

Te Papa Atawhai / Department of Conservation

CODE OF ETHICAL CONDUCT
For the Use of
Animals for Research, Testing and Teaching
(section 88 of the Animal Welfare Act 1999)

13 December 2024 – 12 December 2029

Contents

1. Background on the Activities of the Code Holder	4
1.1 Organisational Activities	4
1.2 RTT and Te Tiriti o Waitangi Obligations and Principles	5
1.3 The 4 Rs	5
1.4 Responsible Individuals	6
1.5 Individuals/Organisations under the CEC	6
2. Functions, Powers, and Membership of the AEC	6
2.1 Functions and Powers of the AEC	6
2.2 Membership of the AEC	7
2.3 AEC Appointment Procedures	8
3. AEC Standard Processes	9
3.1 General	9
3.2 Meeting Procedures	10
3.3 Consideration Between Meetings	13
3.4 Secretarial Support	14
3.5 Record Keeping Requirements	14
4. AEC Technical Processes	15
4.1 Consideration of Applications by the AEC	15
4.2 Standard Operating Procedures considered by the AEC	16
4.3 Amend, Suspend or Revoke the CEC	17
5. Monitoring by the AEC	18
5.1 Monitoring during the Approval Period	18
5.2 Monitoring by Proxy	18
5.3 Monitoring across Impact Grades	19
5.4 Monitoring Specific Manipulations	19
5.5 Monitoring Animal Facilities	19
6. Responsibilities of organisations/individuals with AEC Approved Applications	20
6.1 Reporting to the AEC	20
6.2 Records Management	21
6.3 Appropriate Qualifications	22
6.4 Sick and Injured Animals	22
6.5 Standard Operating Procedures developed by the Code Holder	22
6.6 Management of Animal Facilities	23
6.7 Euthanasia for Tissue Collection	24

6.8 Rehoming	24
7. Compliance Breaches & Complaints Procedures	24
7.1 Compliance Breaches	24
7.2 Animal Welfare Complaints	25
7.3 Procedural Complaints	26
8. Arrangements for External Parties to Use the CEC and AEC	27

1. Background on the Activities of the Code Holder

([Section 89](#) and [Section 93](#) of the Animal Welfare Act 1999)

1.1 Organisational Activities

DOC is the government agency responsible for the conservation of New Zealand's natural biodiversity and historic heritage.

DOC seeks to improve the state of biodiversity by preventing threats (including fire, weeds, and invasive species) to biodiversity, and by undertaking work to support the ecological integrity of public conservation lands and waters.

To achieve this goal, DOC undertakes many operational activities involving the protection and husbandry of animals as well as undertaking animal pest control. It also undertakes research, testing and teaching (RTT) to contribute to the understanding of ecosystems, biodiversity, and species conservation.

DOC recognises that the use of animals in RTT has a cost that must be weighed against the potential benefit obtained.

This Code of Ethical Conduct (CEC) is designed to comply with all the requirements of the Animal Welfare Act (AWA) 1999. Of particular relevance in the AWA 1999 is Part 6 ("Use of Animals in RTT", enabling the consideration of the use of specified animals in RTT), and Section 5(3).

DOC's Animal Ethics Committee (AEC) regulates DOC's animal RTT activities. A function of AECs is to consider and determine applications for projects that use animals in research, testing and teaching. "Research, testing, and teaching" includes any work, being investigative work or experimental work or diagnostic work or toxicity testing work or potency testing work, that involves "the manipulation of any animal".

Animal manipulations undertaken by DOC that are not regulated by DOC's AEC are those considered exempt from RTT under Section 5(3) of the AWA 1999. For a manipulation to be considered exempt it must meet all three criteria of Section 5(3). These three criteria state that the manipulation must be:

- (a) carried out with the principal objective of—
 - (i) assisting the breeding, marking, capturing, translocation, or trapping of animals of that type; or
 - (ii) weighing or taking measurements from the animal; or
 - (iii) assessing the characteristics of animals of that type; and
- (b) a manipulation of an animal that—
 - (i) is carried out routinely; or
 - (ii) is a minor modification of a manipulation that is carried out routinely; and
- (c) used to fulfil responsibilities and functions under—

- (i) the Conservation Act 1987; or
- (ii) any Act listed in Schedule 1 of the Conservation Act 1987; or
- (iii) any other Act or regulations under which the Minister of Conservation or the Director-General of Conservation has responsibilities or functions; or
- (iv) the Fisheries Act 1996.

To determine whether a manipulation is “routine” or not as per section 5(3b), please refer to Sections 4.2 and 6.5.

If an applicant is unsure of whether a manipulation is considered RTT or to be covered by Section 5(3), they need to seek advice from the Chair. If the Chair is unsure, they seek advice from the AEC, and if the AEC is unsure, they will seek legal advice from DOC’s lawyers.

1.2 RTT and Te Tiriti o Waitangi Obligations and Principles

DOC recognises that Te Tiriti o Waitangi/The Treaty of Waitangi (1840) is foundational and essential for the survival and flourishing of our indigenous ecosystems and species. One of our key strategic outcomes is to be an honourable Treaty partner.

We are legally required to “give effect to the principles of the Treaty of Waitangi” in all DOC’s work, including under the Conservation Act 1987 and the 24 Acts listed in its Schedule 1. This includes actively protecting tino rangatiratanga and taonga, which involves making informed and reasonable decisions.

In line with the guidelines in the National Animal Ethics Advisory Committee (NAEAC) Good Practice Guide for the Use of Animals in Research, Testing and Teaching (2024), we support them in upholding the principles of partnership, participation and protection as implied by the spirit of Te Tiriti o Waitangi/The Treaty of Waitangi. These principles are relevant to the use of animals in research, testing and teaching (RTT) and provide general obligations and considerations to everyone involved in RTT in Aotearoa New Zealand.

1.3 The 4 Rs

As a part of the CEC and AEC processes, researchers wishing to manipulate animals for research, testing or teaching are required to submit an application to the AEC that demonstrates why there is no alternative to the use of the animal(s) and what will be done to minimise the number of animals manipulated and any distress that may result from the manipulation.

The principles of the 4Rs will be applied and described in the application process:

- **Replace** the use of animals with alternative techniques or avoid the use of animals.
- **Reduce** the number of animals to a minimum required to achieve the scientific requirements.
- **Refine** the way experiments are carried out to reduce animal suffering and enhance animal welfare.

- **Respect** that all animals have an inherent value.

1.4 Responsible Individuals

DOC (the 'Code Holder') must meet its legal responsibilities as defined by the AWA 1999. DOC's Director-General retains the institutional responsibility to ensure DOC is compliant with the CEC through the following delegated responsibilities for ensuring the CEC requirements are met:

- Deputy Director-General Biodiversity Heritage and Visitors, DOC
- Chair of DOC's AEC
- Members of the AEC
- All individuals named on approved AEC approvals and associated documents
- All staff responsible for any aspect of care and welfare of animals used in RTT.

1.5 Individuals/Organisations under the CEC

This CEC applies to all DOC staff, volunteers, contractors, collaborators, and all animals used for RTT within New Zealand by those staff, volunteers, collaborators, and contractors.

DOC's AEC may parent (i.e., consider applications on behalf of) other organisations or individuals in exceptional circumstances, where formal agreements are in place between all parties to ensure understanding and agreement of responsibilities. See section 8 "Arrangements for External Parties to Use the CEC and AEC" for these circumstances.

For research that occurs in collaboration with other New Zealand CEC holders, only one AEC will approve the research and only the CEC under which the approving AEC is appointed will apply.

2. Functions, Powers, and Membership of the AEC

2.1 Functions and Powers of the AEC

The AEC seeks to ensure:

- That the highest welfare and ethical standards are observed by all people associated with the AEC and DOC in relation to the manipulation and use of animals
- That there is compliance with the AWA 1999, including the Animal Welfare Amendment Act No. 2 (2015), by all people named on approved AEC approvals and associated documents.

Section 99 of the AWA 1999 outlines the functions and powers of the AEC.

(1) The functions of an AEC are—

- (a) to consider and determine on behalf of the Code Holder applications for the approval of projects:

- (b) to consider and determine, under Section 84(1) (a), applications for the approval of projects:
- (c) to set, vary, and revoke conditions of project approvals:
- (d) to monitor compliance with conditions of project approvals:
- (e) to monitor animal management practices and facilities to ensure compliance with the terms of the CEC:
- (f) to consider and determine applications for the renewal of project approvals:
- (g) to suspend or revoke, where necessary, project approvals:
- (h) to recommend to the Code Holder amendments to the CEC.

(2) Each AEC has such powers as are reasonably necessary to enable it to carry out its functions.

2.2 Membership of the AEC

The AEC comprises statutory members and DOC staff members. DOC's AEC will consist of a minimum of six members and a maximum of eight.

Statutory members

- The Code Holder or, if the Code Holder is an organisation, a senior representative of the company/organisation appointed by the chief executive who is qualified to evaluate applications
- A veterinarian nominated by the New Zealand Veterinary Association (NZVA) who is not employed by or associated with the Code Holder
- A person nominated by an approved animal welfare organisation (the Royal New Zealand Society for the Prevention of Cruelty to Animals (RNZSPCA), who is not employed by or associated with the Code Holder, or involved in RTT
- A person nominated by a territorial authority or regional council, not employed by or associated with DOC, or associated with the scientific community or an animal welfare agency

Upon receipt of a claims form, external members appointed under section 2.2 will be remunerated for their time spent attending meetings, preparing for meetings, monitoring activities, and any travel related expenses, by DOC as per the current version of the Cabinet office Circular Revised Fees Framework for members appointed to bodies in which the Crown has an interest.

Organisational members

Up to four additional DOC staff appointed by the Code Holder.

DOC members of the AEC are selected based on experience with animal research or operational experience to provide a range of knowledge on topics covered by the AEC.

The Chair must be appointed based on the capability to evaluate the scientific validity of projects.

All members are appointed and approved by the chairperson and Code Holder.

Additional members

The AEC has the power to co-opt additional expertise where additional skills or knowledge gaps are identified. This may be in relation to the science involved in applications, the species of animal or similar situations. Co-opted advisors do not contribute to decisions-making.

If the co-opted additional expertise is from DOC, this will occur as part of their role so no additional remuneration will apply.

If the co-opted additional expertise is external to DOC, they will be remunerated on an hourly rate commensurate with their skills and the complexity of the advice sought.

2.3 AEC Appointment Procedures

Members, Chairperson/Deputy Chairperson

The Code Holder will appoint the chairperson, and the AEC will elect the deputy chairperson.

The procedures for appointing AEC members are outlined in section 2.2.

Term of Appointment

Appointments shall be for an initial period of three years. Reappointment for a further two years is subject to the appointment process as outlined in section 2.2 and 2.3 of the CEC.

The chairperson's appointment may be extended beyond the five years, if agreed to by the Code Holder.

A third term may be allowed for members in exceptional circumstances, and at the discretion of the chairperson.

Reappointments

Reappointment of statutory external members at the expiry of their term must be through a formal nomination by the relevant body as outlined in section 2.2.

Reappointment of organisational members at the expiry of their term must be through the formal appointment process as outlined in section 2.2.

Vacancies

Vacancies in the membership of the AEC will not invalidate its actions, as long as a quorum of members (as outlined in section 3.4) is still available for committee meetings. Vacancies must be filled as promptly as possible in accordance with section 2 of this CEC.

If a member has an unexplained absence from the AEC for three consecutive meetings, this member will have been deemed to have resigned their position on the AEC and the vacancy filled in accordance with section 2 of this CEC.

Induction and Training

The chairperson will provide new AEC members with the NAEAC induction pack and additional information as deemed necessary, including this CEC. Members may also be required to attend NAEAC workshops, conferences, and/or training courses during their term on the AEC.

The chairperson induction will, in addition to the above, include pass down and mentoring from the former chairperson.

Members Responsibility to Perform

If a member of the AEC has been negligent in the discharge or performance of their duties and this has materially and adversely affected the performance of the AEC in undertaking its functions and responsibilities, the ongoing involvement of that member in the AEC will be reviewed and decided by the chairperson, and the Code Holder, and the member's nominating body, will be advised, if applicable.

3. AEC Standard Processes

3.1 General

Protection of AEC Members

Members of the AEC are protected under section 104 of the AWA 1999 and are not personally liable for any act done or omitted by the member or the AEC in good faith in the course of the operations of the Committee.

Conflict of Interest

To protect the integrity of decisions made by the AEC, Committee members must declare any actual or potential conflict of interest to the chairperson for consideration at the start of the meeting, prior to the matter concerned being discussed by the AEC.

When a conflict of interest is declared, it will be recorded in the minutes, and the member will recuse themselves from all AEC discussions, deliberations and decision making related to that matter. However, if necessary, that person may be asked back into the meeting, at the chairperson's discretion, to brief the Committee on specific matters. If this is deemed necessary, the person is only permitted to answer specific questions and must leave the room again for any deliberations and decision making.

If the chairperson has a conflict of interest, they must declare this to the deputy chair and the deputy will act as the chairperson for any matters that relate to that conflict.

Confidentiality

To ensure the confidentiality of sensitive information, all AEC members, internal and external, shall sign a confidentiality agreement, a breach of which may give rise to personal liability in civil law. All documents, including forms and correspondence, are maintained in DOC's central repository system, or an alternate secure online location to which the AEC chairperson and AEC secretariat controls access. Should members make a copy of any documents, they must be kept in a safe place, returned, or deleted when no longer required and securely destroyed. Email communication to AEC members must also be deleted by the AEC members when no longer needed. No documentation shall be released to external parties unless approved by the chairperson.

3.2 Meeting Procedures

The primary function of the AEC meeting is to review applications for animal manipulations submitted by staff members, collaborators, and contracted researchers for assessment and to monitor approvals. The AEC will provide and advise on matters relating to animals used in RTT, to ensure the highest welfare and ethical standards are required for the manipulation and use of animals by DOC.

In accordance with the AWA 1999, including the Animal Welfare Amendment Act No. 2 (2015), applications must be submitted for the following:

- The manipulation of live animals in RTT
- The killing of animals for RTT
- The breeding or production of animals for RTT that may result in the birth or production of animals that are more susceptible to, or at greater risk of, pain or distress during its life.

The AEC is responsible for the review of monitoring of animal welfare during manipulation procedures, animal facilities, and end of project reports.

The AEC reviews and comments on other business related to animal use for RTT at DOC.

Scope of AEC Meeting

The following items will be covered during each AEC meeting:

- **Standing agenda items**
 - Apologies
 - Confirmation of minutes of the previous meeting
 - Review of actions from previous meeting
 - Review decisions since previous meeting
 - Applications for Consideration
 - Correspondence
 - Conflicts of interest (to be declared and minuted where the relevant item arises)
 - Other business
 - Confirmation of date of the next meeting

- **For review**

- New applications (including linked approvals (e.g., ACVM, DOC)
- Modifications to approved applications
- Interim & final project reports
- Standard operating procedures
- Adverse events
- Non-compliances
- Monitoring reports
- Complaints

Frequency of Meetings

DOC's AEC will meet at least four times a year as organised by the chairperson. It has the potential to meet every month, except in January.

The upcoming year's meeting schedule is confirmed at the last meeting of the current year.

Meetings may be face to face or by video conferencing or teleconferencing. Face to face meetings will occur at a minimum once a year. To help foster trust and a positive culture between Committee members, DOC will encourage members to attend a sociable meal (paid for by DOC) at least once a year. See Section 3.2 (Online meetings) for more details of video conferencing and teleconferencing meetings.

Circulation of Meeting Papers

The chairperson will ensure that meeting minutes are kept, that information is stored safely, and that the agenda, AEC applications and all other appropriate information is forwarded to the AEC members at least one week prior to the meeting.

Quorum

A quorum is 50% +1 of membership, including two external statutory members appointed as per section 2 of the CEC.

Decision Making

Decisions should be made on the basis of consensus.

The chairperson will take a round-robin approach at meetings to ensure all members have an equal opportunity to offer their opinion or ask questions before a decision is made. The technical aspects of applications will be explained to the rest of the Committee by the specific members who have relevant expertise before decisions are made. This helps all participate in the discussion and decision-making process. After this discussion, the chair asks all members for their contribution to the decision. If a consensus is not reached, then discussions about specific points of difference continue until these can be resolved. The chair will then ask each member if they would like to revise their decision, and the process continues until a consensus is reached.

Where consensus cannot be reached after reasonable effort to resolve differences, the AEC will explore with the applicant(s) ways of modifying the project or activity that may lead to consensus. If consensus is still not achieved, the application will be rejected.

Effective Input of Committee Members

To ensure effective input from external members, all members will have equal opportunities to contribute to the business of the meeting. Decisions will be made after all committee members present have had the opportunity to express their views. All members will have the opportunity to ask for further information or clarification so that they can obtain information and answers to questions they have regarding applications made to the AEC.

Online Meetings

Attendance for most meetings will be entirely online. The chairperson and secretariat will be responsible for keeping track of and managing member participation, so that the Committee remains informed of whether it becomes inquorate at any time (i.e. due to members experiencing connectivity issues) and that this is accurately recorded in minutes. To minimise meeting room bookings, organisational members may attend online meetings together if they are working in the same office.

Hybrid meetings and teleconferencing will be avoided, but can be used as a last resort, if necessary, i.e. if unforeseen changes to travel plans prevent one or more members from attending an in-person meeting.

The chairperson and the secretariat will take great care to ensure that all members continue to have an equal opportunity to be heard and contribute (as per the 'Decision making' and 'Effective input of Committee Members' sections in 3.2) regardless of whether they are attending in person, online or via the telephone.

Establishment and Membership of Sub-Committees

The AEC may from time to time create subcommittees to research, decide or discuss matters. These subcommittees can contain any mix of members that the AEC chooses and (if desired) include co-opted members that have expertise particularly relevant to the matter.

Co-opted members will operate on subcommittees in the same manner described in section 2.2 (Additional members).

However, if a subcommittee is required to decide a matter (as opposed to research or discuss to make recommendations) it must include, as a minimum, the chairperson (or deputy chairperson), two of the statutorily appointed external members and an organisational member.

Any decisions by subcommittees will be reviewed at the next AEC meeting and be ratified by the full AEC.

Meeting Attendance by Other Parties

Attendance is by invite only and meetings will not be open to the public.

The AEC may invite applicants to be present at the meeting in support of their application and to answer any questions the AEC may have.

Applicants may also apply to the chairperson requesting attendance at the AEC meeting to present on their application and answer questions from the AEC. Attendance will be at the discretion of the chairperson.

3.3 Consideration Between Meetings

All AEC applications are considered in a meeting and if required, deliberations may be completed after the meeting should further information be requested. This is to avoid delays which may impact on the planned project.

There are certain occasions when an AEC decision (including the consideration of interim approval) may be required between meetings without having had the benefit of discussion at a previous meeting.

There are two situations where consideration of an interim approval between meetings may apply:

- modifications to existing approvals
- consideration for new proposals in urgent situations

Minor modifications to existing approvals

If minor modifications/alterations are required these can be requested at any time by emailing the AEC inbox.

For modifications/alterations to existing approvals to be considered and approved by the chairperson, including addition of staff or others, the following criteria must all be met:

- The changes do not involve a major departure from the approved study design.
- There is no increase to the impact grading.
- Any change to numbers is the minimum necessary to retain the statistical validity of the original approval. Any increase over 10% of the original number requested must be agreed by a quorum of the Committee.
- Any extension in time for the project does not exceed a three-year timeframe for the total duration of the project.

Any modifications that do not meet these criteria need to be considered by the whole Committee.

Interim approvals

An interim approval for a new project may be issued on a well-justified case-by-case basis, where there are reasonable grounds for the urgency of the approval.

The requirements for considering an interim approval are:

- There is a legitimate requirement for urgency.
- The manipulation is graded A and/or B.
- The application is brought to the next meeting of the AEC, which may endorse, endorse with conditions, or not endorse the decision.

A subcommittee of the AEC shall consider these proposals. Subcommittee membership must include as a minimum the chairperson (or deputy chairperson), two of the statutorily appointed external members and an organisational member.

The interim approval shall be considered for ratification at the next AEC meeting and the approval subsequently confirmed in writing by the AEC.

3.4 Secretarial Support

Secretarial support will be supplied by DOC. Role competencies and responsibilities of the secretariat position will be decided by the AEC as per section 102 of the AWA 1999. However, it is expected that the secretariat will, as a minimum, have the following skills:

- Organisational aptitude
- Accurate minute taking
- Attention to detail.

The secretariat of the AEC should be an employee of DOC and approved by the Code Holder or delegate. The secretariat is 'in attendance', is not a member and does not form part of the consensus decision-making processes of the AEC.

3.5 Record Keeping Requirements

Information Management

DOC is required to comply with the NZ Official Information Act 1982 and the Privacy Act 2020, as well as the Animal Welfare (Records and Statistics) Regulations 1999. To do this, all AEC information and documentation will be maintained in DOC's electronic filing system indefinitely.

Animal Use Statistics

Animal use statistics from individual approvals will be reported to the AEC in the Approval holders Final report (as per section 6 of this CEC).

The chairperson is responsible for ensuring that the AEC reports annually on the statistics on animal use and impact of use on approvals as per the MPI Guideline.

If parenting arrangements are in place as per section 1.5 and 8, the parented external party will be responsible for submitting their own animal use statistics to MPI unless specified otherwise in the agreement DOC has with that party.

4. AEC Technical Processes

4.1 Consideration of Applications by the AEC

Criteria for Consideration

To enable the AEC to ensure that all applications meet the criteria set out in section 100 of the AWA 1999, applicants will be required to use AEC's standard application form (DOC-7592667) and its associated Guidance Document (DOC-7592664).

The AEC will consider where relevant: Māori ethical values and other knowledge; the potential for experiments and manipulations to cause compassion fatigue in animal care personnel, investigators, and volunteers, which might impact on the welfare of the animals under care.

Impact Grading

All applications submitted to the AEC will be assessed for the appropriate manipulation grading as per the Animal Manipulation Grading Guide. (DM-870472). This Guide is based on MPI's Guidance document entitled 'Animal Use Statistics' 2022 and will be updated accordingly as and when MPI provides new equivalent documentation.

All projects will have their grading assessed as part of the approval process, and then again by both the Approval holder and the AEC, when the final project report is submitted.

Outcomes after Consideration

The AEC may:

- **Approve**

Work on the research may commence as per the approval, with standard or specific conditions.

- **Require revision**

No work is to commence, as the application requires revision.

Provisional approval may be granted pending the applicant providing further minor details or clarification and agreed to out of session by the members. In this instance, approval will not be issued until a quorum of members, or reviewer(s) delegated by the AEC, agree to the approval in writing as a result of receiving the further information.

- **Decline**

No work is to commence in any capacity in relation to the application.

All decisions will be recorded in the minutes and the applicant advised of the outcome in writing. No work may commence until written approval is received.

Applicants may **withdraw** their application at any time.

Conditions of Approval

Conditions of an approval and manipulation gradings will be determined by the members during deliberations and recorded in the approval. Conditions will be managed by means such as manipulation reports, manipulation statistics, the supply of video recordings and, when possible, site visits.

Maximum Approval Period

An application may be approved for a maximum of two years. At this time, all animal manipulations must stop. Where there is sufficient justification, an extension of maximum one year may be granted by the AEC upon application. The maximum approval period for any application is three years.

If a project requires more than the maximum approval period, a new application must be submitted and approved by the AEC prior to the expiry date of the extension.

Power to Suspend, Revoke and Vary Approvals

The AEC has the authority to suspend or revoke approvals or vary conditions of approvals temporarily or permanently. This may be a result of non-compliance with the conditions of approval, concern for animal welfare, or concern that the project is not being undertaken as authorised.

Any non-compliances that result in suspensions, revocations or variations to approvals will be communicated in writing to the project lead and their manager.

Modifications to Approved Applications

There may be the requirement for modifications to the approved manipulation procedures or other aspects. Such requests (for items other than those specified in section 3.3 – minor modifications between AEC meetings) should be submitted to the AEC with supporting documentation.

4.2 Standard Operating Procedures considered by the AEC

Any Standard Operating Procedures (SOPs) that involve animal manipulations need to be submitted to the AEC for consideration, review, and feedback. The AEC will review the SOP to advise DOC on any animal welfare considerations and whether the SOP meets DOC's obligations under the AWA 1999. The AEC does not approve SOPs unless it includes a significant surgical procedure.

If a significant surgical procedure is included in an SOP, the AEC will ensure that:

- The SOP includes a competency component to ensure the welfare of animals and compliance with legislation.
- The SOP must be approved by the AEC before seeking DOC's Deputy Director General approval.

The AEC can also indicate to DOC when it considers work that was previously RTT to now be sufficiently routine. It may then advise DOC that it may wish to develop an SOP or best practice document to cover the work so there is added transparency about which aspects can be covered under Section 5(3) of the AWA 1999 and which relate to the manipulation of animals in RTT.

If the AEC has any concerns about welfare impacts from a manipulation or procedure in a SOP that is covered by Section 5(3), they can advise the Code Holder and/or the SOP document holder of their concerns in writing and make recommendations for the Code Holder and/or the SOP document holder to consider.

The minimum review period for SOPs and best practice guidelines is every 3 years.

4.3 Amend, Suspend or Revoke the CEC

Should circumstances arise whereby this CEC requires an amendment, suspension or revocation, the chairperson shall notify the Code Holder, in writing, and contact MPI to complete the process.

Should the situation arise whereby a minor amendment is necessary to the CEC, this will be raised through the chairperson, who will then arrange and recommend those amendments to the Codeholder, as well as notify MPI. Approval from MPI will be sought for amendments that are not minor.

Any stakeholders that could be affected by an amendment, or the suspension and revocation, of DOC's CEC, will be notified in writing before the amendment comes into effect.

Process to amend the CEC

As per Section 95 of the AWA 1999 the following process will apply:

- (1) The Code Holder will apply to the Director-General for his or her approval to the amendment, suspension, or revocation of the approval of the CEC in respect of which the Code Holder holds the Director-General's approval.
- (2) Applications must be in writing and must state the reason why the CEC should be amended, suspended, or revoked.
- (3) The Director-General then refers to NAEAC for its comments and consults with that Committee with regard to any decisions that related to that application.
- (4) Despite subsections (1) to (3), the Code Holder may make minor amendments to a CEC without the approval of the Director-General (where a minor amendment is defined as one that would not materially affect the purposes of the CEC).
- (5) If a Code Holder makes a minor amendment to a CEC, they must notify the MPI Director General of that amendment as soon as practicable after the end of that year, but not later than 31 March in the succeeding year (where a year is defined as a calendar year, i.e. 1st January to 31st December).

5. Monitoring by the AEC

([Section 99](#) of the Animal Welfare Act 1999)

The AEC has the power to inspect animals, their facilities, and related experimental records at any time to satisfy itself that approved procedures are being properly carried out.

Between meetings, this power is vested in the chairperson and (in the absence of the chairperson) the deputy chairperson on behalf of the AEC.

All individuals involved with approvals are required to comply with the conditions of the AEC approval and this CEC.

The AEC is responsible for the monitoring of all approved projects. Where a delegated authority is nominated by the AEC to provide this monitoring function, this must be recorded in writing. All monitoring events, such as site visits, will be documented and reports received by the AEC.

Where corrective actions are identified, these must be time framed with specific responsibilities allocated. Compliance with corrective actions will be monitored by the AEC, and where non-compliance is significant or ongoing, the AEC will escalate the matter to the Code Holder or their delegated authority.

Where appropriate, matters may be referred to external compliance agencies.

Monitoring applies equally to any parented organisations and their approved applications.

5.1 Monitoring during the Approval Period

Monitoring during an approval period will at the minimum comprise interim manipulation reports and often a request for video footage of a manipulation, given the locations where most DOC AEC projects occur.

At a minimum, interim manipulation reports will occur annually, and the final manipulation report will be due as listed on the AEC Approval.

Where practical, to achieve independent monitoring, site visits or video footage are to be provided. These monitoring events are recorded on the AEC Applications and Approvals master spreadsheet on DOCDM- 456787.

Visits to sites are desirable, but not always possible.

Monitoring can be done by any AEC member (not just the chairperson or deputy chairperson).

5.2 Monitoring by Proxy

When applicable, monitoring of manipulations by a representative of the AEC may occur. The attributes of a person and their qualifications will be discussed as part of the application deliberations and the role of the monitor will be described in the AEC approval.

The monitor will provide a short report to the chairperson for inclusion in the next agenda.

5.3 Monitoring across Impact Grades

Site visits and/or post approval monitoring will be conducted annually on at least 10% of grade A – B approved projects, and all grade C, D and E projects. For some approvals, video recordings will be a necessary monitoring tool due to site accessibility, with the majority of DOC's animal manipulations occurring in the field or at sea.

5.4 Monitoring Specific Manipulations

When assessing applications, the AEC will decide what monitoring is most appropriate (and feasible) for that manipulation, and how this may be conducted. Details of this monitoring will then be added as a condition to the Approval.

5.5 Monitoring Animal Facilities

DOC does not have facilities specifically for the manipulation of animals in RTT.

Most manipulations that occur under this CEC by DOC staff and contractors will involve wild animals that are not contained within a facility. Despite this, animals may need to be contained in rare instances.

Should an animal be in a facility, all practices will be in accordance with best practice and scientific knowledge (as recommended by NAEAC in its Good Practice Guide for the Use of Animals in Research, Teaching and Testing (2024)) and the relevant codes of welfare issued under section 75 of the AWA 1999.

The Code Holder, or delegated authority, shall ensure that systems and procedures have been put in place to manage any impacts on welfare of animals in facilities, including those caused by emergency events.

The AEC has the power to inspect any animal facility where approval has been granted for a manipulation in order to be satisfied that animals are being cared for appropriately and in accordance with the AEC approval and any relevant codes of welfare issued under section 75 of the AWA 1999.

6. Responsibilities of organisations/individuals with AEC Approved Applications

6.1 Reporting to the AEC

Project Reports

The AEC will be provided with annual interim reports for the duration of the term of the approval (except for the last year as this will be a final report).

A final report will be submitted at the end of project by the Approval holder. The report must include the outcome of the research, any approved modifications made to the project or approval and all reports of inspections, site visits, sick animal reports or similar. The end of approval report will include the initial grading of the approved project, and an assessment from the project lead on the manipulation grade during the approval.

Timing of the submission of interim and final manipulation reports is listed on the AEC Approval.

End of Approval Grading & Animal Use Statistics

All applications submitted to the AEC will be assessed for the appropriate manipulation grading as per the Animal Manipulation Grading Guide (DOCDM-870472; see section 4.1 'Impact Grading' for more information on the grading system used).

All projects will have their grading reviewed by both the Approval holder and the AEC when the final project report is submitted.

The final manipulation report will include the Approval holder's assessment of the manipulation grading and the rationale if it has changed from the original grading determined by the AEC. The AEC has the power to change the final grading if it believes this is required.

The timing for submitting manipulation statistics is recorded on the AEC approval when issued. In addition, in November of each year, a reminder request from MPI will be sent to all Approval holders who are due to submit manipulation statistics by February of the following year.

Non-Compliance

To ensure that any RTT involving the manipulation of a live animal is carried out in accordance with this Code, the application form explicitly requests information on the four Rs, the justification for the manipulation, and the welfare measures to be undertaken for the animals. The Approval Holder's manager is also a signatory on the application form and any approvals issued. This ensures accountability if any non-compliances result.

The Code Holder is responsible for monitoring compliance of approvals with all Acts of Parliament, regulations or bylaws pertaining to the care and treatment of animals. Particular attention will be given to sections 80 and 100 of the AWA 1999.

If, while carrying out its duties, the Code Holder, AEC chairperson or an AEC member, becomes aware that a project has not been carried out within the conditions of approval or CEC, it may add

conditions, suspend or stop projects, and a formal non-compliance notice will be issued to the Approval Holder.

Non-compliance notices are recorded and stored in DOC's central repository system.

Minor non-compliances may be self-reported by the Approval Holder and accepted by the AEC with a plan to prevent re-occurrence and a timeline of actions to ensure a rapid return to compliance.

When the AEC determines that a non-compliance is concerning to the extent that it requires disciplinary action, this will be immediately referred up the Approval holder's reporting line and, if appropriate, DOC's employment disciplinary procedures will be followed. In the case of external personnel, it will be directed to the management of the organisation concerned.

If the AEC deems there has been a serious non-compliance with the AWA 1999, the project will be stopped immediately, and the situation will be referred to the appropriate regulatory body, such as MPI, RNZSPCA or Police.

See Section 7 for more details of how non-compliances will be reported, handled and investigated including timelines (immediate actions and procedures for improvement) and when the information will be communicated to the AEC.

Adverse Events

"An adverse event is any unanticipated, unfavourable, or atypical event occurring to an animal during or as a result of routine husbandry, experimental manipulation, or disease." The adverse event does not necessarily result from a non-compliance with the AEC Approval."

All adverse events that occur shall be dealt with promptly, and the chairperson and DOC's veterinarian (in the case of adverse reactions to drug use) notified immediately (within 48 hours where possible, otherwise within 48 hours of return from the field). An adverse event report must be completed using the standardised form and submitted to the AEC for discussion. If appropriate, the adverse event will be logged on the Lessons Learned Register (DOC-2626553), i.e. if the AEC believes similar events are preventable in the future.

6.2 Records Management

Approval holders must accurately document the conduct and outcomes of each project, including:

- applications
- AEC approvals
- number of animals used, all manipulations undertaken and actual impact grade
- details of animal husbandry routines and environmental conditions
- modifications that were approved during the project
- non-compliances
- adverse events
- staff training records
- veterinary consultation and treatment; and
- project results

The status of applications and any associated correspondence will be logged in a master spreadsheet (DOCDM-456787) that is lodged on DOC's central repository system.

6.3 Appropriate Qualifications

All staff or contractors approved to manipulate animals must have the appropriate skills to perform the manipulations they are authorised to perform under an approval. The AEC will specify any required training and the timeframes for completion of training, evidence of which must be provided to the AEC.

Use of veterinary medicines including sedatives in predator research by non-veterinarians is managed under section 28 of the Agricultural Compounds & Veterinary Medicines Act (ACVM Act) 1997 and allows Research, Teaching and Testing Organisations (RTTOs) to use veterinary medicines under certain circumstances as described in an Operating Plan approved by MPI and the use of Controlled Drugs is under Ministry of Health approval. Key documents include the MPI approved Operating Plan DM-3190578 and MoH audited Controlled Drug Standard Operating Procedure DM-3170683.

A factsheet describing the requirements for staff when animal remedies are proposed to be used as part of a manipulation is available on DM-5381099, including the requirements set out in the Section Z: Application for the Use of Prescription Registered Veterinary Medicines which must be submitted to the AEC with the project application form.

If the manipulation is approved, an Institutional Drug Administration Order is issued by the DOC veterinarian and endorses a drug regime which is specific to that AEC approval. In gaining approval, key requirements stipulated in the ACVM Act 1997, and the DOC Operational Plan (MPI approved) must be met.

6.4 Sick and Injured Animals

Applicants have access to a DOC veterinarian when designing their manipulations. If ongoing veterinary expertise is required, the DOC veterinarian can recommend suitably qualified and experienced personnel to provide this.

Sick or injured animals will not be manipulated.

Any animals found to be sick or injured during a project will be notified to the DOC veterinarian for expert wildlife advice. In such cases, the manipulation to a sick or injured animal will not occur. Where veterinary care is not possible (e.g., a large wild animal on an inaccessible island or at sea), a veterinarian will also be contacted for advice on welfare options.

6.5 Standard Operating Procedures developed by the Code Holder

DOC staff may develop SOPs or best practice documents to cover work by DOC that has become routine and meets criteria (a), (b) **AND** (c) of Section 5(3) of the AWA 1999. In a comparable way to RTT SOPs, documents will be developed in consultation with experts, and peer reviewed. They will then be submitted to the AEC for consideration, review, and feedback. The SOPs must:

- include a section that defines what is a routine manipulation in the procedure and therefore when Section 5(3) of the AWA 1999 can be applied.

- clearly define whether any aspect of the routine manipulation can still be considered as RTT, meaning AEC approval would still be required (and need to be sought) for that aspect.

The AEC does not approve SOPs unless it includes a significant surgical procedure.

If the manipulation in the SOP includes a significant surgical procedure, then:

- The SOP must include a competency component to ensure the welfare of animals and compliance with legislation.
- The SOP must be approved by the AEC before seeking DOC's Deputy Director General approval

6.6 Management of Animal Facilities

DOC does not have facilities specifically for the manipulation of animals in RTT.

Most manipulations that occur under this CEC by DOC staff, volunteers, collaborators, and contractors will involve wild animals that are not contained within a facility. Despite this, animals may need to be contained in rare instances.

Policies & Procedures

The AEC has the power to inspect any animal facility where approval has been granted for a manipulation in order to be satisfied that animals are being cared for appropriately and in accordance with the AEC approval and any relevant codes of welfare issued under section 75 of the Animal Welfare Act 1999.

Should an animal be in a facility, all practices will be in accordance with best practice and scientific knowledge (as recommended by NAEAC in its Good Practice Guide for the Use of Animals in Research, Teaching and Testing (2024)) and the relevant codes of welfare issued under section 75 of the AWA 1999.

Emergency Management

The Code Holder, or delegated authority, shall ensure that systems and procedures have been put in place to manage any impacts on welfare of animals in facilities, including those caused by emergency events.

Housing of Animals

Animal facilities and practices shall be in accordance with good practice and scientific knowledge (for example, as recommended by NAEAC in its Good Practice Guide for the Use of Animals in Research, Testing and Teaching (2024)) and to the relevant codes of welfare issued under section 75 of the AWA 1999. This is to ensure that the animals' health is safeguarded, and that undue stress is avoided. All requirements of the AWA 1999 must be met.

Transportation of Animals

All transportation of animals will be humane and hygienic and in accordance with the Transport within New Zealand Code of Welfare, the AWA 1999 and Animal Welfare Regulations. This will be achieved through any conditions included in the approval.

6.7 Euthanasia for Tissue Collection

DOC avoids the need to euthanise any animals for the purposes of tissue collection wherever it can.

On the rare occasion that euthanasia may be required for the purposes of tissue sampling, the procedures would be captured in an SOP that would be reviewed by the AEC as per the process outlined in section 4.2. Tissue sharing will be used by preference, if possible and appropriate.

6.8 Rehoming

Most manipulations that occur under this CEC by DOC staff, volunteers, collaborators, and contractors will involve wild animals that will not need to be rehomed.

On the rare occasion that rehoming is required, care will be taken to ensure that this is done with the recommendations of NAEAC's Good Practice Guide in mind (or any documents that succeed it).

7. Compliance Breaches & Complaints Procedures

([Section 103](#) of the Animal Welfare Act 1999)

7.1 Compliance Breaches

The Code Holder is responsible for monitoring compliance of approvals with all Acts of Parliament, regulations or bylaws pertaining to the care and treatment of animals. Particular attention will be given to sections 80 and 100 of the Animal Welfare Act 1999.

Any non-compliances detected are notified to the AEC chairperson. The chairperson then informs the AEC.

Non-Compliance with an AEC Approval

The AEC has the authority to suspend or revoke approvals or vary conditions of approvals temporarily or permanently. This may be a result of non-compliance with the conditions of approval, concern for animal welfare, or concern that the project is not being undertaken as authorised.

Non-compliance that results in suspensions, revocations or variations to approvals will be communicated in writing to the Approval holder and their manager.

The Approval holder also has a responsibility to understand requirements and report non-compliances.

Minor Non-Compliance with Legislation or Regulations (including the CEC)

If a minor non-compliance is confirmed, the chairperson will notify the Approval holder of the non-compliance and ask them to take corrective measures to return to compliance. The chairperson will provide clear direction on the steps and timeframe necessary for a return to compliance.

The AEC will be informed of the non-compliance at their next meeting and kept informed at meetings about the Approval holders progress in returning to compliance.

The chairperson will notify the Code Holder in their next Annual DG report (as well as details of outcomes and any actions taken).

Major Non-Compliance with Legislation or Regulations

If a major non-compliance is confirmed, the chairperson will notify the Approval holder of the non-compliance and ask them take immediate measures to cease and correct all non-compliant practices. The chairperson will also notify the AEC and may seek advice from them out of session if required.

Depending upon the severity of the non-compliance, the chairperson may work with the Approval holder to develop a plan (which will include a timeframe) of how the Approval holder can return to compliance. Work will remain at a stand-down until a clear pathway to compliance has been developed.

MPI will be notified, and advice sought on whether any extra measures need to be taken.

The Code Holder will be notified as soon as can be considered appropriate after considering the risks to DOC and once the chairperson can be satisfied that the right information has been collected.

Having an AEC approval does not override general animal care requirements under the AWA 1999.

7.2 Animal Welfare Complaints

By the Public

Complaints made by members of the public shall be referred to the AEC chairperson who will correspond/liaise directly with those concerned to inform them of DOC's position and/or to advise them that further correspondence may be addressed to MPI.

If the committee agrees that there is evidence of a potential non-compliance, the chairperson shall arrange an investigation by AEC member(s), with a formal report provided to the next AEC meeting. Where non-compliance with the CEC or AWA 1999 is identified, corrective actions shall be recorded and monitored by the AEC. The Code Holder will be notified.

By Employees

Complaints made by DOC staff or AEC members shall be directed to the AEC chairperson. If there is evidence of a potential non-compliance, the chairperson shall arrange an investigation by AEC member(s). A report of the investigation will be provided to the next AEC meeting and the Code Holder. Corrective actions will be identified and monitored by the AEC.

Where the Code Holder believes the complaint justifies escalation, the MPI shall be notified.

By AEC Members

All complaints regarding animal welfare must be reported to the chairperson, discussed in a meeting, and recorded in the minutes. All complaints will be investigated by the chairperson or a delegate.

7.3 Procedural Complaints

([Section 103](#) of the Animal Welfare Act 1999)

By Applicants

Complaints may be written to the chairperson of the AEC. The chairperson may consult with other personnel as needed to complete any required investigation. If the matter cannot be resolved by the AEC, or to the satisfaction of the complainant, it shall be referred to DOC's Deputy Director-General, Biodiversity.

By AEC Members

In accordance with Section 103 of the AWA 1999, any member of the AEC who believes that the committee or DOC is failing to comply with the CEC may report such non-compliance to the Director-General of MPI.

An AEC member who makes such a report in good faith shall not be liable to any discipline or civil proceedings from DOC because of having made the report.

Against the Chairperson/Deputy Chairperson/Administrator

Complaints made by members of the public regarding the chairperson shall be directed to the Code Holder or delegate, who will correspond/liaise directly with the chairperson to resolve the issue.

Where the Code Holder believes the complaint justifies escalation MPI shall be notified.

8. Arrangements for External Parties to Use the CEC and AEC

([Section 84](#) of the Animal Welfare Act 1999)

DOC's AEC may accept applications from other organisations or individuals where there is likely to be a significant benefit for conservation and, in the case of an organisation, that organisation does not have an AEC in New Zealand.

When this applies, the following must also occur:

- The request to the AEC must be received with a formal letter of support (in writing) from a DOC Tier 4 Manager.
- That manager (or their delegated staff member) undertakes liaison between the Approval Holder and the AEC and ensures AEC reporting requirements and standards are met.
- The Approval Holder and their DOC liaison must be available to attend AEC Approval Holder question sessions if requested.
- A formal agreement must be in place to ensure that all parties understand and agree upon their roles and responsibilities and that the external party agrees to comply with this CEC.
- It must be clear in the agreement that the external party will be the one responsible for submitting animal use statistics to MPI.
- The Code Holder (or delegated persons, i.e. AEC chairperson) must notify MPI of these arrangements and provide the contact details of the organisation and person that will be submitting animal use statistics on behalf of this arrangement.

FEEDBACK FORM

This feedback form is optional. However, both MPI and NAEAC would welcome any feedback you have regarding the CEC application process, or the application form and template provided in this application pack.

Please provide your feedback below: