

## § 222.1

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### Subpart A—General

#### § 222.1 Introduction.

This part sets forth and describes the family relationships that may make a claimant eligible for an annuity or lump-sum payment under the Railroad Retirement Act and furnishes the basic rules for determining when those relationships exist. Such relationships may result from a current or terminated marriage or through birth, death or adoption. Other relevant relationships are having a child in care, dependency or lack of it, contributing to support, living in the same household, and being

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under court order to contribute to support.

#### § 222.2 Definitions.

As used in this part—

*Annuity* means a payment under the Railroad Retirement Act due to an entitlement claimant for a calendar month and made to him or her on the first day of the following month.

*Apply* means to sign a form or statement that the Railroad Retirement Board accepts as an application for an annuity or lump-sum payment under the rules set out in part 217 of this chapter.

*Child* has differing definitions for annuity and lump-sum payment purposes. See § 222.31.

*Claimant* means a person who files an application for an annuity or lump-sum payment or for whom an application is filed.

*Eligible* means that a person would meet all the requirements for payment of an annuity or lump-sum payment as of a given date but has not yet applied therefor.

*Employee* means an employee as defined in part 203 of this chapter.

*Final divorce* means a divorce that completely dissolves a marriage and restores the parties to the status of single persons; it is also referred to as an absolute divorce.

*Finally divorced person* means a person whose marriage has been terminated or dissolved by a final divorce.

*Legal impediment* means that there was a defect in the procedures followed in a marriage ceremony or that a previous marriage of the employee or spouse had not ended at the time of the ceremony.

*Lump-sum payment* means any of the following payments under the Railroad Retirement Act: lump-sum death payment, residual lump-sum, annuities due but unpaid at death, or lump-sum refund payment (see part 234 of this chapter).

*Marriage* means the social and legal relationship of husband and wife for family relationship purposes, as well as the act by which the married state is effected.