



### **Animal-Free Science Advocacy Submission- Draft Animal Care and Protection Bill**

Animal-Free Science Advocacy proposes the below amendments or additions to the Victorian Draft Animal Care and Protection Bill, noting that the Draft Bill maintains the same approach to scientific licences as the current POCTA Act.

Our submission relates to Parts 7, 8 and 9.

#### **Legal person, natural person, body corporate**

It is unclear from the draft whether a collective institutional animal ethics committee can be held responsible for any breaches of the Act. It appears to be holders of licenses or the natural person carrying out the procedure rather than the animal ethics committee, which may be intentional, but seems to avoid the onus of collective responsibility by an animal ethics committee for ensuring all conditions of the license are met.

#### **Part 5 Definitions**

5 Meaning of scientific procedure:

In this Act— scientific procedure means any procedure, test, experiment, inquiry, investigation or study which is carried out on or in connection with an animal, in the course of which— (a) the animal is subjected to— (i) surgical, medical, psychological, biological, chemical or physical treatment; or (ii) conditions of heat, cold, light, dark, confinement, noise, isolation or overcrowding to which an animal of that species is not accustomed; or (iii) abnormal dietary conditions; or (iv) electric shock or radiation treatment; or (b) any tissue, material or substance is extracted or derived from the body of the animal.

Does this definition exclude observational research or non-invasive research? If not, should be clarified to avoid confusion.

#### **Part 8 Scientific Licenses**

##### **112-114**

Animal-Free Science Advocacy proposes the below addition as item C under each of the below categories of license (scientific procedures premises licence, scientific procedures field work, animal breeding license).

*The Secretary must make publicly available a list of license holders.*

As an example, such a list is publicly available in Queensland. See:  
<https://www.business.qld.gov.au/industries/farms-fishing-forestry/agriculture/animal/health/welfare/science/use/register>

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### Exemptions 32

A person who carries out an activity that would, but for this section, contravene a Part 3 offence provision, does not contravene the provision if the person is authorised or permitted to carry out the activity under Part 7.

Propose the below change:

A person who carries out an activity that would, but for this section, contravene a Part 3 offence provision, does not contravene the provision if the person is authorised or permitted to carry out the activity under Part 7 and the below criteria have been satisfied:

- (a) *Methods that replace or partially replace the use of animals have been investigated, considered and, where applicable, implemented; and*
- (b) *A validated method that replaces or partially replaces the use of animals for that scientific purpose is not available; and*
- (c) *Opportunities to replace the use of animals is kept under review during the lifetime of the scientific purpose –*

*For the purposes of this section, replacement methods that must be considered include the use of epidemiological data, physical and chemical analysis, computer, mathematical and inanimate synthetic models, simulations, in vitro systems, non-sentient organisms, cadavers, clinical cases and any other non-animal method validated for use in Australia.*

### Part 15 323 Payments from the Animal Care and Protection Fund

(v) develops new ways to replace, reduce or refine the use of animals in research, testing and teaching;

Propose amendment to: *develop new ways to replace the use of animals in research, testing and teaching*

This is to ensure that there is meaningful progress for the replacement of animals in research, which has the highest hierarchy of the 3Rs.

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