

San Marino

Women, Business and the Law 2022 (WBL2022) presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (San Marino). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **San Marino scores 80 out of 100**. The overall score for San Marino is lower than the regional average observed across Europe and Central Asia (84.1). Within the Europe and Central Asia region, the maximum score observed is 94.4 (Cyprus).

San Marino - Scores for Women, Business and the Law 2022



Relative Strengths

When it comes to constraints on freedom of movement, gender differences in property and inheritance, and laws affecting the size of a woman's pension, San Marino gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, and constraints on women starting and running a business, San Marino could consider reforms to improve legal equality for women.

For example, one of the lowest scores for San Marino is on the indicator measuring laws affecting women's decisions to work (the WBL2022 Workplace indicator). To improve on the Workplace indicator, San Marino may wish to consider enacting legislation protecting women from sexual harassment in employment, and adopting criminal or civil penalties for sexual harassment in employment.

Recent Reforms

No reforms were observed during the past year (October 2nd, 2020 – October 1st, 2021).



Further data details for San Marino are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/san-marino/2022>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 29
	Can a woman travel outside her home in the same way as a man?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 30
	Can a woman apply for a passport in the same way as a man?	Yes	Law No. 79 of 16 June 2004, Art. 2; Passport application form
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 28
	Does the law prohibit discrimination in employment based on gender?	Yes	Law No. 40/1981, Art. 1
	Is there legislation on sexual harassment in employment?	No	No applicable provisions could be located
	Are there criminal penalties or civil remedies for sexual harassment in employment?	No	<i>Criminal:</i> No applicable provisions could be located <i>Civil:</i> No applicable provisions could be located
Pay	Does the law mandate equal remuneration for work of equal value?	No	No applicable provisions could be located
	Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage	Is there no legal provision that requires a married woman to obey her husband?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 28
	Can a woman be head of household in the same way as a man?	Yes	Decree No. 15 of 26 April 1976, Art. 3
	Is there legislation specifically addressing domestic violence?	Yes	Prevention and Repression of Violence against Women and Gender-Based Violence Law No. 97 of 2008; Law No. 57 of 6 May 2016
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Law No. 49 of April 26, 1986, Art. 104
Parenthood	Does a woman have the same rights to remarry as a man?	No	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 9
	Is paid leave of at least 14 weeks available to mothers?	Yes	Law No. 137, Arts. 1-3
	Does the government pay 100% of maternity leave benefits?	Yes	Law No. 137, Art. 2
	Is paid leave available to fathers?	No	No applicable provisions could be located
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Law No. 137, Art. 2
Entrepreneurship	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	Law of September 22, 1953, Art. 1
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as a man?	Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Law No. 35 of 22 September 1953, Art. 1
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Arts. 137 and 138
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 138
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 93
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Law No. 49 of 26 April 1986, Reform of Family Law, Art. 88
	Pension	Is the age at which men and women can retire with full pension benefits the same?	Yes
Is the age at which men and women can retire with partial pension benefits the same?		Yes	Women: Law No. 158, Art. 12. Men: Law No. 158, Art. 12
Is the mandatory retirement age for men and women the same?		Yes	Women: No applicable provisions could be located. Men: No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?		Yes	Law No. 15, Art. 6; Law No. 47, Art. 4