



## CC Art. 32

# Exercise of Parental Authority

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## TITLE 02 — FAMILY LAW · CHAPTER 05 — PARENTAL AUTHORITY AND CUSTODY

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- 1** Both parents exercise parental authority jointly over their minor children, whether born during or outside of marriage, provided that parentage has been established in respect of each parent.
  - 2** Parental authority comprises:
    - a. The duty and right of care, including the physical, emotional, and moral welfare of the child
    - b. The duty and right to educate the child and to guide the child's religious and cultural upbringing
    - c. The duty and right to represent the child in all juridical acts, in accordance with [Article 10](#)
    - d. The duty and right to administer the child's property, subject to the restrictions set out in [Article 10](#)
    - e. The duty to maintain the child, in accordance with Chapter 6.
  - 3** In all matters concerning the exercise of parental authority, the best interests of the child shall be the paramount consideration, in accordance with the Fundamental Laws.
  - 4** Where the parents are unable to agree on a matter of parental authority, either parent may apply to the Royal Chancellery for a determination. The Chancellery shall decide the matter having regard to the best interests of the child.
  - 5** Parental authority may be exercised by one parent alone where:
    - a. The other parent is deceased, incapacitated, or absent
    - b. The other parent's parental authority has been suspended or terminated
    - c. A determination of the Chancellery so provides.
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- 6 Parental authority is suspended or terminated by:
- a. The death of the parent
  - b. A declaration of incapacity that renders the parent unable to exercise authority
  - c. A determination of the Chancellery, upon application by the other parent, a guardian, or any person having a legitimate interest, on the ground of abuse, neglect, abandonment, or other grave fault that renders the continued exercise of authority contrary to the welfare of the child
  - d. The adoption of the child by another person, in accordance with [Article 31](#).

- 7 This Article supplements the provisions on parental authority in [Article 10](#). Where a provision of [Article 10](#) addresses a matter more specifically, that provision prevails.

DOCUMENT INFORMATION	
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