Massey University

CODE OF ETHICAL CONDUCT

For the Use of

Animals for Research, Testing and Teaching

Effective from 15 December 2023 to 14 December 2028

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Commitment to Te Tiriti o Waitangi

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

Te Kunenga o Purehuroa has asserted an aspirational vision of being Te Tiriti-led, affirming a strategic commitment "to demonstrating authentic leadership in contemporary Aotearoa New Zealand as we uphold Te Tiriti o Waitangi, the founding document of our nation, and its principles through our practice."[1]

In alignment with the Ministry for Primary Industries (MPI) *Good Practice guidelines for the use of animals in research, testing and teaching*,[2] Te Kunenga o Purehuroa endorses the views of the National Animal Ethics Advisory Committee (NAEAC) that, although the principles of Te Tiriti o Waitangi[3] have not been developed to specifically apply to the use of animals in research, testing and teaching (RTT), they do "provide general obligations and considerations of relevance to all working in RTT in Aotearoa."[4]

[1] Massey University Strategy 2022-2027, Palmerston North, p.6.
[2] MPI & NAEAC. (2022). *Good Practice Guidelines for use of animals in research, testing and teaching*. Wellington.
[3] From Article 1: the principles of Good governance, Partnership and Fiduciary duty; From Article 2: the principles of Māori self-determination, Active Protection and Development; From Article 3: the principles of Access, Participation, Options, Equity and Equal Outcomes; From Article 4: the principle of Honouring Māori cultural-spiritual values and practices.
[4] MPI & NAEAC. (2022). *Good Practice Guidelines for use of animals in research, testing and teaching.* Wellington, p.5.

1 Introduction / Background on the Activities of the Organisation

1.1 Organisational Activities

Animals are used at Massey University for research, testing and teaching (RTT). The scope of research includes development of fundamental knowledge, conservation and ecology, environmental management, animal science, veterinary science, and occasionally human nutritional and medical science, and production of biological agents. Teaching using animals is predominantly in the veterinary, animal science and agricultural science areas. Testing of animal and human health products for safety and effectiveness, health-promoting characteristics of nutritional products, and of products requiring evaluation of nutritional qualities, is also undertaken. The range of species used for RTT embraces reptiles, amphibians, birds, fish, crustaceans and mammals (laboratory, domestic, farm, marine and wild).

1.2 Research, Testing and Teaching and the Three Rs

1.2.1 Users of animals for RTT or production of biologically active agents have ethical and legal responsibility for the welfare of their animals.

1.2.2 Legal responsibilities in relation to this code holder are set down in the Animal Welfare Act 1999, specifically Part 6, and in all codes of animal welfare approved under that Act as listed on the Ministry for Primary Industries (MPI) Animal Welfare website.

1.2.3 The Animal Ethics Committee (AEC) requires that the principles of replacement, reduction and refinement as defined in the Animal Welfare Act 1999 (Section 80) are applied whenever animals are used for RTT.

1.2.4 No animals will be used for RTT without prior approval of the AEC (with the exceptions described in paragraph 4.1.13).

1.3 Responsible Persons

The full legal name of the Code Holder is Massey University. The Code of Ethical Conduct (the "Code") is administered by the Vice-Chancellor through the Animal Ethics Committee.

1.4 Persons/Organisations Under the CEC

The Code applies to all Massey University staff and students and all animals used for research, testing and teaching.

2 Functions, Powers and Membership of the Animal Ethics Committee

2.1 Functions, Duties and Powers of the AEC

2.1.1 Key responsibilities of the AEC are to:

- consider applications for the use animals for RTT;
- set appropriate conditions for approved projects;
- monitor approved applications;
- approve and monitor adherence to standard operating procedures;
- review the results of approved projects;
- monitor animal facilities used for RTT;
- monitor routine animal husbandry and welfare.

2.1.2 The AEC has the power to inspect animals, the facilities where they reside, and related experimental records at any time to satisfy itself that approved procedures are being properly carried out.

2.2 Membership of the AEC

Total membership of the AEC is to be a minimum of eleven (11) and a maximum of twelve (12) persons (refer Section 2.4). The term of the Chair will be three (3) years. Other members may be appointed for one, two or three years at the discretion of the appointing/nominating parties. The membership of the AEC shall be comprised as described in paragraphs 2.3 and 2.4. Where members are nominated (paragraph 2.3), the Vice-Chancellor will make the appointment. Where members are appointed (paragraph 2.4), the Vice-Chancellor has nominated the appointing persons.

2.3 Statutory Members

- The Chair shall be a senior staff member capable of evaluating projects, the skills of the applicant and the scientific or teaching value of the project.
- One (1) member nominated by the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA), who is not employed by or associated with the University, or involved in the use of animals for research, testing or teaching.
- One (1) member nominated by Horizons Regional Council or Palmerston North City Council, who is not employed by or associated with the University, or associated with the scientific community or animal welfare agency.

- One (1) veterinarian nominated by the New Zealand Veterinary Association, who is not employed by or associated with the University in a manner that could result in a conflict of interest.

2.4 Organisational Members

- Six (6) academic members:

  Two (2) members appointed by the Pro Vice-Chancellor of the College of Sciences.

  One (1) member appointed by the Pro Vice-Chancellor of the College of Health.

  One (1) member appointed by the Head of School of Veterinary Science.

  One (1) member appointed by the Head of School of Agriculture and Environment.

  One (1) member appointed by the Head of School of Food Technology and Natural Sciences.

- One (1) member appointed by the Director of Massey Ag & Hort Enterprises.
- One (1) additional member may be appointed by the AEC itself to assist with scientific or technical matters or with expertise not otherwise represented on the AEC.

2.5 External Members

Statutory External Members will be paid an agreed amount per half day per AEC meeting for time involved in reading material and attending meetings, and reimbursed for meeting travel costs. Processing of payments will be arranged by the Secretary on a monthly basis.

2.6 Additional Members or Advisors

The Animal Welfare Officer is an officer of the AEC whose role includes reporting on monitoring and site visits. The Animal Welfare Officer does not participate in decision-making.

2.7 Appointment Procedures

2.7.1 When seeking appointments of organisational members, the AEC will consider the expertise of current members and may suggest that the nominee has experience in areas that are currently poorly represented. Important areas of expertise that should be represented on the AEC include, but are not limited to:

Welfare		
Husbandry		
Physiology		
Pharmacology		Companion animals
Pathology	in	Production animals
Surgery		Laboratory animals
Health		Wild animals
Nutrition		
Ecology		
Statistics		

A single member may contribute to more than one area of expertise.

2.7.2 The Chair will be appointed by the Vice-Chancellor, on the recommendation of the AEC. At the last meeting of each year, the AEC shall appoint a Deputy Chair from the Academic Membership category who may deputise for the Chair in their absence in the following year.

2.7.3 Nomination of a new external AEC member shall be requested from the relevant nominating body.

2.8 Term of Appointment

Members may be reappointed for up to two additional terms with the approval of the nominating body, except for the Chair who may serve further terms. If a committee member has served for the maximum duration and no suitable person with the required expertise is available to replace that member, they may be reappointed for additional terms as necessary. The reappointment will adhere to the requirement for consensus as stipulated in paragraph 3.5.

2.9 Induction and Training of Members

Induction and training, including NAEAC's new member's induction pack and the Code, will be provided as appropriate for newly appointed University and Statutory External Members of the AEC. The Chair will meet with new members, preferably prior to their first AEC meeting, to discuss how the committee functions. Communications, newsletters and documents sent to the AEC will be forwarded to all members to provide continuing education.

2.10 Vacancies

In the event of any member being absent for a planned period of more than six months, nominations for a replacement person to stand in for the duration of that member's absence shall be sought from

the appointing/nominating party concerned. Where the duration of absence is uncertain, the AEC will decide whether to appoint a replacement person for that duration.

3 AEC Processes

3.1 AEC Meetings

The previous meeting minutes, Chair's report, communications to the AEC, reports on approved applications, Animal Welfare Officer reports, other monitoring reports, project feedback reports, Standard Operating Procedures, applications for the use of animals for RTT, application amendments and general business (including non-compliances and complaints) are discussed. Any conflict of interest of AEC members is declared prior to the AEC meeting.

3.2 Frequency of Meetings

The AEC will meet at least once per month (except January). The annual schedule of monthly meetings for the coming year is arranged in advance and notified to members prior to Christmas. Extra meetings may be scheduled as required. Members are expected to attend at least two-thirds of the Committee meetings each year.

3.3 Timing for Circulation of Agenda Items

Agenda items must reach the Secretary nine days prior to the meeting. Applications will be made available to members on the University's Animal Ethics Committee SharePoint site one week prior to the meeting. Other agenda items will be made available as early as possible in the week of the meeting. A supplementary agenda and associated documents subsequently submitted may be placed on this SharePoint site in advance of the meeting, with agreement by AEC members.

3.4 Quorum

The quorum for meetings shall be 50% of the number of AEC members plus one (1), with at least two (2) from the Statutory External Membership category.

3.5 Decision Process

The AEC will reach decisions by consensus. If consensus cannot be reached, the applicant or another person with relevant expertise may be invited to present additional information and respond to members' questions or the application will be declined.

3.6 Effective Input of Committee Members

External members will be encouraged and expected to participate in and be involved with the business of the AEC in the same manner as University appointees. The Chair will actively ensure that all

members have opportunity to provide their full input.

3.7 Establishment and Membership of Subcommittees

Subcommittees may be established when specialist consideration of an application is required and will include at least two external statutory members. The subcommittee is arranged during an AEC meeting and will report its recommendations to the AEC for ratification.

3.8 Conflict of Interest

To achieve impartiality, any member of the AEC who is named as an applicant on an application before the AEC, or who has a conflict of interest whereby the impartiality of that member could be questioned, will declare it and will withdraw from the AEC's assessment of that application.

3.9 Confidentiality

AEC members shall hold in confidence information submitted in applications, amendments, Standard Operating Procedures, reports, complaints and other communications to the AEC. Notwithstanding this requirement, the AEC may make enquiries for the purposes of assessing any application or to protect animal welfare. Disclosure of such information would be subject to confidence and consideration will be given to whether a confidentiality agreement should be signed. The AEC will communicate with the chief applicant ahead of information disclosure to a third party and thereafter will inform the applicant of the nature of the communication.

3.10 Use of Tele/Video Conferencing

In-person meetings are preferred. When AEC members find it necessary to attend a meeting using video (or telephone links as a last resort), those members will be considered part of the quorum. The Chair will ensure that all AEC members have opportunity to provide their full input.

3.11 Consideration between Meetings

3.11.1 When approval of an application or amendment with manipulations graded A or B is required urgently, the Chair or, in their absence, the Deputy Chair, may approve the application *pro tem* only after consultation with all available members of the AEC. Amendments with manipulations graded C may similarly be considered but only if the Chair considers the amendment to be readily comprehensible to all AEC members. Approval will require agreement by all members responding, with a minimum number of responses being that required for a meeting quorum (paragraph 3.4); this approval must be ratified at the next meeting of the AEC for the application to be considered approved by the AEC. No *pro tem* approvals for new applications graded C, D or E will be permitted.

3.11.2 Where an application with manipulations graded A or B has been deferred (paragraph 4.3.1.e) at a prior meeting and approval is subsequently required urgently, paragraph 3.11.1 will apply.

3.12 Public Presence at Meetings

Meetings will be conducted in two parts. Part I consists of general business and the public may attend. Part II excludes the public so that matters may be discussed without public disclosure when the AEC is satisfied that there are considerations that outweigh the public interest of disclosure.

3.13 Applicant Presence at Meetings

The applicant will not normally be present during the AEC's discussion of an application, but may ask to attend a meeting in support of an application, in which case, the Chair must approve. Similarly, the AEC may require an applicant to be present. The applicant will not be present during AEC decision-making discussion.

3.14 Secretarial Support

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

3.15 Recordkeeping and Information Management

The Secretary will prepare meeting agendas and take the minutes. All documentation relating to functioning of the AEC, communications to and from the AEC, applications and reports, is kept in lockable cabinets in the Research Ethics Office and, more recently, electronically in SharePoint. Access to records is controlled by permissions in SharePoint. Paper records are archived after five years. Archived records can only be retrieved by authorised personnel. Applications and statistical records will be retained for twenty (20) years and then destroyed. Destruction is undertaken in accordance with the General Disposal Authority (GDA) policy and the Public Records Act.

3.16 Reporting of Statistics to MPI

3.16.1 It is a requirement of the Animal Welfare (Records and Statistics) Regulations 1999 that statistics of animal usage in research, testing and teaching be kept and made available to the Director-General of MPI annually and if otherwise requested.

3.16.2 To facilitate the requirement set out in paragraph 3.16.1, each researcher or teacher responsible for an application (or their nominee) must keep a diary or other record of the number of animals used, their source, the procedures they are being or were used for, any unanticipated impact on any animal and their ultimate fate at the completion of the study. Where animals are used on multiple occasions or for multiple applications, individual animal identification must also be recorded. This record must be kept fully up-to-date and may be inspected or requested at any time.

3.16.3 The chief applicant will be required to make a return of these statistics to the Secretary at the completion of a project or upon request by the Secretary. The Secretary will collate and report animal use statistics as required by MPI.

3.17 Protection of AEC Members

3.17.1 No member of an AEC is personally liable for any act done or omitted by the member or the AEC in good faith in the course of the operations of the AEC.

3.17.2 All members of the AEC are covered by the University's Professional Indemnity Insurance policy when carrying out their duties in relation to the AEC, subject to the policy terms, conditions, exclusions and limitations.

4 Consideration of Applications by the AEC

4.1 Criteria for Consideration

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

a) that the manipulation is necessary as part of an education curriculum, or

b) that there is good reason to believe the findings will add to the scientific understanding of biological functions and behaviour or will extend the body of knowledge aimed at the improvement of the health and welfare of humans and animals or the productivity of animals or the protection of the environment, and

c) that alternative methods, such as mathematical models, audio-visual means, computer simulation and *in vitro* biological systems, cannot provide the required result or fulfil the purpose.

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

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

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

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

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

4.1.7 Animals selected for an experiment should be of an appropriate species and quality. Endangered or threatened species must not be used unless the appropriate permits are obtained and the findings are expected to assist the survival of that species.

4.1.8 Research, testing and teaching should be of an appropriate design and performed on the minimum number required to obtain scientifically valid results or meet teaching objectives. The AEC must evaluate whether the design of the experiment or demonstration is such that it is reasonable to expect that the stated objectives will be met.

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

4.1.10 All applications involving native fauna (captive or wild) must indicate evidence of approval by the Department of Conservation (DOC) and iwi consultation from appropriate representatives. Copies of DOC permits must be forwarded to the Secretary prior to the commencement of any research.

4.1.11 Iwi consultation should preferably be undertaken separately to DOC processes and may be written or verbal. The chief applicant is required to document the consultation and forward this to the Secretary.

4.1.12 The chief applicant must be a permanent staff member.

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

a) tissues obtained from a slaughterhouse, farm or at a routine post-mortem examination, where their use is incidental to the reason the animal died or was killed;

b) animals subject to diagnosis and treatment in the normal course of veterinary practice. This extends to situations where veterinary students examine animals or assist with treatments either at Massey University or in other veterinary practices as part of their course requirements, so long as they are under the supervision of a registered veterinary surgeon;

c) animals being farmed under normal animal husbandry practices, so long as there are no additional manipulations;

d) Massey staff and students who are co-applicants on applications approved by other New Zealand animal ethics committees. However, these staff must comply with the CEC of the host organisation, and are required to provide a copy of the signed approval by that AEC to the Massey University AEC;

e) When a member of staff is on overseas leave, is attached to an overseas institution and participates in research, the responsibility for which clearly resides with the host institution. In this instance, the proposed work should be considered under the regulations pertaining to that country's laws on the use of animals in research, testing and teaching, provided that there is a mechanism in place. Notwithstanding this, the AEC requires the staff member to notify it of the type of research being undertaken and conditions pertaining to that research. If there is doubt in any particular situation, the matter should be discussed with the AEC.

4.2 Impact Grading

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

4.3 Outcomes for Consideration

4.3.1 The AEC will either:

a) approve an application;

b) approve an application with additional notes for reference or adherence by the applicants;

c) approve an application subject to making minor corrections, or administrative or technical modifications, to the Secretary;

d) approve an application subject to the provision of specified details to the Secretary and agreed as being acceptable to the Chair and, where appropriate, specified members of the AEC;

e) defer an application subject to the provision of specified details for consideration by the full AEC;

f) not approve an application.

4.3.2 Decisions will be provided in writing to all internal applicants.

4.3.3 Where modifications, details or clarifications are requested by the AEC, they should be provided as a response to the notification generated by the online application system.

4.3.4 In the case of the AEC not approving an application, the applicant may submit a revised application or appeal the decision to the AEC. In the latter situation, further justification or expert opinion in favour of the application shall be produced.

4.4 Conditions of Approval

When an application is approved, conditions may be stipulated, e.g. applicants must report outcomes to the AEC, or application monitoring is required.

4.5 Maximum Approval Period

Applications for ongoing research, testing or teaching procedures must be submitted for consideration at least every three (3) years.

4.6 Power to Suspend, Revoke and Vary Approvals

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

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

4.7 Changes to Approved Applications

4.7.1 Approval of any proposed alteration to an approved application must be requested using the current 'Amendment Request Form' available on the Animal Ethics SharePoint site. Amendments require either approval (if the modification is major) or noting (if the modification is minor). If minor, the Chair may sanction the amendment in advance of it being ratified at the next meeting.

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

4.7.3 An amendment will be considered to be major in nature if it may adversely impact the welfare of the animals, or increase the number of animals used, or reduce the expected research or teaching benefits.

4.7.4 Where a co-applicant is added to an application after its approval, the new co-applicant will read the application and sign and date a separate copy of the Applicant Declaration Form which can be downloaded from the Animal Ethics SharePoint site. The signed declaration must then be emailed to the Secretary with a covering note requesting inclusion of the additional personnel on the application.

5 Responsibilities of Applicants

5.1 Procedures to be Followed

5.1.1 All individuals using animals for research, testing or teaching are to be familiar with the University's Code of Ethical Conduct for the Use of Animals for Research, Testing and Teaching and so signify on their application to the AEC. Guidelines for determining the need or otherwise for AEC approval may be found on the Massey University Animal Ethics SharePoint site.

5.1.2 The University expects that all researchers and teachers involved in the use of animals, having signified that they have read the Code, will observe it in the spirit as well as to the letter.

5.1.3 While the primary responsibility lies with the chief applicant, all co-applicants and other persons involved are also responsible for the wellbeing of the animals and must give due regard to avoiding or minimising discomfort, distress or pain.

5.1.4 Applications must list and be signed by persons primarily involved with and responsible for the manipulations. Where the manipulation is undertaken as part of a professional service by a person not otherwise involved in the project, then it is sufficient to merely list the person (e.g. anaesthetist, surgeon, technician, farm manager). It is the responsibility of those signing to ensure that all personnel involved in the manipulations and care of the animals are adequately skilled and aware of their obligations under the Code of Ethical Conduct.

5.1.5 Applicants requiring guidance should refer to the Massey University Animal Ethics SharePoint site or contact the Secretary, Chair or Deputy Chair of the AEC or the Animal Welfare Officer.

5.1.6 On submission by the applicant, the electronic application is sent to the Animal Welfare Officer, who will then review the document and return it to the applicant for any changes as required. When satisfied that these changes have been made, the Animal Welfare Officer will then authorise the application and forward it to the Secretary for processing.

5.1.7 Applications must be submitted to the Animal Welfare Officer by the due dates published on the Animal Ethics SharePoint site, but at least twelve (12) working days prior to a scheduled meeting. Deadline dates for the provision of applications to the Secretary are similarly published and are at least seven (7) working days prior to a scheduled meeting. Late submissions may be considered by the AEC if accompanied by an explanation for lateness and a valid reason for immediate consideration.

5.1.8 Procedures with animals that may cause more than momentary or minimal pain or distress should be performed with appropriate sedation, analgesia or anaesthesia, including post-surgical analgesia, in accordance with best veterinary practice. In the absence of information to the contrary, investigators should assume that any procedure that would cause pain in human beings will cause pain in other vertebrate species.

5.1.9 Paralysing agents will be permitted only under exceptional circumstances, in the hands of experienced personnel and, normally, under general anaesthesia.

5.1.10 Animal shelters, pet shops or other retailer traders of companion species should not be used to source animals without the prior written approval of the AEC. Animals should be acquired from specialised breeding programmes wherever possible. Other non-specifically bred animals should be used only if they meet research requirements for health and quality and are acquired legally from a suitable source.

5.1.11 At the conclusion of a manipulation as defined in the Code, the person undertaking the manipulation, or a senior person responsible for the research, testing or teaching, must make appropriate arrangements for the final disposal of animals either by re-homing (paragraph 5.9), return to normal farming practice, or by euthanasia (as approved by the AEC). Dead animals must be disposed of in a manner that is compliant with all relevant regulations. Where possible, animal tissues should be made available to others for research or teaching purposes. The University's animal tissue sharing web site should be utilised to optimise use of animal tissues.

5.2 Interim Reports

Interim reports may be submitted at any time but may also be required as a condition of approval or as otherwise requested by the committee (paragraph 7.5).

5.3 Appropriate Qualifications

Manipulations must be undertaken by trained individuals or under the direct supervision of trained individuals. This includes euthanasia of animals.

5.4 Sick and Injured Animals

Sick or injured animals should immediately, according to circumstances, either receive appropriate veterinary care or be euthanised. Animals that suffer severe or chronic pain, distress, discomfort or disablement that cannot be relieved should be euthanised. This also applies to animals held in animal facilities and on farms managed by the University.

5.5 Standard Operating Procedures (SOPs)

5.5.1 SOPs describing research-related manipulations must be submitted to the AEC for approval. SOPs may be obtained from other organisations, or prepared by the user group or contributing personnel with expertise in the area, or the AWO.

5.5.2 It is the responsibility of the chief applicant to ensure that all personnel performing procedures covered by the SOP have access to the SOP.

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

5.6 Adverse Events

5.6.1 Any event during research, testing or teaching that impacts adversely on animal welfare beyond the stated impact of the approved manipulation(s) must be notified to the AEC as soon as practicable using the Adverse Event Report form available on the Animal Ethics SharePoint site. Adverse events that result from facility management and that adversely

impact animal welfare to a degree that exceeds normal occurrences must similarly be reported. The report must describe actions taken in response to the event. Appropriate necropsy reports must be conveyed in writing as soon as practicable. The AEC will consider actions taken in response to the event and, if considered inadequate, will require additional responses to manage the animals or reduce future risk.

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

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

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

5.6.5 Applicants named on animal ethics applications may, themselves, perform necropsies, but to avoid potential conflicts of interest, the AEC recommends that independent expertise be sought wherever possible.

5.7 Recordkeeping

Applicants must keep records of:

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

These records must be kept for one year after provision of the end of approval reports (paragraph 7.5).

5.8 Euthanasia for Tissue Collection/Dissection

AEC approval must be obtained for animals that are euthanised for the primary purpose of dissection or tissue collection. Where animals are primarily euthanised for other purposes but are subsequently used for dissection or tissue collection, AEC approval is required if animal management or the method of euthanasia differs substantially from what the animal would otherwise experience.

5.9 Rehoming

Efforts to rehome animals when no longer required or suitable for RTT should be attempted where the animal is likely to adapt to the new home environment and experience good quality of life. Animals that present an increased risk of causing harm to people or other animals should not be rehomed. Animals should only be rehomed to owners who are equipped to manage them in a manner which provides them with good quality of life. Any ill health or behavioural problems must be disclosed prior to seeking agreement to rehome. The Animal Welfare Officer should be contacted if assistance is required with rehoming.

6 Animal Facilities

6.1 Management of Animal Facilities

Applicants should ensure that all animal facilities are appropriate in their design, construction, equipment, staffing and maintenance to guarantee the health and welfare of animals and to meet the requirements of the application.

6.2 Emergency Management

All facilities must identify potential large-scale events such as fire, earthquake, flood, drought, failure of water supply and power outage that could be harmful to the animals or their management. Contingency plans must be in place for animal care and management should such an event occur, and preparations made in advance. Contingency plans must not contradict human health and safety policies and procedures. All personnel using animals for RTT at a facility and all staff managing animals must be aware of the contingency plans.

6.3 Facility Animal Health Plans

Animal health plans for animals that reside at a Massey animal facility or farm must be reviewed by the AEC. Subsequently, they must be resubmitted for AEC review at least once every five years.

6.4 Transportation of Animals

Animals must be transported under safe, humane and hygienic conditions appropriate to the species. The AEC refers applicants to MPI's Codes of Welfare for guidance.

6.5 Housing of Animals

Animals must be housed so as to ensure that their general health and welfare are safeguarded and that undue stress is avoided. Sufficient space, according to the species, should be allocated for each animal. Environmental needs such as temperature, humidity, ventilation, lighting, enrichment and social interaction should also be consistent with the needs of the species concerned. Animals must receive a supply of foodstuffs appropriate to their requirements and of the quality and quantity adequate to preserve their health, with free access to water, unless the object of the experiment is to study the effects of variation in these nutritional requirements. The Codes of Welfare published by MPI may contain relevant information about appropriate standards. Requirements for reporting of adverse events that occur due to facility management practices are described in paragraph 5.6.1.

7 Monitoring

7.1 Powers of the AEC

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

7.2 Monitoring of Applications

7.2.1 Applications will be monitored at the discretion of the AEC. Generally, the Animal Welfare Officer will undertake this role. Written reports will be provided to the AEC. On discussion of each report, any requirements of the AEC will be recorded in the AEC meeting minutes and communicated in writing to the chief applicant.

7.2.2 Both scheduled and unscheduled monitoring visits will be undertaken.

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

7.2.4 Where RTT is conducted at University facilities, at least 10% of applications with manipulations graded A and B will be monitored on an annual basis. All applications with manipulations graded C, D and E will be monitored annually. Where RTT is performed in remote locations, monitoring will be undertaken as is practicable and at the AEC's discretion.

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

7.3 Monitoring by Proxy

Where timing or geographic location prevent direct monitoring, the applicant may be requested to provide photographic, videographic or written report of manipulations where the AEC is unfamiliar with these and/or where the impact grading is C, D or E.

7.4 Frequency of Monitoring

An application may be monitored on more than one occasion at the discretion of the AEC.

7.5 End of Approval Reporting

7.5.1 The AEC may request a detailed report on any approved research, testing or teaching procedure. Such reports will automatically be required for any procedures where animals fall into Categories D and E. Reports may also be requested for the purposes of educating members of the AEC (e.g. where a technique that is unknown to the AEC is being used).

7.5.2 At the conclusion of the application, the AEC will require the applicant to complete a project feedback report and provide it to the Secretary. The animal use statistics section in the online application must also be completed. The number of animals approved for use and actually used, and impact grades predicted and reported, will be compared.

7.6 Monitoring Animal Facilities

Facilities in use will be inspected routinely at least annually by the Animal Welfare Officer who will be accompanied by a member of the AEC as often as is possible but subject to member availability. Written reports from these inspections will be provided to the AEC.

8 Arrangements for External Parties to use the CEC and AEC

Parenting agreements are not permitted.

9 Compliance

9.1.1 All Acts of Parliament, regulations and by-laws pertaining to the obtaining, holding possession, care and treatment of animals are to be complied with.

9.1.2 Any breaches of the Code, legislation, animal welfare regulations, or deviations from an approved application must be reported. Breaches should be reported as soon as possible.

9.1.3 Breaches of the Code should be corrected or dealt with immediately under the direction of the AEC. Breaches of a serious nature will be dealt with by the AEC in conjunction with the Head of School. Heads of School have a special responsibility to see that staff under their authority observe the Code.

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

- Massey University Student Complaints and Grievance Procedures
- Dispute Resolution Procedures at Massey University
- Massey University Policy on Staff Conduct
- Massey University Conflict of Commitment and Interest Policy
- Massey University Harassment and Discrimination at Work Policy

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

9.1.6 The Animal Welfare Act 1999 provides that every person who commits an offence in contravention of, or fails to comply with, any provision of the regulations is liable, on summary conviction, to a fine or to imprisonment or both. Maximum penalties for individual and corporate offences against the Animal Welfare Act 1999, the Animal Welfare (Records and Statistics) Regulations 1999 and other legislation and regulations that apply to the use of animals for research, testing and teaching are included in the text of each Act and Regulation. However, no member of an animal ethics committee is personally liable for any act done or omitted by the member or the committee in good faith in the course of the operations of the committee.

10 Complaints Procedures

10.1 Animal Welfare Complaints

Complaints will be recorded in the AEC meeting documents and brought to the attention of the AEC to raise awareness. Any complaint will be evaluated, investigated and, if needed, escalated to the Provost. Animal welfare complaints may also be lodged with MPI, the SPCA or the Police. Complaints will be investigated as soon as practicable. Outcomes will be recorded in the AEC meeting documents.

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

10.1.1 Complaints by the Public

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

10.1.2 Complaints by Employees, Applicants and AEC Members

As there is a corporate responsibility inherent in the Animal Welfare Act, it is expected that all University personnel, whether directly involved in the conduct of a project or not, will inform the AEC if a suspected breach of the Code is detected. The Chair or the Animal Welfare Officer may be contacted in the first instance. (Staff may wish to refer to the section, "Disclosure of Serious Wrongdoing Policy and Procedures (Whistleblower)" within the Massey University Code of Responsible Research Conduct to understand the protection they are afforded by the Protected Disclosures Act 2000.)

10.2 Procedural Complaints

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

10.2.2 Complaints against the Chair should be made to the Provost (the Vice Chancellor's designated representative), or Deputy Chair.

10.2.3 The responsibility of AEC members to hold information included in applications in confidence (paragraph 3.9) does not prevent AEC members from making a complaint.

11 Process to Amend, Suspend or Revoke the CEC

The AEC may recommend to the code holder that the CEC be amended. Minor amendments (that do not affect implementation of the CEC) must be notified to the Director-General of MPI at the beginning of the year (by 31 March) after which the amendment is made. Other amendments must be submitted to the Director-General for approval. Staff affected by the change to the CEC will be notified of the amendment. Suspension or revocation of the CEC must also be approved by the Director-General.

12 Table of References to Documents Relevant to the Operation of the Massey University Animal Ethics Committee

- Terms of Reference for the Massey University Animal Ethics Committee
- MPI-approved Codes of Animal Welfare
- Operating Plan for the Use of Restricted Veterinary Medicines by Non-Veterinarians for Research, Testing or Teaching Purposes According to Specific Veterinary Operating Instructions at Massey University
- Massey University Code of Responsible Research Conduct
- Massey University Student Complaints and Grievance Procedures
- Dispute Resolution Procedures at Massey University
- Massey University Policy on Staff Conduct
- Massey University Conflict of Commitment and Interest Policy
- Massey University Harassment and Discrimination at Work Policy
- Procedures for Dealing with Requests under the Official Information Act 1982
- Need for Ethical Approval Flowchart
- NAEAC Good Practice Guide for the Use of Animals in Research, Testing and Teaching
- Wildlife Act 1953
- Conservation Act 1987
- Marine Mammals Protection Act 1978
- Animal Welfare Act 1999
- Animal Welfare (Records and Statistics) Regulations 1999
- Animal Welfare (Care and Procedures) Regulations 2018
- Animal Welfare (Care and Procedures) Amendment Regulations 2020