

عنوان مقاله:

Representation of Mother for Guardianship of the Child in Iranian and French Laws

محل انتشار:

مجله بین المللی کودکان، دوره 7، شماره 3 (سال: 1398)

تعداد صفحات اصل مقاله: 7

نویسندگان:

.Mohammad Rasool Ahangaran - Professor, University of Tehran, Campus Farabi, Tehran, Iran

Vahideh Sadat Hosseini - PhD Student of Private Law, Department of Law, Faculty of Humanities, University of Science and Culture, Tehran, Iran

خلاصه مقاله:

The French law, contrary to the Iranian law, has given the mother a kind of representation for guardianship and training of the child. This is a development that was established in France in 1970, and in Article 6 of the Iranian Family Protection Act of 2012, the granting of representation to the mother over the legal procedure for demand of the child or the incompetent has been entrusted. There are two different attitudes in the interpretation of this article; some of which are considered as establishment of the notion of the guardianship for the mother, while others believe that this article constitutes a kind of representation to the mother as a lawyer or guardian. The present article uses an analytical-descriptive method to explain the nature and principles of the representation of the mother for guardianship of the child. The result of the article suggests that the Iranian legislator's purpose of the assignment of representation to the mother in accordance with Article 6 of the Family Protection Law of Iran, adopted in 2012, is not to prove the guardianship for the mother like French law, but merely to grant representation and the right of the legal procedure for demand of the alimony of the child or the incompetent, maintaining the interests and observing their desire.

کلمات کلیدی:

Child, French, Guardianship, Iran, Law, Mother

لینک ثابت مقاله در پایگاه سیویلیکا:

<https://civilica.com/doc/892138>

