

## Unit 1: Family Law in Algeria

Family law in Algeria governs personal and family relationships. It is primarily based on the Code of Family Law, enacted in 1984, establishing marriage, divorce, child custody, and inheritance rules.

**Marriage:** Marriage is a legal contract between two individuals. According to the Code of Family Law, it is subject to certain conditions, such as minimum age and the consent of both parties. For example, a marriage without both spouses' consent may be annulled.

**Divorce:** Divorce is the legal dissolution of a marriage. It can be obtained by mutual consent or for specific reasons such as infidelity or violence. A judge must approve the divorce and decide on child custody.

**Child custody** refers to a parent's right to raise their children after separation. The court considers the child's best interest in determining who will receive custody.

**Inheritance:** concerns the transfer of property after a person's death. Algerian law, which considers Sharia law, establishes specific rules for the distribution of property among heirs.

These rules aim to protect the rights of family members and provide a legal framework for family disputes. In disagreement, the competent courts are responsible for resolving disputes according to the applicable legislation.

### Legal Terms

Family Law: قانون الأسرة

Marriage: الزواج

Divorce: الطلاق

Child Custody: الحضانة

Custody: الحضانة

Inheritance: الميراث

Sharia: الشريعة

### **Questions :**

What is the primary legal document governing family law in Algeria?

What are the essential conditions for a valid marriage in Algeria?

What are the grounds for obtaining a divorce in Algeria?

How does the court determine child custody after a divorce?

What role does Sharia play in the inheritance laws in Algeria?

### **Multiple Choice Questions**

**What is the primary legal framework for family law in Algeria?**

- A) Penal Code
- B) Code of Family Law
- C) Civil Code
- D) Commercial Code

**Which of the following is NOT a requirement for a valid marriage in Algeria?**

- A) Minimum age
- B) Consent of both parties
- C) A prenuptial agreement

D) Registration of the marriage

**What is the term used for the legal dissolution of a marriage?**

A) Separation

B) Custody

C) Divorce

D) Annulment

**What is the primary consideration for the court when determining child custody?**

A) The parent's income

B) The best interest of the child

C) The location of the parents

D) The wishes of the grandparents

**Which legal principles govern inheritance in Algeria?**

A) Civil Law

B) Common Law

C) Sharia

D) Family Law