

ABSTRACT

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DISPENSATION GIVEN TO PROSPECTIVE MARRIAGE MATES OF MINORS AT THE COURT OF RELIGION TANGERANG

(XII + 108 pages: 1 table; 1 attachment)

Before the Law No. 16 of 2019 was issued, there was Law No. 1 of 1974 about marriage that set the minimum age for marriage of 16 years old for women and 19 years old for men. Due to the current developments and the situation in the society, Law No. 1 of 1974 was updated, so that the age limit for the marriage was set to 19 years old for women and 19 years old for men. The changes in the regulation is, in fact, in line with the purpose of marriage according to Law No. 1 of 1974, that is for the couples that want to continue their lives in a marital relationships have achieved adulthood physically and mentally. This way, they can live their healthy relationship without ended by divorce later on and to have healthy offsprings. The problem that I would discuss in this research paper is how the application of the marital age limit according to Law No. 16 of 2019 in Religious Courts Tangerang and the dispensation procedure. The method that was used in this research is empirical normative, with library technique and interviews, with legal approach and case approach, which the cases were collected from the Religious Courts Tangerang. This research result shows that since the application of Law No. 16 of 2019, there is a significant increase the number of cases regarding this regulation. The underage group can, as a matter of fact, undergo legal marriage with urgent reasons.

Keywords: Dispensation, Underage Marriage, Court Ruling

References: 55 (1974-2021)