

Written Ministerial Statement

Landfill tax: Scottish landfill sites

The Economic Secretary to the Treasury (Chloe Smith): I am today announcing that the Government will introduce legislation in Finance Bill 2012 to correct a flaw in landfill tax legislation, which means that landfill sites in Scotland have unintentionally been outside the scope of landfill tax.

The definition of a landfill site in landfill tax legislation refers to environmental legislation. Changes were made to this environmental legislation which meant that in 1999 sites moved from a framework of licences to a system of permits. Landfill tax legislation was duly amended and these amendments were brought into effect in England and Wales on 21 March 2000 and Northern Ireland on 17 January 2003. However, the Scottish Government did not introduce the necessary commencement order, thereby unintentionally taking each Scottish landfill site outside the scope of landfill tax from the date each new permit took effect.

The legislation will have full retrospective effect from 21 March 2000 to bring Scottish legislation into line with that in the rest of the UK.

No action is required by, or additional burden applied to landfill site operators in Scotland or elsewhere in the UK.

Copies of the draft legislation and HMRC Brief have been deposited in the Libraries of both Houses and are available on the Treasury website at www.hm-treasury.gov.uk.

HM Treasury
21 February 2012