

---

STATUTORY INSTRUMENTS

---

**1978 No. 594**

**ANIMALS**

**DISEASES OF ANIMALS**

**The Brucellosis Incentive Payments (Amendment) Scheme 1978**

<i>Made</i>	- - - -	<i>17th April 1978</i>
<i>Laid before Parliament</i>		<i>27th April 1978</i>
<i>Coming into Operation</i>		<i>18th May 1978</i>

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

**Citation, commencement and extent**

1. This scheme, which may be cited as the Brucellosis Incentive Payments (Amendment) Scheme 1978, shall come into operation on 18th May 1978 and shall apply to Great Britain.

**Interpretation**

2.—(1) In this scheme “the principal scheme” means the Brucellosis Incentive Payments Scheme 1977.

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

**Amendment of Article 8 of the principal scheme**

3. Article 8 of the principal scheme shall be amended by omitting there from the words “in the opinion of the appropriate Minister”.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format. The electronic version of this UK Statutory Instrument has been contributed by Westlaw and is taken from the printed publication. **Read more**

---

In Witness whereof the Official Seal of the Minister of Agriculture, Fisheries and Food is hereunto affixed on 10th April 1978.

L.S.

*John Silkin*  
Minister of Agriculture, Fisheries and Food

12th April 1978

*Bruce Millan*  
Secretary of State for Scotland

14th April 1978

*John Morris*  
Secretary of State for Wales

We approve,

17th April 1978

*Donald R. Coleman*  
*J. Dormand*  
Two of the Lords Commissioners of Her  
Majesty's Treasury

## EXPLANATORY NOTE

This Scheme amends article 8 of the Brucellosis Incentive Payments Scheme 1977 (which gives the Minister, and the Secretary of State, certain powers of recovery in respect of incentive payments) so as to make it clear that incentive payments cannot be recovered simply because the Minister, or the Secretary of State, considers that they were wrongly made, and may be recovered only if it is established as a fact that they have been wrongly made.