

# Your Lawyer" Legal Advice and More"

A portal for providing legal knowledge and offering solutions managed by a team of specialized lawyers and supervised by Ms. Nehad Abulkomsan, senior lawyer



## Ask Your Lawyer



### The Answer:

Any **female worker** has the right to take childcare leave under the following conditions

Any female worker in an establishment employing at least **50 workers** has the right to obtain unpaid leave for a period not exceeding **two years** in order to take care of **her child**. Childcare leave cannot be claimed more than **twice** throughout the period of service.

If the **company refuses**, a complaint may be filed in front of the labor office affiliated with **the workplace**.

**A question**  
Does a private company have the right to refuse childcare leave if the duration is less than two years? What legal action can be taken if the company refuses?



## Legal articles ... Issue Article

### Marriage of foreigners in Egypt ...Seven important conditions for documenting the marriage contract

Many citizens ask about the conditions for registering marriage contracts for foreigners in accordance with Egyptian law "Your Lawyer" website explains the most important conditions that must be met for registering marriage contracts for foreigners in the following points:

First: The marriage contract process and the documentation of the marriage contract for foreigners takes place at the Ministry of Justice in Lazoghly Square in Cairo - Foreigners Marriage Office - Fourth Floor. The following conditions must be met to register for marriage:

- 1- Both, husband and wife must be present in person or represented with a deputy such as a lawyer or a parent
- 2- The presence of two witnesses in addition to a family stamp (to be purchased from the Tahrir Complex in Cairo) is mandatory.
- 3- The age difference between the spouses should not exceed 25 years
- 4- The partner of foreign nationality must be able to provide a different purpose of residence in Egypt then tourism. This may be proven through a temporary residence stamp on the passport which can be obtained from the Passports and Immigration Department at the Liberation Complex in Egypt .,
- 5- Both spouses must not be less than 21 years old.
- 6- The foreign partner should submit a certificate from their respective embassy in Egypt, determining the marital status, age and religion "Muslim, Christian or Jew" (Because Egyptian law prohibits marriage to an atheist).
- 7- The foreign partner should submit an additional certificate from their embassy stating that their country of origin has no objection to the marriage.

**Second:** After the fulfillment of the necessary requirements, the spouses head to the Ministry of Justice building in Lazoghly Square in Cairo (Foreigners' Marriage Office, fourth floor) where the documentation procedures will be completed

**Third:** After obtaining the marriage contract, it needs to be sealed by the competent real estate registry office (located besides the Bar Association in Cairo) Furthermore, it needs to be authenticated by any documentation office affiliated to the Egyptian Ministry of Foreign Affairs.

After finishing the documentation procedures, the foreign partner is asked to complete the remaining requirements of their respective embassy.

After fulfilling all requirements, the partner of Egyptian nationality will be legally granted to accompany the foreign partner to their country of origin. The legal base is constituted through the

"Egyptian Personal Status Laws apply to foreigners"



### Your Lawyer's legal services in the field of:



Our Legal Services in the context of documenting legal contracts for the marriage of foreigners:

We are specialized lawyers in the context of documenting legal marriage contracts for foreigners. Whereas marriage contracts between Egyptians are issued in the Ma'azon, marriage contracts between Egyptians and foreigners fall in the responsibility of the real estate registry in the Ministry of Justice and need to be registered in the Foreign Documentation Office in Cairo It is compulsory for all Arab and European nationalities to resort to the Ministry of Justice to contract their marriage and fulfill the documentation. The documentation in the real estate registry office is the counterpart to Ma'azon but for foreigners



## News & Events:



ECWR participated in the 4th regional consultative seminar entitled "Violence against Women and Girls... its causes and consequences" (Cairo, May 18, 2023)

ECWR participated in the fourth regional consultative seminar "Violence against Women and Girls... Its Causes and Consequences", in cooperation between the Geneva Institute for Human Rights in Switzerland and the Kuwaiti Federation of Women's Associations in Kuwait from 16 to May 18, 2023.

The regional consultative workshop brought together a number of representatives of non-governmental organizations from various Arab countries working in the field of the elimination violence against women and girls in cooperation with the United Nations Special Rapporteur on the issue of violence against women and girls as well as with representatives of respective United Nations agencies. It was a good opportunity for participants to exchange their experience in different national contexts and areas of work and exchange knowledge about the main challenges of women facing violence in the Middle East and North Africa.

The consultative workshop highlighted the importance of collaborating with special rapporteurs as a means of addressing various issues of Human rights. The focus was put on the consolidation and coordination of joint efforts to ensure a world free of gender-based violence as well as the exchange of approaches and strategies for the promotion of women's rights in the region.

It is worth mentioning the participation of ECWR, represented by ECWR's chairwoman Ms. Nehad Abuelkomsan, with two dialogue sessions during the consultative session which were where entitled "The Impact of Culture and Traditions on Violence against Women and Girls and How to Address the Root Causes" and "Culturally Sensitive Remedies and Reparations" for women subjected to violence in the Middle East

### Legal Information

Law No. 143 of 1994 amended by Law No. 126 of 2008 in the matter of civil status Article (31 bis), added in 2008 to Law No. 143 of 1994 regarding civil status,



- stipulates that " A marriage contract may not be authenticated for those who have not reached the age of eighteen."
- The requirements for the documentation of a marriage contract include a medical examination for the purpose of verifying the absence of any diseases which may affect the life or health of either the spouse or the offspring. The future spouse will then be informed about the results of their examination. Details about which diseases will be examined, the examination procedures as well as the types and licensed parties shall be decided by the Minister of Health in agreement with the Minister of Justice.
- Anyone who documents a marriage in violation of the provisions of this article shall be subject to disciplinary punishment.



## What is international humanitarian law?

International humanitarian law, also referred to as the law of war or the law of armed conflict, describes a set of rules that seek, , to limit the effects of war for humanitarian reasons International humanitarian law is part of international criminal law. The violation of its rules may constitute war crimes.

International humanitarian law applies specifically to armed conflicts. It seeks to protect people involuntarily affected by conflicts and fightings such as civilians or medical and religious personnel, as well as those who have stopped participating in fights or are unable to fight, such as war prisoners or the wounded and sick.

It also restricts means and methods of warfare, prohibits the use of certain types of weapons and attacks that do not distinguish between civilians and members of conflict-parties.

MOHAMEK

LLaw No. 10 of 2022

Concerning some procedures and dates for vacating rented premises in case of expired tenant contracts

For legal persons other than the residential purpose in light of the effects and the economic repercussions of the emerging corona virus (Updated until 2023), as the law includes 5 articles, including Article No. (4), which clarifies the obligation of the tenant to vacate the rented place as follows:

The tenant is obligated to vacate the rented place and return it to the owner, as the case may be, on the day following the expiry of the rented period According to this law and in the event that the tenant refuses to comply, the owner, may request assistance in the matter from the court which is responsible in the respective catchment-area of the real-estate to issue an order to expel those who refrain from eviction without prejudice to the right to compensation, if required"

(It was issued by the Presidency of the Republic on 3 Shaaban, 1443 AH corresponding to March 6, 2022 AD).

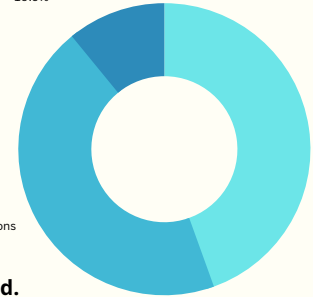


## Our clients:



On May, 1646 consultations were conducted by "Mohamek" through our communication channels which include our Facebook-page, telephone, and website:

Consulting your lawyer site  
10.9%



Facebook Consulting  
44.5%

Telephone consultations  
44.6%



➤ Facebook: 731 consultations were conducted , constituting 44.4% of all consultations conducted.



➤ Phone&whatsapp: 734 consultations were conducted through mobile and landlines constituting 44.5% of the complaints.



➤ Website: 181 consultations were conducted through t the Mohamek website; constituting 10.9 % of the consultations

## Your Legal Advisor in Family Matters... Violence constitutes a legal reason for the wife to request a divorce



Nevertheless, many wives may suffer from uncertainty about their rights regarding a divorce

**The wife often wonders whether she has the right to request for divorce for this reason or not. ?!**

With regard to personal status and family affairs, the wife has the right to file a divorce lawsuit if harm was inflicted on her through her husband. To prove that harm was inflicted, the statement of witnesses will be required in front of the court.



The most common cases are the wife being beaten, verbally humiliated and insulted, or psychologically abused by her husband.



**For a free consultation Please fill out an online form, send us an email, or call us via phone for 30 minutes**



working days

Sunday - Thursday from 10:00 am to 04:00 pm

Mohamek is a monthly newsletter issued by Mohamek platform in cooperation with the Egyptian Center for Women's Rights and the Gender & Legal Expert House



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