



## National Animal Welfare Bill 2005

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### Key points

- CSIRO is supportive of the concept of uniform animal welfare legislation across all states of Australia.
- The formation of a National Animal Welfare Bill has substantial hurdles to overcome in integrating individual state legislation to form an overarching national frame work.
- The establishment of a National Animal Welfare Authority to issue licenses to institutes, individual animal researchers, and for specific animal experiments offers a number of advantages in creating uniform standards. The down side of this is that the current system of local animal ethics committee's integrated into research organisations allows for closer interactions between scientists and those entrusted with overseeing animal welfare.
- If adopted the proposed bill we see the immediate banning of a number of common practices within Australia's livestock, pharmaceutical and recreational industries. We would recommend a scientific evaluation of the pros and cons of each practice on animal welfare prior to banning, as well as a period to allow industry to identify viable, welfare-friendly alternatives.

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CSIRO is supportive of the view that a set of standard regulations across Australia covering Animal Welfare would offer a number of advantages over the current situation where each state has separate legislation in this area, although underpinned by standard guidelines. The harmonisation of State legislation offers a number of challenges including the need to identify and agree on a set of minimum standards of animal welfare to be applied across the nation.

The proposed National Animal Welfare Bill 2005 address a number of these issues; though it is not clear how State and Commonwealth legislation will be integrated in all areas. For example the bill indicates where State legislation is more restrictive in the use of animals compared to the national legislation, that State legislation will be upheld. In

contrast the bill does not address the issue of reporting requirements and time lines that also vary between states. It is assumed that there will be a national reporting structure but how this will be integrated with state requirements is unclear.

There will be a need for the act to be underpinned by a set of codes of practice for each of our livestock and companion animal industries, as well as for the keeping of domestic and zoo animals. These codes of practice will be essential to provide the underpinning details and definitions to the act for such things as "reasonable conditions", "confined spaces" etc. It is unclear from the current proposed act how these codes of practice will be formulated, who will have the authority for their creation, and how they will be integrated into the act.

One of the major areas of impact of the proposed bill is on the use of animals in scientific research. Specifically, the establishment of a National Animal Welfare Authority responsible for licensing research establishments and principal investigator research, would appear to either replace or duplicate the current local animal ethics committee (AEC) system. Whilst a centralised approval system has a number of attractions, including a uniform approach to animal experimentation across the nation, it is not clear how the authority will deal with the volume of work based on staff numbers provided in the draft act. Some clarity is also needed on how state to state variations will be resolved where local State legislation is more restrictive than the proposed national legislation. The reality here is that the proposed authority would have to oversee the application of the national legislation as well as each of the individual State legislations.

Apart from the practical issues of a centralised approval and review process for animal experimentation, a centralised authority may have other less tangible impacts. Within CSIRO our AECs interact with animal experimenters on a regular basis, thereby integrating the work and guiding principles of the AEC within the science community. CSIRO is fully supportive of the application of the 3Rs to animal experimentation (reduction, refinement and replacement) and our AECs play a key role in educating our scientists in this area and ensuring these principles are incorporated into our research projects. The move



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to a centralised authority would change the relationship between research staff and those empowered with the implementation of animal welfare policy.

In addition, with respect to animal experimentation, although the general definition of animal for the bill states vertebrates, cephalopods and malacostracan, the section relating to animal experimentation defines animals as “an invertebrate or vertebrate animal other than a human being” (p58). This would effectively increase all licensed activities for animal experimentation to also include insects: this would have significant flow on effects.

The proposed bill would also see a number of husbandry practices currently used by Australia’s livestock industries outlawed. For example tail docking of cattle, mulesing of sheep, and any use of electric devices would be banned immediately when the legislation is adopted by the Commonwealth. Although CSIRO does not wish to comment on the welfare impacts of these practices we would recommend a full scientific assessment of the wider welfare implications of alternative practices or where current interventions are removed without alternatives. We would also recommend consultation with the industries concerned. For example the Australian wool industry is actively seeking welfare improved methods of fly strike control in order to phase out mulesing.

In addition to livestock industries, the proposed welfare bill would have significant impacts on other industries that may require similar periods of phase out. For example the bill would equally outlaw hunting and fishing where it is undertaken as a sporting or entertainment activity.

The bill would also have significant impacts on LD50 testing, and the use of animals in the testing of cosmetics or sunscreens. This raises the issue of the importation into Australia of products that have been tested using these procedures in overseas laboratories. The bill correctly raises the issue of the exportation of Australian bred and raised animals to other countries with differing animal welfare standards. The importation of products that have been tested in animal trials in other countries could be looked at with a similar philosophy. A situation might be envisaged where Australian products are sent overseas for animal testing. In addition, animal testing is not undertaken by

industries through their own initiative, but is undertaken in response to Australian licensing conditions. The banning of animal testing on pharmaceutical products would require a similar change in product licensing conditions.

In summary, CSIRO is supportive of the concept of National Animal Welfare legislation; though the current bill as drafted does not address all the issues that require consideration in particular how state and national legislation will be effectively integrated.