

## 3 Maintenance

### 3.1 Child maintenance

#### 3.1.1 Legal basis

Children of unmarried parents are treated the same as children of married parents. Both parents must contribute proportionately to the maintenance of the child, taking into account their respective ability to pay. In this context, running the household while caring for the child, is regarded as a full contribution to maintenance. If the parent who looks after the child in his or her household earns a considerably higher income than the other partner, he or she must also make an additional financial contribution to the child's maintenance within the limits of his or her ability to pay. If necessary, if both parents are unable to pay maintenance, the grandparents may also become liable to pay maintenance (§§ 140 ff ABGB).

#### 3.1.2 Maintenance amount and assessment

You can find more detailed information on this topic in the e-guide Separation & Divorce > Chapter 5 at [www.männerfragen.li](http://www.männerfragen.li) > e-guide.

### 3.2 Partner maintenance

In principle, an unmarried partner/cohabitant has no claim to maintenance from the partner. Therefore, it makes sense, especially if there are shared children to look after, to draw up a maintenance agreement in advance. Only contractual (written) arrangements can provide financial security for a partner who is unable to work, for example, because of his or her obligation to look after children who are not yet old enough for school.

### 3.3 Moving abroad

In the event of relocation abroad, the question arises as to whether and to what extent the child maintenance determined in Liechtenstein is still effective or requires adjustment. Liechtenstein law does not contain any provisions on how to proceed in such a case. If the child's place of residence is moved abroad, this is to be regarded as a substantial change in circumstances. Apart from exceptional cases, the law of the country in which the child has his or her habitual residence, determines - according to the Hague Convention on Maintenance Obligations towards Children - whether and from whom and to what extent the child may claim maintenance (Art. 1).

Thus, if foreign law is applicable in the case of a departure, maintenance could be reassessed, for example, due to significantly lower living costs. Since each case is individual, the question of a possible adjustment of child maintenance should be decided by mutual agreement or clarified legally.