



Fact sheet on marriage in Switzerland: rights and obligations

The following explanations provide a short overview about marital rights and obligations in Switzerland and 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 rights and obligations according to Swiss law. They are listed in no particular order and are 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 completed their 18th year of existence 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:** The wife has the same right to voice her opinion as the husband in all issues. Her voice has the same importance as his.
- **Common agreement on the task sharing in the marriage (work outside home, domestic work):** As both spouses are equal, there is no gender specific task-sharing. The spouses agree among each other on the task sharing.
- **Common financial contribution to the subsistence of the family:** As there is no gender specific task sharing either in this matter, the spouses have to jointly contribute to the financial subsistence of the family. They agree together on who contributes and how much, towards the subsistence of the family.
- **Joint care for the 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 or her spouse renders him or herself liable to prosecution. The husband has no right to exercise corporal punishment on his wife.
- **Each spouse has the right to ask for judicial protection if the other one violates his marital obligations:** If a spouse does not fulfil his obligations towards his family, or if the spouses cannot agree on a matter of importance for the marital union, they can ask for court mediation, individually or together.
- **Each spouse has the right to divorce:** A valid marriage can be dissolved by divorce. If both spouses want to divorce they can file a joint petition with the court. If only one spouse wants to get divorced, he/she must file an individual petition with the court.