

Law on the Protection of the Rights of Children

1. Introduction

It shall be the duty of the Maldivian Government, Parents and the General Public to bring up Maldivian children as healthy and patriotic persons who follow Islam. In pursuance of this duty, the provisions specified hereunder must be fulfilled to protect the rights of children.

CHAPTER I DUTIES OF THE GOVERNMENT

2. Provision of medical facilities and guidance to protect and promote the health of children and maternal health

Guidance and services for pre-natal and post-natal health care for mothers and children shall be provided subject to the economic situation of the Maldives at the time. Efforts shall be made to ensure the availability of and access to food and medicine essential for children in all inhabited islands.

3. Particular attention to be given to children in the prevention of epidemics

Particular attention must be given to children in the vaccination and in the taking of other preventive measures for the protection of the public from plagues and epidemics.

4. Efforts to reduce infant mortality

Causes of infant mortality must be identified and every effort must be made to eliminate such causes and the necessary guidance thereof must be provided to the public.

5. Provision and facilitation of education and upbringing of children and the provision of sports facilities

Education and upbringing of children shall be facilitated and provided for in every inhabited island of the Maldives, as maybe appropriate, subject to the economic situation and availability of resources to the Government. In particular, provision must be made to enable every child to learn the essential requirements of the religion.

Further, facilities of leisure, sports and recreational activities for children shall also be provided subject to the availability of resources at the time.

6. Special assistance to and treatment of mentally or physically disabled children

Treatment and care of mentally or physically disabled children shall be facilitated to the extent possible at the time. Efforts shall be made to enable such children to participate in the activities of the community by providing the special care and assistance required by them.

7. Special television and radio programmes for children

Special programmes providing useful information and guidance to children shall be included in television and radio programmes. Such programmes must not contain any material verbal or pictorial, which may adversely influence the morals or behaviour of children.

8. Rehabilitation of juvenile delinquents

Efforts must be made to discourage children from misbehaving and violating rules

and regulations on the streets and in public places. The Government must organize,

in such manner as is possible at the time, the rehabilitation and upbringing of children

who are not reformed by such efforts.

9. Establishment of a special procedure to deal with juvenile delinquents and giving

preference to rehabilitation without punishment. A special procedure must be established for the investigation, adjudication of and the imposition of punishment, wherever necessary, for offences committed by children.

Further, preferences shall be given to rehabilitation of children, who are considered

minors in Shari' ah, without imposing punishment on such children.

10. Avoidance of physically and psychologically injurious punishment in schools

Punishment in schools must be appropriate to the age of the child and should not be

physically or psychologically harmful.

11. Particular attention shall be given to the rights of orphans and indigent children

Particular attention shall be given to protect the rights of orphans and indigent

children in the Maldives. The maintenance and welfare of children deprived of

parents and children without legal guardians, who have no means of sustenance, should be provided for, in such manner as is possible at the time.

12. Non-disclosure of information relating to cases concerning children

The identity of and information relating to children who are victims of sexual abuse or of acts of exploitation or of acts detrimental to the integrity of a child shall not be disclosed to the public.

CHAPTER II DUTIES OF PARENTS

13. Ensuring the health of mother and child

Appropriate measures shall be taken to ensure the pre-natal and post-natal health of the mother and the health of the child after birth.

14. Provision of food, shelter and medical care

Parents shall, to the best of their ability and within the means available to them, provide the child with food, clothing, shelter, medical care and such other requirements.

15. Education and upbringing

Parents shall, to the best of their ability and within the means available to them, take appropriate measures to ensure the proper upbringing and well being of their children, and to facilitate their education to a reasonable standard and their religious education.

16. Prevention of exploitation of children and of acts detrimental to the integrity of children

Particular attention shall be given to prevent acts detrimental to the integrity of children and acts of sexual abuse, exploitation and oppression against children.

Knowledge of the commission of such an act or suspicion thereof shall promptly be reported to the concerned Government authority.

17. Provision of medical care to mentally or physically disabled children

Parents shall, as appropriate to the means available to them, provide medical care to children who are mentally or physically disabled at birth or thereafter, and shall make efforts to provide functional treatment to and rehabilitate such children.

18. Prohibition of punishment which may cause physical injury

No child shall, even as a measure of discipline, be subjected to punishment which may

cause physical injury or which may be detrimental to the health of the child.

19. Protection of children from being adversely affected by discord between parents

No parent shall, in the event of disagreement or conflict between parents or in the event of separation of parents, act in a manner detrimental to the health, education or conduct of the child.

20. Maintenance of children in the event of separation of parents

In the event of separation of parents, such parents shall provide for the maintenance

of the child in accordance with Shari' ah. 21. Advising children on the adverse effects of marriage before the attainment of 16 years

Parents shall pay particular attention to prevent children from marrying before they

attain 16 years of age, considering the adverse physical and psychological effects on

the children of those who marry before attaining the necessary physical and mental

maturity of the necessary maturity for bearing the responsibilities of a parent. Further,

Parents shall, when warranted, advise their children on the adverse effects of marriage before attaining 16 years of age and shall discourage such marriages.

22. Prevention of the abuse of narcotic and smoking

Parents shall take all measures within their power to prevent their children from

abusing narcotic drugs. Parents shall also take measures to prevent their children

from smoking.

23. Compliance with guidance given by the Government

Parents shall comply with guidance given by Government authorities concerning the

health, safety and education of children and other matters relating to children.

CHAPTER III DUTIES OF THE GENERAL PUBLIC

24. Equal and humane treatment of children

All children shall be treated equally and humanely and preference must be given to

children in the provision of various services. Further, protection and assistance shall

be given to children and expectant mothers during land, sea and air travel and in

general pursuits of the community. Children under the age of 12 years shall be

given

special concessions on land sea and air transportation fares.

25. Prohibition of exploitation of children and of acts detrimental to the integrity of children

No person shall commit an act that is detrimental to the integrity of children, nor shall

any person commit an act of sexual abuse, exploitation or oppression against a child.

Knowledge of the commission of such an act or suspicion thereof shall promptly be

reported to the concerned Government authority.

26. Prohibition of making children perform work incompatible with their age and health

No child shall be required to perform any work which is incompatible with the age,

health and physical strength of the child. Further, no child shall be required to

perform any work that may interfere with the child's education or may adversely

influence the morals or behaviour of the child.

27. Prohibition of the employment of children under 14 years of age

No child below the age of 14 shall be employed for remuneration. Where a child who

has attained the age of 14 years is employed for remuneration, such child shall be

assigned work compatible with the child's age and health, and shall be paid reasonable remuneration for the work performed and shall be provided medical care

for injuries caused in the course of such employment.

28. Definitions

For the purpose of this law: -

(a) "children" means persons under the age of 16 years according to the Gregorian

calendar and shall include human embryos and foetuses.

(b) "parents" means the mother, father and legal guardian of the child and shall

include persons having custody and guardianship of a child.

(c) "psychological harm" and "psychological effect" means any adverse change, by

reason of being deeply affected emotionally or mentally, to a person's behaviour or

manner of rationalization.



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