. Parented organisations will confirm with NMIT that they have submitted their records to the MPI.

Annual returns to MPI must include:

- i. Detail of records kept for every AUP ending in the calendar year. For AUPs extending past three years, details of records kept must be submitted in the year following every third year of the project, or in the year following the year that the project ends – whichever is soonest.
- ii. If no animals have been manipulated or no projects have ended in the preceding year, a nil return must be submitted.

4. AEC Technical Processes

4.1 Consideration of Applications by the AEC

To help ensure compliance with the Act and NAEAC recommendations, applications for AUPs must be presented on the AUP application template. It is acknowledged that not all categories in the template will be applicable for all AUPs. The AEC may implement a pre-screening process to ensure AUP applications contain all required information prior to consideration at a formal meeting. A dedicated application database will be utilised to manage AUP applications.

Criteria for Consideration

Pursuant to section 100 of the Act, the AEC must consider specific criteria as outlined below.

- i. The Three Rs as outlined in Section 1.2 of this Code.
- ii. Scientific or education objectives of the project.
- iii. The means by which harm or distress related to the manipulation is alleviated and risks of adverse events are identified and eliminated or managed to significantly minimise risks of adverse events occurring.
- iv. The adequacy of proposed animal handling, husbandry, and health care measures.
- v. Whether the expected use and benefits outweigh the impact on the animals, and the likelihood that the use benefits will be realised.
- vi. The reasons for selecting the proposed animal species, and whether animals will be used repeatedly.

- vii. The biostatistical justification of proposed numbers to be used; or for teaching basic animal handling, whether there are enough animals for appropriate animal to student ratios, to reduce stress on individual animals.
- viii. The qualifications and experience of personnel involved in the proposed use.
- ix. Whether duplication of an experiment is proposed, and, whether it still meets conditions under section 100 of the Act.
- x. Whether findings will be adequately used, promoted, or published.
- xi. That the applicant has rightful ownership/guardianship of the animals or has obtained approval from the animal supplier.

The AEC will consider additional criteria:

- xii. Any other matters that the AEC considers relevant, including required approvals by, e.g. ACVM or DOC.
- xiii. In reflecting NMIT core values of respect and manaakitanga, a fourth R will be prioritised. The respect for animals, as defined in the Act as sentient beings, will be considered as well as issues linked to potential compassion fatigue.

Impact Grading

All AUPs submitted to the AEC will be assessed for impact grading of manipulations guided by the Animal Use Statistics documents issued by MPI.

All impact grades will be allowed at NMIT. Monitoring required across the grades is described in section 5, below. The impact grading of a project will be assigned by the applicant prior to the meeting, and at the modification of a project if changes are required. Researchers, educators, and AECs should use their knowledge and judgement in determining the impact of procedures on animals. The AEC may adjust the grading at the time of approval, after the work has started, or when the actual impact on the animals has been evaluated via the monitoring programme or reported on the animal statistics form.

If AEC disagrees with the proposed grading, then a meeting will be held. The applicant will need to provide further evidence to justify the original grading or resubmit with a new grading.

Outcomes after Consideration

Possible AEC outcomes of AUP application review: proposals may be approved outright, A/B projects may be given interim approval, but this is not standard practice, approved with amendments or conditions, revision required, or declined.

Approved

Proposals that have been approved may commence work as per the AUP and will be numbered and approved for the timeframe agreed by the AEC. The Chairperson, applicant and other personnel must sign and date the AUP.

Interim Approved

For AUP's graded A or B an interim approval may be granted by on-line decision-making process after consideration by all committee members and then ratified at the following meeting of AEC.

Approved with Amendments or Conditions

Proposals that have been approved with amendments or conditions require modifications to be made to the AUP before they can be fully approved. Work may not commence until the modification has been approved. The modifications must be submitted to the AEC in writing within two weeks of receipt of the approval notification. Proposed amendments will be written into the AUP before it is numbered and signed, as above.

Revision Required

Proposals where revision is required are prohibited from commencing work as the AUP requires revision and resubmission to the AEC for review.

Declined

Proposals that are declined are prohibited from commencing work under that AUP in any capacity. All decisions will be handled as outlined in Section 3.2.

Conditions of Approval

Decisions will be made by consensus of a quorum after all AEC members present have had the opportunity to express their views. Appointed members, as outlined in Section 2.2 will discuss the matter and a consensus needs to be reached within the quorum with AUP applications revised until all members are satisfied. If consensus cannot be reached, the default should be to decline the AUP application.

Decisions will provide outcomes as outlined in Section 4.1. All decisions will be recorded in the minutes and the applicant advised of the outcome in writing with the reasons for any rejection clearly outlined. The applicant can seek guidance from the AEC Chair regarding the AEC concerns and recommendations. If the outlined issues are addressed, then the AUP can be resubmitted. Decisions made between meetings will be communicated via email to AEC members and the applicant and ratified at the next formal meeting. All decisions regarding AUPs will be recorded in the AEC correspondence to be presented at the end of year AEC meeting, as well as being recorded at the end of the related AUP.

The AEC will ensure that for all AUP approvals reflect all conditions have been met, including for specific manipulations, as per section 5.4.

Maximum Approval Period

The AEC will require a definite endpoint, by way of an expiry date, for all AUP approvals. When the expiry date for an approval is reached, all animal manipulations must stop.

The maximum approval period for an AUP application is three years. If an approval holder wishes to continue with the project beyond the three-year period, a new application must be submitted.

Extensions, if required, must be resubmitted 30 working days before the approval is due to expire. Extensions may not exceed the three-year timeframe.

Where AUPs extend beyond one year, the principal investigator for the AUP must submit an annual interim compliance report as per section 6.1.

Power to Suspend, Revoke and Vary Approvals

The AEC has the power to suspend or revoke approvals or set, vary, or revoke conditions of project approval. This includes new information provided to the AEC, or as a result of the AEC's monitoring of the AUP, or where the AEC has concerns about the welfare of animals being used.

In the case of imminent danger to the welfare of the animal, any AEC member, staff veterinarian, veterinary nurse/technician, or teacher may halt a procedural manipulation while seeking further advice from the AEC Chairperson. Any of these people may also report directly to the AEC if there is danger to animal welfare.

The Chairperson will determine what immediate action is required, including immediate revocation, in accordance with the Act. At the next meeting, the AEC may decide to revoke or vary the approval. Revocation, suspension, or variation of an approved AUP will be notified in writing to the approval holder, approval holder's manager and the Organisation Representative or their delegate, with the decision and reasons clearly outlined. The AEC may notify MPI depending on the severity of the situation.

Amendments to Approved Applications

After approval, any amendments to AUPs will require submission of the form Application for Amendments to Approved Protocols along with the original Application for Use of Animals in Research, Testing, and Teaching with the proposed amendments included. Amendment applications are circulated by email to all members of the AEC for feedback and approval.

There are two categories of amendments, major amendments, and minor amendments, as detailed below. Minor amendments to existing AUP may be considered between meetings following criteria in section 3.3. Major amendments require automatic consideration at the next AEC meeting. If there is an urgent request for an amendment, a special meeting may be called by the AEC Chair, as per section 3.3.

Minor Amendments

An amendment to an existing approved AUP is considered minor if all the following criteria are met:

- i. The original AUP contains impact grade A or B manipulations.
- ii. There is no proposed change to the impact grading (as defined in section 4.2).
- iii. There is no proposed change to the approved study design.
- iv. Proposed increases to animal numbers are no more than 10% greater than the original number from the original approved AUP.

- v. Proposed decreases to animal numbers clearly demonstrate the number of animals being used is the minimum necessary to retain the statistical validity of the original approved AUP.
- vi. There is a low residual risk of adverse welfare outcomes for the animals.
- vii. Additional staff and students are required to be added to an existing AUP.
- viii. Time extension requests are within 3 years from start of the original approval.

Major Amendments

An amendment to an existing AUP is considered major if any of the following criteria are met:

- i. The original AUP contains impact grade C-E manipulations.
- ii. There is a proposed increase or decrease in the impact grading (as defined in section 4.2).
- iii. There is a proposed change to the previously approved study design.
- iv. There is a proposed increase in animal numbers over 10% of the original number from the original approved AUP.
- v. Proposed decreases to animal numbers fail to demonstrate the number of animals being used is the minimum necessary to retain the statistical validity of the original approved AUP.
- vi. There are potential risks of adverse welfare outcomes for animals.

4.2 Standard Operating Procedures considered by the AEC

The AEC may review/approve SOPs for animal husbandry practices or routine procedures that relate to the manipulation of animals in RTT.

All new SOPs must be brought to the next AEC meeting for consideration and approval. These will then be registered, and a formal review process undertaken annually by NMIT and parented organisation.

4.3 Process to Amend, Suspend or Revoke the CEC

Proposed Code amendments must be submitted to the AEC in writing, outlining the proposed changes, the reasons for the changes and the name(s) of those proposing the change. The AEC will review the proposal to decide if the proposed modification is minor or major and communicate this to all stakeholders. The AEC will recommend changes to the Code Holder and the Code Holder will contact MPI regarding these changes.

Minor Amendments

Where minor amendments to the Code are required, the AEC shall submit the recommended changes to the Code Holder for approval. Minor changes will be incorporated, and the Code modification record maintained. The updated Code will be placed on the institutional web page by the AEC. All minor amendments to the Code shall be notified to MPI by the Code Holder. This information will also be communicated to parented organisations.

Major Modifications

Where major modifications to the Code are required, the request and justification shall be submitted by the AEC to the Code Holder or delegated authority. The Code Holder will apply to the Director-General of the MPI for amendment. Where the modification is approved, the AEC will be advised and the notification to NMIT staff shall occur. Where the modification is declined, an alternative strategy will be discussed with the AEC and Code Holder. This information will also be communicated to parented organisations as well as students.

- a) Every code holder may apply to the Director-General for their approval to the amendment, suspension, or revocation of the approval of the code of ethical conduct in respect of which the code holder holds the Director-General's approval.
- b) Every such application must be in writing and must state the reason why the code of ethical conduct should be amended, suspended, or revoked.
- c) The Director-General must refer to the National Animal Ethics Advisory Committee for its comments on every application made under subsection (1) for their approval to the amendment of a code of ethical conduct and must consult with that Committee with regard to every such application.
- d) Despite subsections (1) to (3), nothing in this section prevents a code holder from making minor amendments to a code of ethical conduct (being minor amendments that would not materially affect the purposes of the code) without the approval of the Director-General.
- e) Where, in any year ending with 31 December, a code holder makes minor amendments to a code of ethical conduct, that code 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

([Section 99](#) of the Animal Welfare Act 1999)

Monitoring of the activities of approval holders, the facilities for housing animals, animal health and welfare and proper documentation, particularly in relation to observing the conditions of project approvals, will be carried out following the recommendations in the NAEAC *Good Practice Guide for the Use of Animals in Research, Testing and Teaching*.

Monitoring activities may include:

- i. Inspection of animal health and welfare.
- ii. Inspection of animal facilities.
- iii. Observing procedures when/where applicable.
- iv. Inspection of experimental records and documentation to ensure that procedures are being properly carried out as approved.
- v. Reporting compliance reviews to ensure proper reporting is being carried out by AUP holders.

Monitoring visits may be carried out by:

- i. The veterinarian (external statutory member of the AEC who is nominated by the New Zealand Veterinary Association).
- ii. Any member of the AEC who has authority to carry out annual inspections as a core activity of the AEC. The visit will be video recorded and shared with all the AEC members.
- iii. Any member of the AEC who happens to be visiting animal facilities and observes animal practices as an unintended consequence of their primary activity.

Recordkeeping for monitoring includes:

- i. A Monitoring Report template must be filled out for every planned monitoring visit.
- ii. All monitoring visits will be video recorded, and pictures taken, then held on the AEC database for all the AEC committee members to see and evaluate.
- iii. The completed Electronic Monitoring Report must be sent to the AEC no later than 30 calendar days after the monitoring visit has been completed.
- iv. All monitoring reports and notes will be included as agenda items for the AEC meeting. Upon receipt of any additional information, the AEC may rescind its approval for a project or request the approval holder attend an AEC meeting to explain the manipulation in more detail and answer questions.

The monitoring of NMIT and parented animal facilities, manipulations, and approved AUPs will be carried out at least annually by any member who is nominated by the AEC providing that any conflict of interests is appropriately managed. The nominated monitor will be provided with a Monitoring Template. Monitoring reports will be sent to the EA for recording purposes and presented by the monitor at the next AEC meeting.

Monitoring responsibilities apply equally to any parented organisations and approvals. When animal manipulations are undertaken at a parented organisation or remote site where access is difficult, monitoring of animals is the responsibility of the staff in liaison with the veterinarian or principal investigator nominated as supervising the project. In these situations, the AEC may put additional reporting requirements (e.g., Interim Reports) on the approval holder, and request monitoring visits are carried out by an independent veterinarian approved by the AEC. Monitoring visits may be carried out by the AEC itself or with remote monitoring (via camera).

5.1 Monitoring during the Approval Period

Ongoing monitoring during the approval period shall be completed by the AUP holder and sufficient records kept as per Section 6.2. In addition, AUP holders must report annually as per Section 6.1. Records may be audited at any time by any authorised AEC member. The AEC may conduct a monitoring visit at any time (and without notice).

Scheduled visits

Monitoring shall be completed by AEC members (or delegated appropriately qualified NMIT monitors), that visit each animal facility every year. These visits shall be scheduled, and the purpose and scope made clear.

Non-scheduled visits

Non-scheduled monitoring visits shall be considered where the AEC holds unresolved concerns over the conduct of an RTT activity.

Frequency of Monitoring

Annual statutory monitoring of internal and parented organisations shall be carried out for facilities and manipulations related to approved AUPs including the following:

- i. A Reporting Compliance Checklist must be carried out by the AEC annually for every AUP, verifying all reporting obligations have been met.
- ii. At least 10% of manipulations related to AUPs impact graded A or B will be monitored annually.
- iii. All facilities and manipulations related to AUPs impact graded C, D, or E will be monitored annually, or at least once for those projects that are less than 12 months long.
- iv. Every animal facility must be monitored annually to ensure compliance with the Code and AUP.

5.2 Monitoring by Proxy

Monitoring by proxy may be undertaken in exceptional circumstances but the AEC should conduct most monitoring activities as it is a core function of the AEC.

To assist the AEC to meet the required monitoring frequency, and where the timing or geographic location make monitoring difficult, the AEC may contract an independent veterinarian or other suitable veterinary or animal welfare professional to perform the monitoring visit. As representatives of the AEC, contracted personnel have the same authority as AEC members. The monitoring veterinarian will be supplied with the relevant AUP, SOPs, other relevant documentation, and a monitoring form. They will be either given access to complete the monitoring report online or submit it hardcopy to the AEC to be included as agenda items for the next full AEC meeting.

5.3 Monitoring across Impact Grades

Monitoring of Manipulations Grade A & B

Monitoring will be carried out annually by AEC members (not the AUP holder) for at least 10% of AUPs impact graded A or B. Monitoring reports are provided to the AEC for review and acceptance.

Monitoring of Manipulations Grade C-E

All facilities and manipulations related to AUPs impact graded C, D, or E will be monitored annually, or at least once for those projects that are less than 12 months long.

5.4 Monitoring Specific Manipulations

The AEC may request to observe specific activities or manipulations carried out as part of an approved application or amendment, either as a condition of approval, or as part of its routine monitoring.

Where a technique is new or particularly invasive, the AEC may request the manipulation be trialled first as a pilot study before incorporation into a larger AUP.

Monitoring of specific manipulations is carried out as explained in other sections above, and as frequently as deemed necessary by the AEC according to legislative requirements.

5.5 Monitoring Animal Facilities

All animal facilities for approved projects, manipulations, and handling/teaching will be monitored annually, for all grades. See section 5.3 for more about monitoring across impact grades. Animal facility monitoring will follow the procedures outlined in approved SOPs that include the following conditions:

- i. All NMIT animal facilities are regularly audited by an external AEC member to ensure that facilities comply with minimum standards and legislative requirements for both animals, including daily care of animals, and personnel. Any AEC member providing that any conflict of interests is appropriately managed will undertake a minimum of one visit per year to inspect each animal facility with approved AUPs or SOPs, as well as manipulations and animals. The AEC member shall arrange visits to inspect animals and facilities. These visits may be undertaken with minimal notice or by prior arrangement. The AEC will receive and retain animal facility audit reports appropriate to sites under their jurisdiction and will accept these as independent monitoring reports.
- ii. Facilities of parented organisations that have an approved, current project will be inspected by an AEC member, or delegated authority, at least once per year.
- iii. All facility audit reports will be viewed by the facility managers, the Code holder (or delegate) and the AEC. Corrective actions will be monitored, with minimal notice, until a satisfactory outcome is achieved.
- iv. Non-scheduled visits by an AEC member may also be carried out at the discretion of the AEC.

6. Responsibilities of organisations/individuals with AEC Approved Applications

6.1 Reporting to the AEC

Project Reports

All reports will be submitted electronically, and the EA will be notified by email of completion.

The AEC will request annual/interim reports during an approval as a means of monitoring the progress of a new or amended AUP, SOP, or the ongoing welfare of the animals. Interim reports may also be used to provide an update regarding the outcome of a pilot study prior to a larger study.

The Annual/Interim Report must contain:

- i. A summary of the aims and projected benefits of the project (research/testing), or animal use activities (teaching and learning).
- ii. A summary of the status of the project, work done to date, and any outcomes/results in hand.

- iii. A summary of any AEC approved amendments to the original AUP.
- iv. A summary of any deviations, non-compliances, or adverse events that have occurred to date.
- v. The number of animals of each species approved in the existing AUP, and the actual number used over the year.

Where research, testing, or teaching projects extend beyond one year, the principal investigator for the AUP must submit a final compliance report confirming conditions of approval have been met over the life of the project.

The Final Report must contain:

- i. A summary of the aims and projected benefits of the project (research/testing), or animal use activities (teaching and learning).
- ii. A review of the project in relation to the 3R's and future implications of the research
- iii. A summary of any AEC approved amendments to the original AUP.
- iv. A summary of any deviations, non-compliances, or adverse events that have occurred to date.
- v. The number of animals of each species approved in the existing AUP, and the actual number used during the project.

The AEC is responsible for the reporting of animal use statistics to MPI on behalf of NMIT.

End of Approval Grading & Animal Use Statistics

Animal Use Statistics will be collected for animal use for all facilities and AUPs. The MPI forms are collated by the EA and a summary presented at the end of year AEC formal meeting. Animal Use forms are completed by approval holders and submitted with their AUP completion report or at the end of year AEC meeting (whichever comes first). The AUP completion report must contain details of the numbers of animals used during the life of the AUP, including any additional requests, with justifications and outcomes.

The AEC will be given a summary of all animal use statistics at the last meeting of the year. An Animal Use table will be provided by the EA including species, number of occasions used, AUP number, description of use, named staff supervising, and number of students present.

The EA of the AEC is responsible for the reporting of animal use numbers to the MPI on behalf of NMIT. Parented organisations will be responsible for submitting their own animal use statistics to the MPI.

Non-Compliance

Annual reports will be reviewed by the AEC to ensure conditions have been met. Non-compliance shall be managed as outlined in Section 7.1.

Adverse Events

Adverse events (AEs) are unanticipated or atypical incidents that occur to an animal because of a planned manipulation, routine husbandry, or diseases. In all cases where an AE occurs, it is the approval holder's responsibility to establish and implement a management plan, as required, to minimise the effects on animals. All AEs must be evaluated, and a plan put in place to eliminate risk of reoccurrence. Details of the evaluation, and elimination plans must be submitted with the AE report. Anticipating potential adverse events and eliminating/managing risks of adverse welfare outcomes must be part of every AUP application, as per section 4.1.

All AEs must be notified to the AEC and handled as follows:

Minor Events

Minor events are those typically related to non-urgent issues with housing, nutrition, or husbandry of animals on an approved AUP. These must be addressed appropriately to minimise the likelihood for animal distress or ill health. The PI must be notified immediately (if someone else reports). An Adverse Event Report must be completed by the PI and reviewed by the AEC Chair and EA within 7 working days of being notified. Appropriate actions in response to the event are recorded on the form and the form is filed with the AEC within 30 days of being notified.

Major Events

Major events are those related to injury or illness of animals on an approved AUP. These must be notified to the AEC Chair and EA immediately and appropriate actions taken as outlined in Section 6.4 including communication with the AEC Chair. The PI must be notified immediately (if someone else reports). An Adverse Event Report must be completed by the PI and appropriate actions in response to the event are recorded by the staff veterinarian or appropriate welfare authority and the form is submitted to the AEC within 7 working days of being notified.

AEC Response to Major Events

Any major event must be notified to the AEC within 7 days of being reported. The Chairperson, or nominated representative will determine what, if any, additional action is required, in accordance with the Act. Depending on the severity of the event, additional observations, review of procedure, or pause/termination of the project may be considered. The adverse event will be discussed at the next AEC meeting to determine if procedures are needed to prevent similar events from happening in future, and the required management plan will be put in place and recorded in the minutes. The AEC may notify MPI depending on the situation.

6.2 Records Management

Records are to be kept as per section 3.5. Records are to be maintained by holders of approved AUPs and SOPs or by Facility Managers on behalf of the holders, to include data as per the NAEAC Good Practice Guide for the use of animals in research, testing, and teaching. Records will be readily accessible, collected annually, and reported to the AEC each year.

6.3 Appropriate Qualifications

The Act requires that RTT will be undertaken only by suitably qualified and trained persons who have experience with the species and manipulations included in the application. Every application must clearly identify the persons primarily engaged in carrying out the animal manipulation, including details of the qualifications and experience of personnel involved in the proposed use. All personnel responsible for the manipulations must understand their obligations as outlined in their application and acknowledge this by signing the application (digital signatures are acceptable).

Approval holders are responsible for ensuring that all personnel involved in the proposal and the care of animals are aware of their obligations under the code. The AEC will specify any required training and the timeframes for completion of training, evidence of which will be provided to the AEC.

6.4 Sick and Injured Animals

Animals used in an AEC approved AUP must receive responsive and thorough care if they are sick or injured. Detailed record-keeping and reporting must take place as outlined below. Reports of sick and injured animals are sent to and retained by the principal investigator and facility manager. These will be included in the annual and interim compliance reporting.

The AEC requires animal users to keep records of animal health and adverse events. The AEC reserves the right to review these records at any time.

Each AUP and animal facility must have an approved SOP or process for reporting and treatment of sick (ill, injured, distressed) animals and must include the following points:

- i. Facility managers, staff, or students under staff supervision, shall monitor all animals covered under SOPs and AUPs daily (including weekends and holidays).
- ii. Veterinary assistance and advice shall be available 24 hours per day, seven days per week.
- iii. Sick and injured animals must receive prompt and appropriate care by a animal health professional, or designated person under supervision by a veterinarian.
- iv. Response to, and management of sick/injured animals must be humane and hygienic and in accordance with regulatory and legislative requirements.
- v. Animal health staff, or any member of the AEC, shall have the authority to visit animal holding and use areas at any time, and without prior notice, provided reasonable steps are taken to comply with any access requirements that may apply. If any issues are identified, an inspection report will be forwarded to the AEC, relevant project lead, and associated line managers as appropriate.
- vi. Adverse events (such as illness, injury, or death) must be addressed as outlined in Section 6.1.

6.5 Standard Operating Procedures (SOPs)

The AEC may review/approve SOPs for animal husbandry practices or routine procedures that relate to the manipulation of animals in RTT. The appropriate Code of Welfare and the NAEAC Good Practice

Guide for the Use of Animals in Research, Testing and Teaching will be used as a standard reference when developing and reviewing SOPs.

All new SOPs must be brought to the next AEC meeting for consideration and to register formal review/approval.

Development of SOPs

All SOPs must be developed by the end user institution in consultation with the relevant affected parties, peer reviewed by an individual(s) with expertise in the procedure and submitted to the AEC (or their delegated authority) for review/approval.

SOP Approval and Amendment Process

Applications for review/approval of SOPs are processed as per Section 4. Amendments can be submitted for approval at any time. Any minor interim amendments must be approved by the AEC using an Amendments to Approved Protocols or SOP form. Any more than minor, and interim changes to the SOP will need to be resubmitted in full, with word document track changes visible.

Periodic review of SOPs

Periodic review, and re-approval of SOPs is required, to allow review and incorporation of improvements. This shall occur at 3-year intervals; however, in rapidly evolving areas, or with AUPs that have a very high ethical cost, more frequent review is appropriate.

6.6 Management of Animal Facilities

All animal facilities and practices shall be with reference to good practice and scientific knowledge as recommended by the current version of the NAEAC Good Practice Guide for the Use of Animals in Research, Testing and Teaching and to the relevant codes of welfare issued under section 75 of the Act, and amendments.

Policies & Procedures

Animal facilities shall be managed in accordance with SOPs which have been written with regards to monitoring by external AEC members; staff monitoring during routine activities; newly identified hazards to animals and monitoring of known hazards.

The facility and animal management practices shall be designed to ensure the physical and mental health, as well as species specific behavioural needs of animals are met, including:

- i. Provision of appropriate and sufficient food and water.
- ii. Provision of adequate and appropriate housing including shade and shelter.
- iii. Opportunity to display normal patterns of behaviour related to positive welfare.
- iv. Physical handling in a manner which does no harm and minimises the likelihood of any unreasonable or unnecessary pain or distress.
- v. Prevention of, protection from, rapid diagnosis of, and treatment of any significant injury or disease.

These needs will be met in a manner that is appropriate to each species of animal kept at the facility, recognising the environment and circumstances required for research or testing studies. The aim for NMIT and parented organisation's animal facilities and animal management staff, will be to ensure

that animals have the opportunity to live a good life, by taking account of the latest research regarding best practice animal handling and facility design, and looking for opportunities to improve animal welfare.

Emergency Management

In the event of an emergency, NMIT and parented organisation's facility Animal Technician or equivalent will be responsible for activating their respective Animal Emergency Plan, ensuring animals housed are removed if practicable and well cared for during the emergency, including critical staff shortages.

Housing of Animals

Animal housing and husbandry will follow the procedures outlined in approved AUPs and SOPs and following guidance in the NAEAC *Good practice Guide for the use of animals in research, testing, and teaching*. Sufficient living space must be allocated, and environmental conditions must be consistent with the needs of the species concerned. Unless otherwise covered by an approved AUP, animals shall receive free access to water and adequate food to meet their nutritional requirements, and ways of enriching the environment of captive animals must be utilised.

An approved, competent person with delegated authority must visually inspect all animals held in institutional facilities at least daily.

Transportation of Animals

Collection and transport of animals will be humane and hygienic and in accordance with regulatory and legislative requirements, including the Code of Welfare Transport of Animals within New Zealand and Codes of Welfare for the individual species, and following procedures outlined in approved AUPs and SOPs, and following guidance in the NAEAC *Good practice Guide for the use of animals in research, testing, and teaching*. This is to ensure that the animals' health is safeguarded, and that undue stress is avoided. All adverse events shall be reported to the AEC, in accordance with section 6.1, and records of animal movements will be kept as required.

6.7 Euthanasia for Tissue Collection

Euthanasia of any animal must follow the current approved Euthanasia SOP, guided by the NAEAC *Good Practice Guide for the use of animals in research, testing, and teaching*, and must be referenced to the American Veterinary Medical Association (AVMA) *Guidelines for the Euthanasia of Animals for informing appropriate methods of euthanasia*. Euthanasia for tissue collection for the purpose of research, testing, or teaching is only permitted if it is covered by an approved AUP.

It is acknowledged that the Four Rs, as in Section 1.3, extends into death, as in Te Ao Māori when an animal dies, parts of its body may be seen to have mana or mauri of their own. Under this principle, respect and manaakitanga for animals shall extend into death. NMIT will undertake relationship development to allow sharing of tissues where appropriate.

Each animal facility will ensure prompt and sanitary disposal of animal carcasses and waste material in accordance with Hazardous Substances and New Organisms (HSNO) and Environmental Protection Agency legislation, local council bylaws, and community standards.

6.8 Rehoming

Animals that are used for research, testing, or teaching purposes may be privately owned, or owned by NMIT. For animals that are owned by NMIT, opportunities to rehome animals at the end of a AUP will be considered wherever possible, especially when the project or manipulation has had minimal impact on the welfare of the animal. Rehoming must follow the approved SOP.

Rehoming is acceptable if the physiological condition and behavioural attributes of the animal indicate that it can be introduced to a new environment with little, or no, transient impact on its welfare or well-being, and biosecurity requirements are met.

An animal should not be released to a person at the conclusion of its use unless:

- i. The AEC has approved the release.
- ii. Safeguards are in place and approved by the AEC to ensure the ongoing well-being of the animal.
- iii. Transport of animals between sites is appropriate.

Evidence of ongoing well-being once the animal passes into someone else's ownership should be recorded.

7. Compliance Breaches & Complaints Procedures

([Section 103](#) of the Animal Welfare Act 1999)

The AEC is responsible for monitoring compliance of all approved AUPs, procedures, and animal facilities. Compliance breaches are notified to the AEC. Anyone can report a non-compliance.

Any person including members of the public, employees of NMIT, parented organisations or those members of the AEC, can bring to the notice of the AEC any instance where they believe that the welfare of animals is compromised. Welfare compromise, regardless of whether an animal is part of an approved project or not, will be promptly addressed by the AEC. 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.

All complaints must be made in writing to the Chairperson and EA. The AEC has the power to direct that any procedure, whether approved or not, be stopped or modified on ethical grounds. The AEC can also direct that the animals be properly cared for or euthanised.

7.1 Compliance Breaches

Non-Compliance with an AEC Approval

Compliance breaches or non-compliances may be omissions or deviations against:

- *The Act, regulations, or minimum standards in codes of welfare;*
- *The CEC;*
- *An AEC approval;*
- *SOPs named in an approval.*

Non-compliance with any AEC approved AUP will be addressed with an immediate assessment of risk for animals used under that AUP followed by suspension of the AUP, if warranted. An audit of animal use procedures related to the AUP will be carried out, including but not limited to, reviewing reporting, monitoring, training, and education processes under the AUP. Results of the audit will be assessed by the AEC and communicated to the AUP holder. A clear outline of corrective actions including time frames will be established, and specific responsibilities allocated. Compliance with corrective actions will be monitored by the AEC. The AEC can recommend that a non-compliance is escalated to MPI, or they can notify MPI directly.

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

A minor compliance will be a deviation or omission which is unlikely to materially reduce the ability to meet acceptable requirements. A non-compliance will result in a formal notification, and an investigation resulting in a non-compliance report with corrective actions to address the issues. Compliance with corrective actions will be monitored and recorded by the AEC.

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

Significant deviation or omission from a specification or standard where maintenance of requirements is inhibited without constituting an overall failure. Critical non-compliance will be deemed to be a severe deviation, omission or failure from a specification or standard with a direct and adverse effect on meeting requirements. Where non-compliance is major or critical or ongoing, the AEC will take immediate action to suspend or revoke the AUP followed by escalation of the matter to the Code Holder. Major or critical cases of noncompliance should be addressed by disciplinary procedures, as determined by the organisation's senior leadership team in conjunction with the AEC. Where the Code Holder believes the compliance breach justifies escalation, the MPI shall be notified.

7.2 Animal Welfare Complaints

Animal welfare complaint and appeal procedures will be set up by the Chairperson to deal fairly and promptly with complaints from applicants, approval holders, AEC members, staff, students, and the public.

All complaints regarding animal welfare must be made in writing to the AEC Chairperson or EA, or via a specific complaint to the Code Holder. All complaints must be reported to the Chairperson of the AEC who will log the complaint into the AEC complaints log that is managed separately to AEC meeting

minutes. Complaints will be formally reviewed by the AEC and recorded in the meeting minutes. The Principal Investigator shall be notified.

Disciplinary action for non-compliance with the code shall be in accordance with the NMIT employment and complaints policies or, in the case of external personnel, with the policy of the organisation concerned. Serious non-compliances with the Code or Act (e.g., cases of animal cruelty), or any complaint that otherwise requires escalation will be referred by the AEC or Code Holder to MPI.

By the Public

Animal welfare complaints made by members of the public shall be referred to the AEC Chairperson who may consult with the members of the AEC and act as appropriate. A complaint report will be entered into the AEC complaints log at the next AEC meeting. If the AEC agrees that there is evidence of a potential non-compliance, the chairperson shall arrange an investigation by AEC member(s), with a formal report provided to the next AEC meeting. Where non-compliance with the Code or Act is identified, corrective actions shall be recorded and monitored by the AEC. The Code Holder shall be notified. If the matter cannot be resolved within the AEC, it shall be reported to the Code Holder or their representative.

By Employees

Animal welfare complaints made by NMIT employees shall be directed to the AEC Chairperson who may consult with AEC members as appropriate and may call a special meeting of the AEC to resolve the matter. If there is evidence of a potential non-compliance, the Chairperson shall arrange an investigation by AEC member(s). A report of the investigation will be provided to the next AEC meeting and the Code Holder. Corrective actions will be identified and monitored by the AEC and reported to the Code Holder. If the matter cannot be resolved within the AEC, it shall be reported to the Code Holder or their representative. Where possible, the AEC shall treat complaints as confidential.

By AEC Members

Animal welfare complaints made by AEC members shall be directed to the Chairperson or to the Code Holder, who may correspond directly with the Chairperson to resolve the issue. The Chairperson may consult with members of the AEC as appropriate and may call a special meeting of the AEC to resolve the matter. Where non-compliance with the Code or Act is identified, corrective actions shall be recorded and monitored by the AEC. Complaints raised by the AEC must be notified to the Code Holder or their representative, along with corrective actions taken.

7.3 Procedural Complaints

In accordance with section 103 of the Act, any member of the AEC who believes that the AEC (including the Chairperson) or NMIT is failing to comply with in material respect with the Code may report such non-compliance to the Director-General of MPI. An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings by reason of having made the report.

By Applicants

Any applicant who wishes to make a complaint must do so in writing via the EA. Procedural complaints made by applicants shall be directed to the Chairperson or the Code Holder, who may correspond directly with the Chairperson to resolve the issue. Procedural complaints may be raised at the next regular meeting of the AEC. Where a complaint is deemed valid, the AEC may seek guidance from the Code Holder or their representative to ensure a fair, prompt resolution to the complaint. Where non-compliance with the Code or Act is identified, corrective actions shall be recorded and monitored by the AEC. Actions taken as a response to a complaint will be recorded in the AEC minutes. The Code Holder shall be notified. Where the Code Holder believes the complaint justifies escalation, the MPI shall be notified.

By AEC Members

Any member of an AEC who believes that the AEC or Code Holder is failing to comply in a material respect with the Code may lodge a formal complaint in writing to the Chairperson or Code Holder. Complaints by AEC members to the Chairperson must always be communicated to the Code Holder or their representative who may take legal advice on any further actions to be taken. In exceptional circumstances, a report may be made directly to the Director-General of MPI in accordance with section 103 of the Act.

An AEC member employed by NMIT who makes such a report in good faith shall not be liable to any discipline or civil proceedings due to having made that report.

Against the Chair/Deputy Chair/Administrator

Procedural complaints made by NMIT employees, AEC members or members of the public regarding the AEC Chairperson shall be directed to the Code Holder. Where applicable, the Code Holder or their representative may choose to handle a complaint through NMIT's policies, or as deemed appropriate if the complaint falls outside of standard policy. Complaints made to the Code Holder may be reported back to the AEC subject to legal advice. Where the Code Holder believes the complaint justifies escalation, the MPI shall be notified.

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

([Section 84](#) of the Animal Welfare Act 1999)

The AEC will consider parenting arrangements (for consideration of external AUP applications) from outside organisations on a case-by-case basis. The AEC may accept such parenting arrangements only if it believes the AEC has the appropriate expertise and resources to review the AUP application and provide monitoring and other relevant services. The conditions for monitoring of animal manipulations, as set out by the AEC, need to be outlined by the external party and judged as satisfactory by the AEC.

Any external applicant from a parented organisation shall be required to complete the standard AUP application form, but submission must be through a Principal Coordinator (appointed for a parented organisation). Sufficient information must be provided to the AEC prior to any manipulations to satisfy

the AEC that the external party has the training and experience to conduct animal research, testing, and teaching with the indicated species to ensure animal welfare.

Parented organisations shall comply with this Code. The conditions for monitoring of animal manipulations, as set out by the AEC, shall be confirmed with the applicant. Parented organisations will appoint an AEC Coordinator who will be the primary liaison with the AEC.

Members of the AEC shall perform local supervision, including carrying out monitoring of animal manipulations. Proxy monitoring may be by arrangement with personnel contracted to act on behalf of the AEC. Such contracted personnel shall have appropriate qualifications and experience, as determined by the AEC, to be able to satisfactorily monitor manipulations performed on animals. The SOPs of parented organisations must be submitted for review and approval by the AEC. Formal written reports must be used to document all monitoring activity of the organisations contracted out by the AEC.

All arrangements by external parties to use the NMIT Code shall be notified in writing to MPI before the external party begins any animal research, testing, or teaching. Notification should include the name of the person or organisation, postal, and physical address of the parented organisation and contact details for the person to whom correspondence shall be addressed. Such outside organisations shall comply with the Code, and the arrangement must be re-confirmed when a new Code is approved.

Appendix A – Abbreviations

AVMA	American Veterinary Medical Association
ANZCCART	Australian & New Zealand Council for the Care of Animals in Research and Teaching
CEC	Code of Ethical Conduct
Code Holder	NMIT as owner of the Code
NAEAC	National Animal Ethics Advisory Committee
MPI	Ministry for Primary Industries
DOC	Department of Conservation
NMIT	Nelson Marlborough Institute of Technology
AEC	Animal Ethics Committee
AUP	Animal Use Protocol
SOP	Standard Operating Procedure
The Act	Animal Welfare Act 1999
RTT	Research, testing, and teaching
AWO	Animal Welfare Officer
CE	Chief Executive
EA	Executive Administrator
Chairperson	Chair of the animal ethics committee
DC	Deputy Chairperson
RNZSPCA	Royal New Zealand Society for the Prevention of Cruelty to Animals
NZVA	New Zealand Veterinary Association
PI	Principal Investigator
UAE	Unexpected adverse event
HSNO	Hazardous Substances and New Organisms