

The Icelandic Maintenance System: Breadwinner Model in Society of Equal Rights to Earn and Care

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Child Maintenance

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Abstract

Iceland is one of the Nordic countries known for their extensive welfare states. In recent decades the Nordic countries have actively developed many of their core concepts in child- and family law, such as shared custody, shared care and contact, aiming at ensuring care from both parents. Social and family policies have also been aimed at ensuring rights of both parents to earn and care, e.g. the Icelandic legislation on paid parental leave that provided both parents same individual un-transferable rights to 3 months paid parental leave.

As in the other Nordic countries Iceland has a child maintenance system, pertaining to issues such as parental responsibility, decisions, payment and collection of child maintenance. Unlike the other Nordic countries, the developments of child- and family law have only been taken into consideration to a very limited extent when it comes to the child maintenance regime in Iceland. The system remains basically unchanged since it was established in 1946, obligating non-resident parents to pay a specific minimum amount to the parent with care regardless of circumstances, e.g. financial situation or the level of contact they have with their children.

The aim of the paper is to examine the characteristics of the Icelandic regime and the current debate about the contemporary system. Finally a proposal of revised system of child maintenance will be briefly introduced.

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