Railroad Retirement Board

§ 218.15 When a parent annuity begins.
A parent annuity begins on the later of either the date chosen by the applicant or the earliest date permitted by law.

(b) Earliest date permitted by law—(1) General rules. The earliest date permitted by law is the later of—
(i) The first day of the month in which the employee dies; or
(ii) The first day of the month in which the claimant attains full retirement age; or
(iii) The first day of the sixth month before the month in which the application is filed.

(2) Reduced-age annuity—(i) Widow(er) age 60 through age 62. The earliest date permitted by law is the latest of—
(A) The first day of the month in which the employee dies;
(B) The first day of the month in which the claimant attains age 60; or
(C) The first day of the sixth month before the month in which the application is filed.

(ii) Widow(er) over age 62 but under full retirement age. The earliest date permitted by law is the latest of—
(A) The first day of the month in which the employee dies;
(B) The first day of the month in which the claimant attains age 62 and one month; or
(C) The first day of the month in which the claimant attains age 62 and one month.

(iii) The first day of the sixth month before the month in which the application is filed.

(3) Child annuity based on full-time school attendance. The earliest date permitted by law is the latest of—
(i) The first day of the month in which the employee dies;
(ii) The first day of the sixth month before the month in which the application is filed;
(iii) The first day of the month in which the claimant is in full-time school attendance at an elementary or secondary educational institution; or
(iv) The first day of the month in which the claimant attains age 18.

(4) Child disability annuity. The earliest date permitted by law is the latest of—
(i) The first day of the month in which the employee dies;
(ii) The first day of the sixth month before the month in which the application is filed;
(iii) The first day of the month in which the claimant attains age 18;
(iv) The first day of the month in which the claimant meets the definition of disability as explained in part 220.

§ 218.14 When a child annuity begins.
(a) A child annuity begins on the later of either the date chosen by the applicant or the earliest date permitted by law.

(b) Earliest date permitted by law—(1) General rules. The earliest date permitted by law is the later of—
(i) The first day of the month in which the employee dies;
(ii) The first day of the month in which the claimant attains full retirement age; or
(iii) The first day of the sixth month before the month in which the application is filed.

(2) Reduced-age annuity—(i) Widow(er) age 60 through age 62. The earliest date permitted by law is the latest of—
(A) The first day of the month in which the employee dies;
(B) The first day of the month in which the claimant attains age 60; or
(C) The first day of the sixth month before the month in which the application is filed.

(ii) Widow(er) over age 62 but under full retirement age. The earliest date permitted by law is the latest of—
(A) The first day of the month in which the employee dies;
(B) The first day of the month in which the claimant attains age 62 and one month; or
(C) The first day of the month in which the application is filed.

(3) Child annuity based on full-time school attendance. The earliest date permitted by law is the latest of—
(i) The first day of the month in which the employee dies;
(ii) The first day of the sixth month before the month in which the application is filed;
(iii) The first day of the month in which the claimant is in full-time school attendance at an elementary or secondary educational institution; or
(iv) The first day of the month in which the claimant attains age 18.

(4) ‘Child in care’ annuity. The earliest date permitted by law is the latest of—
(i) The first day of the month in which the employee dies;
(ii) The first day of the sixth month before the month in which the application is filed;
(iii) The first day of the month in which the claimant becomes eligible for a child annuity as explained in part 216 of this chapter.

§ 218.15 When a parent annuity begins.
A parent annuity begins on the later of either the date chosen by the applicant or the earliest date permitted by law. The earliest date permitted by law is the latest of—
(a) The first day of the month in which the employee dies;
(b) The first day of the month in which the claimant attains age 60; or