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RHODES UNIVERSITY ANIMAL RESEARCH ETHICS COMMITTEE (RU-AREC)



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TERMS OF REFERENCE

Preamble

Research involving animals and/or biological material of animal origin, such as tissues, blood samples or bone marrow, is essential for the advancement of knowledge in the sphere of many academic disciplines which study animals, animal welfare and so contribute to the good of the society at large. Principles of “*replacement, reduction, refinement and responsibility*” must apply to all research and teaching activities which involve animals at Rhodes University (RU). As a result, research and teaching which involves the use of animals as defined below is only sanctioned and authorised, if no other alternatives are available to achieve the particular outcomes of research and teaching. Such use of animals is done based on input and in cooperation of an animal welfare organisation(s). In this regard, staff members conducting and supervising research and who are involved in teaching with animals/animal tissues have the primary responsibility to ensure that any and all requirements of South African legislation and those rights are met. However, these principles in general must be followed and adhered to in all academic departments and affiliated of RU:

- Academic staff employed by Rhodes University on a permanent or contractual basis;
- Research associates or senior research associates who are appointed on a honorary basis at Rhodes University;
- Undergraduate and/or postgraduate students who are enrolled and studying at Rhodes University (as defined in section 2 of the Student Disciplinary Code of Rhodes University) at the time of the application for ethical clearance;
- Postdoctoral and/Visiting Fellows and/or Professors.

The above mentioned categories of researchers and students, who conduct research with animals, are referred to as RU stakeholders in further text. All RU stakeholders, RU and its institutes, under whose auspice research and teaching are conducted, have the responsibility of supporting researchers for ethically sound conduct towards animals, animal ethics and animal welfare. In addition to the above stated principles, RU stakeholders supported by RU-AREC has had on ongoing cooperation with the National Council of the Societies for the Prevention of Cruelty against Animals (NSPCA) and WESSA. In line with these facts, all activities in research and teaching by RU stakeholders imply and are aimed at

maintaining compliance and adherence to the following South African legislation and other standards that are aimed and protection of animal rights and welfare:

Animal Diseases Act, 1984 (Act No. 35 of 1984), as amended
Animal Health Act, 2002 (Act No. 7 of 2002), as mended
Animal Matters Amendment Act, 1993 (Act No. 42 of 1993), as amended
Animals Protection Act 1962 (Act no. 17 of 1962), as amended
Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965), as amended
Performing Animals Protection Act, 1935 (Act no. 24 of 1935), as amended
South African National Standard no. 10379:2005
South African National Standard no. 10386:2019
SPCA Act no. 169 of 1993
Professional Code of Ethics of the African Association of Zoos and Aquaria
Veterinary and Para-veterinary Professions Act, 1982 (Act No. 19 of 1982), as amended

Ethical review and clearance/approval processes of research and/or certain teaching activities involving animals as defined below (referred to as research and teaching in further text of this TOR), must follow rigorous procedures, adhere to stringent standards, as well as fulfil national and international legal/accreditation requirements and best practices. These Terms of Reference (TOR) apply to activities in research and teaching in all the unit operations and steps involved in the ethical review and clearance/approval processes of activities which involve animals as defined below. Research and teaching that involve animals at RU are aimed at achieving the following:

- To produce new knowledge as part of the academic project at Rhodes University that involves animals;
- To validate, review and continuously update the subject matter and content that are taught as subject matter in all disciplines at Rhodes University that have animal ethics implications;
- To ensure that the knowledge produced and/or validated is of high standard, as to withstand the peer-review and all other review standards in a given academic discipline in which results of studies that involve animals are published;
- To achieve comprehension and understanding of the necessary and prescribed knowledge of animal physiology, behaviour and other related aspects of curriculum outcomes and/or degree requirements in a particular academic discipline;
- To conduct research and teaching according the principles of academic integrity, fairness and with respect and with the view towards the protection of animals rights.

Definition of animal(s) and related terms

Based on examination of the standards, RU-AREC has decided to stipulate the definition of an animal as follows (SANS, 2005, page 4):

“Animal – mammal, bird, reptile, amphibian insect or other multi-cellular organism that is not a plant or a fungus, to which the provisions of this standard apply”

In addition, the RU-AREC also aims to undertake the best efforts to adhere to the definition of an animal, which was proposed in the Animal Protection Amendment Bill in 2017 section 1b) and that states (SAAPAB, 2017):

“Animal means any [equine, bovine, sheep, goat, pig, fowl, ostrich, dog, cat or other domestic animal or bird, or any wild animal, wild bird or reptile which is held in captivity or under the control of any person] –

a) live, non-human vertebrate such as a fish, amphibian, reptile, bird or mammal and includes

i) domestic, domesticated, feral and wild animals;

ii) a purpose-bred animal; and

iii) an animal bred for use in farming activities

b) higher invertebrate such as advanced members of Cephalopoda and Decapoda; or

c) a fertilised egg, foetus, or embryo of the a vertebrate referred to in paragraph a) or an invertebrate referred to in paragraph b)”.

Animal welfare is defined as follows (SANS, 2005, page 5):

“Provision of circumstances that contribute to wellbeing of the animal”.

In addition, the same South African National Standard defines wellbeing as follows (SANS, 2005, page 5):

“Homeostasis – tendency towards as relatively stable equilibrium between inter-dependent elements, especially as maintained by physiological and psychological processes “.

Animal welfare can further be seen as freedom “thirst and hunger”, from “thermal and physical discomfort, pain, injury, distress” (SAAPAB, 2017).

The Rhodes University Animal Research Ethics Committee (RU-AREC), is a committee of, and has been appointed by, the RU Senate. Therefore RU-AREC is a sub-committee of RU Senate.

1. SCOPE OF THE RU-AREC

The RU-AREC is charged with monitoring the treatment of animals used in research and teaching at Rhodes University (RU). The RU-AREC has been charged with the responsibility of reviewing all protocols involving animal use in order to ensure that they are in accordance with acceptable ethical and scientific standards. The RU-AREC must ensure that all aspects of the care and use of animals comply with national and international standards and norms. The RU-AREC assists the institution in complying with legislation and creating an awareness of ethical conduct in researchers and teachers.

2. PURPOSE

To ensure that scientific research and teaching activities involving animals Rhodes University (RU) comply with SABS SANS Code 10386 (2008, or updated versions thereof), incorporating the core ethical principles of

- i. **Replacement** of the use of animals with alternative models where feasible.
- ii. **Reduction** of the number of individual animals used.
- iii. **Refinement** of experimental design, procedures, care and husbandry, to minimise or eliminate the impact on individual animals in terms of actual or potential pain, suffering, stress, and lasting harm.
- iv. **Responsibility**: Who takes care of animals/insentient material in the experiments instead of sentient animals (tissue cultures which have been ethically obtained).

To ensure that research proposals involving the use of animals undergo rigorous scientific and ethical review processes.

3. COMPOSITION OF ANIMAL ETHICS COMMITTEE

Rhodes University Animal Research Ethics Committee (RU-AREC) members are appointed by the Chairperson via an official letter, which contains the term in office and indemnity for their actions on the RU-AREC. The appointment must be ratified by the RU Senate within two months of the date on the appointment letter. Alternatively, Vice Chancellor can ratify the RU-AREC members' appointment on behalf of the RU Senate. Various categories of members are dictated by international and national standards including the SABS SANS Code 10386 (2008) or updated versions thereof.

Four categories of member are required:

- A:** Veterinarians
- B:** Scientists with substantial and recent experience in the use of experimental animals
- C:** Animal welfare organisation representatives
- D:** Academic staff representatives from RU not involved in animal experimentation and/or stakeholders organisations from outside of Rhodes University, e.g. community members.

The actual composition of the RU-AREC is as follows:

- a) The Chairperson of RU-AREC members is appointed by the RU Vice-Chancellor via an official and signed letter. This appointment takes place after the Chairperson has been elected by a majority

of all members of RU-AREC. Besides the four categories of members, the following criteria must be met for the RU-AREC membership:

- The Chairperson, who should be an academic member of Rhodes University staff, must have experience working with animals in their own research activities and it is desirable for the Chairperson to have prior working experience in animal research ethics. The Chairperson drives the overall functioning of the RU-AREC, as well as policy development and review. The Chairperson of RU-AREC is an ex-officio member of Rhodes University Academic Senate.
 - One Deputy Chair must be elected from amongst the RU-AREC members. The Deputy Chairperson drives the monitoring of all projects/research and teaching activities that involve animals at Rhodes University, both active and passive. The Deputy Chair will also chair meetings should the Chair not be able to attend.
 - The Ethics Coordinator
 - Registered veterinarian(s)
 - Academic and research staff from the departments in which animals are used in research, with substantial and recent experience in the use of experimental animals, e.g. Department of Zoology and Entomology, Department of Ichthyology and Fisheries Science
 - Other senior members of academic and research staff (from Faculties other than the Science Faculty, including RU retirees, or non-RU organizations), and/or members of the community who are not involved in animal experimentation and who preferably have had training in research ethics
 - One representative of Senate
 - Two persons from officially recognised animal welfare organisations
 - One postgraduate student from the Faculty of Science and the Faculty of Pharmacy with recent experience in the use of experimental animals, nominated by the Student Representative Council (SRC).
- b) Ex-officio members:
- The Deputy Vice-Chancellor (DVC): Research and Development or their representative.
 - Head of Department: Zoology and Entomology or their representative.
 - Head of Department: Ichthyology and Fisheries Science or their representative.
- c) RU-AREC reserves the right to co-opt members when necessary, i.e. in instances where specific expertise is identified or to represent the community and its demographics.
- For capacity building, alternatives from the required categories can be appointed to attend a specific meeting when a member from the same category is unable to attend.
 - Where appropriate, specialists and other advisers may be invited to attend meeting and/or give input. Such members are not eligible to vote.
 - Observer members and applicants may be invited to the meetings. Such members are not eligible to vote.

4. EXECUTIVE COMMITTEE

There are emergencies that might and do arise in research and teaching with animals. If this occurs, a decision about animal ethics and its implications for the academic project of Rhodes University is required, then swift action and emergency decisions must be made within a limited timeframe. If such circumstances arise, the Executive Committee of RU-AREC (EXCO) must be constituted to act on behalf of RU-AREC. EXCO should comprise the Chairperson, the Deputy Chairperson and a veterinarian. All decisions of the EXCO must be tabled at the following meeting of the RUAEC.

5. QUORUM RULES

Six members, which must include a member from each category A, B, C, and D as described in SANS 10386 5.2.3, constitute a quorum. If there is only one member from category C (representing a welfare organisation), a second member from this category will be identified by the welfare organisation to act as an alternate.

6. TERMS OF OFFICE

RU-AREC members are generally appointed for a period of up to two years, with possible renewal for one additional term. The rotation of members may be done annually and may include up to one third of the members being replaced by new members. Students are appointed for one calendar year, with possible renewal. The Chairperson of RU-AREC, in collaboration with the DVC: Research and Development, must put in place strategies for continuity of membership and expertise. Such strategies must include resources, whether financial or otherwise, to maintain continuous professional development in the area of animal ethics among the RU-AREC members.

7. FUNCTIONS AND ROLE OF RU-AREC

- 7.1 To advise the Vice-Chancellor and DVC: Research and Development, as well as the Senate, of Rhodes University on all matters pertaining to the ethics of research and teaching involving animals.
- 7.2 To ensure that committee members attend an Induction Course at the start of their term of office, run by an appropriate member of the RU-AREC. RU-AREC is mandated and must be supported in the continuous professional development of its members in animal ethics through accredited courses that are run by National Health Research Ethics Council (NHREC) accredited providers by Rhodes University.
- 7.3 To examine and authorise, subject to modification, or reject all proposals for research and teaching involving animals to be carried out within the ambit of Rhodes University, in accordance with current standards and guidelines.
- 7.4 To perform active and passive monitoring of all studies that have implications on animal ethics in accordance with RU-AREC Standard Operating Procedures (SOPs).
- 7.5 To submit an annual report to the NHREC, to the DVC: Research and Development and to Rhodes University Academic Senate.

- 7.6 To ensure that the RU-AREC presents regular (at least annual) training on the Ethics, Care and Use of Animals in Research, for animal users involved in the use of animals.
- 7.7 To review and revise, as appropriate, the RU-AREC ethics guidelines and SOPs, lodging revisions with Faculty boards and Senate.
- 7.8 Terms of Reference of RU-AREC must be reviewed and updated, and any updates implemented, in response to changes in the respective South Africa legislations, NHREC guidelines, or notices published in the government gazette, and/or response to any changes in Rhodes University policies that have animal ethics implications. The minimum frequency of review for the Terms of Reference of RU-AREC is three years. Any changes to the Terms of Reference of RU-AREC must be ratified by a majority of all RU-AREC members, by all faculty boards of Rhodes University, as well as Rhodes University Senate. After which, the changes take effect.
- 7.9 To deal with protocol deviations and violations, plus animal welfare issues and alleged unethical treatment of research animals through the mechanisms as detailed in the appropriate SOP.
- 7.10 To prepare written procedures, to be adopted by Senate, to deal with non-compliance with current standards and guidelines, allegations of research misconduct, appeals and any other grievance related to the RU-AREC process. Such procedures must clearly define the reporting mechanisms and responsibilities of all parties to ensure fair and effective processes.

8. PROCEDURES

- 8.1 The Committee elects one Chairperson and one Deputy Chairperson from amongst its members by a simple majority of the votes of all RU-AREC members. This vote must take place in a properly quorate meeting of RU-AREC, which is chaired by a member of RU-AREC (other than the current Chair, if the Chair is nominated for re-election, or by the Chair if not).
- 8.2 The Committee meets monthly to examine proposals for research and other matters pertaining to RU-AREC. Ordinary meetings should be presided over by the Chairperson or the Deputy Chairperson, if the Chairperson needs to recuse themselves or they are absent due to sickness, due to being sabbatical/academic leave and/or other valid reason.
- 8.3 The Committee must communicate to, and require implementation by, the University via participation of the Chairperson in the relevant discussion of the Rhodes University Senate, in conjunction with DVC: Research and Development, any measures needed to ensure that the current standards and guidelines are implemented and maintained, including institutional plans and policies that might affect animal welfare.
- 8.4 The RU-AREC must authorise only those studies for which animals are essential and which conform to the current standards and guidelines, taking into consideration ethical and welfare aspects as well as the scientific and educational value of the proposed research.
- 8.5 In the case of proposals for research using Non-Human Primates, the review process includes monitoring of the proposal by RU-AREC and the development, as well as implementation of the Rhodes University SOP for conducting research and teaching with non-human primates.
- 8.6 RU-AREC must maintain a register of authorised projects.

- 8.7 RU-AREC receives reports from the principal investigators of the approved projects concerning regular monitoring, inspections and assessment of the acquisition, transport, production, husbandry, care, use and disposal of animals used in research or teaching. All of these aspects must be in accordance with current standards and legislation relating to the ethics, welfare and use of animals. RU-AREC is expected to act on the reports as necessary.
- 8.8 RU-AREC must receive annual progress reports and a final report for every project authorised, kept on record by the Ethics Coordinator, who is a staff member of the Rhodes University Research Office.
- 8.9 The Committee must establish procedures and processes:
 - 8.9.1 to address conflicts of interest for committee members and researchers
 - 8.9.2 to maintain records in accordance with the adopted guidelines
 - 8.9.3 to address allegations of non-compliance and allegations of research misconduct, and to hear appeals.
- 8.10 The first act of each ordinary meeting, after being constituted, shall be to confirm, by the signature of the Chairperson, the minutes of the last ordinary preceding meeting and of any special meetings held subsequently thereto.
- 8.11 A member may speak more than once on any motion or amendment thereof, but the mover of the motion or amendment may reply. In the context of the RU-AREC activities, this motion does not cover the deliberations and does not limit the extent to which individual applications for ethical clearance on research and/or teaching with animals are concerned. Here the stipulations in section 8.19 shall apply.
- 8.12 Withdrawal of motions or amendment to an existing motion must be proposed by the proposer, who is a member of RU-AREC, and seconded by a second member of RU-AREC. If so directed by the Chairperson, be in writing, no motion and amendment may be withdrawn without the consent of the proposers, seconder and the meeting.
- 8.13 Notice of any motion to make, amend or rescind of A Statute or Rule, or amend or rescind a previous resolution of the meeting, shall be given at the meeting previous to that at which it is to be moved; provided this action has been made by RU-AREC as a committee of Senate, and if the minutes of the meeting of the committee at which the proposal was made have been issued in time to have been received by the members of Senate at least two days before the meeting at which it is to be discussed.
- 8.14
 - a) Subject to any provisions in these rules to the contrary, all questions shall be decided on by the majority of the members present at a quorate meeting of RU-AREC, who have voting rights.
 - b) On every question, the Chairperson shall have a vote, and in the case of an equality in the number of votes, also cast the deciding/also a casting vote. It is, however, understood that RU-AREC should seek to reach all its decisions, including on procedural matters, by consensus as this is the norm in making decisions in the field of animal ethics.
 - c) The number of members voting for or against any motion shall be recorded in the minutes, if so decided by the RU-AREC meeting, and, at the request of any member, the Chairperson shall direct that the vote of such member be likewise recorded.

- 8.15 The ruling of the Chairperson on any question of order or procedure shall be binding unless immediately challenged by a member, in which case shall be submitted without discussion to the meeting, whose decision shall be final.
- 8.16 a) When an item of business not disclosed on the written notice of ordinary meeting is introduced, voting on such item shall not take place until the lapse of one hour after its introduction, unless the meeting agrees by recorded vote to the contrary.
- b) At a special meeting, no business other than that of which notice has been given shall be transacted at such a meeting, unless agreed by the meeting.
- 8.17 Waiver of rules may be considered by a quorate meeting of RU-AREC. The quorate meeting of RU-AREC may, by a vote of two-thirds of the members present approve an exception to any of the rules pertaining to meeting procedures. Such a waiver cannot be in contravention of the principles and legislative requirements that apply to animals ethics in South Africa and internationally; and/or that are or might be in contravention of the registration of the RU-AREC with the NHREC.
- 8.18 Class A and Class B matters, discussed in any ordinary and quorate meeting of RU-AREC, may be minuted in the restricted sections in which resolutions, such as those relating to individual students or staff, are recorded. Additional considerations, in relation to any quorate and ordinary meeting of RU-AREC, that relate to confidentiality are outlined in section 9 of these terms of reference.
- 8.19 a) Any member may bring any matter before a meeting by submitting a written motion to the Chairperson of the RU-AREC at least seven days before the meeting at which it is to be discussed. In an emergency, which might be expected to and do arise in research and teaching involving animals, the EXCO will act on behalf of RU-AREC. Any decision made by EXCO must be tabled for ratification at the next immediate ordinary meeting of RU-AREC.
- b) Whenever an amendment is duly moved and seconded, that amendment, or the latest, if several amendments are moved and seconded, must first be voted on. If there is a majority of a quorate RU-AREC meeting, and the majority of the present members vote in favour of the amendment, the original motion is lost. The amendment then becomes the substantive motion. An amendment to this amended version of the original (now the substantive motion) may be moved. Any amendment to the original motion not yet voted on, which can, with the necessary changes, be treated as an amendment to the now substantive motion, is voted on in order or priority, the later preceding the earlier. When no further amendment is offered to an amended motion, the amended motion, which has become the substantive motion, is voted on as the substantive motion in order to discover whether a majority prefer it to the *status quo*.
- c) Voting shall take place by a show of hands, unless a member requests, or the Chairperson directs, that a ballot shall be taken.
- d) Discussion in RU-AREC should be robust and provide a platform for all members and opinions to be heard and given consideration, as this is a necessary risk-management tool to ensure maximum possible scrutiny of the animal ethics implications of all applications for ethical clearance.

e) If two or more RU-AREC members simultaneously address the Chairperson, the Chairperson shall decide on the order of precedence.

f) It shall be open for any member of a meeting to move that the subject under discussion shall be dealt with in the given RU-AREC meeting/RU-AREC, and if seconded, such motion shall be put without further discussion. If the matter is dealt within the given RU-AREC meeting/RU-AREC, the provisions of Rule 8.11 above shall not apply.

8.20 Motions are not deliberations among RU-AREC committee members. Deliberations apply to the discussion of all applications for ethical approval for research and teaching involving animals. Here the RU-AREC meeting, through the Chairperson/the Deputy Chairperson and/or its members, will use its discretion about the length of deliberations.

9. CONFIDENTIALITY

Committee business is confidential so as to protect intellectual property, researchers' interests, and to permit committee members to speak freely and frankly, as well as to protect the public image of the University. This policy is affirmed by signing a statement on the attendance register at every meeting. However, this does not mean that the committee is secret.

Concerns about breaches of confidentiality should be raised with the Chair of the RU-AREC in the first instance and, if not addressed to the satisfaction of the complainant, thereafter with the DVC: Research and Development.

10. DELEGATED AUTHORITY

The Committee has the power to act on behalf of Senate after notification to the Office of the Vice Chancellor of Rhodes University:

- 10.1 To review and authorise, require modifications in (to secure authorisation), or withhold authorisation of those components of proposed research or teaching activities related to the care, husbandry and use of animals.
- 10.2 To review and authorise, require modifications in (to secure authorisation), or withhold authorisation of *proposed changes* regarding the care, husbandry and use of animals *in ongoing authorised activities*.
- 10.3 To withdraw authorisation for and suspend an activity involving animals for any project that fails to comply with current standards and guidelines.
- 10.4 To review and investigate concerns involving the care, husbandry, and use of animals in accordance with the SOP for active and passive reporting on projects that have animal ethics implication in the context of the academic project at Rhodes University of protocol deviations, unanticipated problems, and welfare violations in animal research.
- 10.5 To authorise treatment or humane killing of any animal used in research or teaching. This can only be done in conjunction with the RU-AREC SOP for animal health assessment of a veterinarian.

11. SERVICING OFFICERS

This committee gets support from the Ethics Coordinator, who is a staff member of the Rhodes University Research Office, on a permanent basis and the Office of the Registrar of Rhodes University as needed.

12. REFERENCES

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