



WOMEN, BUSINESS AND THE LAW
wbl.worldbank.org

«Survey_Economy»

Dear «FirstName» «LastName»,

We invite you to contribute to *Women, Business and the Law 2021* by filling out our questionnaire on family law in «Survey_Economy». [Women, Business and the Law](#) measures equality of economic opportunity for men and women by examining the laws and regulations that affect women's entrepreneurship and employment.

Our latest study, [Women, Business and the Law 2020](#), was released on January 14 to widespread acclaim, with over 250 media mentions and 250,000 downloads, giving great exposure to our local experts. *Women, Business and the Law* is also active on social media, with over 61,000 fans on [Facebook](#) and more than 2,000 members on [LinkedIn](#).

To further our understanding of the legal environment in «Survey_Economy», we would be honored to benefit from your expertise on our family law questionnaire, which examines laws affecting women's agency, mobility, and access to property. We are particularly interested in reforms that have been passed since **September 2, 2019**. Your pro-bono contribution will be acknowledged on the World Bank Group's *Women, Business and the Law* [website](#) and in the electronic edition of the study.

The published data is based on an analysis of all responses completed for your economy and our team's assessment of the applicable laws and regulations. As such, responses from local professionals like yourself are essential to ensure the quality and accuracy of the data we collect and analyze. Your participation could influence future policy making in your economy and in other economies eager to learn about good practices and successful reforms. Furthermore, by participating you will join the project's growing global network of 2,000 experts.

Please return the completed questionnaire to WBLfamily@worldbank.org. If you have any questions, do not hesitate to contact us using the details provided below. Thank you for your continued support of *Women, Business and the Law* and the work of the World Bank Group.

Sincerely,

The *Women, Business and the Law* team

WBLfamily@worldbank.org

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WORLD BANK GROUP
Development Economics | Global Indicators

 Paperless Report and Certificate

New this year: In an effort to conserve resources, both the certificate of participation and the study will be sent electronically.

Primary Contributor Information: Please check the box next to information you **do not** want us to **publish**.

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Referrals: Please help us expand our list of contributors by referring us to other experts in the private or public sector (lawyers, notaries, public officials or any expert on this field) who can respond to the questionnaire.

First name	Last name	Position	Firm	Address	Phone	E-mail
[]	[]	[]	[]	[]	[]	[]
[]	[]	[]	[]	[]	[]	[]

How to complete this questionnaire

This questionnaire asks whether there have been any reforms to the following areas since **September 2, 2019**:

- Women's legal capacity and mobility
- Marital rights and responsibilities
- Right to own, acquire, and administer marital goods
- Inheritance rights of sons/daughters and surviving spouses
- Right to obtain a divorce and remarry
- Nondiscrimination in access to credit

Assumptions

When answering this questionnaire, please consider that the woman:

- Resides in «Survey_City» (the economy's main business city) and will remain there for her lifetime.
- Has reached the legal age of majority and is capable of making decisions as an adult, is in good health, and has no criminal record.
- Is a lawful citizen of «Survey_Economy».
- Is in a monogamous first marriage registered with the appropriate authorities (de facto marriages and customary unions are not measured).
- Is of the same religion as her husband.
- Is in a marriage under the rules of the default marital property regime or the most common regime for that jurisdiction, which will not change during the course of the marriage.
- Where the answer differs according to the legal system that applies to the woman (e.g. where different laws govern different groups of people within an economy), please indicate the answer that applies to the majority of the population in «Survey_City».

Questions are meant to capture legal requirements and rights. As such, the questionnaire does not cover social or cultural norms. Answers are based on statutory or codified law for civil law systems, and case law (i.e. law established by judicial decision in cases as binding precedent) for common law systems. Customary law is not taken into account unless it has been codified. The answers are based solely on the letter of the law and not its implementation or practice.

More details about how each question should be answered are available on our methodology page at:

<https://wbl.worldbank.org/en/methodology>.

1. Reform Update

1.1. Have there been any **reforms in the laws and regulations** relating to this questionnaire **since September 2, 2019**? -Click to Select-

a. If yes, please describe:

b. If yes, include a link or [attach](#) a copy of the new legislation or regulation:

c. Please let us know about any relevant court decisions:

1.2. Are you aware of any **bills or draft laws** relating to this questionnaire? -Click to Select-

a. If yes, please describe:

b. If yes, include a link or [attach](#) a copy of the draft legislation or regulation:

c. Please let us know about any relevant court decisions:

2. Women’s Legal Capacity and Mobility

Please confirm whether the prefilled answers in this section remain the same in the period from **September 2, 2019 to September 1, 2020** or whether there have been any reforms that would change the answers or legal bases (i.e. introduction of a new family code or gender equality law, amendment to the family law, repeal of a regulation, etc.). If no changes have occurred, please continue to the next section. -Click to Select-

2.1. Can a woman legally do the following in the same way as a married man? *When considering whether men and women can legally do things in the same way, please consider the following possibilities (this list is suggestive, not exhaustive): (a) whether an additional signature is required (e.g., that of the father, husband, or guardian); (b) whether additional information is required (e.g., providing the name of the father, husband, or guardian); (c) whether additional documentation is required with the form (e.g., a marriage license).*

	Last cycle answers		This cycle answers	
Apply for a passport	«wbl_fly_Fam_CM_Passport»	«wbl_fly_Fam_CM_Passport_LB»	-Click to Select-	
Apply for a national identity card	«wbl_fly_Fam_CM_IDCard»	«wbl_fly_Fam_CM_IDCard_LB»	-Click to Select-	
Travel outside the country	«wbl_fly_Fam_CM_TravelAbroad»	«wbl_fly_Fam_CM_TravelAbroad_LB»	-Click to Select-	
Choose where to live	«wbl_fly_Fam_CM_ChooseMaritalHome»	«wbl_fly_Fam_CM_ChooseMaritalHome_LB»	-Click to Select-	
Travel outside the home	«wbl_fly_Fam_CM_LeaveMaritalHome»	«wbl_fly_Fam_CM_LeaveMaritalHome_LB»	-Click to Select-	
Sign a binding contract	«wbl_fly_Fam_CM_SignContract»	«wbl_fly_Fam_CM_SignContract_LB»	-Click to Select-	
Register a business	«wbl_fly_Fam_CM_RegisterBiz»	«wbl_fly_Fam_CM_RegisterBiz_LB»	-Click to Select-	
Open a bank account	«wbl_fly_Fam_CM_OpenBankAccount»	«wbl_fly_Fam_CM_OpenBankAccount_LB»	-Click to Select-	
Get a job or pursue a trade or profession	«wbl_fly_Fam_CM_GetJob»	«wbl_fly_Fam_CM_GetJob_LB»	-Click to Select-	
Be designated as “head of household” or “head of family” <i>Note: If issuance of the family book upon marriage is to only one spouse, that spouse is considered the head of household.</i>	«wbl_fly_Fam_CM_HOH»	«wbl_fly_Fam_CM_HOH_LB»	-Click to Select-	

2.2. Is a married woman required by law to obey her husband?

Last cycle answers		This cycle answers	
«wbl_fly_Fam_MR_Obedience_SurveyFlipped»	«wbl_fly_Fam_MR_Obedience_LB»	-Click to Select-	

2.3. Please include any additional comments and links to laws relevant to this section:

3. Property Rights

Please confirm whether the prefilled answers in this section remain the same in the period from **September 2, 2019 to September 1, 2020** or whether there have been any reforms that would change the answers or legal bases (i.e. introduction of a new family code or gender equality law, amendment to the family law, repeal of a regulation, etc.). If no changes have occurred, please continue to the next section. -Click to Select-

Definitions:

- **Separation of property:** all property and/or income acquired by the spouses before they marry, as well as all property acquired during the marriage, remain the separate property of the acquiring spouse. At the time of dissolution, each of the spouses takes ownership of the property he/she owns.
- **Partial community of property:** whereby property and/or income acquired prior to marriage are regarded as the separate property of the acquiring spouse. The property acquired after marriage - with the exception of gifts and inheritance - is regarded as joint property of the couple. That includes:
 - Assets; and/or
 - Income; and/or
 - The accrued value of any of the above.

At the time of dissolution, each of the spouses maintains ownership of the property he/she owned prior to marriage, and any property acquired after marriage is divided between the spouses.

- **Full community of property:** all property and/or income brought into the marriage and acquired during the marriage become the joint property of the couple. At the time of dissolution, all property brought into the marriage and acquired during the course of the marriage, with the exception of gifts and inheritance, is divided between the spouses.
- **Deferred full or partial community of property:** property and/or income acquired by the spouses before they marry as well as that acquired during the marriage is kept separate as property of the acquiring spouse. At the time of dissolution, the rules of partial or full community of property apply and the property of both the spouses, with the exception of gifts and inheritance, is divided between them.
- **“Immovable property”** refers to immovable assets such as urban land, or residential or commercial buildings. It does not include agricultural land. When assessing whether the law recognizes equal ownership rights over the property, please consider the capacity to own, use, and administer it.

3.1. What is the default marital property regime?

Last cycle answers		This cycle answers	
«wbl_fly_Fam_AM_De faultRegime»	«wbl_fly_Fam_AM_Def aultRegime_LB»	-Click to Select-	

3.2. If the answer is “No default marital property regime” or “Other”, please describe:

3.3. Who has the legal right to administer property within marriage? *Please describe the administration of property during the course of the marriage for couples married under the default marital property regime selected above. In answer choice (a) no consent is needed from the other spouse regarding separate property transactions; (b) spouses administer their separate property, but for major transactions need the consent of the other spouse; (c) both spouses have equal rights in joint property administration and transactions; (d) the husband administers all property, including his wife’s separate property if applicable.*

Last cycle answers		This cycle answers	
«wbl_fly_Fam_AM_Pr opertyAdministration»	«wbl_fly_Fam_AM_Pro pertyAdministration_LB »	-Click to Select-	

3.4. If “Other”, please describe:

3.5. Does the law consider non-monetary contributions to the family for the purposes of property division? *This question is designed to measure if, at the time of dissolution of marriage, the division of property accounts for unpaid contributions to the household, including caring for minor children, taking care of the family home, or any other non-monetized contribution.*

Last cycle answers		This cycle answers	
«wbl_fly_Fam_AM_NonmonetaryContributions»	«wbl_fly_Fam_AM_NonmonetaryContributions_LB»	-Click to Select-	

The following questions on inheritance examine gender-based differences in the rules of intestate succession for transfer of property from parents to children and among surviving spouses. When assessing the inheritance rights of surviving spouses, assume that there are no children.

	Last cycle answers		This cycle answers	
3.6. Do married men and married women have equal ownership rights over immovable property?	«wbl_fly_Fam_AM_RightsImmovables»	«wbl_fly_Fam_AM_RightsImmovables_LB»	-Click to Select-	
3.7. Do sons and daughters have equal inheritance rights over immovable property from their parents?	«wbl_fly_Fam_AM_InheritanceChildren»	«wbl_fly_Fam_AM_InheritanceChildren_LB»	-Click to Select-	
3.8. Do female and male surviving spouses have equal inheritance rights over immovable property?	«wbl_fly_Fam_AM_InheritanceSpouses»	«wbl_fly_Fam_AM_InheritanceSpouses_LB»	-Click to Select-	

3.9. Please include any additional comments and links to laws relevant to this section:

4. Right to Divorce

Please confirm whether the prefilled answers in this section remain the same in the period from **September 2, 2019 to September 1, 2020** or whether there have been any reforms that would change the answers or legal bases (i.e. introduction of a new family code or gender equality law, amendment to the family law, repeal of a regulation, etc.). If no changes have occurred, please continue to the next section. -Click to Select-

	Last cycle answers		This cycle answers	
4.1. Can a woman obtain a judgment of divorce in the same way as a man?	«wbl_fly_Fam_R2D_ObtainDivorce»	«wbl_fly_Fam_R2D_ObtainDivorce_LB»	-Click to Select-	
4.2. Do women have the same rights to remarry as men?	«wbl_fly_Fam_R2D_Remarry»	«wbl_fly_Fam_R2D_Remarry_LB»	-Click to Select-	

4.3. Please include any additional comments and links to laws relevant to this section:

5. Nondiscrimination

5.1. Does the law prohibit discrimination in access to credit on the basis of sex or gender?

Last cycle answers		This cycle answers	
«wbl_fly_Fam_A2F_Gender»	«wbl_fly_Fam_A2F_Gender_LB»	-Click to Select-	

5.2. What are the available remedies to enforce nondiscrimination in access to credit?

Answer	Legal Basis
-Click to Select-	

5.3. Which court is competent to hear cases of nondiscrimination in access to credit?

Answer	Legal Basis
-Click to Select-	

5.4.a. Is there an independent and specialized body that monitors the right to nondiscrimination in access to credit?

Answer	Legal Basis
-Click to Select-	

5.4.b. If yes, please list the name of the specialized body:

5.4.c. Please include the link to the website of the specialized body:

5.5. Is discrimination based on gender prohibited when calculating health insurance premiums?

Answer	Legal Basis
-Click to Select-	

5.6. Please include any additional comments and links to laws relevant to this section:

6. Constitutional Law

Please confirm whether the prefilled answers in this section remain the same in the period from **September 2, 2019 to September 1, 2020** or whether there have been any reforms that would change the answers or legal bases (i.e. introduction of a new family code or gender equality law, amendment to the family law, repeal of a regulation, etc.). If no changes have occurred, please continue to the next section. -Click to Select-

Customary law is the legal system practiced in particular communities based on tradition. Customary law may be codified or uncodified and may cover areas such as family, land, inheritance, and others. This question is not meant to capture the use of customary practices in business transactions or terms of art.

6.1. Is customary law a valid source of law under the constitution?

Last cycle answers		This cycle answers	
«wbl_fly_Fam_CL_CustomaryLaw»	«wbl_fly_Fam_CL_CustomaryLaw_LB»	-Click to Select-	

6.2. If “Yes,” is it considered invalid if it violates constitutional provisions on nondiscrimination or equality?

Last cycle answers		This cycle answers	
«wbl_fly_Fam_CL_CustomaryLawInvalid»	«wbl_fly_Fam_CL_CustomaryLawInvalid_LB»	-Click to Select-	

6.3. Please include any additional comments and links to laws relevant to this section:

7. Research Questions

7.1. What are the responses of the family justice system to address demands from women during the COVID-19 crisis, for example, to file a divorce or to speed up pending child custody cases?

7.2.a. Do family courts allow for remote access, such as electronic filing of claims and hearings by phone or videoconference where possible?

Answer	Legal Basis
-Click to Select-	

7.2.b. Please explain:

Thank you for completing our questionnaire!

We sincerely appreciate your participation in the *Women, Business and the Law* project. The results will be published in the *Women, Business and the Law 2021* report and on our website: <http://wbl.worldbank.org>.

Your work will be gratefully acknowledged in both if you so choose.