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

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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 Civil Status Office (FCSO) have no duty to offer circumstantial advice. Therefore, please address yourself to private legal advice (information center, lawyer, notary, etc.) for questions regarding the content of 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 at the age of 18 or older:** The minimum legal age to get married in Switzerland is 18 for both sexes. Only when both persons have reached the age of 18 can they get married.
- **Everyone can choose his/her partner freely, whether that is a person of a different sex or of the same sex; nobody can be forced to get married:** Marriage is based on the free will of both parties. Nobody may be forced to get married against his or her will.
- **Commitment to loyalty and assistance:** Each spouse contributes to the prosperity of the marital union, respects the personality of the other, behaves loyally towards the other and provides support and assistance.
- **Equal rights for men and women in all matters of marriage; the spouses are equal in rights:** Each spouse has the same right of co-decision as the other in all issues; his or her opinion has the same value as the other's.
- **Joint agreement on the sharing of tasks within the marriage (work outside home, domestic work):** Both spouses have equal rights. The tasks of the marriage are always joint tasks. The spouses agree among each other on who is responsible for which tasks.
- **Joint financial contribution to the subsistence of the family:** In this case as well, there are no predefined specific tasks. Both spouses must contribute to the financial subsistence of the family and must agree on how each one contributes.
- **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 physical, psychological or sexual violence in marriage and family:** Whoever beats or abuses his/her spouse or children is liable to prosecution. No one has the right to exercise corporal punishment on family members.
- **Each spouse has the right to ask for judicial protection if the other spouse violates his/her 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 apply for divorce:** 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.