

Parents' Rights and Duties

When you have a child, you need to report the birth to the registry office immediately. If you are married, custody over your child is automatically regulated. If you are not married, you need to take care of custody yourself.

Notice of Birth

You need to report the birth of every child to the registry office (Zivilstandsamt).

Please note: you must go to the registry office at the place your child is born. In other words, you might not necessarily need to go to the office at your place of residence.

The child is born in hospital:

The hospital will send the documents to the registry office. You do not need to take any other action yourself.

The child is not born in hospital:

Perhaps you give birth to your child at home or somewhere else in the world. In this case, you need to report the birth to the registry office yourself. You have three days to do so. The registry office will tell you what documents you need to submit.

Good to know:

A child born in Switzerland does not become a Swiss citizen. The child does not automatically receive Swiss citizenship.

Acknowledging Paternity

You are married and having a child:

The husband will automatically be registered as the father. If the husband believes he is not the father, he can go to court and dispute his paternity.

You are unmarried and having a child:

The father of your child will not automatically be registered as the father. He can go to the registry office before or after the birth and recognise the child. If the father does not wish to recognise the child, the mother can go to court and request that he recognises the child.

Parental Authority

As a parent, you are responsible for ensuring the well-being of your children. That is your right and duty (parental authority, elterliche Sorge). For example, you need to raise your children and pay the costs of living for your children. You also need to represent your children legally until they reach 18 years of age.

You are married:

You both have the same rights and duties towards your children.

You are not married:

The father must first recognise the child. Afterwards, you can both voluntarily declare in writing that you wish to provide for your child together (gemeinsame elterliche Sorge). You can do so if the father has recognised the child at the registry office. Or you can also go to the child welfare authority (Kindesschutzbehörde, KESB).

If you do not agree on the right of custody, the child welfare authority will decide.

If you have questions or need support, you can turn to a family counselling centre.

Maintenance

If you have separated, you are both still required to provide for your child. You should therefore discuss who should look after the child and who should pay how much money (maintenance, Unterhalt).

You both pay for the maintenance of your child. Perhaps you have to pay more or less than the other parent. Or perhaps you do not have to pay anything. This depends on how much money you earn and how much you look after the child. If you cannot agree with the other parent, you can go to court.

A parent is not paying their contribution:

If the other parent does not pay their contribution for the child, you can ask the commune at your place of residence for assistance. The commune will help you get the money. It might disburse the money for the maintenance if you are entitled to the money. This is called alimony advance (Alimentenbevorschussung).

Additional information (links, addresses, information sheets, brochures)

www.hallo-baselstadt.ch/en/partnership-and-children/parents-rights-and-duties