STATUTORY INSTRUMENTS

1971 No. 1072 (S.135)

ANIMALS

The Brucellosis (Payments for Cows in Accredited Herds) (Variation) (Scotland) Scheme 1971

Made - - -	23*rd June* 1971
Laid before Parliament	7*th July* 1971
Coming into Operation	9*th July* 1971

In exercise of the powers conferred upon me by section 106(1), (9) and (10) of the Agriculture Act 1970(**a**) and of all other powers enabling me in that behalf, and with the consent of the Treasury, I hereby make the following scheme :—

Citation, extent, commencement and interpretation

1.—(1) This scheme may be cited as the Brucellosis (Payments for Cows in Accredited Herds) (Variation) (Scotland) Scheme 1971, shall apply to Scotland only and shall come into operation on 9th July 1971.

(2) This scheme shall be construed as one with the Brucellosis (Payments for Cows in Accredited Herds) (Scotland) Scheme 1970(**b**) (hereinafter referred to as "the principal scheme").

Variation of the principal scheme

2. The principal scheme shall be varied as follows :—

(*a*) By substituting in paragraph 2(1) thereof for the definition of "accredited herd" the following definition :—

" 'Accredited herd' means a herd of cattle which, to the satisfaction of the Secretary of State or the Minister of Agriculture, Fisheries and Food either—

(*a*) has been found to be free from brucellosis by means of a series of diagnostic tests carried out by him or on his behalf and has been, since the date of commencement of such tests, the subject of adequate precautions against the introduction or reintroduction and consequent spreading of brucellosis ; or

(*b*) has been wholly constituted by the transfer of animals from other accredited herds in Great Britain or from such similar herds outside Great Britain as the Secretary of State in relation to herds in Scotland or the Minister of Agriculture, Fisheries and Food in relation to herds in England and Wales may either generally or in any special case allow, and has been, since being so constituted, the subject of such precautions as aforesaid ;" ;

(**a**) 1970 c. 40. (**b**) S.I. 1970/1459 (1970 III, p. 4789).

(*b*) by omitting in paragraph 3 thereof the words "or any subsequent year" and by inserting in that paragraph immediately after "£4" the words "and in respect of the year 1971 or any subsequent year a payment of £6·50";

(*c*) by substituting in paragraph 4(2)(*a*) thereof for the figure "5" the figure "6";

(*d*) by substituting in paragraph 4(2)(*b*) thereof for the date "31st March 1975" the date "31st March 1976";

(*e*) by adding at the end of paragraph 4(3)(*a*) thereof the words "or the period from the date last mentioned until 31st March 1976, whichever is the longer";

(*f*) by adding at the end of paragraph 4(3)(*b*) thereof the words "or until 31st March 1976, whichever is the later".

Gordon Campbell,
One of Her Majesty's Principal Secretaries of State.

St. Andrew's House,
Edinburgh.
17th June 1971.

We consent.

V. H. Goodhew,
Walter Clegg,
Two of the Lords Commissioners of Her Majesty's Treasury.

23rd June 1971.

EXPLANATORY NOTE

(*This Note is not part of the Scheme.*)

This Scheme increases from £4 to £6·50 the payment made by the Secretary of State, under The Brucellosis (Payments for Cows in Accredited Herds) (Scotland) Scheme 1970, in respect of cows kept for dairy purposes and comprised in accredited herds, the milk from which is neither sold under the provisions of a milk marketing scheme by a registered producer nor deemed for the purpose of any payments under such a scheme to have been produced from such cows. The higher rate will apply only to cows which are comprised in an eligible herd on the qualifying day in relation to the year 1971 or any subsequent year.

The scheme provides for payments for an additional year in the case of certain herds.

The definition of "accredited herd" has been amended to include herds constituted from animals transferred from other accredited herds in Great Britain or from similar herds outside Great Britain provided that the herds have been the subject of adequate precautions against the introduction or re-introduction and consequent spreading of the disease.