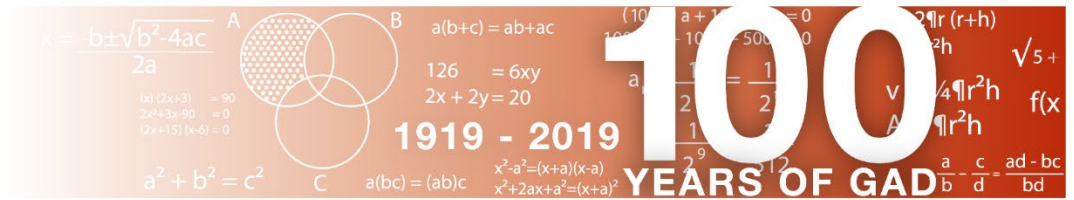




Government  
Actuary's  
Department



# Local Government Pension Scheme (Scotland) Late Retirement

Date: 10 September 2019  
(Implemented by SPPA  
wef 1 October 2019)





## Contents

	<b>page</b>
<b>1 Introduction</b>	<b>1</b>
<b>2 The increase in benefits</b>	<b>3</b>
<b>3 Examples</b>	<b>7</b>
<b>Appendix A: Assumptions underlying factors</b>	<b>14</b>
<b>Appendix B: Factors</b>	<b>15</b>
<b>Appendix C: Legislative references</b>	<b>16</b>
<b>Appendix D: Limitations</b>	<b>18</b>



## 1 Introduction

- 1.1 Scottish Ministers are required under the Local Government Pension Scheme (Scotland) Regulations 2018 ('the 2018 Regulations') (SSI 2018/141) to issue actuarial guidance on late retirement increases to benefits payable after normal pension age.
- 1.2 For the avoidance of doubt, this guidance encompasses benefits accrued before 1 April 2015, including members who left active service before 1 April 2015, and also applies to Councillor members.
- 1.3 The remainder of this introduction contains:
  - details of the implementation and future review of this guidance, and
  - statements about third party reliance and liability
- 1.4 In the remainder of this guidance:
  - the second section describes the increase to be applied on late retirement
  - the third section provides examples
  - Appendix A summarises the assumptions underlying the factors
  - Appendix B sets out the factors
  - Appendix C gives relevant legislative references
  - Appendix D sets out some important limitations

### Implementation and Review

- 1.5 Scottish Ministers are required to consult the Scheme Actuary before issuing actuarial guidance under the Local Government Pension Scheme (Scotland) Regulations 2018 ('the 2018 Regulations') (SSI 2018/141) [Regulation 2(3) of the 2018 Regulations].
- 1.6 As part of this consultation, the Scottish Public Pensions Agency (SPPA) has asked the Government Actuary's Department (GAD), in its capacity as Scheme Actuary, to recommend actuarial guidance in respect of the regulations detailed above. This document forms GAD's recommendation for the actuarial guidance required by these regulations.
- 1.7 This note has effect only when it is issued by Scottish Ministers in accordance with Regulation 2(3) of the 2018 Regulations. It is subject to the implementation instructions provided at that time. SPPA has informed GAD that this guidance will come into force with effect from 1 October 2019.
- 1.8 This guidance replaces the previous guidance titled "Local Government Pension Scheme (Scotland): Late Retirement" dated 23 January 2017.
- 1.9 Administrators should satisfy themselves that the late retirement increases awarded at retirement comply with all legislative requirements including, but not limited to, tax requirements. Any legal advice in this area should be sought from an appropriately qualified person or source.



- 1.10 This guidance has been written for pension administrators and assumes some knowledge of general pension terminology, and some familiarity with retirement calculations for the Local Government Pension Scheme. Any questions concerning the application of the guidance should, in the first instance, be referred to SPPA.
- 1.11 In line with best practice and in order to make sure that factors are used as intended and the instructions are fit for purpose, we suggest that some example calculations are sent to GAD for review.
- 1.12 The factors contained in this guidance will be subject to review periodically. This will depend on external circumstances, for example whenever there is a change in the SCAPE basis; when changes in the actuarial assumptions adopted for other scheme factors take place; or following each future actuarial valuation where mortality and other relevant experience is reviewed or if other credible and material information comes to light.

### **Third party reliance**

- 1.13 This guidance has been prepared for the use of SPPA and the scheme administrators for the purposes of demonstrating the application of the factors covered by this guidance only. This guidance may be published on SPPA's and the scheme administrators' websites, but must not otherwise be reproduced, distributed or communicated in whole or in part to any other person without GAD's prior written permission.
- 1.14 Other than SPPA and the scheme administrators, no person or third party is entitled to place any reliance on the contents of this guidance, except to any extent explicitly stated herein. GAD has no liability to any person or third party for any action taken or for any failure to act, either in whole or in part, on the basis of this guidance, whether or not GAD has agreed to the disclosure of its advice to the third party.
- 1.15 When issued by Scottish Ministers in accordance with paragraph 1.7 above, this note should be used as the actuarial guidance required under the regulations cited.



## 2 The increase in benefits

- 2.1 Benefits are increased if they are taken after the following normal pension ages (NPA):
- for service before 1 April 2015: age 65
  - for service on or after 1 April 2015: State Pension Age, or if higher, age 65.
- 2.2 SPPA has confirmed that, when calculating late retirement increases, State Pension age should be based on legislation in force at the point benefits are paid.
- 2.3 Where the member has different NPA for pre-1 April 2015 and post-31 March 2015 service and reached both prior to retirement, separate late retirement increases should be calculated for each of these periods of service.
- 2.4 Where a member has two distinct NPAs and retirement occurs between them, only pre-2015 benefits are increased, while the post-2015 benefits are reduced in accordance with the guidance document 'Early payment of pension'.
- 2.5 The process for calculating these increases is set out in paragraphs 2.8 to 2.12 below. It should be noted that, if the member retired prior to 1 October 2019, then our previous guidance dated 23 January 2017, referred to in paragraph 1.8 above, should be used to determine the relevant increases.
- 2.6 Subject to paragraph 2.16 below, the increase under this guidance for pre-2015 benefits should be applied to the total pre-April 2015 pension, including any Guaranteed Minimum Pension ("GMP") element of that pension. The increase should be applied to the benefits after Pensions Increases have been added in relation to any period of deferment.
- 2.7 Any commutation of pension should be applied after the pension has been increased with reference to the pension factors. The retirement grant factors should only be applied to the automatic 3/80ths retirement grant (if any) deriving from pre-1 April 2009 service.



### Calculation of late retirement increases

- 2.8 If the member reached NPA on or after **1 October 2019** the total late retirement increase is calculated as follows:

$$\text{Pension increase} = \text{DAY}(1) \times \text{LRFP}(1) + \dots + \text{DAY}(N) \times \text{LRFP}(N)$$

$$\text{Retirement grant increase} = \text{DAY}(1) \times \text{LRFRG}(1) + \dots + \text{DAY}(N) \times \text{LRFRG}(N)$$

Where:

N = the number of years the member has deferred retirement, including any part year. (Equivalently, the number of anniversaries of NPA before retirement plus one)

DAY(i) = the number of days in each separate year worked after NPA(i). That is, the number of days on or after each anniversary of the NPA up to, but not including, the next anniversary of the NPA. Starting with the day the member reached NPA (or 1 October 2019 if later) and up to but not including the date of retirement.

LRFP(i) = the late retirement increase pension factor for each year worked after NPA(i) set out in table 402 in Appendix B.

LRFRG(i) = the late retirement increase retirement grant factor for each year worked after NPA(i) set out in table 402 in Appendix B.

### Members who reached NPA before 1 October 2019

- 2.9 If the member reached NPA (as defined in 2.1 above) prior to 1 October 2019 for any part of their service, then additionally calculate the late retirement increases to pension and retirement grant for the period from the day the member reached NPA to 30 September 2019 inclusive, using the method and factors specified in the previous guidance titled "Local Government Pension Scheme (Scotland): Late Retirement" dated 23 January 2017.
- 2.10 The total late retirement increase for these members is the sum of the increases before 1 October 2019 (as set out in 2.9), and on and after 1 October 2019 (as calculated in 2.8).
- 2.11 See section 3, example 1, for the calculation for such a member.



**Member with multiple distinct NPAs**

2.12 Where a member has different NPAs for

- i. pre-1 April 2015 service,
- ii. post-31 March 2015 service, or
- iii. any pension credit benefits,

and reached all of them prior to retiring, separate total late retirement increases should be determined and applied separately for each. If the member is retiring at or before the NPA of a particular tranche, then no uplift applies to the benefits under that tranche.



### Further considerations

- 2.13 SPPA has confirmed that, where an addition to a member's benefits applies as a result of the statutory underpin (Regulation 4(4) of The Local Government Pension Scheme (Transitional Provisions and Savings) (Scotland) Regulations 2014 ('the 2015 Scheme Transitional Regulations') (SSI 2014/233)), and the member's benefits are taken after age 65, all of the member's benefits accrued up to normal retirement age in the 2009 Scheme, whether accrued before, or on or after, 1 April 2015, including the addition due to the statutory underpin, are subject to an adjustment for late payment by reference to age 65. 2015 Scheme benefits earned after the member's normal retirement age in the 2009 Scheme will be subject to adjustment (whether upwards for late payment or downwards for early payment) by reference to the member's normal pension age in the 2015 Scheme.
- 2.14 Under regulations 25(7), 26(6) and 28(3) of the 2018 Regulations, once in payment, retirement pensions should be increased in accordance with the 'index rate adjustment' (i.e. under the Pensions Increase Acts). Any pension accrued under the 2009 and earlier schemes should also be increased under the Pensions Increase Acts.
- 2.15 Regulations 29(3) and 29(12) of the 2018 Regulations require that the pension must come into payment no later than the date when that member attains the age of 75.
- 2.16 Section 13 of the Pension Schemes Act 1993 requires member consent if GMPs are deferred by more than 5 years after GMP pension age (which is age 60 for females and age 65 for males). Where a member elects to draw the GMP element of their total benefits, only the excess pension (over the GMP) should be increased at retirement in accordance with paragraph 2.3. This also applies where a deferred pension has been postponed until after age 65 but where the GMPs have been brought into payment earlier (at or after GMP pension age).
- 2.17 The factors in this guidance have been provided in a format to provide a smooth transition for individual members when factors are updated as required at periodic reviews. They provide outcomes of broadly actuarial neutrality within the constraints of the format adopted.





### 3 Examples

#### **Example 1: Late retirement from active service, NPA reached before October 2019**

Consider a male member who joined the scheme on 1 December 2006, whose 65th birthday fell on 30 October 2017. His State Pension age is therefore age 65 and his NPA for late retirement increases is 65 for both pre and post 2015 service.

The member decides to remain as an active member and retire on 29 February 2020, with his last day of service being 28 February 2020. His period worked after NPA includes the date at which new factors came into force on 1 October 2019. It is assumed that the statutory underpin has no impact on the member's benefits.

The member has four tranches of service, all with normal retirement age 65, as follows:

- (1) pre-2008: eightieths pension and retirement grant, NRA 65
- (2) 2008 to 2009: eightieths pension and retirement grant, NPA 65
- (3) 2009 to 2015: sixtieths pension, NPA 65
- (4) post-2015: CARE pension, NPA 65

Member's benefits at 29 February 2020 before late retirement additions:

Pre-2008	pension	£500 pa
	retirement grant	£1,500
2008 to 2009	pension	£500 pa
	retirement grant	£1,500
2009 to 2015	pension	£4,000 pa
Post-2015 NPA 65:	Pension	£4,254 pa

The late retirement increases should be calculated as follows.

Late retirement factors for pre-2015 apply from the member's 65th birthday. All the member's pre-2015 pension will therefore receive the same late retirement increase. In this instance, this will also be the same as the increase that should be applied to post-2015 pension.

The period from (and including) his 65th birthday to the day before 1 October 2019 (the implementation date of this guidance note) is 1 year 336 days. The period from (and including) 1 October 2019 to the member's last day of service is 151 days.

(continued overleaf)



**Pre 1 October 2019 late retirement increase**

Using the method and factors in the late retirement guidance dated 23 January 2017.

*Pension uplift* = 6.90%

*Grant uplift* = 0.575%

**Post 1 October 2019 late retirement increase**

Apply uplift for the pension from the period from 1 October 2019 to retirement i.e.:

Period	Years late	Time elapsed	Increase per day
1 October 2019 to 67 <sup>th</sup> birthday	2	29 days	0.011%
67 <sup>th</sup> birthday to retirement	3	122 days	0.013%

*Pension uplift* = 29 x 0.011% + 122 x 0.013% = 1.905%

Use a similar method for the grant with a factor of 0.001% for all years.

*Grant uplift* = (29 + 122) x 0.001% = 0.151%

**Total increase at date of retirement**

*Total pension increase* = 6.90% + 1.905% = 8.805%

*Total grant increase* = 0.575% + 0.151% = 0.726%

**The member's benefits payable from 29 February 2020 are:**

<b>Pre-2008 NRA 65 Pension</b>	<b>=</b>	<b>£500.00 x 1.08805</b>	<b>= £544.03 pa</b>
<b>Pre-2008 NRA 65 Ret grant</b>	<b>=</b>	<b>£1,500.00 x 1.00726</b>	<b>= £1,510.89</b>
<b>08 – 09 NPA 65 Pension</b>	<b>=</b>	<b>£500.00 x 1.08805</b>	<b>= £544.03 pa</b>
<b>08 – 09 NPA 65 Ret grant</b>	<b>=</b>	<b>£1,500.00 x 1.00726</b>	<b>= £1,510.89</b>
<b>09 - 15 NPA 65 pension</b>	<b>=</b>	<b>£4,000 x 1.08805</b>	<b>= £4,352.20 pa</b>
<b>Post 2015 NPA 65 Pension</b>	<b>=</b>	<b>£4,254 x 1.08805</b>	<b>= £4,628.56 pa</b>

In aggregate:

**Total pension = £544.03 + £544.03 + £4,352.20+ £4,628.56 = £10,068.82 pa**

**Total retirement grant = £3,021.78**

The member could decide to commute part of his pension into an additional lump sum.



**Example 2: Late retirement with two distinct NPAs**

Consider a female member, whose 65th birthday falls on 1 November 2019. The member has two tranches of pension: one with NPA 65 and the other with NPA 66.

The member decides to remain as an active member and retire on 28 February 2022, with her last day of service being 27 February 2022. It is assumed that the statutory underpin has no impact on the member's benefits.

Member's benefits at 28 February 2022 before late retirement additions:

Pre-2015 NPA 65:	Pension	£18,000.00 pa
	Retirement Grant	£36,000.00
Post-2015 NPA 66:	Pension	£3,000.00 pa

The late retirement increases should be calculated as follows:

The member reached both benefit tranche NPAs after 1 October 2019 (the implementation date of this guidance note), so we do not have to calculate a pre-1 October 2019 increase.

The period from (and including) 1 November 2019 to retirement is 2 years 119 days.

The period from 1 November 2020 to retirement is 1 year and 119 days.

**Pre-2015 Pension NPA 65:**

Apply uplift for the period between the 65<sup>th</sup> birthday and retirement i.e. 2 years 119 days:

Period	Years late	Time elapsed	Increase per day
65 <sup>th</sup> birthday to 66 <sup>th</sup> birthday	1	366 days	0.010%
66 <sup>th</sup> birthday to 67 <sup>th</sup> birthday	2	365 days	0.011%
67 <sup>th</sup> birthday to retirement	3	119 days	0.013%
<i>Pension uplift = 366 x 0.010% + 365 x 0.011% + 119 x 0.013%</i>			<i>= 9.222%</i>

**Post-2015 Pension NPA 66:**

Apply uplift for the 1 year 119 days between the 66<sup>th</sup> birthday and retirement

Period	Years late	Time elapsed	Increase per day
66 <sup>th</sup> birthday to 67 <sup>th</sup> birthday	1	365 days	0.010%
67 <sup>th</sup> birthday to retirement	2	119 days	0.011%

*Pension uplift = 365 x 0.010% + 119 x 0.011% = 4.959%*

(continued overleaf)



**Retirement grant NPA 65:**

Apply uplift for the period between the 65<sup>th</sup> birthday and retirement i.e. 2 years 119 days:

$$\text{Grant uplift} = (366 + 365 + 119) \times 0.001\% = 0.850\%$$

**The member's benefits payable from 28 February 2022 are:**

<b>Pre-2015 NPA 65 Pension:</b>	<b>18,000.00 x 1.09222</b>	<b>= £19,659.96 pa</b>
<b>Pre-2015 NPA 65 Retirement grant:</b>	<b>36,000.00 x 1.00850</b>	<b>= £36,306</b>
<b>Post-2015 NPA 66 Pension:</b>	<b>3,000.00 x 1.04959</b>	<b>= £3,148.77 pa</b>

The member could decide to commute part of her pension into an additional lump sum.



**Example 3: Late retirement for a deferred member with non-integral NPA**

Consider a deferred male member, whose NPA is 65 years 7 months and 7 days. The member reaches his normal pension age on 6 January 2020.

The member's last day of service was 30 April 2018 but he retired on 31 December 2020, almost a year after his NPA. It is assumed that the statutory underpin has no impact on the member's benefits.

The member's total benefits at 31 December 2020 before late retirement additions are:

Post-2015 NPA 65 years 7 months 7 days	Pension	£5,000.00 pa
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We calculate the late retirement increase follows.

The period from the NPA date of 6 January 2020 until 30 December 2020 (the day before his benefits become payable) inclusive is 0 years 360 days total.

The member reached NPA after 1 October 2019, so we do not require a pre-1 October 2019 increase.

**Post-2015 Pension NPA 65 years 7 months 7 days:**

Period	Years late	Time elapsed	Increase per day
<i>NPA to retirement</i>	1	360 days	0.010%

*Pension uplift* =  $360 \times 0.010\% = 3.60\%$

**The benefits on late retirement at 31 December 2020 are:**

**Member's pension:**            **5,000.00 x 1.0360**            **= £5,180.00 pa**

The member could decide to commute part of his uplifted pension into an additional lump sum.

Note that the same method would apply to pension credit members.



**Example 4: Late retirement for a deferred member with a critical retirement age**

Consider a deferred male member, whose CRA is age 62. The member reaches his critical retirement age on 1 October 2015 and age 65 on 1 October 2018.

The member's last day of service was 31 January 2009 but he retired on 31 December 2022. It is assumed that the statutory underpin has no impact on the member's benefits.

The member has two tranches of service, all with critical normal retirement age 62, as follows:

- (1) pre-2008: eightieths pension and retirement grant, CRA 62
- (2) 2008 to 2009: eightieths pension and retirement grant, CRA 62

Member's benefits at 31 December 2022 before late retirement additions:

Pre-2008	pension	£4,500 pa
	retirement grant	£13,500
2008 to 2009	pension	£1,000 pa
	retirement grant	£3,000

The late retirement increases should be calculated as follows.

Late retirement factors for the members benefits apply from the member's 65th birthday, even though the CRA applies. All the member's pre-2015 pension will therefore receive the same late retirement increase.

The period from (and including) his 65th birthday to the day before 1 October 2019 (the implementation date of this guidance note) is 1 year 0 days (365 days). The period from (and including) 1 October 2019 to 30 December 2022 (day before the member's retirement date) is 3 years 2 months (1187 days).

**Pre 1 October 2019 late retirement increase**

Using the method and factors in the late retirement guidance dated 23 January 2017.

Pension uplift = 3.50%

Grant uplift = 0.30%

**Post 1 October 2019 late retirement increase**

Apply uplift for the pension from the period from 1 October 2019 to retirement i.e.:

Period	Years late	Time elapsed	Increase per day
1 October 2019 to 67th birthday	2	366 days	0.011%
67 <sup>th</sup> birthday to 68 <sup>th</sup> birthday	3	365 days	0.013%
68 <sup>th</sup> birthday to 69 <sup>th</sup> birthday	4	365 days	0.014%
69th birthday to retirement	5	91 days	0.015%

Pension uplift = 366 x 0.011% + 365 x 0.013% + 365 x 0.014% + 91 x 0.015% = 15.246%



Use a similar method for the grant with a factor of 0.001% for all years.

Grant uplift =  $(1187) \times 0.001\% = 1.187\%$

**Total increase at date of retirement**

Total pension increase =  $3.5\% + 15.246\% = 18.746\%$

Total grant increase =  $0.3\% + 1.187\% = 1.487\%$

The member's benefits payable from 31 December 2022 are:

Pre-2008 CRA 65 Pension =  $\pounds 4,500.00 \times 1.18746 = \pounds 5,343.57$  pa

Pre-2008 CRA 65 Ret grant =  $\pounds 13,500.00 \times 1.01487 = \pounds 13,700.75$

08 – 09 CRA 65 Pension =  $\pounds 1,000.00 \times 1.18746 = \pounds 1,187.46$  pa

08 – 09 CRA 65 Ret grant =  $\pounds 3,000.00 \times 1.01487 = \pounds 3,044.61$

In aggregate:

Total pension =  $\pounds 5,343.57 + \pounds 1,187.46 = \pounds 6,531.03$  pa

Total retirement grant =  $\pounds 13,700.75 + \pounds 3,044.61 = \pounds 16,745.36$



## Appendix A: Assumptions underlying factors

### Financial assumptions

Nominal discount rate	4.448% pa
Long term earnings growth	4.20% pa
Real discount rate (in excess of CPI)	2.40% pa

### Mortality assumptions

	Males	Females
<b>Retirements in normal health</b>	122% of S2NMA	117% of S2NFA
<b>Retirements in ill-health</b>	137% of S2IMA	131% of S2IFA
<b>Dependants</b>	159% of S2NMA	131% of S2DFA

Future mortality improvement Based on ONS principal UK population projections 2016

Year of Use 2020

### Other assumptions

Proportion of male members for unisex factors 40%

Proportion partnered N/A

Age difference between member and partner Males assumed 3 years older than their partners and female members assumed 2 years younger than their partners

Allowance for commutation N/A





## Appendix B: Factors

Table 402: Late retirement increase for pre and post 31 March 2015 benefits

<i>Years late</i>	<i>Pension Increase (%)</i>	<i>Retirement Grant Increase (%)</i>
0	0.000%	0.000%
1	0.010%	0.001%
2	0.011%	0.001%
3	0.013%	0.001%
4	0.014%	0.001%
5	0.015%	0.001%
6	0.017%	0.001%
7	0.019%	0.001%
8	0.021%	0.001%
9	0.023%	0.001%
10	0.025%	0.001%



## Appendix C: Legislative references

### Service in the 2015 scheme

- C.1 Scottish Ministers are required under the Local Government Pension Scheme (Scotland) Regulations 2018 ('the 2018 Regulations') (SSI 2018/141) to:
- (i) issue actuarial guidance on late retirement increases when a member receives their pension after normal pension age [regulation 29 (5)];
  - (ii) issue actuarial guidance when a pension credit member defers receipt of their pension until after normal pension age [regulation 29 (12)]; and
  - (iii) consult the Government Actuary's Department (GAD) before issuing such guidance [regulation 2(3)].

### Service accrued before 1 April 2015

- C.2 Regulation 3(5) of the 2015 Scheme Transitional Regulations also refers to actuarial adjustments in respect of retirement pensions and retirement grants accrued before 1 April 2015.
- C.3 Where a person has not been a member of the 2015 scheme, benefits payable in respect of service before 1 April 2015 are payable in accordance with the 2009 Scheme [Regulation 3(8) of the 2015 Scheme Transitional Regulations]. Details of the requirements under the 2009 Scheme are listed in the following paragraphs (which reflect the change made from the Scheme Actuary or the Government Actuary to the Scottish Ministers as the person responsible for issuing guidance) [Regulation 3(10) of the 2015 Scheme Transitional Regulations].
- C.4 C.4 In relation to Regulation 17(2) of the Local Government Pension Scheme (Benefits, Membership and Contributions) (Scotland) Regulations 2008 ('the 2008 Regulations') (SSI 2008/230), Scottish Ministers are required to issue guidance to determine the increase applicable to benefits when a member remains in employment or joins the LGPS after their 65<sup>th</sup> birthday.
- C.5 In relation to Regulation 29(5) of the 2008 Regulations, Scottish Ministers are required to issue guidance to determine the increase applicable to accrued benefits when a member who has left service without immediate entitlement to benefits under any of regulations 16 to 20 chooses not to receive payment of those benefits immediately on attaining normal retirement age.
- C.6 SPPA has previously confirmed similar increases should also be applied in respect of members who left service with immediate entitlement to benefits under regulations 16, 16A, 16B, 16C or 16D of the 2008 Regulations but who choose not to receive payment immediately.



- C.7 In relation to Regulation 14(3) of the 2008 Regulations, Scottish Ministers are required to issue guidance on the increase to be applied to the additional pension where it is taken after normal retirement age.



## Appendix D: Limitations

- D.1 This note should not be used for any purpose other than to determine benefits on late retirement in accordance with the regulations cited above.
- D.2 The factors contained in this note are subject to regular review. Administrators need to ensure that they are using the latest factors, as relevant, when processing cases.
- D.3 This note should be considered in its entirety. Individual sections, if considered in isolation, may be misleading, and conclusions reached by a review of some sections on their own may be incorrect. This note only covers the actuarial principles around the calculation and application of late retirement factors. Any legal advice in this area should be sought from an appropriately qualified person or source.
- D.4 Administrators should satisfy themselves that late retirement complies with all legislative requirements including, but not limited to, taxation and contracting-out requirements.
- D.5 This guidance is based on the Regulations in force at the time of writing. It is possible that future changes to the Regulations might create inconsistencies between this guidance and the Regulations. If users of this guidance believe there to be any such inconsistencies, they should bring this to the attention of SPPA. In no circumstances should this guidance take precedence over the Regulations. Administrators should ensure that they comply with all relevant Regulations.