

**Ministry  
Of  
Education**

**Code of  
Ethical Conduct  
for the use of Animals**

- (1) Name of code holder: **Ian Milne**
- (2) Name of company/institution or whether an individual: **New Zealand Association of Science Educators (NZASE)**
- (3) Position of code holder: **President NZASE**
- (4) Site/location of company/institution where activity is to take place:  
**Early childhood centres, kindergartens, primary schools, secondary schools and students homes across New Zealand**
- (5) Postal address: **NZ Association of Science Educators**  
**c/o Royal Society of New Zealand, P O Box 598, Wellington**  
**email: nzase@rsnz.org**  
**telephone: 04 470 5771**  
**fax: 04 473 1841**
- (6) Particulars of any convictions as specified under section 89(1)(c) of the Act:  
**No convictions**

A brief summary of the general nature and extent of the research, or teaching in which the applicant will be engaged:

The New Zealand Association of Science Educators recognises the need for animal experimentation in society and that the use of animals in teaching and investigations in schools has a cost that must be weighed against the potential benefit obtained. Animals used in teaching and research have made major contributions to biological knowledge for the welfare of humans and animals, particularly in the case of school students as they enter into tertiary education into pathways of medicine, biomedical science and into the vast array of careers associated with medicine and agriculture. The knowledge gained at school often provides the impetus for such students to go on into their chosen field of study and into a career in the biological sciences. For students to have an understanding of the ethical use of animals in teaching and research is of benefit to the community in which they live and to that into which they are becoming adult members.

This Code of Ethical Conduct is designed to comply with all the requirements of the Animal Welfare Act 1999 (the Act) so that the specified animals can be used in teaching and research in New Zealand early childhood educational centres, kindergartens, primary and secondary schools and those students who are home schooled. It is also to cover individual or groups of students of school age who are participants in programmes and regional and national events such as Science and Technology Fairs, CREST Awards and the Bright Sparks Programme. Applicants for ethical approval will be teachers, principals, head teachers, center managers, parents, caregivers and students, hereafter referred to as investigators.

Statement of the period in respect of which the approval is sought: **October 2004 through to October 2009**

- (8) State whether you have applied for work under any other CEC in New Zealand. If the answer is “yes”, provide details here: **No.**

This is to certify that the code holder undertakes to conform with all the requirements of the Animal Welfare Act 1999 and will ensure that all persons involved in the animal manipulations and carrying out of these activities are appropriate persons according to that Act. It is accepted that the code holder is also responsible for

distributing information on the requirements of the Act to the Animal Ethics Committee to help ensure that the Animal Ethics Committee follows the requirements of the law.

Signature of applicant\_\_\_\_\_ Date\_\_\_\_\_

## **Description of the general nature and extent of the work**

The New Zealand Association of Science Educators recognises the need for animal experimentation in society and that the use of animals in teaching and investigations in schools has a cost that must be weighed against the potential benefit obtained. Animals used in teaching and research have made major contributions to biological knowledge for the welfare of humans and animals, particularly in the case of school students as they enter into tertiary education into pathways of medicine, biomedical science and into the vast array of careers associated with medicine and agriculture. The knowledge gained at school often provides the impetus for such students to go on into chosen field of study and into a career in the biological sciences. For students to have an understanding of the ethical use of animals in teaching and research is of benefit to the community in which they live and to that into which they are becoming adult members

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The animals will be used for teaching and research purposes after approval by the AEC. Such use will be monitored by the AEC ensuring that animal welfare is paramount at all times. All animals, including invertebrates eg. slaters, earthworms and mud snail should be given the same level of humane care and attention as animals eg. dogs, cat, sheep, birds, fish and crabs which are covered by the Animal Welfare Act 1999. We would encourage investigators to use discretion and where there is significant use of invertebrate species where their welfare may be compromised, an application to the NZASE Animal Ethics Committee would be welcomed.

### **Part 1: Animal Ethics Committee**

According to the Act, the AEC shall be established to approve and monitor applications to use live animals in teaching and research, to ensure that animal welfare is paramount at all times of such use. The NZASE shall operate an AEC in Wellington based at the Royal Society of New Zealand, the location of their secretariat.

The committee membership shall comply with section 101 of the Act.  
The Code Holder (President, NZASE) shall appoint;

- One experienced member of the biological science secondary teaching profession nominated by the New Zealand Association of Science Educators as required in section 101 (4)
- One member engaged in biological scientific research appointed by Victoria University of Wellington
- One veterinary surgeon appointed by the Code Holder on the nomination of the New Zealand Veterinary Association
- One member appointed by the code holder on the nomination of the territorial authority or regional council
- One member appointed by the code holder on the nomination of the approved organisation concerned with the welfare of animals

1. The President of NZASE shall appoint the Chairperson.
2. The committee shall elect the Deputy Chairperson.
3. Appointments to the committee shall be for the term of three years.
4. Appointments to the committee may second additional members to provide appropriate expertise as needed.
5. No member of the ACE shall be personally liable for any act done or omitted by the member of the committee in good faith in the course of the operations of the committee.
6. A secretary will be appointed to the AEC by NZASE, to carry out the secretarial duties of the committee.

#### **Appointment and replacement procedures**

1. Appointments shall be made in compliance with the Act. Internal appointments shall be made after consultation between the National Executive of NZASE, and the Education Committee of the RSNZ. Appointments strive to provide the best possible representation for the range of the sectors of the education community and the range of the ages of the students that will use the committee. External appointments shall be made following nominations of the three outside agencies involved. Replacement procedures shall follow the appointment procedures.
2. In the event of any appointee being unable to attend meetings on a regular basis, the Chairperson or his or her designee, shall contact that appointee to investigate reasons for such lack of participation. If reasonable measures cannot be taken to resume committee participation within a reasonable timeframe, an alternative appointment shall be made.

### **Remuneration for external members**

External members shall be paid a meeting attendance fee to cover their time and reasonable travel expenses. A proportional fee may be paid to members who are unable to attend committee meetings, but have given apologies in advance and provided written comments on the applications assigned to them as primary reviewer.

### **Strategies to ensure effective input by external members**

1. A complete set of AEC documents shall be circulated to all committee members (including external members) at least 5 working days before each meeting. The committee meetings provide the opportunity for free and frank discussion, with all members having equal opportunity to contribute to the business of the meeting.
2. Decisions are reached by consensus. Further information relating to decision-making is stated below. Should a sub-committee be set up, external members are required to participate in such meetings, whenever these are held.

### **Part 2: AEC Procedures**

The procedures as set out below are established by the Code Holder. The exceptions (being those procedures set up by the AEC) are indicated in the Code.

#### **Appointment of Chairpersons and election of Deputy Chairpersons:**

The President of NZASE shall appoint the Chairperson and the Deputy Chairperson shall be elected by the AEC.

#### **Frequency of meetings and distribution of agenda**

1. In general, the frequency of meetings shall be determined by the workload requirements, i.e.; the numbers of applications to use live animals in teaching and research. The committee may meet up to eleven times per year, i.e.; once each month, except during January. Details of meetings schedules will be provided at the beginning of the calendar year.
2. It is proposed that the first three meetings of the new committee shall be face to face meetings, with the remainder of the meetings being held as teleconference meetings. Should there be no applications for review then a meeting will not be held.
3. The committee secretary shall prepare the agenda at least a week prior to the meeting. The agenda shall be circulated by mail to all members. All committee members have an opportunity to request that items be added to the agenda.

#### **A quorum**

A quorum shall consist of four members

### **Secretariat support**

A secretary shall be appointed to the committee. The secretary shall prepare the agenda, draft the minutes and circulate the documentation and correspondence used by the committee.

### **Decision making**

1. Decisions shall be made after all committee members present have had the opportunity to express their views. Decision by consensus is a fundamental principle of the committee process. In the event that any committee member expresses strong concerns that are contrary to the majority, the Chairperson may convene a subcommittee to explore the matter further.
2. The subcommittee must include the individual(s) with the minority opinion. The subcommittee will be required to report in writing to the full committee.

### **Possible fast track provisions**

The NZASE AEC recognizes that students in particular, may in the initial years of operation of the committee leave their applications till the very last minute and that their proposed research will be graded O or A in terms of animal manipulation. The AEC shall both manage change and promote animal welfare, by the provision of interim approval. These shall be issued on a case by case basis, as determined by either

1. the AEC, or
2. a sub-committee which comprises the Chairperson of the AEC (or her or his delegated authority and two external members of the AEC.

Interim approval shall be confirmed in writing and the secretary of the AEC shall maintain copies of the approval. Interim approval shall be formally ratified at the next AEC meeting. Interim approvals may be considered when the AEC is satisfied with the justification provided by the applicant. Following the initial years of operation of the AEC, interim approval shall not be given for investigators who have simply failed to meet a submission deadline, unless the committee is satisfied that acceptable and appropriate extenuating circumstances apply.

### **Use of sub-committees**

Subcommittees shall be established as needed, to provide additional in-depth review of applications or to deal with other matters of concern to the committee. Each subcommittee shall be established at the recommendation of the Chairperson, who will determine the terms of reference and the subcommittee membership. The subcommittee will include one external member of the AEC. Written reports of the findings of the subcommittee shall be sent to the full committee, normally by the next full meeting. Additional information is provided under the decision making section above.

### **Terms of Reference**

1. To review all projects involving the use of animals for teaching or research purposes in the institutions outlined in this application or by students for the described events, to ensure that adequate consideration is given to the humane treatment of animals according to the principles outlined in the Act and any additional requirements of the Ministry of Education.
2. The Committee shall be responsible for advising on all matters pertaining to the acquisition, supply and welfare of animals involved in manipulation within the compulsory education sector as described in this application, or animals involved in field studies performed by personnel listed on the approved application form. All animal manipulation protocols and applications for the use of animals for teaching and research shall be reviewed and approved by the Committee prior to commencement. Applicants must use the forms provided.
3. The Committee may be required by the Code Holder to collect relevant information with regard to the legislation in order for the Ministry of Education to meet its regulatory compliance responsibilities, for example the Hazardous Substances and New Organisms Act 1996 (HSNO).
4. Applicants must request permission to change an approved protocol. Guidelines for the modification of protocols will be provided.
5. An applicant may be asked to attend (in person or via telephone) a meeting of the Committee to assist it with the approval process.
6. The Committee may delegate the monitoring of animal manipulations and site visit inspections of animal use areas, to suitably qualified personnel as determined by the committee. Written reports to the committee by the delegated authority shall be required.
7. The Code Holder may make minor amendments to the Code of Ethical Conduct from time to time, as considered necessary after consultation with the AEC. The Code Holder will give the Director-General in writing, particulars of those minor amendments as soon as practicable after the end of the year, as specified in section 95 of the Act.

### **Information storage**

1. The secretary of the AEC maintains records of all applications, minutes and committee correspondence. The documents are held in secure storage.
2. The Chairperson shall also hold copies of the above documents, maintained in secure storage. Other AEC members shall normally return all documents at the end of each meeting and the documents shall be destroyed. However, AEC members may retain some copies for the purposes of subcommittee review. At the conclusion of such reviews, the remaining documents shall be returned to the secretary for destruction.

3. Records shall be kept for not less than the period of 5 years beginning with the expiry of the year in respect of which the records were kept.

#### **Policy on the use of teleconferences**

The NZASE believes that the functions of the AEC are best fulfilled when the committee members have the opportunity to meet in person. This facilitates a free and frank exchange of ideas and promotes the opportunity for the external members to participate full in the review process. Teleconferences are regarded as satisfactory for the committee operation between twice yearly face to face meetings and for the period of operation following the initial two year establishment of the committee.

#### **Management of possible conflict of interest by the AEC members**

1. Committee members must declare any potential conflict of interest concerns to the Chairperson of the AEC, prior to the matter concerned being discussed.
2. The Chairperson shall be responsible for establishing the protocol adopted to manage such potential conflict on a case by case basis.

### **Part 3: Additional protocols**

#### **Policies of the New Zealand Association of Science Educators relevant to the use of animals in teaching and research**

The following operating guidelines shall be made available to all applicants on the NZASE website:

- a) submission deadlines of the applications for committee review
- b) types of application forms used to apply animal use
- c) the use of dead animals, tissues or abattoir material
- d) the approval process and notification of the review outcome
- e) procedures for the renewal of applications
- f) the collection of animal use statistics
- g) the 'protocol modification process' including requests for additional animals, changes in investigations
- h) guidelines and assistance available for new investigators completing the applications for the first time
- i) environmental enrichment and social isolation
- j) humane endpoints and euthanasia
- k) monitoring of investigations by the AEC

## **Part 4: Monitoring and compliance**

### **Monitoring of manipulations:**

1. At the time of application review, each AEC shall determine whether a site visit inspection of the proposed investigation(s) will be required. Each application is considered for a site visit on a case by case basis, having regard for the following: training and experience of the applicant(s), the nature of the investigation, numbers of animals proposed and any other matter that the committee members believe is relevant.
2. The AEC may elect to make a site visit at any time during the life of the approved application. Members of the AEC may conduct site visits, or personnel delegated to act on behalf of the committee. The NZASE shall hold a list of such approved personnel, spread across New Zealand, rural and urban areas. Such approved personnel will be experienced teachers of biological science, national judges and regional chief judges of Science and Technology Fairs, CREST Awards assessors, experienced researchers of biological science and approved veterinarians. The visits are documented and copies are sent to the AEC.
3. Follow-up visits shall be made as considered necessary, to review any changes in animal investigations.
4. Site visits shall be documented in writing, with copies sent to the AEC, the investigator and his/her immediate manager/caregiver/parent. Site visit reports shall be tabled at the next AEC meeting.

### **The operation of animal facilities**

1. Where a school operates an animal facility there will be a person who functions as the Facility Manager, who shall report to the AEC, as detailed below. They are responsible for the daily operation of the animal care programme within the limits of the available resources. The Managers are required to report any significant animal welfare concerns to the Chairperson of the AEC.
2. Facility Managers are encouraged to use standard operating procedures as outlined in the publication *Caring for Animals*, Ministry of Education 1999, to ensure a uniform level of animal husbandry and welfare.

### **Monitoring the animal facilities will be performed as follows:**

The facility Managers are encouraged to perform an annual review of their animal care procedures. The purpose of this review is to review the operation of the unit and address any concerns.

### **Part 5: Information management**

1. A person with appropriate skills shall be employed to act as a secretary to the AEC. The secretary shall maintain records of agenda, minutes, decisions, correspondence with investigators, site visit reports, application forms and all other relevant documentation. Secure storage shall be maintained.
2. The AEC Chairperson may also hold copies of approved animal use application forms in secure storage. All working documentation provided to each AEC member shall normally be returned to the committee for destruction at the end of each meeting.

### **Part 6: Application Approval**

Applications to the AEC may be responded to in the following ways;

- a) approved
- b) approved with provisos
- c) deferred – the applicant is required to make adjustments to the application before resubmitting it to the committee
- d) declined – the committee must provide in writing its reasons for declining the application

### **Approval Terms**

#### **Schools**

Teachers applying in the behalf of schools or early childhood centers will be eligible for three year approvals. If there are changes to the procedures for the approved manipulation then the application must be re-submitted for re-approval

#### **Parents and caregiver of students who are home school**

Parents and caregivers of students who are home schooled will be eligible for three year approvals. If there are changes to the procedures for the approved manipulation then the application must be re-submitted for re-approval

#### **Students**

For Science and Technology Fair investigations, CREST Awards, and Bright Sparks investigations the students are to be the applicants for the ethical approval, not their teachers, parents or caregivers.

Students applying for approvals for Science and Technology Fair investigations or for CREST Award projects may only have one year approvals. Students involved in Gold CREST shall have two year approvals to cover the full term of their project.

**In all of the above situations, approvals are not transferable for student to student, teacher to teacher or school to school**

### **Part 7: Animal use statistical returns**

All investigators are required to make an annual return to the AEC by 1 December to report on their use of animals in the investigations. The report is only required on the animals covered by the Animal Welfare Act 1992, 2. **Interpretation** (a), (b) and (c).

### **Part 8: Annual report**

The ACE shall prepare an annual report of the committee activity to the Ministry of Education. This shall be received by the Ministry by the end of February in the following year.

### **Part 9: Complaints procedures on the part of AEC members, applicants work associates, or the public**

1. Procedures and policies shall be put in place to ensure that any complaints from members of the AEC, applicants, work associates, the public are dealt with fairly.
2. Complaints shall be addressed in the first instance to the chairperson of the AEC. Such complaints will normally be requested in writing. The Chairperson may consult with other personnel as needed
3. If the matter cannot be resolved within the committee, it shall be referred to the President of NZASE
4. Investigation of potential non-compliance issues  
Non-compliance concerns shall be addressed in writing to the Chairperson of the AEC in the first instance. The AEC shall follow the guidelines for non-compliance investigations. The process shall include consultation with the teacher or the principal investigator involved and his or her staff (where appropriate) as required. The Committee shall inform the teacher or the principal investigator of its decision in writing including any warnings, revocations or deferment of privileges to use animals.