

## § 229.1

## 20 CFR Ch. II (4-1-07 Edition)

### Subpart H—Miscellaneous Deductions and Reductions

- 229.80 Earnings restrictions.
- 229.81 Refusal to accept vocational rehabilitation.
- 229.82 Failure to have child in care.
- 229.83 Deportation.
- 229.84 Conviction of subversive activities.
- 229.85 Substantial gainful activity by blind employee or child.

### Subpart I—Payment of Overall Minimum Rate

- 229.90 Proportionate shares of overall minimum.
- 229.91 Payment of the overall minimum for part of a month.

AUTHORITY: 45 U.S.C. 231(f)(b)(5).

SOURCE: 58 FR 53397, Oct. 15, 1993, unless otherwise noted.

### Subpart A—General

#### § 229.1 Introduction.

This part explains when an annuity can be increased under the social security overall minimum guarantee, also sometimes referred to as the “special guaranty”, and how the increased amount is determined. Deductions and reductions in the overall minimum rate are explained.

#### § 229.2 Definitions.

The following definitions are used in this part:

*Annuity* means a payment under the Railroad Retirement Act due and payable to an entitled claimant for a calendar month and made to him or her on the first day of the following month. The recipient of an annuity is called an annuitant.

*Average Indexed Monthly Earnings or AIME* means the average of the employee’s monthly creditable earnings in both railroad and social security covered employment in the years used in computing the Primary Insurance Amount, after the earnings are adjusted or “indexed”. The indexing is a means of expressing prior years earnings in terms of their current dollar value. It is based on increases in the average wages of all wage earners from 1951 although the second year before the year the worker dies or becomes eligible for benefits.

*Contribution and benefit base* means the maximum earnings used in computing a social security benefit under section 230 of the Social Security Act.

*1974 Act* means the Railroad Retirement Act approved October 16, 1974, including all amendments.

*Railroad formula rate* means the amount computed in accord with the regular railroad computations (sections 3(a), 3(b) and 3(h) of the Railroad Retirement Act).

*Retirement age* means age 65, with respect to an employee or spouse who attains age 62 before January 1, 2000 (age 60 in the case of a widow(er), remarried widow(er) or surviving divorced spouse). For an employee or spouse who attains age 62 (or age 60 in the case of a widow(er), remarried widow(er), or surviving divorced spouse) after December 31, 1999, retirement age means the age provided for in section 216(l) of the Social Security Act.

#### § 229.3 Other regulations related to this part.

This part is related to a number of other parts of this chapter (listed numerically):

Part 216 describes when a person is eligible for an annuity under the Railroad Retirement Act.

Part 217 describes how to apply for an annuity or for lump-sum payments.

Part 218 sets forth the beginning and ending dates of annuities.

Part 219 sets out what evidence is necessary to prove eligibility and the relationships described in this part.

Part 220 describes when a person is eligible for a disability annuity under the Railroad Retirement Act or a period of disability under the Social Security Act.

Part 222 describes the family relationships which may cause an annuity to be increased under this part.

Part 225 explains how Primary Insurance Amounts (PIA’s) are computed.

#### § 229.4 Applying for the overall minimum.

The Board may require an annuitant to provide information regarding his or her family and regarding his or her earnings from employment and self-employment in order to determine