



1121-1634 ✓

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**THE HON SUSSAN LEY MP
MINISTER FOR HEALTH
MINISTER FOR AGED CARE
MINISTER FOR SPORT**

Ref No: MC16-004498

Dr Dennis Jensen MP
Chair
Standing Committee on Petitions
PO Box 6021
Parliament House
CANBERRA ACT 2600

Dear Dr Jensen

Thank you for your correspondence of 9 February 2016 (Ref: 1121/1634) regarding the petition lodged by Humane Research Australia regarding banning the importation of non-human primates for research. The use of non-human primates for scientific purposes raises special ethical and welfare issues. The National Health and Medical Research Council (NHMRC) seeks to ensure that any non-human primates used in NHMRC funded research are used ethically and treated humanely and only used when there is no valid alternative.

The state and territory governments in Australia are responsible for regulation of animal welfare, including the care and use of non-human primates for scientific purposes. Any use of animals for scientific purposes (including research) must be in accordance with relevant state and territory legislation.

NHMRC has developed the *Australian code for the care and use of animals for scientific purposes* (<http://www.nhmrc.gov.au/guidelines/publications/ea28>) (the Code). All states and territories have taken up the Code in their legislation. The Code sets out the common framework for each Australian state and territory for ensuring the ethical, humane and responsible care and use of animals used for scientific purposes.

The use of non-human primates in NHMRC funded research must comply with the NHMRC policies and guidelines and state and territory animal welfare or animal research legislation. This includes compliance with the NHMRC's *Policy on the care and use of non-human primates for scientific purposes (2003)* (<http://www.nhmrc.gov.au/guidelines-publications/ea14>). Given this policy is now 10 years old, it is currently under review.

The Department of Environment and the Department of Agriculture are responsible for regulating the importation of non-human primates. This includes regulation of compliance with the *Convention on International Trade in Endangered Species of Wild Fauna and Flora* (CITES). CITES is implemented under the *Environment Protection and Biodiversity Conservation Act 1999* (the EPBC Act). Under the EPBC Act, the approval of a permit for importation of non-human primates requires provision of evidence in the form of an export permit from the government of the exporting country that the animals proposed for importation meet CITES requirements, which include that the animals are not wild caught.

NHMRC provides direct funding support to the two national non-human primate breeding facilities. These are the National Non-Human Primate Breeding and Research Facility (macaques and marmosets) and the National Baboon Colony (baboons). The national non-human primate breeding facilities were established to centralise breeding, provide a consistently high standard of animal care and management and to allow access to non-human primates for research. Any breeding of non-human primates for research purposes and the care and management of animals in the national non-human primate breeding facilities must be approved by an institutional AEC.

However, in order for the colonies to be sustainable into the future, there may be times when some importation of non-human primates is required to:

- (i) maintain genetic diversity and avoid problems of inbreeding within small colonies
- (ii) supply animals, or provide for rapid expansion of the colonies, to meet urgent need, if one arises.

NHMRC raised this issue for consideration by the Senate Standing Committee on Environment and Communications Legislation that is currently considering the Environment Protection and Biodiversity Conservation Amendment (Prohibition of Live Imports of Primates for Research) Bill 2015, in its submission to the Committee.

Under state and territory legislation, an animal ethics committee must approve the source of any non-human primates used for scientific purposes and must be satisfied that any importation of the animals is necessary. NHMRC's *Policy on the care and use of non-human primates for scientific purposes (2003)* currently requires non-human primates to be obtained from colonies in Australia or, if importation is essential, from captive-bred populations.

As the issue of importation of non-human primates falls within the portfolio responsibilities of the Hon Greg Hunt MP, I have referred your representations to Mr Hunt MP for his consideration and appropriate action.

Thank you for bringing this matter to my attention.

The Hon Sussan Ley MP

2 MAR 2016

cc: the Hon Greg Hunt MP, Minister for the Environment