

In the name of Allah, The Beneficent, The Merciful

## Child Maintenance and Obligations – An Overview

This  $fatw\bar{a}$  seeks to clarify the *sharī* ah perspective on child maintenance, including who the obligation falls upon and the nature of the obligation itself.

The *fatwa* will examine three areas concerning child maintenance:

- 1. Determining who is responsible and for how long
- 2. The level of maintenance needed
- 3. The impact of external financial support on the obligation

The *fatwa* begins by illustrating that it is the sole responsibility of the father to provide for the son's food, lodging and clothing, until he is able to provide for himself or reaches the age of legal majority. The father is made responsible for the maintenance of his daughter until her marriage, after which, the responsibility falls upon the husband. The *fatwa*, thereafter, examines instances in the case of the son's maintenance where the responsibility upon the father extends beyond the age of legal majority.

The *fatwa* examines the nature of the obligation explaining maintenance to be an amount that is sufficient to cover the child's basic needs, as determined by the needs of the child and not the financial situation of the father.

The *fatwa* concludes by stating that the receipt and ownership of social security benefits by either of the parents does not alter the requirement upon the father to provide for the child's basic needs. However, the receipt and ownership of benefits by the child will devolve maintenance obligations upon the child's benefits before the father is obliged to meet the same.