

Guidance note: Scotland (July 2016)	Ongoing obligations for Environmental Bodies (EBs) in Scotland at the end of the transitional period.
What this guidance covers	This guidance note provides information on monitoring, record keeping and reporting responsibilities for EBs in Scotland following the closure of the transitional period in March 2017.
Date of issue	27 July 2016
Date this guidance comes into effect	27 July 2016
Any guidance now superseded	None

For further information please see our [website](#) or contact our Registrations team on 01926 488 300.

Guidance for Environmental Bodies (EBs) following the closure of the Landfill Communities Fund (LCF) in Scotland

1 Background

ENTRUST is the Regulator of the Landfill Communities Fund (LCF), an innovative tax credit scheme, governed by the Landfill Tax Regulations 1996 (the Regulations). The LCF enables Landfill Operators (LO) to contribute money to organisations enrolled with us as Environmental Bodies (EBs) to carry out approved community and environmental projects.

By virtue of provisions in The Scotland Act 2012, responsibility for the collection and administration of Landfill Tax in Scotland has been devolved to the Scottish Government from 1 April 2015. This affects the LCF which also ceased in Scotland on 1 April 2015.

There is a two year transitional period to enable LCF projects in Scotland to be completed and for all remaining LCF funds in Scotland to be spent. The transitional period runs from 1 April 2015 to 31 March 2017. EBs can continue to register projects in Scotland with us during the transitional period but all projects in Scotland must be completed by 31 March 2017.

2 Purpose of this guidance note

This guidance note provides guidance on the record keeping and reporting obligations of EBs in Scotland and clarity on monitoring and protection requirements for all EBs with projects in Scotland following the end of the transitional period.

Further guidance relating to the closure of the LCF in Scotland can be found within our [guidance manual](#) (Section 7).

3 Monitoring and protection for projects and assets from 1 April 2017

From 1 April 2017, there is no obligation for monitoring or protection of LCF funded projects or assets in Scotland and no LCF monies may be spent on the protection or monitoring of any LCF funded projects or assets in Scotland.

4 Record keeping responsibilities from 1 April 2017

All EBs which remain enrolled with ENTRUST after 1 April 2017 should continue to follow the requirements set out in our [guidance manual](#) (Section 3) on the retention of records. However, please note that the requirement for EBs to retain certain records for 6 years introduced from 1 April 2016, does not apply to EBs based in Scotland. EBs based in Scotland are required to retain the following types of records in perpetuity, or until such time as they voluntarily revoke from the scheme:

1. Project financing and funding information. This includes records of Contributing Third Party payments, Landfill Operator contributions and transfers.
2. Documents which demonstrate how LCF monies were spent. This includes all invoices and relevant timesheet summaries.
3. Other supporting documents, such as tender documentation, purchase orders and procedural documentation.

As EBs in Scotland will continue to be enrolled with ENTRUST after the end of the transitional period, unless they request voluntary revocation, the record keeping responsibilities will remain. No LCF monies may be spent on the retention of records after 1 April 2017. Forms to request voluntary revocation are available on the revocation page on our [website](#). Revocation can be requested once all projects and associated reporting have been completed.

For EBs not based in Scotland records relating to projects in Scotland should be retained for 6 years in line with current guidance.

5 Reporting requirements from 1 April 2017

As EBs in Scotland will continue to be enrolled with ENTRUST unless they seek voluntary revocation the requirement to submit an annual return will remain after the transitional period. No LCF monies may be spent on preparing or submitting the return after 1 April 2017. EBs which do not wish to retain this obligation should seek voluntary revocation. Forms to request voluntary revocation are available on the revocation page on our [website](#).

Revocation can be requested once all projects and associated reporting have been completed. EBs in Scotland will need to ensure that they complete an annual return for the reporting year 2016/2017 once all project expenditure has been completed. The annual return needs to be completed before 31 March 2017 and the subsequent revocation request should also be made before this date. Requests for revocation will be considered by the ENTRUST Board at the next available meeting following receipt of the revocation request and satisfactory completion of all Regulatory obligations.