

Lesotho

Women, Business and the Law 2023 (WBL2023) 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 (Maseru). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Lesotho scores 78.1 out of 100**. The overall score for Lesotho is higher than the regional average observed across Sub-Saharan Africa (72.6). Within the Sub-Saharan Africa region, the maximum score observed is 95 (Côte d'Ivoire and Gabon).

Lesotho - Scores for Women, Business and the Law 2023



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, Lesotho 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, Lesotho could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Lesotho is on the indicator measuring laws affecting women's work after having children (the WBL2023 Parenthood indicator). To improve on the Parenthood indicator, Lesotho may wish to consider making paid leave of at least 14 weeks available to mothers, making the government administer 100% of maternity leave benefits, making paid leave available to fathers, and making paid parental leave available.

Recent Reforms

No reforms were observed during the past year (October 2nd, 2021 – October 1st, 2022).



Further data details for Lesotho are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/lesotho/2023>



	QUESTION	ANSWER	LEGAL BASIS
Mobility	Can a woman choose where to live in the same way as a man?	Yes	Legal Capacity of Married Persons Act of 2006, Art. 13
	Can a woman travel outside her home in the same way as a man?	Yes	Legal Capacity of Married Persons Act of 2006, Art. 3
	Can a woman apply for a passport in the same way as a man?	Yes	Passports and Travel Documents Act No. 5 of 2018, Secs. 7 and 10; Passport Application Form
	Can a woman travel outside the country in the same way as a man?	Yes	Legal Capacity of Married Persons Act of 2006, Art. 3
Workplace	Can a woman get a job in the same way as a man?	Yes	Legal Capacity of Married Persons Act of 2006, Art. 3
	Does the law prohibit discrimination in employment based on gender?	Yes	Labour Code, Sec. 5
	Is there legislation on sexual harassment in employment?	Yes	Labour Code Order, Secs. 5(2) and 200
	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?	Yes	Labour Code, Sec. 5(3)
	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?	No	Labour Code, Sec. 132
Marriage	Is the law free of legal provisions that require a married woman to obey her husband?	Yes	No applicable provisions could be located
	Can a woman be head of household in the same way as a man?	Yes	Legal Capacity of Married Persons Act of 2006, Art. 3
	Is there legislation specifically addressing domestic violence?	No	No applicable provisions could be located
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
Parenthood	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
	Is paid leave of at least 14 weeks available to mothers?	No	Labor Code, Sec. 133; Labor Code Wages (Amendment) Notice, Part K
	Does the government pay 100% of maternity leave benefits?	No	Labor Code Wages (Amendment) Notice, Part K
	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	Labour Code, Sec. 66(3)
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	Legal Capacity of Married Persons Act of 2006, Art. 3
	Can a woman register a business in the same way as a man?	Yes	Legal Capacity of Married Persons Act of 2006, Art. 3; Companies Act of 2011, Art. 5
	Can a woman open a bank account in the same way as a man?	Yes	Legal Capacity of Married Persons Act of 2006, Art. 3
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Legal Capacity of Married Persons Act of 2006, Arts. 3 and 5-7; Land Act, Art. 6(1)
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Land Act, Sec. 15(5); Children's Protection and Welfare Act 2011, Sec. 19
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Land Act, Art. 15(3)
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Legal Capacity of Married Persons Act of 2006, Secs. 3 and 5-7
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Legal Capacity of Married Persons Act of 2006, Secs. 3 and 5-7
	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	No applicable provisions could be located
Is the mandatory retirement age for men and women the same?		Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?		Yes	Old Age Pension (Pensions) Regulations 2005, Sec. 3