

«Survey_Economy»

Dear «FirstName» «LastName»,

On behalf of the World Bank Group's *Women, Business and the Law* team, we invite you to serve as a local expert for our «Survey_Economy» family law questionnaire. *Women, Business and the Law* measures gender inequality by examining the laws and regulations that affect women's entrepreneurship and employment.

Our latest study, *Women, Business and the Law 2019: A Decade of Reform*, was released on February 27, 2019 to widespread acclaim with over 500 media mentions and over 125,000 downloads, giving great exposure to our local experts. *Women, Business and the Law* is also active on social media, with over 62,000 fans on [Facebook](#) and more than 1,600 members on [LinkedIn](#).

To gain new insight into the ways in which discriminatory laws affect women's equality of opportunity, the study examined ten years of data through an index structured around the economic decisions women make as they navigate their lives and careers. Following the structure of the index, *Women, Business and the Law 2020* will update previous data to capture progress made since the last release.

To further our understanding of the legal environment, we would be honored to benefit from your expertise in our family law questionnaire, which examines women's agency and access to property. We are particularly interested in reforms that have been passed since **June 2, 2017**. Links to previously cited laws can be found at <http://wbl.worldbank.org>. Your pro-bono contribution will be acknowledged on the World Bank Group's *Women, Business and the Law* website (<http://wbl.worldbank.org/local-experts>) and in the printed edition of the report.

Contributions like yours are essential for ensuring the quality and accuracy of the data we collect and analyze. Please return the completed questionnaire to WBLfamily@worldbank.org.

If you have any questions, please do not hesitate to contact us. 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

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

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Name	Occupation	Email	Phone	Address
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 **Paperless Option for Complimentary Report and Certificate**

New this year: the paperless option is selected by default to reduce our environment footprint. Your certificate and report will be sent via email. **Please remove the [X] below** if you prefer to receive print versions via postal mail.

Please e-mail me an electronic copy of the report and my certificate of appreciation.

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

1. Please provide your contact information and information regarding others who contributed to this questionnaire. Please indicate whether, in recognition of your contribution, you would like your contact information published on our website and/or in the print report.
2. Please review the assumptions in order to fully understand the context of the questionnaire. If you have any questions about the assumptions or instructions, please look to the methodology section on our website, which contains more detailed explanations, at <http://wbl.worldbank.org/methodology>, or feel free to contact us with any queries.
3. Please use the field called legal basis to indicate the legal source of your answer. As part of the legal source, please cite the name of the law and the applicable articles or sections. If **“No restrictions could be located”** or if **“No applicable provisions could be located,”** please use that as the answer. Any comments relevant to understanding your answer should also be entered here. There is additional space for comments and links to relevant laws at the bottom of each section.
4. Please note any changes in the law that have taken place **since June 2, 2017** in the appropriate questions on reforms, and also correct the information provided if you feel it does not accurately reflect the situation in «Survey_Economy».
5. If any additional assumptions are necessary to provide answers to any of the questions, please make what you consider to be the most reasonable assumption and inform us of the choice you have made and why it was necessary.
6. When going through the questionnaire, please keep in mind the following definitions:
 - **Correction:** A correction results from an error in the data presented (e.g. the pre-filled information we have included in the questionnaire is incorrect). Please keep in mind that the pre-filled information in the questionnaire should be correct **as of June 2, 2017**.
 - **Reform:** A reform results from a modification in the law or the enactment of new legislation (e.g. a new act, code, law, decree, order, supreme court decision, amendment) that affects the answers and occurred **after June 2, 2017**.

Assumptions

The questionnaire reflects the situation of a typical woman in «Survey_Economy»; as such, below are a series of assumptions about the woman in question.

The woman

- Resides in «Survey_City» (the economy’s main business city) and will remain there for her lifetime.
- Is a new labor market entrant who starts working on September 1, 2019 at age 25.
- Is capable of making decisions as an adult, is in good health and has no criminal record.
- Is a lawful citizen of «Survey_Economy».
- Where the question assumes that the woman (or man) is married, the woman is in a monogamous first marriage registered with the appropriate authorities. Both husband and wife are of the same religion. De facto marriages and customary unions are not measured.
- Where the question assumes that the woman (or man) is married, the marital property regime she (or he) is married under is assumed to be the default marital property regime.
- 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».

The law

The questions in this questionnaire are meant to capture legal requirements and rights. The questionnaire does not cover social or cultural norms. The answers to the questions below 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. Specific statutory legislation, as well as any relevant constitutional provisions, should be included in the answers. 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 the implementation or practice thereof.

1. Women's Legal Capacity and Mobility

Additional Instructions:

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):

- Whether an additional signature is required (e.g., that of the father, husband or guardian)
- Whether additional information is required (e.g., providing the name of the father, husband or guardian)
- Whether additional documentation is required with the form (e.g., a marriage license)

The designation "head of household" as used here can also be termed "head of family." If issuance of the family book upon marriage is to only one of the spouses, that spouse is considered the head of household for purposes of this questionnaire.

Can a married woman legally do the following in the same way as a married man?

	Answer		Legal Basis (please cite law and article)	
	<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
1.1. Be designated as "head of household" or "head of family"	«WBL_ai_Flippe d_Mwoman_HO H»	-Click to Select-	«WBL_ai_Flipped_ Mwoman_HOH_Le galBasis»	
1.2. Apply for a national identity card	«WBL_ai_Mwom an_obtain_ID»	-Click to Select-	«WBL_ai_Mwoman _obtain_ID_LegalB asis»	
1.3. Apply for a passport	«WBL_ai_Can Mwoman apply for passport just as Mman»	-Click to Select-	«WBL_ai_Can Mwoman apply for passport just as Mman_LegalBasis»	
1.4. Choose where to live	«WBL_ai_Mwom an choose where to live»	-Click to Select-	«WBL_ai_Mwoman choose where to live_LegalBasis»	
1.5. Travel outside her home	«WBL_ai_Can Mwoman travel outside home alone just as Mman»	-Click to Select-	«WBL_ai_Can Mwoman travel outside home alone just as Mman_LegalBasis»	
1.6. Travel outside the country	«WBL_ai_Can Mwoman travel abroad alone just as Mman»	-Click to Select-	«WBL_ai_Can Mwoman travel abroad alone just as Mman_LegalBasis»	
1.7. Sign a contract	«WBL_ai_Mwom an sign contract»	-Click to Select-	«WBL_ai_Mwoman sign contract_LegalBasi s»	
1.8. Register a business	«WBL_ai_Mwom an register business»	-Click to Select-	«WBL_ai_Mwoman register business_LegalBas is»	
1.9. Open a bank account	«WBL_ai_Mwom an open Bank account»	-Click to Select-	«WBL_ai_Mwoman open Bank account_LegalBasi s»	
1.10. Get a job or pursue a trade or profession	«WBL_ai_Can Mwoman get job w-out permission?»	-Click to Select-	«WBL_ai_Can Mwoman get job w- out permission?_Legal Basis»	

1.11. Confer citizenship to her children	«WBL_ai_Mwom an confer citizenship to children»	-Click to Select-	«WBL_ai_Mwoman confer citizenship to children_LegalBasi s»	
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1.12. Are there any restrictions on the legal capacity of unmarried women in relation to Questions 1.1. -1.11?

2. Marital Responsibility

	Answer		Legal Basis (please cite law and article)	
	<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
2.1. Is a married woman required by law to obey her husband?	«WBL_ai_Mwoma n required to obey»	-Click to Select-	«WBL_ai_Mwoman required to obey_LegalBasis»	
2.2. Do married couples jointly share legal responsibility for financially maintaining the family's expenses?	«WBL_ai_Couples joint responsibility for finan of family»	-Click to Select-	«WBL_ai_Couples joint responsibility for finan of family_LegalBasis»	
2.3. Can a married woman legally confer her citizenship to a non-national spouse in the same way as a married man?	«WBL_ai_Mwoma n confer citizenship to husband»	-Click to Select-	«WBL_ai_Mwoman confer citizenship to husband_LegalBasi s»	

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

3. Access to Justice

3.1. Does a woman's testimony carry the same evidentiary weight in court as a man's in all types of cases?

	Answer		Legal Basis (please cite law and article)	
	<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
«WBL_gc_Womens testimony valid just as mens»	-Click to Select-	«WBL_gc_Womens testimony valid just as mens_LegalBasis»		

3.2. If the answer to question 3.1. is "No," please list the cases in which a woman's testimony carries unequal evidentiary weight.

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

4. Nondiscrimination

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

Answer		Legal Basis (please cite law and article)	
<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
«WBL_ai_A2F_Prohibit disc by creditors_gender»	-Click to Select-	«WBL_ai_A2F_Prohibit disc by creditors_gender_LegalBasis»	

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

5. Property Ownership and Marriage

5.1. What is the default marital property regime?

- **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.

	Answer		Legal Basis (please cite law and article)	
	<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
Default:	«WBL_ui_Flipped_default marital regime»	-Click to Select-	«WBL_ui_Flipped_default marital regime_LegalBasis»	

5.2. If Other, please describe:

5.3. If there is no default marital property regime, please describe the most commonly used formal marital property regime:

Additional Instructions:

In the following question, please describe the administration of property **during the course of the marriage** for couples married under the **default marital property regime** selected above.

5.4. Who has the legal right to administer property within marriage?

Please consider the following: In answer choice (a), no consent is needed from the other spouse regarding separate property transactions. In answer choice (b), spouses administer their separate property, but for major transactions need the consent of the other spouse. In answer choice (c), both spouses have equal rights in joint property administration and transactions. In answer choice (d), the husband administers all property, including his wife's separate property if applicable.

Answer		Legal basis (please cite law and article)	
Last cycle	This cycle	Last cycle	This cycle
«WBL_ui_Flipped_who administers»	-Click to Select-	«WBL_ui_Flipped_who administers_LegalBasis»	

5.5. If Other, please describe:**5.6. If the answer to 5.4 above is that the husband administers property, does he need his wife's consent to undertake major transactions with property (such as selling)?**

Answer		Legal Basis (please cite law and article)	
Last cycle	This cycle	Last cycle	This cycle
«WBL_ui_husb_admin_joint_need_wife_consent_maj_trans»	-Click to Select-	«WBL_ui_husb_admin_joint_need_wife_consent_maj_trans_LegalBasis»	

5.7. 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 benefits both spouses by accounting for their unpaid contributions to the household. The process of property division upon divorce is examined to identify whether caring for minor children, taking care of the family home, or any other non-monetized contribution from the non-working spouse is taken into consideration.

Answer		Legal Basis (please cite law and article)	
Last cycle	This cycle	Last cycle	This cycle
«WBL_ui_Non-monetary_contributions»	-Click to Select-	«WBL_ui_Non-monetary_contributions_LegalBasis»	

5.8. Please include any additional comments and links to laws relevant to this section:**6. Differences in Property Rights****Additional Instructions:**

These questions examine if there are any differences in the treatment of married individuals, and unmarried individuals as well as sons and daughters. For the purpose of answering the following questions, 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. Also, when assessing the inheritance rights of surviving spouses, assume that there are no children.

	Answer	Legal Basis (please cite law and article)
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	<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
6.1. Do married men and married women have equal ownership rights over immovable property?	«WBL_ui_Immova bl P-equal rights for Mman and Mwoman»	-Click to Select-	«WBL_ui_Immovab l P-equal rights for Mman and Mwoman_LegalBas is»	
6.2. Do sons and daughters have equal inheritance rights over immovable property from their parents?	«WBL_ui_Immova bl P-equal rights for Sons and Daughters»	-Click to Select-	«WBL_ui_Immovab l P-equal rights for Sons and Daughters_LegalB asis»	
6.3. Do female and male surviving spouses have equal inheritance rights over immovable property?	«WBL_ui_Immova bl P-equal right for surviving M and F spouses»	-Click to Select-	«WBL_ui_Immovab l P-equal right for surviving M and F spouses_LegalBasi s»	

6.4. Are there any restrictions on the legal capacity of unmarried women in relation to Question 6.1.?

7. Right to Divorce

7.1. Can a woman obtain a judgment of divorce in the same way as a man?

Answer	Legal Basis (please cite law and article)
-Click to Select-	

7.2. Do women have the same rights to remarry as men?

Answer	Legal Basis (please cite law and article)
-Click to Select-	

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

8. Constitutional Law

Additional Instructions:

Customary law is the legal system practiced in particular communities based on traditions. Customary law may be codified or uncoded 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.

Personal law includes law derived from religious belief and systematized into rules and regulations governing areas such as personal status, criminal law and commercial law. Examples include Canon law, Halakha law, Hindu law and Sharia law.

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

Answer		Legal Basis (please cite law and article)	
<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
«WBL_ai_Const_Custo	-Click to Select-	«WBL_ai_Const_Custom	

mary_Law»		ary_Law_LegalBasis»	
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8.2. If “Yes,” is it considered invalid if it violates constitutional provisions on nondiscrimination or equality?

Answer		Legal Basis (please cite law and article)	
<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
«WBL_ai_Const_cust_valid_if_discrim»	-Click to Select-	«WBL_ai_Const_cust_valid_if_discrim_LegalBasis»	

8.3. Is personal law a valid source of law under the constitution?

Answer		Legal Basis (please cite law and article)	
<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
«WBL_ai_Const_person_law»	-Click to Select-	«WBL_ai_Const_person_law_LegalBasis»	

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

Answer		Legal Basis (please cite law and article)	
<i>Last cycle</i>	<i>This cycle</i>	<i>Last cycle</i>	<i>This cycle</i>
«WBL_ai_Const_pers_law_valid_if_discrim»	-Click to Select-	«WBL_ai_Const_pers_law_valid_if_discrim_LegalBasis»	

	Answer	Legal Basis (please cite law and article)
8.5.a. Does the constitution guarantee equal rights for persons with disabilities?	-Click to Select-	
8.5.b. If yes, does it recognize and protect the rights of women with disabilities?	-Click to Select-	
8.6.a. Is there a law, other than the constitution, which addresses the rights of persons with disabilities?	-Click to Select-	
8.6.b. If yes, does it recognize and protect the rights of women with disabilities?	-Click to Select-	

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

9. Case Law, Reforms and Pending Legislation

9.1. Have there been any relevant **court cases**, such as challenging the current laws or to address gaps in legislation, applicable to the issues contained in this questionnaire **since June 2, 2017?**
 -Click to Select-

9.2. If **“Yes,”** please describe in detail including relevant court decisions and, if possible, include a link or [attach](#) a copy of the case.

9.3. Have there been any reforms in the laws and regulations relating to this questionnaire **since June 2, 2017?**

-Click to Select-

9.4. If “Yes,” please describe in detail and, if possible, include a link or [attach](#) a copy of the new legislation or regulation. Please also consider any relevant court decisions.

9.5. Are you aware of any reforms in the laws and regulations relating to this questionnaire that are expected **to be adopted PRIOR TO September 1, 2019?**

-Click to Select-

9.6. If “Yes,” please describe in detail and, if possible, include a link or [attach](#) a copy of the new legislation or regulation. Please also consider any relevant court decisions.

9.7. Are you aware of any reforms in the laws and regulations relating to this questionnaire that **are ongoing and are expected to be adopted AFTER September 1, 2019?**

-Click to Select-

9.8. If “Yes,” please describe in detail and, if possible, include a link or [attach](#) a copy of the new legislation or regulation. Please also consider any relevant court decisions.

Thank you for completing our questionnaire!

We appreciate your contribution to the *Women, Business and the Law* project. The results will appear in *Women, Business and the Law 2020* and on our website:

<http://wbl.worldbank.org>.

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