

Ages At Which Children Are Legally Entitled To Carry Out Certain Acts

Luxembourg		
Acts	Age	Observations
1. Majority		
a. civil majority	18	Civil Code: Articles 388 (Act of 6.2.1975) and 488(Act of 11.8.1982)
b.		
c. penal majority	18	Section 2 of the Youth Protection Act (10.8.1992)
d. penal minority	16	The Youth Court can relinquish jurisdiction where an offender is aged 16 or over (section 32 of the Act of 10.8.1992)
2. Emancipation		Solely through marriage (Art. 476 of the Civil Code). In principle from the age of 16 for women.
3. Marriage		
a. without consent of appropriate authority	18	18 for men, 16 for women
b. with parental consent	16	Women (sec. 44 of Youth Protection Act of 20.8.1992 (amending Art. 144 of the Civil Code))
c. with consent of the appropriate authority	unspecified	The Grand Duke can grant an exemption from the age requirement to women under 16 and men under 18.
4. Work		
a. full time	15	May dispose freely of earnings from the age of 16 (Art. 387 of the Civil Code)
b. part-time	over 15	Act of 20.10.1969
c. apprenticeship	15	Qualification required.
5. Residence	18	Article 108 of the Civil Code (Act of 12.12.1972)
6. Contracts		
a. without parental consent	18	Except where allowed by law or practice (Art. 450 of the Civil Code); cancellation possible (Art. 1305 of the Civil Code)
b. with parental consent	unspecified	Concerning marriage contracts see Art. 1095 of the Civil Code
7. Will	16	May dispose freely of half of his or her property (Art. 904 of the Civil Code)
8. Purchase of certain products		
a. alcohol	16	
b. tobacco	No provision	Advertising is forbidden for minors.
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8. Religion (refuse or change)	18	
9. Adoption (refuse to agree to adoption)	15	Art. 356 of the Civil Code.
11. Name (refuse to change name)	-18	The child's opinion must be sought. (*)
12. Nationality	18	
13. Medical matters (refuse to allow doctor to inform parents)	- unspecified	If a person lacking legal capacity expresses an opinion a doctor must take it into account where possible (Art. 15 of the Code of Ethics), except where contraceptives are concerned (sec. 9 of the Act of 15.11.1978)
14. Recognition of a child	unspecified	As soon as sufficiently mature.
15. Personal matters (give his opinion)	unspecified	As soon as sufficiently mature.
16. Legal proceedings (*)		
a. take part in court decision	18	Where a minor seeks help the Youth Court can assume jurisdiction (sec. 9 of the Act of 10.8.1992)
b. request court appointment of legal representative other than parents	unspecified	If there is a conflict of interest a court may appoint an ad hoc representative or a representative may be appointed at the

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c. inform court of self-concerning matters	unspecified	parents' request (Art. 389-3 of the Civil Code)
17. Army a. enlist in armed forces b. active national service	17 Not Applicable	Compulsory military service no longer exists.
18. Savings accounts a. deposits b. withdrawals	12 15	With parental consent:
19. Passport	15	
20. Participation in the functioning of the school system	unspecified	Depends on the school. Under a regulation issued by the Grand Duke on 23.5.1991, School Councils must include pupil representatives in both <i>lycees</i> and <i>lycees techniques</i> (general and vocational secondary schools)

Source: Council of Europe (1998). *Ages at which children are legally entitled to carry out a series of acts in Council of Europe member countries*. Strasbourg: Council of Europe.

(*) When the international Convention on the Rights of the Child was ratified (under an Act of 20 December 1993) a general provision was incorporated into the Civil Code under Part X, chapter 1-I, in the form of a new Article 388-1 entitled "Hearing of children in judicial proceedings and defense of their interests", which is worded as follows:

"(1) Subject to provisions requiring him or her to apply to be joined to proceedings or to give his or her consent, a minor may be heard in any proceedings concerning him or her by a judge or a person designated for that purpose, unless this is not possible on account of the minor's age or state.

(2) Where a minor requests a hearing, he or she may only be denied it through a decision giving specific grounds for refusal. Such a decision can only be appealed against in conjunction with the decision on the merits.

A minor may be accompanied by a person of his or her choice.

(3) Hearing of a minor does not give him or her the status of a party to the proceedings.

(4) If in proceedings concerning a minor his or her interests appear to conflict with those of his or her legal representatives, an ad hoc representative shall be appointed for him or her by the court dealing with the case or by the court having jurisdiction in matters of guardianship in accordance with Article 389-3."