

1970 No. 1648 (S. 134)

AGRICULTURE

HILL LANDS

The Hill Cattle (Scotland) (Amendment) Scheme 1970

Made - - - - - 3rd November 1970
Laid before Parliament 12th November 1970
Coming into Operation 13th November 1970

In exercise of the powers conferred on me by 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 of all other powers enabling me in that behalf, and with the approval of the Treasury, I hereby make the following scheme:—

Citation and commencement

1. This scheme may be cited as the Hill Cattle (Scotland) (Amendment) Scheme 1970 and shall come into operation on 13th November 1970.

Interpretation

2.—(1) This scheme shall be construed as one with the Hill Cattle (Scotland) Scheme 1968(c) (hereinafter 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 Secretary of State—

(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

(b) 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 which, to the satisfaction of the Secretary of State, has been wholly constituted by the transfer of animals from such a herd or herds and has since the date of such transfer been the subject of adequate precautions against the introduction or reintroduction 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 Secretary of State, gives rise to a reaction consistent with its being affected with that disease.

Reduction in subsidy where compensation for reactors is payable

3.—(1) This paragraph applies where an order under section 14(3) of the Hill Farming Act 1946 prescribes higher amounts of subsidy payments in relation to cows comprised in accredited herds, or in certain herds which subsequently become accredited herds, than in relation to other cows.

(a) 1946 c. 73. (b) 1967 c. 22. (c) S.I. 1968/981 (1968 II, p. 2590).

(2) Where on 1st September in the year 1970 or on the qualifying day in any subsequent relevant year there is in force an arrangement between the Secretary of State 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 amount of any subsidy payment which may be made under the principal scheme in respect of any cow in the herd in respect of that year shall be reduced to such amount as would have been payable if the cow were comprised in a herd which had never been, and never would become, an accredited herd.

Amendment of provisions regarding making of application for subsidy payment

4. In paragraph 6(1) of the principal scheme (which regulates the making of an application for subsidy payment) for the words from "not later than 30th June" to the end of the proviso, there shall be substituted the words "within such period as he may require".

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

St. Andrew's House,
Edinburgh.
29th October 1970.

We approve.
3rd November 1970.

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

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

The Hill Cattle (Scotland) Scheme 1968 sets out the conditions on which subsidy payments may be made in the year 1968 and each of the next four years in respect of breeding cows grazed and maintained on hill land in Scotland.

Under the Hill Cattle Subsidy Payment (Scotland) Order 1970 (S.I. 1970/1649), made on the same date as this Scheme, higher rates of subsidy are introduced for cows in accredited herds, i.e. herds which, to the satisfaction of the Secretary of State, have been found to be free from brucellosis and have been the subject of adequate precautions against the introduction or reintroduction and consequent spreading of the disease. In order that the cows in the herd may be eligible for the higher rate, the herd must be an accredited herd on the qualifying day in the year to which the subsidy

payment relates, or must subsequently become an accredited herd as a result of a final diagnostic test commenced on or before that day.

This Scheme provides that if on 1st September 1970 or on the qualifying day in 1971 or 1972 there is an arrangement between the Secretary of State and the owner of an accredited herd by which compensation is to be paid for reactors at their value before slaughter (subject to any overriding limit), a characteristic of the informal voluntary eradication scheme introduced in 1967, the subsidy payments in respect of cows in the herd for the year 1970 or, as the case may be, 1971 or 1972 will be reduced to the lower rate. The Scheme also makes an alteration in the provisions regarding the period within which an application for subsidy must be submitted.

SI 1970/1648
ISBN 0-11-001648-3



780110 016481