STATUTORY INSTRUMENTS

1975 No. 2211

ANIMALS

DISEASES OF ANIMALS

The Brucellosis (Beef Incentives) Payments (Amendment) Scheme 1975

Made - - - -	18*th December* 1975
Laid before Parliament	31*st December* 1975
Coming into Operation	1*st January* 1976

The Minister of Agriculture, Fisheries and Food, the Secretary of State for Scotland and the Secretary of State for Wales, acting jointly, in exercise of the powers conferred by section 106(1), (9) and (10) of the Agriculture Act 1970**(a)**, and of all their other enabling powers, with the consent of the Treasury, hereby make the following scheme:—

Citation, extent and commencement

1. This scheme, which may be cited as the Brucellosis (Beef Incentives) Payments (Amendment) Scheme 1975, shall apply to the United Kingdom and shall come into operation on 1st January 1976.

Interpretation

2.—(1) In this scheme "the principal scheme" means the Brucellosis (Beef Incentives) Payments Scheme 1972**(b)**.

(2) The Interpretation Act 1889**(c)** shall apply for the interpretation of this scheme as it applies for the interpretation of an Act of Parliament.

Amendment of paragraph 2(1) *of the principal scheme*

3. Paragraph 2(1) of the principal scheme shall be amended as follows:—

(*a*) for the definition of "hill cattle scheme" there shall be substituted the following definition—

" 'hill cattle scheme' means—

(*a*) in relation to the years 1972, 1973, 1974 and 1975 a scheme made under section 13(1)(*b*) of the Hill Farming Act 1946**(d)**, and

(*b*) in relation to the year 1976 and each succeeding year regulations made under section 2(2) of the European Communities Act 1972**(e)** to give effect to Council Directive No. 75/268/EEC

(a) 1970 c. 40.
(b) S.I. 1972/1329 (1972 II, p. 4010).
(c) 1889 c. 63.
(d) 1946 c. 73.
(e) 1972 c. 68.

(on mountain and hill farming and farming in certain less-favoured areas) (**a**), in so far as such regulations provide for the making of subsidy payments in respect of cattle and for matters related thereto."

(*b*) immediately after the definition of "reactor" there shall be inserted the following new definition—
" 'subsidy payments' includes, in relation to the year 1976 and each succeeding year, compensatory allowances payable under a hill cattle scheme".

Amendment of paragraph 3(2) *of the principal scheme*

4. At the end of paragraph 3(2) of the principal scheme there shall be added the words ", except any term or condition, however expressed, requiring the giving of an undertaking to continue to use land for agricultural purposes".

Amendment of paragraph 6(1) *of the principal scheme*

5. In paragraph 6(1) of the principal scheme after the words "qualifying day" there shall be inserted the words "in any year before 1976".

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 18th December 1975.

(L.S.)

Frederick Peart,
Minister of Agriculture, Fisheries and Food.

18th December 1975.

William Ross,
Secretary of State for Scotland.

18th December 1975.

John Morris,
Secretary of State for Wales.

We approve,

18th December 1975.

M. Cocks,
J. Dormand,
Two of the Lords Commissioners of Her Majesty's Treasury.

(a) OJ No. L. 128, 19.5.1975, p. 1.

EXPLANATORY NOTE

(This Note is not part of the scheme.)

The Brucellosis (Beef Incentives) Payments Scheme 1972, made under section 106(1) of the Agriculture Act 1970, which enables incentive payment to be made in connection with the eradication of brucellosis from beef herds in the United Kingdom, provides that such payments shall be made as a supplement either to subsidy payments under a hill cattle scheme (that is, a scheme made under section 13(1)(*b*) of the Hill Farming Act 1946) or a beef cow scheme (that is, a scheme made under section 12 of the Agriculture Act 1967).

This amending scheme provides that, for 1976 and the years following, brucellosis incentive payments will be supplementary-instead of to subsidy payments under a hill cattle scheme made under section 13 of the Hill Farming Act 1946-to compensatory allowances payable under regulations made under the European Communities Act 1972 to give effect, in respect of cattle, to Council Directive No. 75/268/EEC on mountain and hill farming and farming in certain less favoured areas.

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