

1970 No. 2023

AGRICULTURE

LIVESTOCK INDUSTRIES

**The Beef Cow (England and Wales) (Amendment)
Scheme 1970**

Made - - - - - 29th December 1970

Laid before Parliament 31st December 1970

Coming into Operation 1st January 1971

The Minister of Agriculture, Fisheries and Food and the Secretary of State for Wales, acting jointly, in pursuance of section 12 of the Agriculture Act 1967(a), as read with the Transfer of Functions (Wales) Order 1969(b), 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 Beef Cow (England and Wales) (Amendment) Scheme 1970, shall come into operation on 1st January 1971.

Interpretation

2.—(1) This scheme shall be construed as one with the Beef Cow (England and Wales) Scheme 1967(c), as amended (d), 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 or the Secretary of State for Scotland 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 re-introduction 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 Minister, in relation to herds in England and Wales, or the Secretary of State, in relation to herds in Scotland, may either generally or in any special case allow, and has been, since being so constituted, the subject of such precautions as aforesaid;

(a) 1967 c. 22.

(c) S.I. 1967/1555 (1967 III, p. 4317).

(b) S.I. 1969/388 (1969 I, p. 1070).

(d) S.I. 1969/693 (1969 II, p. 1905).

“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 made under section 12(4) of the Act and applying to England and Wales 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.

(2) Where on the prescribed date in any 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 may 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 be, an accredited herd.

(3) Where an accredited herd has in the opinion of the Minister become affected with brucellosis before 1st September 1970, and the owner of the herd has elected in writing before the end of 1970 not to accept compensation of the kind referred to in the preceding sub-paragraph, the Minister may nevertheless, if he is satisfied that the herd has ceased to be so affected while still an accredited herd, pay to its owner the balance of any subsidy payments which would have been due to him if the preceding sub-paragraph had not applied to the herd while it was so affected.

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 21st December 1970.

(L.S.)

J. M. L. Prior,
Minister of Agriculture, Fisheries and Food.

Given under my hand on 23rd December 1970.

Peter Thomas,
Secretary of State for Wales.

We approve,

29th December 1970.

David Howell,
V. H. Goodhew,
Two of the Lords Commissioners of
Her Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not part of the Scheme.)

Under the Beef Cow Subsidy Payment (England and Wales) Order 1970 (S.I. 1970/2024), made on the same day 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 or which have been constituted from other accredited herds or their equivalent, and which have in either case been the subject of adequate precautions against the introduction or re-introduction and consequent spreading of the disease.

The herd must have been an accredited herd by the prescribed date (normally 31st December) 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 the prescribed date in any 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 any overriding limit), a characteristic of the informal voluntary accreditation scheme introduced in 1967. Where however an accredited herd has become infected with brucellosis before 1st September 1970, and the owner has opted not to receive such compensation, the higher rate will be payable for the period of the infection, if and when it ultimately clears up, even though compensation has in fact been paid during that period.

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