

# Finance and Public Administration Committee

9<sup>th</sup> Meeting, 2024 (Session 6), Tuesday 5  
March 2024

## The Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2024 (SSI 2024/60)

### Overview

1. This paper invites the Committee to take evidence from the Minister for Community Wealth and Public Finance, Tom Arthur MSP, in relation to the [Scottish Landfill Tax \(Standard Rate and Lower Rate\) Order 2024 \(SSI 2024/60\)](#). This Order updates the landfill tax rates from 1 April 2024.
2. Following evidence-taking, the Committee will consider a motion recommending approval of the Order to the Parliament.

### Purpose of the instrument

3. Scottish Landfill Tax (SLfT) is a tax on the disposal of waste to landfill, paid by site operators and charged by weight. It is charged based on two rates: a standard rate and a lower rate for 'less polluting' materials. The Scottish Government announces these rates as part of the annual Scottish Budget.
4. The rates are subsequently set with the approval of the Parliament by way of a statutory instrument (the Order). Section 41(3)b of the Landfill Tax (Scotland) Act 2014 states that such an Order "ceases to have effect at the expiry of the period of 28 days beginning with the date on which it was made unless, before the expiry of that period, the order has been approved by resolution of the Parliament".
5. The [Scottish Budget 2024-25](#) published on 19 December 2024 set out the proposed Scottish Landfill Tax rates for 2024 to 2025. The Order, which was laid before the Parliament on 21 February 2024, specifies that the standard and lower rates for disposals will be increased from 1 April 2024 as follows—
  - standard rate is £103.70 per tonne (currently £102.10), and
  - lower rate is £3.30 per tonne (currently £3.25).<sup>1</sup>
6. The Scottish Budget explains that the rises will provide "a stable tax environment, whilst addressing concerns over the potential for waste to be

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<sup>1</sup> Annexe A provides a list of rates in previous years.

moved from or to Scotland should one part of the UK have a lower tax charge than another” (so-called ‘waste tourism’).

7. The [Policy Note](#) in relation to the instrument states that the “Scottish Government considers that these rates will provide appropriate financial incentives to support the policy aim of reducing the amount of material sent to landfill and supporting a more circular economy”.
8. Finally, it highlights the Scottish Fiscal Commission forecast of December 2023, which expects the Scottish Landfill Tax to generate revenue of £58 million in 2024-2025 (a full-year estimate); this is down from £74 million in 2023-24.

## Procedure for scrutiny

9. The Order, which was laid on 21 February 2024, is subject to the provisional affirmative procedure, which requires the Parliament to approve it within a 28-day period.
10. The Delegated Powers and Law Reform Committee, which considers the technical aspects of the instrument, intends to consider the Order at its meeting on 5 March 2024.
11. As lead committee, this Committee is invited to consider [motion S6M-12277](#), lodged in the name of the Minister for Community Wealth and Public Finance, Tom Arthur MSP—

That the Finance and Public Administration Committee recommends that the Scottish Landfill Tax (Standard Rate and Lower Rate) Order 2024 (SSI 2024/60) be approved.

12. To inform the Committee’s consideration of the motion, there is an opportunity to take evidence on the Order from the Minister and his officials before moving to formal consideration of the motion. During formal consideration of that motion, Standing Orders provide that only the Minister and Members may participate in the debate.

## Next steps

13. The Committee will report to the Parliament, setting out its recommendation on the Order, by the deadline of 19 March 2024.

Committee Clerking Team  
February 2024

**Historic rates**

	Lower Rate	Standard Rate
1 April 2015	£2.60	£82.60
1 April 2016	£2.65	£84.40
1 April 2017	£2.70	£86.10
1 April 2018	£2.80	£88.95
1 April 2019	£2.90	£91.35
1 April 2020	£3.00	£94.15
1 April 2021	£3.10	£96.70
1 April 2022	£3.15	£98.60
1 April 2023	£3.25	£102.10