§ 222.23 Relationship as divorced spouse.

A claimant will be considered to be the divorced spouse of an employee if—
(a) His or her marriage to the employee has been terminated by a final divorce; and
(b) He or she is not married (if the claimant remarried after the divorce from the employee, the later marriage has been terminated by death, final divorce, or annulment); and
(c) He or she had been validly married to the employee, as set forth in §222.11, for a period of 10 years immediately before the date the divorce became final. The claimant meets this requirement even if the claimant and employee were divorced within the ten-year period, provided that the claimant and employee were remarried no later than the calendar year immediately following the year in which the divorce took place.

§ 222.24 Relationship as surviving divorced spouse.

A claimant will be considered to be the surviving divorced spouse of a deceased employee if the conditions in either paragraph (a) or (b) of this section are met:
(a) Age or disability. The claimant applied for an annuity on the basis of age or disability, and the conditions set forth in §222.22 are met.
(b) Child in care. The claimant applied for an annuity on the basis of having a child in care, and—
(1) His or her marriage to the employee has been terminated by a final divorce; and
(2) He or she is not married (if the claimant remarried after the divorce from the employee, the later marriage has been terminated by death, final divorce, or annulment); and
(3) He or she either—
(i) Was the natural parent of the employee’s child; or
(ii) Had been married to the employee when either the employee or the claimant legally adopted the other’s child or when they both legally adopted a child who was then under 18 years of age.