

Inquiry into the Animal Care and Protection Amendment Bill 2022

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**Australian Government****National Health and Medical Research Council**

31 May 2022

Mr Chris Whiting MP
Chair
State Development and Regional Industries Committee
Parliament House
George Street
Brisbane Qld 4000

Dear Mr Whiting

Re: Inquiry into the Animal Care and Protection Amendment Bill 2022

Thank you for the opportunity to provide comment to the inquiry into the Animal Care and Protection Amendment Bill 2022.

I am pleased to provide the attached submission on behalf of the National Health and Medical Research Council (NHMRC). I also give permission for NHMRC's submission be published in full.

Yours sincerely

Prue Torrance

Executive Director
Research Quality and Priorities Branch



Inquiry: Animal Care And Protection Amendment Bill 2022 (Queensland)

Introduction

The National Health and Medical Research Council (NHMRC) is the Australian Government's lead agency for supporting health and medical research in Australia. NHMRC's mission is building a healthy Australia. NHMRC's legislated functions under the *National Health and Medical Research Act 1992* (NHMRC Act) are to fund health and medical research and training, and to issue guidelines and advise on improving health outcomes, through prevention, diagnosis and treatment of disease and the provision of health care. NHMRC also has a role in promoting the highest standards of ethics and integrity in health and medical research.

NHMRC's submission focusses on:

- NHMRC's role as a funder of health and medical research
- NHMRC's role within the regulatory framework for ethical, humane and responsible care and use of animals for scientific purposes
- Specific comments about the Animal Care And Protection Amendment Bill 2022.

NHMRC-funded research

Any NHMRC-funded research that involves animals must be of high quality and significance, as determined by NHMRC's peer review process. This process includes the assessment of the applicability and suitability of the proposed animal model for the intended outcome of the research. The work must be reviewed and approved by an Animal Ethics Committee (AEC) before it begins. It must also be conducted in accordance with relevant legislation, the [Australian code for the care and use of animals for scientific purposes 8th edition \(2013, updated 2021\)](#) and other relevant NHMRC guidelines. These requirements apply to any institution and researcher that receives NHMRC funding and are a condition of NHMRC funding.

Regulatory framework

In Australia, the state and territory governments are responsible for the regulation of animal welfare, including the care and use of animals for scientific purposes. NHMRC provides national leadership on the ethical, humane and responsible care and use of animals for scientific purposes through provision of guidance in the [Australian code for the care and use of animals for scientific purposes 8th edition \(2013, updated 2021\)](#). The Code has been developed and published by NHMRC since 1969, and has been adopted into legislation in all jurisdictions including Queensland. The Code therefore acts as the basis for national consistency for regulation of the care and use of animals for scientific purposes.

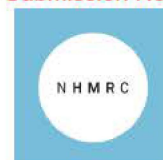
The Code provides an ethical framework and governing principles to guide the decisions and actions of all those involved in the care and use of animals for scientific purposes. It details the responsibilities of institutions, institutional animal ethics committees and researchers, and describes processes for accountability.



Specific comments on the Animal Care And Protection Amendment Bill 2022

NHMRC provides the following comments about several of the changes to the Queensland *Animal Care and Protection Act* (ACPA) proposed in the Animal Care And Protection Amendment Bill 2022, in particular the alignment of the proposed change with the Code.

Change to the ACPA proposed in the Bill	NHMRC comment
Objective: <i>facilitating the ethical use of animals for scientific purposes</i> while ensuring that animal welfare is not compromised	
Amending section 2A (Meaning of veterinary science) of the <i>Veterinary Surgeons Act</i> to allow persons other than veterinary surgeons to perform acts of veterinary science on animals used for scientific use purposes, provided they are performed in accordance with the <i>Australian code for the care and use of animals for scientific purposes</i> , (Scientific Use Code), which is a mandatory code under the ACPA	This proposal aligns with the requirements in the Code for the conduct of procedures be based on competence rather than qualifications such as veterinary qualifications.
Enable the chief executive to decide the term of scientific use registration up to a maximum of 4 years, rather than the current fixed 3-year term	This proposal aligns with the requirement in the Code for an independent external review to be conducted at least every 4 years.
Align the definition of 'scientific purposes' with the Scientific Use Code	This proposal ensures conformity with the definition of 'scientific purposes' in the Code.
Require a scientific use registration holder to notify the chief executive of any changes to the information provided in their registration application	Not relevant to the Code. Operational.
Clarify that the scientific use register can be inspected by the public at the department's head office.	Not relevant to the Code. Operational.
Objective: to <i>clarify and remove any redundant or displaced provisions</i>	
Stating that codes of practice are based on good practice and scientific knowledge, which is confirming the current accepted practice, and is consistent with the requirements for the development of national standards for the welfare of animals	In the current ACPA, the Code is described as the 'Scientific Use Code' rather than a code of practice. Nevertheless, this proposal aligns with the definition of 'current best practice' in the Code.



Change to the ACPA proposed in the Bill	NHMRC comment
Amending the definition of 'animal' in section 11 of the ACPA to include all species from the class Cephalopoda as animals, rather than prescribing them by regulation	<p>This proposal aligns with the definition of 'animal' in the Code.</p> <p>The inclusion of 'Cephalopoda' in the definition of 'animal' is currently achieved via the Regulations. Moving 'Cephalopoda' to the definition of 'animal' in the Act is a more effective approach.</p>

Further information

Further information about NHMRC and the Code is available on [NHMRC's website](https://www.nhmrc.gov.au/research-policy/ethics/animal-ethics).¹

¹ [nhmrc.gov.au/research-policy/ethics/animal-ethics](https://www.nhmrc.gov.au/research-policy/ethics/animal-ethics)