

## 1978 No. 594

## ANIMALS

## DISEASES OF ANIMALS

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

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

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(a) 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(b).

(2) The Interpretation Act 1889(c) 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 therefrom the words “in the opinion of the appropriate Minister”.

(a) 1970 c. 40.  
(c) 1889 c. 63.

(b) S.I. 1977/1303.

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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.

*Bruce Millan,*

12th April 1978.

Secretary of State for Scotland.

*John Morris,*

14th April 1978.

Secretary of State for Wales.

*Donald R. Coleman,*

*J. Dormand,*

We approve,  
17th April 1978.

Two of the Lords Commissioners  
of Her Majesty's Treasury.

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#### EXPLANATORY NOTE

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

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.



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