STATUTORY INSTRUMENTS

1970 No. 877

AGRICULTURE

HILL LANDS

The Hill Cattle (Breeding Herds) (England and Wales) (Amendment) Scheme 1970

Made - - - - 8*th June* 1970

* *To be laid before Parliament*

Coming into Operation 10*th June* 1970

The Minister of Agriculture, Fisheries and Food and the Secretary of State, acting jointly, in pursuance of sections 13, 14, 15 and 17 of the Hill Farming Act 1946(**a**), as extended by section 43 of the Agriculture Act 1967(**b**) and as read with the Transfer of Functions (Wales) Order 1969(**c**), and all their other enabling powers, with the approval of the Treasury, hereby make the following scheme:—

Citation and commencement

1. This scheme, which may be cited as the Hill Cattle (Breeding Herds) (England and Wales) (Amendment) Scheme 1970, shall come into operation on 10th June 1970.

Interpretation

2.—(1) This scheme shall be construed as one with the Hill Cattle (Breeding Herds) (England and Wales) Scheme 1968(**d**), as amended(**e**), in this scheme referred to as " the principal scheme ".

(2) In this scheme, unless the context otherwise requires—

" accredited herd " means a herd which, to the satisfaction of the Minister—

(*a*) has been found to be free from brucellosis by means of a series of blood tests carried out by him or on his behalf, and

(*b*) has been, since the date of commencement of such tests, the subject of adequate precautions against the introduction or re-introduction and consequent spreading of brucellosis ;

" brucellosis " means the disease caused by *brucella abortus* ;

" reactor " means an animal which, when tested for brucellosis by or on behalf of the Minister, gives rise to a reaction consistent with its being affected with that disease.

Reduction of subsidy where compensation for reactors is payable

3.—(1) This paragraph applies where an order under section 14(3) of the Act prescribes higher amounts of subsidy payments in relation to cattle comprised in accredited herds, or in certain herds which subsequently become accredited herds, than in relation to other cattle.

* This instrument was laid before Parliament on 29th June 1970.

(**a**) 1946 c. 73. For change of title of the Minister see S.I. 1955/554 (1965 I, p.1200).
(**b**) 1967 c. 22. (**c**) S.I. 1969/388 (1969 I, p. 1070). (**d**) S.I. 1968/875 (1968 II, p. 2310).
(**e**) S.I. 1969/695 (1969 II, p. 1909).

(2) Where on 31st December in the year 1970 or on the qualifying day in any subsequent year there is in force an arrangement between the Minister and the owner of a herd by which, if an animal in the herd is slaughtered as a reactor while the herd is an accredited herd, the owner is to be paid out of public funds, otherwise than under section 17 of the Diseases of Animals Act 1950(**a**), compensation equivalent to the value of the animal before slaughter (subject to any overriding limit which may be part of the arrangement), the amounts of any subsidy payments which may be made under the principal scheme in respect of any cattle in the herd in respect of that year shall be reduced to such amounts as would have been payable if the cattle were comprised in a herd which had never been, and never would become, an accredited herd.

In Witness whereof the Official Seal of the Minister of Agriculture Fisheries and Food is hereunto affixed on 1st June 1970.

(L.S.) *Cledwyn Hughes,*
Minister of Agriculture, Fisheries and Food.

Given under my hand on 3rd June 1970.

George Thomas,
Secretary of State for Wales.

We approve,
8th June 1970. *Ernest Armstrong,*
Joseph Harper,
Two of the Lord Commissioners of Her Majesty's Treasury.

EXPLANATORY NOTE

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

Under the Hill Cattle Subsidy (Breeding Herds) (England and Wales Payment Order 1970 (S.I. 1970/878), made on the same date as this scheme higher rates of subsidy are introduced for cattle in accredited herds, i.e herds which have been found to be free from brucellosis by means of official tests and which have been the subject of adequate precautions against the re-introduction and consequent spreading of the disease.

The herd must have become an accredited herd by the qualifying day (usually 4th June) in the year to which the subsidy payment relates, or must subsequently become an accredited herd as a result of a final blood test commenced on or before that day.

This scheme reduces subsidy payments to the lower rate if on 31st December 1970 or on the qualifying day in any subsequent year there is an arrangement between the Minister and the owner of the herd by which compensation is to be paid for reactors at their value before slaughter (subject to an overriding limit), a characteristic of the informal voluntary eradication scheme introduced in 1967.

(**a**) 1950 c. 36.

SI 1970/ 877
ISBN 0-11-000877-4

