



## Fact sheet on marriage in Switzerland: rights and obligations

The following explanations provide a short overview about marital rights and obligations in Switzerland. They have no binding legal effect whatsoever. The existing legal regulation is the exclusive authority.

The Swiss Civil Registry Offices and the Swiss representations abroad who hand out this fact sheet as well as the Federal Office of Civil Status have no duty to offer circumstantial advice. Therefore please address yourself to private legal advice (information center, lawyer, notary, etc.) for questions regarding this fact sheet.

### Marital rights and obligations in Switzerland

Below are the most important marital rights and obligations according to Swiss law. The list has no particular order and is not exhaustive:

- **Marriage is only possible if both man and woman are aged 18 or older:** The minimum legal age to get married in Switzerland is 18 for both men and women. Only when both partners have reached the age of 18, they can get married.
- **Everyone can choose his/her partner freely; nobody can be forced to get married:** Marriage is based on the free will of both partners. Nobody may be forced to get married against his or her own will.
- **Commitment to loyalty and assistance:** Both spouses act for the good of the marital union and respect each other's personality. No spouse acts against the other's will.
- **Equal rights for men and women in all matters:** Both spouses have the same right to voice their opinion in all issues. Their voices have the same importance.
- **Joint agreement on the sharing of tasks within the marriage (work outside home, domestic work):** As both spouses are equal, there are no gender specific tasks. The spouses agree among each other on the sharing of tasks.
- **Joint financial contribution to the subsistence of the family:** As there are no gender specific tasks within a marriage, the spouses have to jointly contribute to the financial subsistence of the family. They agree together on who contributes how much, towards the subsistence of the family.
- **Joint care for children:** Both spouses have the obligation to care for their children, educate them and protect them from any danger or threat.
- **No violence in a marriage:** Whoever beats or abuses his/her spouse renders him- or herself liable to prosecution. None of the spouses has the right to exercise corporal punishment on the other spouse.
- **Each spouse has the right to ask for judicial protection if the other spouse violates his marital obligations:** If a spouse does not fulfil his/her obligations towards his/her family, or if the spouses cannot agree on a matter of importance for the marital union, they can ask individually or jointly for court mediation.
- **Each spouse has the right to divorce:** A valid marriage can be dissolved by divorce. If both spouses agree to divorce they can file a joint petition with the court. If only one spouse wants to get divorced, he/she can file an individual petition with the court.