

South Australia

Animal Welfare (No. 2) Variation Regulations 2015

under the *Animal Welfare Act 1985*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Animal Welfare (No. 2) Variation Regulations 2015*.

2—Commencement

These regulations come into operation on the day on which they are made.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Animal Welfare Regulations 2012*

4—Variation of regulation 3—Interpretation

Regulation 3(1)—delete the definition of *animal ethics committee*

5—Substitution of regulations 12 and 13

Regulations 12 and 13—delete the regulations and substitute:

12—Application for licence

For the purposes of section 17(2)(b) of the Act, the following information is prescribed in relation to an application for a licence:

- (a) the name, address and contact details of the applicant;
- (b) a statement of the purpose or purposes for which the licence is sought;
- (c) the address of the premises proposed to be used for activities authorised by the licence;
- (d) details of the type of premises and facilities proposed for the care and handling of the animals used or available to be used under the licence;
- (e) the proposed arrangements for the provision of veterinary attention to the animals used or available to be used under the licence;
- (f) in relation to the animal ethics committee proposed to be used under the licence—
 - (i) a statement of whether the committee is—
 - (A) an animal ethics committee established in accordance with section 23 of the Act (whether already established or yet to be established); or
 - (B) a body approved by the Minister as an ethics committee under section 23A of the Act (whether already approved or yet to be approved); and
 - (ii) either—
 - (A) if the animal ethics committee proposed to be used under the licence has, at the time of making the application, already been established in accordance with section 23 of the Act or approved under section 23A of the Act—
 - the name of the committee; and
 - the address at which the committee is generally to conduct its meetings; and
 - the contact details for the Secretary of the committee; or

- (B) if the animal ethics committee proposed to be used under the licence is a body that is, at the time of making the application, yet to be approved by the Minister under section 23A of the Act as an animal ethics committee—
- the name of the body; and
 - the address at which the body is generally to conduct its meetings; and
 - the contact details for the Secretary of the body; and
 - the name of each member of the body; and
 - the relevant experience and qualifications of each member of the body; and
 - the terms of reference of the body; and
 - a copy of the most recent annual report of the body; and
 - a copy of the most recent external review of the body; and
 - such other information relating to the body as may be required by the Minister in connection with the application.

12A—Grant of licence

For the purposes of section 18(1)(d) of the Act, in determining whether a licence should be granted to a person, the Minister must have regard to whether the animal ethics committee proposed to be used under the licence is prepared to undertake the functions of animal ethics committee under the conditions of the licence.

13—Annual reports by animal ethics committees

- (1) For the purposes of section 25(1)(e) of the Act, an animal ethics committee must, within 3 months after the end of each calendar year, provide a report in relation to that year (the *relevant calendar year*) prepared in accordance with this section to—
- (a) the chief executive of the administrative unit that is, under the Minister, responsible for the administration of the Act; and
 - (b) the licensee who established the animal ethics committee.

- (2) The report must include the following details in relation to the relevant calendar year:
- (a) a statement of the number of meetings held by the committee;
 - (b) for each meeting—
 - (i) the name of each member who attended the meeting; and
 - (ii) a summary of the business discussed at the meeting;
 - (c) the number and nature of the projects or activities of licensees that were—
 - (i) assessed by the committee; and
 - (ii) approved by the committee;
 - (d) a summary of any relevant education and training undertaken by—
 - (i) persons involved in the care or use of the animals under the licences; and
 - (ii) members of the committee;
 - (e) details of—
 - (i) adverse incidents or problems (other than trivial incidents or problems) relating to the premises and facilities for the care and handling of animals by the licensees; and
 - (ii) improvements or changes made, or recommended by the committee to be made, to those premises and facilities as a result of those incidents or problems;
 - (f) details of—
 - (i) administrative difficulties experienced by the committee; and
 - (ii) any other problems or factors that have or may have adversely affected—
 - (A) the proper and efficient functioning of the committee; or
 - (B) the ability of the licensees to comply with the Code; and
 - (iii) improvements or changes made, or recommended by the committee to be made, to address the matters referred to in the preceding subparagraphs.
- (3) The report may include any other information in relation to the relevant calendar year that the committee considers appropriate.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 8 October 2015

No 213 of 2015

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