

Submission to
Senate Rural and Regional Affairs and Transport Committee

from

**The Australian and New Zealand Society for
Laboratory Animal Science
(ANZSLAS)**

National Animal Welfare Bill 2005

A Bill for an Act to promote humane, responsible and accountable care, protection and use of domestic animals, livestock, wildlife and animals kept for scientific purposes, and the standards required to achieve this end, and for related purposes

This submission was made on behalf of ANZSLAS and was submitted by the President, Malcolm France, with the approval of other Board members. All correspondence should be addressed to:

**Malcolm France
President, ANZSLAS
c/- Laboratory Animal Services
University of Sydney
NSW 2006
Tel 02 – 9351 3603
Fax 02 – 9351 4950
m.france@las.usyd.edu.au**

National Animal Welfare Bill 2005

Submission from ANZSLAS

Coverage

- This submission is intended to only address those provisions of the Bill relating to the use of animals for scientific purposes.
- The views expressed are intended to represent those of ANZSLAS and do not necessarily reflect those of the employers of the members of the Society.
- While the comments address a number of matters regarded as important to the Society, they are not necessarily exhaustive.

About ANZSLAS

- The primary aims of ANZSLAS are directed towards improving the care and welfare of animals used for scientific purposes.
- ANZSLAS takes a broad-based approach by encouraging improvements across several fronts including husbandry, veterinary care, education, researcher training and ethical discussion.
- The members of ANZSLAS include veterinarians, institutional animal welfare officers and animal care technicians engaged in the day to day care of animals used in research. The Society does not primarily represent researchers.
- Further information about the Society can be found at www.anzslas.org.au.

General comments on the Bill

ANZSLAS supports key aims of the Bill including:

- The promotion of the responsible care and use of animals (Section 3b);
- Accountability in the use of animals for scientific purposes (Section 3d); and
- The promotion of alternatives to the use of animals in research (Sections 99.1n and 100.2).

Redundancy under existing state legislation

- Notwithstanding Section 6, it must be acknowledged that many of the key provisions of the Bill relating to animal research are already covered by state legislation.
- It is particularly important to recognise that the Code of Practice (referred to in Section 98) is already legally binding under legislation in each state – contrary to assertions in the second reading speech delivered in June 2005, the Code of Practice is not voluntary and does not just apply to research projects funded by the NH&MRC. The provisions of the Code apply to all animal research including private research conducted as “commercial in confidence.”

Specific points for consideration

- Section 10: *Constitution of Authority*

ANZSLAS believes that the statutory composition of the proposed National Animal Welfare Authority should include one or more members with qualifications and relevant professional experience in either veterinary science or animal welfare science.

- Section 96: *Definitions*

“**animal**” The definition implies that the provisions of the Bill apply to all invertebrates. This would include non-sentient animals such as nematodes and arthropods. It is felt that extending animal research legislation to cover non-sentient animals would dilute and divert

resources away from activities that could achieve important animal welfare goals. Coverage of the Bill should therefore be limited to vertebrates and those invertebrates deemed to be sentient.

“**research**” The definition does not appear to include the use of animals in teaching or in the production of biological products such as anti-venoms and many *in vitro* reagents. While this deficiency needs to be addressed, there is also a case to provide for the exemption of animals in certain circumstances such as vocational training involving routine procedures in agricultural enterprises.

- Section 99: *Matters of responsibility*

Most of these provisions are already covered by the Animal Ethics Committee system constituted under the Code of Practice which, as stated above, is legally binding under state legislation. In addition, Animal Ethics Committees are usually local to their research institution and are therefore well placed to conduct inspections and monitor the use of animals. This is regarded as an advantage over the more centralised Authority proposed in the Bill.

- Section 102: *Public notice of licences*

It seems likely that “notices for application for a licence” would only allow for a brief summary of the work being proposed. This would lend itself to information being taken out of context. While ANZSLAS supports greater transparency in animal research, it is difficult to see how the public notification system proposed in the Bill would allow for a fair and balanced representation of the complex issues contained within many research proposals.

- Section 108: *Management of pain*

This provision does not appear to take into account the inevitable systemic effects of anaesthesia no matter how skillfully administered. There would be many instances where the duration and/or intensity of pain would not be sufficient to warrant subjecting an animal to the side effects that accompany anaesthesia. In addition, this provision fails to take into account the likely needs of studies aimed at improving pain management; to eliminate pain through anaesthesia would, in many cases, restrict the progress of research in this important field.

- Sections 113 and 114: *Registration details and Inspection of register*

The purpose of these provisions is unclear. They do, however, raise concerns relating to personal security and privacy.

(End of submission)