



JAMES COOK UNIVERSITY

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29 November 2005

Committee Secretary
Senate Rural and Regional Affairs and Transport Committee
Department of the Senate
Parliament House
Canberra ACT 2600

Dear Sir,

Re **National Animal Welfare Bill 2005**

Please find attached James Cook University's submission to the committee focused on Part 8 *Animals used for experimental purposes*.

Yours sincerely,

Professor A.R. (Harry) Hyland
Deputy Vice-Chancellor

National Animal Welfare Bill 2005

Submission from James Cook University

The focus of this submission from James Cook University is on **Part 8 – Animals used for experimental purposes**. James Cook University is opposed to this Bill and Part 8 in particular for the following reasons:

1. The Bill duplicates the existing Queensland legislation, *The Animal Care and Protection Act 2001 (The Act)*. Under the Act, James Cook University as with other institutions undertaking research on animals in Queensland is a registered scientific user. Registration requires the payment of a fee. Under the Act, the University submits a detailed annual report to the Animal Welfare Unit, Department of Primary Industries and Fisheries that includes information on the number and species of animal used for research and teaching purposes, sourcing of animals, types of experiments conducted, details of any complaints and issues that have arisen about the use of animals etc. We are concerned that the Bill proposes a repetition of registration and reporting of animal usage that already is being done under the Queensland Act. This will lead to an increase financial cost to the University in the administration of animal welfare and ethics matters as well as additional fees for registration. A considerable amount of effort and financial cost has been expended in the past three years to undertake the reporting requirements in the format as required by the Queensland Government. Past history tells us that reporting requirements to the proposed National Animal Welfare Authority will almost certainly be a different format should this Bill be enacted. This will in effect increase further the financial costs to the University to administer animal welfare and ethics matters.
2. There will be further duplication of reporting as institutions conducting research using animals report to the **Animal Welfare Committee** of the National Health and Medical Research Council. This annual reporting requirement includes compliance reporting on the composition of Animal Ethics Committee, use of animals for monoclonal antibody production and details of complaints received by the Animal Ethics Committee. Institutional Animal Ethics Committees are also required to provide annual reports to the institution's governing body, a requirement of the *Australian Code of Practice for the Care and Use of Animals for Scientific Purposes*.
3. The University is concerned about what might be the definition of a **Research Unit** (Section 96 – Definitions) and what may be the costs associated with the registration of a Research Unit. The University is strongly of the opinion that a university as a whole should be identified as the Research Unit rather than every different research unit in the University in the same way that the Queensland Act regards the whole institution as the Registered User.
4. The University is opposed to issuing of licences for approved research to a research worker (Section 99 (1) (a)). Besides the costs associated with obtaining a licence, we believe that the current system of review of applications to conduct

research and teaching using animals through **Animal Ethics Committees** as defined under the *Australian Code of Practice for the Care and Use of Animals for Scientific Purposes 7th edition 2004* is an extremely effective and efficient means for institutions to ensure that research workers are adequately trained and competent to under appropriate research using animals. The issuing of licences will be extremely problematical when dealing with research work that has to be undertaken within a defined period. This issue particularly applies to Honours and Graduate Diploma of Research Methods students who have only one academic year in which to plan, conduct and prepare a thesis on the research work conducted for the academic qualification of a degree (eg Bachelor of Science) with Honours. Already time lines are extremely tight for Honours students and Graduate Diploma of Research Methods students in the preparation and submission of animal ethics applications (normally 2 months are allowed from preparation of an ethics application to release of approval). Application for a license will add an extra and our view an unnecessary burden on the research education process.

Other points

- The intent of the bulk of the remainder of this Bill is in fact a repetition of the content of the existing Act in Queensland. We fail to see the need of duplication of this legislation at the Federal level.
- There is a spelling error in Section 65 (2) (h) (iii) – “estrus” should read “oestrous”. English/Australian spelling should be used rather than American. The word “oestrus” is a noun and “oestrous” is an adjective.
- Section 100 Data Bank is confusing in its present format. Presumably the intent is that a data bank be established of animal research work carried overseas by a researcher worker based in an Australian institution rather than having a data base that collects information of experiments conducted by research workers based in other countries. From the perspective of James Cook University, we required all staff and graduate students who conduct research work on animals outside Australia to submit applications to our Animal Ethics Committee in the same way as if the work was being done in Australia.