



REPUBLIC OF SINGAPORE

# GOVERNMENT GAZETTE

## ACTS SUPPLEMENT

*Published by Authority*

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NO. 6]

FRIDAY, MARCH 8

[2024

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First published in the *Government Gazette*, Electronic Edition, on 4 March 2024 at 5 pm.

The following Act was passed by Parliament on 5 February 2024 and assented to by the President on 22 February 2024:—

### REPUBLIC OF SINGAPORE

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**No. 4 of 2024.**

I assent.

THARMAN SHANMUGARATNAM,

*President.*

*22 February 2024.*



An Act to amend the Administration of Muslim Law Act 1966.

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

**Short title and commencement**

1. This Act is the Administration of Muslim Law (Amendment) Act 2024 and comes into operation on a date that the Minister appoints by notification in the *Gazette*.

**Amendment of section 2**

2. In the Administration of Muslim Law Act 1966 (called in this Act the principal Act), in section 2 —

(a) after the definition of “Appeal Board”, insert —

““Appeal Committee” means the Appeal Committee appointed under section 88F;”;

(b) after the definition of “fitrah”, insert —

““foreign halal certification body” means a person, authority or entity outside Singapore that has been granted recognition under section 88AA;”;

(c) replace the definition of “Fund” with —

““General Endowment Fund” means the General Endowment Fund established under section 57;”;

(d) after the definition of “iddah”, insert —

““Islamic instruction” means the teaching of Quranic recitation, Quranic literacy, tajwid (rules of recitation) or fardh ‘ain (basic knowledge of Islamic creed and practice) or other religious sciences which include, but are not limited to, aqidah (theology), tafsir (Quranic exegesis), fiqh (jurisprudence) and hadith (prophetic traditions);”;

(e) after the definition of “Muslim”, insert —

““Muslim religious school” has the meaning given by section 86A;”;

- (f) in the definition of “specified halal certification mark”, after “section 88A(4)”, insert “or 88AA(5)”; and
- (g) in the definition of “wakaf”, after “a Muslim”, insert “individual or the Majlis”.

### **Amendment of section 3**

3. In the principal Act, in section 3(2)(b), replace “Haj or halal certification” with “Haj, halal certification or the recognition of foreign halal certification bodies”.

### **Amendment of section 5**

4. In the principal Act, in section 5(2), after paragraph (d), insert —  
“(da) create any wakaf;”.

### **New section 8**

5. In the principal Act, after section 7A, insert —

“**Officers, etc.**

8. The Majlis may, subject to the Public Sector (Governance) Act 2018, appoint and employ, on such terms and conditions as the Majlis may determine, any officer, employee, consultant or agent that may be necessary for the effective performance of the functions of the Majlis.”.

### **Amendment of section 31**

6. In the principal Act, in section 31(1) —

(a) in paragraph (a), insert “and” at the end;

(b) replace paragraph (b) with —

“(b) not more than 8 other fit and proper Muslims of whom at least 2 must be members of the Majlis.”; and

(c) delete paragraph (c).

### **Amendment of section 32**

7. In the principal Act, in section 32, replace subsection (3) with —

“(3) The Legal Committee must consider every such request, unless in its opinion the question referred to it is frivolous.

(3A) After considering the request, the Legal Committee may, if it thinks that it is appropriate or necessary, prepare a draft ruling in relation to or as a result of the request.”.

### **Amendment of section 35**

8. In the principal Act, in section 35 —

(a) in subsection (2), replace paragraph (c) with —

“(c) betrothal or nullity of marriage;”;

(b) in subsection (2), after paragraph (c), insert —

“(ca) the custody, care and control, access or maintenance of minor children of the parties on divorce or nullification of marriage;”; and

(c) in subsection (4), replace “fasakh, nullity of marriage or judicial separation” with “fasakh or nullity of marriage, the custody, care and control, access or maintenance of minor children on divorce or nullification of marriage”.

### **New sections 36A, 36B and 36C**

9. In the principal Act, after section 36, insert —

**“Court may prohibit, etc., further applications or documents where order has been made in relevant proceedings**

**36A.**—(1) This section applies where an order (called in this section a relevant order) has been made by the Court in any proceedings over which the Court exercises jurisdiction under section 35 (called in this section the relevant proceedings).

(2) Where the Court is satisfied that an application (called in this subsection Application A) to vary, suspend, discharge, rescind, set aside or revoke a relevant order, or any document in support of Application A, if filed by a party, will or is likely to —

- (a) be without merit, having regard to the party's past conduct in the relevant proceedings or any other proceedings before the Court involving facts or reliefs that are the same as or similar to those in the relevant proceedings; or
- (b) where a child is or was a party to, or a subject of, the relevant proceedings or the proceedings in Application A — have an adverse effect on the welfare of the child,

the Court may make one or more orders to prohibit the party, without the permission of the Court —

- (c) from filing Application A or any other application to vary, suspend, discharge, rescind, set aside or revoke the relevant order, or from filing any document in support of any such application; or
- (d) from filing any application to amend, vary or discharge an order mentioned in paragraph (c).

(3) Where the Court is satisfied that an application (called in this subsection Application B) filed by a party on or after the date of commencement of section 9 of the Administration of Muslim Law (Amendment) Act 2024 to vary, suspend, discharge, rescind, set aside or revoke a relevant order, or any document filed in support of Application B, will or is likely to be of the nature or have the effect mentioned in subsection (2)(a) or (b) in relation to a child who is or was a party to, or a subject of, the relevant proceedings or the proceedings in Application B, the Court may make one or more of the following orders:

- (a) an order that Application B be treated as dismissed or the document filed in support of it be treated as expunged (as the case may be) on a date specified by the Court, if the party does not comply by that date with any condition imposed by the Court;
- (b) an order staying the proceedings in Application B until the specified date mentioned in paragraph (a);

- (c) an order prohibiting the party from filing, without the permission of the Court —
  - (i) any document in support of Application B;
  - (ii) any other application, or document in support of any other application, to vary, suspend, discharge, rescind, set aside or revoke the relevant order; or
  - (iii) any application to amend, vary or discharge an order mentioned in sub-paragraph (i) or (ii) or paragraph (a) or (b).

**Court may prohibit, etc., further applications or documents in pending proceedings**

**36B.**—(1) This section applies where any proceedings over which the Court exercised jurisdiction under section 35 (whether commenced before, on or after the date of commencement of section 9 of the Administration of Muslim Law (Amendment) Act 2024) are pending before the Court (called in this section the pending proceedings).

(2) Where the Court is satisfied that the filing of an application (called in this subsection Application C) by a party in the pending proceedings, or any document in support of Application C, will or is likely to —

- (a) impede the just, expeditious or economical resolution or disposal of any matter in the pending proceedings; or
- (b) where a child is a party to, or a subject of, the pending proceedings — have an adverse effect on the welfare of the child,

the Court may make one or more orders to prohibit the party, without the permission of the Court —

- (c) from filing Application C or any other application in the pending proceedings, or from filing any document in support of any such application; or

- (d) from filing any application to amend, vary or discharge an order made under paragraph (c).

(3) Where the Court is satisfied that an application (called in this subsection Application D) filed by a party on or after the date of commencement of section 9 of the Administration of Muslim Law (Amendment) Act 2024 in the pending proceedings, or any document filed in support of Application D, will or is likely to be of the nature or have the effect mentioned in subsection (2)(a) or (b) in relation to a child who is a party to, or a subject of, the pending proceedings, the Court may make one or more of the following orders:

- (a) an order that Application D be treated as dismissed or the document filed in support of it be treated as expunged (as the case may be) on a date specified by the Court, if the party does not comply by that date with any condition imposed by the Court;
- (b) an order staying the proceedings in Application D until the specified date mentioned in paragraph (a);
- (c) an order prohibiting the party from filing, without the permission of the Court —
  - (i) any document in support of Application D;
  - (ii) any other application, or document in support of such application, in the pending proceedings; or
  - (iii) any application to amend, vary or discharge an order mentioned in sub-paragraph (i) or (ii) or paragraph (a) or (b).

### **Orders under section 36A or 36B**

**36C.**—(1) An order prohibiting the filing of any application or document under section 36A(2)(c) or (3)(c)(i) or (ii) or 36B(2)(c) or (3)(c)(i) or (ii) may be of a general or particular nature.

(2) Any application filed by a party, or any document filed in support of such an application, contrary to an order under

section 36A(2)(c) or (d) or (3)(c) or 36B(2)(c) or (d) or (3)(c), is to be treated as dismissed or expunged —

(a) without the Court having to make any further order; and

(b) without the need for any other party to be heard on the merits of that application.

(3) To avoid doubt, an order under section 36A(2)(c) or (d) or (3)(c) or 36B(2)(c) or (d) or (3)(c) does not prohibit the filing of an application for any permission required by the order.”.

### **Amendment of section 43**

**10.** In the principal Act, in section 43 —

(a) renumber section 43 as subsection (1) of that section; and

(b) after subsection (1), insert —

“(2) Without limiting subsection (1) and subject to subsection (3), the Court may, on its own motion, in the course of any proceedings, make an order on any issue arising in a cause or matter, including an order of a substantive nature, which the Court has the power to make on the application of any person.

(3) The Court must not make an order of a substantive nature on the basis of subsection (2) unless —

(a) every person likely to be affected by the order has been given an opportunity to be heard concerning the order; and

(b) the Court is satisfied that it is in the interests of justice to make the order.

(4) In subsection (2), “proceedings” means any proceedings —

(a) over which the Court has jurisdiction under section 35; and

- (b) that are commenced on or after the date of commencement of section 10 of the Administration of Muslim Law (Amendment) Act 2024.”.

**Amendment of section 49**

**11.** In the principal Act, in section 49, replace subsection (6) with —

“(6) The registration under subsection (5) of any order or decree made on or after 30 November 2022 does not require any signature.”.

**Amendment of section 52**

**12.** In the principal Act, in section 52(3)(c), replace “maintenance and education” with “care and control, access and maintenance”.

**Amendment of section 55**

**13.** In the principal Act, in section 55(1) —

(a) in paragraph (f), delete “or” at the end;

(b) after paragraph (f), insert —

“(g) to make an order or orders under section 36A or 36B; or”; and

(c) reletter paragraph (g) as paragraph (h).

**Amendment of section 57**

**14.** In the principal Act, in section 57 —

(a) in subsections (2), (3) and (6), replace “the Fund” wherever it appears with “the General Endowment Fund”;

(b) in subsection (4), after “the Majlis”, insert “under subsection (3)”; and

(c) in subsection (5), replace “in the Fund in accordance with” with “or property in the General Endowment Fund in accordance with both the Muslim law and”.

**Amendment of section 58**

**15.** In the principal Act, in section 58 —

(a) in subsection (1), replace “the Fund” with “the General Endowment Fund”;

(b) after subsection (3), insert —

“(3A) The Majlis may, with the approval of the Minister, by instrument create a wakaf for the purposes specified in the instrument which must fall within one or more of the following purposes:

(a) supporting the development of Islamic teachers or Quranic teachers recognised by the Majlis, including but not limited to initiatives aimed at developing, strengthening and professionalising these teachers, such as training and upskilling programmes;

(b) supporting mosques and madrasahs, in particular, in relation to payment for renewals of leases for immovable property;

(c) supporting socio-religious programmes and initiatives aimed at uplifting the Muslim community and the under-privileged;

(d) any other purpose that may be prescribed in rules made under section 62A(7).

(3B) The particulars of every wakaf mentioned in subsection (3A) must be published by notification in the *Gazette* and on the official website of the Majlis.”;

(c) in subsection (4), after “appointed”, insert “by or”; and

(d) after subsection (5), insert —

“(5A) Subsection (5) does not apply to any wakaf created by the Majlis during the period where —

(a) the Majlis is the trustee of the wakaf; and

- (b) no mutawalli has been appointed by the Majlis for the wakaf.”.

**Amendment of section 60**

16. In the principal Act, in section 60, after subsection (4), insert —  
“(5) This section does not apply to a wakaf created by the Majlis.”.

**New section 62A**

17. In the principal Act, after section 62, insert —

**“Property and assets of wakaf created by Majlis**

**62A.**—(1) The Majlis may, with the written approval of the Minister, transfer any moneys or movable or immovable property from the General Endowment Fund to any wakaf created by the Majlis under section 58(3A) (called in this section a Majlis wakaf).

(2) All moneys and movable and immovable property contributed or dedicated to any Majlis wakaf are to be vested in the Majlis, whether received from individuals, entities, mosques, madrasahs or the General Endowment Fund, and are to be used for the purposes specified in the instrument creating the Majlis wakaf.

(3) The Majlis may invest any moneys or property in a Majlis wakaf in accordance with both the Muslim law and the standard investment power of statutory bodies as defined in section 33A of the Interpretation Act 1965.

(4) The income derived from the investments mentioned in subsection (3) may be used for the payment of —

- (a) the reasonable remuneration and expenses of any mutawalli appointed to administer or manage the Majlis wakaf; and
- (b) other expenses incurred in maintaining and administering the Majlis wakaf.

(5) Where the income mentioned in subsection (4) is insufficient for the payments to be made under that subsection, the Majlis may provide for any shortfall to be paid out of the capital of the Majlis wakaf.

(6) This Act applies with the modifications prescribed in rules made under subsection (7) to a Majlis wakaf as it applies to a wakaf that is not created by the Majlis.

(7) The Majlis may, with the approval of the Minister, make any rules that are necessary or expedient for the purpose of carrying out the provisions of this Act relating to any Majlis wakaf and those rules may —

- (a) provide for the manner of payment and collection of contributions to a Majlis wakaf and any incidental matters;
- (b) provide for the return of contributions or any part of such contributions paid in error;
- (c) prescribe the procedure to be followed when contributions are paid to a Majlis wakaf;
- (d) provide for the keeping of books, accounts or records of contributions to a Majlis wakaf;
- (e) prescribe the manner in which the moneys or property in a Majlis wakaf may be applied for or in respect of the purposes specified in the instrument creating the wakaf, and generally for the administration of such moneys or property; and
- (f) prescribe anything which may be prescribed with respect to a Majlis wakaf.”.

### **Amendment of section 63**

**18.** In the principal Act, in section 63 —

- (a) in subsection (1), after “a Muslim charitable trust”, insert “, wakaf or nazar”;
- (b) in subsection (1), after “any Muslim charitable trust,”, insert “wakaf or nazar,”; and

- (c) in subsection (2), after “affecting any”, insert “Muslim charitable trust,”.

### **Amendment of section 78**

- 19.** In the principal Act, in section 78, after subsection (9), insert —

“(10) Any contribution paid into the Mosque Building and Mendaki Fund under subsection (7) which is not attributable to or cannot be traced to any individual is deemed to be for the purpose of building mosques.”.

### **New section 86A**

- 20.** In the principal Act, after section 86, insert —

#### **“Meaning of “Muslim religious school”**

**86A.—**(1) In this Act, a “Muslim religious school” means any of the following:

- (a) any person or organisation that habitually provides Islamic instruction to 10 or more individuals physically present in Singapore;
- (b) a place where 10 or more individuals physically present in Singapore are habitually provided with Islamic instruction;
- (c) in the case of a correspondence school where Islamic instruction is provided to 10 or more individuals physically present in Singapore — the place or places where the Islamic instruction is prepared or where answers are examined or corrected.

(2) To avoid doubt, subsection (1) also applies where Islamic instruction is habitually provided online or remotely through electronic means.

(3) In determining for the purposes of subsection (1) whether an individual is physically present in Singapore, it is to be assumed that the individual will not falsify or conceal the individual’s identity or location.”.

**Amendment of section 87**

**21.** In the principal Act, in section 87 —

- (a) in the section heading, replace “**Religious school**” with “**Muslim religious school**”;
- (b) in subsection (4), replace “to inspect any Muslim religious school” with “or any officer or employee of the Majlis (called in this section an inspector) to inspect any Muslim religious school in accordance with the rules made under subsection (8)”;
- (c) in subsections (5) and (7), replace “religious school” with “Muslim religious school”; and
- (d) replace subsections (8) and (9) with —

“(8) The Majlis may, with the approval of the Minister, make rules for carrying out the purposes of this section, including, without limitation, rules for the following purposes:

- (a) the powers of inspectors to inspect any Muslim religious school;
- (b) the powers of inspectors to obtain or require any information, examine any book, document, material, article or record and gain access to any computer or online account in relation to the inspection of any Muslim religious school;
- (c) the powers of inspectors to require the attendance of any person for any purpose mentioned in paragraph (b);
- (d) the manner of registration and control of the conduct and establishment of Muslim religious schools, including where Islamic instruction is provided online or remotely through electronic means;

- (e) to prescribe the fees to be charged by the Majlis for the performance of its functions under this section.”.

**Amendment of section 88A**

22. In the principal Act, in section 88A, delete subsection (8).

**New section 88AA**

23. In the principal Act, after section 88A, insert —

**“Foreign halal certification body**

**88AA.**—(1) The Majlis may, on application, recognise any person, authority or entity outside Singapore that issues halal certificates in relation to any product.

(2) A halal certificate issued by the foreign halal certification body granted recognition under subsection (1) has the same effect and validity as if it were a halal certificate issued by the Majlis under section 88A.

(3) An application for recognition under subsection (1) must be in the form and manner that the Majlis may require and accompanied by any document or other information that the Majlis may require.

(4) The Majlis may —

(a) in granting recognition, impose any condition or limitation that the Majlis thinks fit, which may be different for different halal certificates issued by the foreign halal certification body that relate to different products; and

(b) vary, remove or add to any condition or limitation mentioned in paragraph (a) at any time.

(5) The Majlis must specify on the official website of the Majlis —

(a) the foreign halal certification bodies that have been granted recognition under subsection (1) which recognition has not been revoked or cancelled; and

- (b) the certification marks of the foreign halal certification bodies mentioned in paragraph (a) for use in relation to any product in respect of which any of the foreign halal certification bodies has issued a halal certificate.

(6) Any person who, without the approval of the foreign halal certification body —

- (a) issues a halal certificate purportedly from or on behalf of that foreign halal certification body in relation to any product; or
- (b) uses any specified halal certification mark or any colourable imitation of that mark purportedly of that foreign halal certification body,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 12 months or to both.”.

### **Amendment of section 88C**

**24.** In the principal Act, in section 88C(2), after paragraph (a), insert —

- “(aa) to regulate the recognition of foreign halal certification bodies and the use of halal certificates and specified halal certification marks issued by a foreign halal certification body;”.

## **New Part 5B**

**25.** In the principal Act, after section 88E, insert —

### **“PART 5B**

### **APPEALS**

#### **Appeal Committee**

**88F.**—(1) The Minister may appoint a committee called the Appeal Committee which must consist of at least 3 persons, one of whom must be appointed by the Minister to be the chairperson of the Appeal Committee.

(2) The Minister may, in appointing the Appeal Committee, determine —

- (a) the terms and conditions of the appointment of the members of the Appeal Committee; and
- (b) such matters that the Minister considers incidental or expedient for the proper and efficient conduct of any appeal by the Appeal Committee.

(3) The remuneration and allowances (if any) of a member of the Appeal Committee are to be determined by the Minister.

(4) The Appeal Committee may determine the procedure to be adopted by it in considering an appeal under this Part, and must be independent in the performance of its functions.

#### **Appeal to Minister**

**88G.** Any person who is aggrieved by any of the following may appeal to the Minister against the act, decision, order or direction in accordance with this Part:

- (a) any act, order or direction of the Majlis under section 87 or any rules made under that section;
- (b) any decision of the Majlis under section 88A or any subsidiary legislation made under that section;

- (c) any decision of the Majlis under any subsidiary legislation made under this Act (other than those mentioned in paragraphs (a) and (b)) where a right of appeal is expressly provided in that subsidiary legislation.

### **Appeal to Appeal Committee**

**88H.** Any person who is aggrieved by any decision of the Majlis made under section 88AA may appeal to the Appeal Committee against the decision in accordance with this Part.

### **Provisions applicable to appeals**

**88I.**—(1) An appeal under this Part must be in writing and specify the grounds on which it is made, and be made within 14 days after the date the decision appealed against is served on the appellant.

(2) For the purposes of this Part, service of any document on the appellant must be effected —

- (a) by delivering it to the appellant personally;
- (b) by leaving it at, or by sending it by prepaid registered post to, the usual or last known address of the place of residence or business of the appellant;
- (c) by sending it by fax to the appellant’s usual or last known place of business; or
- (d) by sending it by email to the email address given by the appellant as the email address for service of documents or to which communications to the appellant may be sent.

(3) However, service of any document under this Part on an appellant by email may be effected only with the appellant’s prior consent to service in that way.

(4) After considering an appeal, the Minister or the Appeal Committee (as the case may be) may —

- (a) reject the appeal and confirm the decision of the Majlis; or
- (b) allow the appeal and substitute or vary the decision of the Majlis.

(5) The Minister's or the Appeal Committee's decision on an appeal (as the case may be) is final.

(6) Every appellant must be notified of the Minister's or the Appeal Committee's decision (as the case may be) on an appeal under subsection (4).

(7) An appeal under this Part does not affect the operation of the decision, order or direction appealed against or prevent the taking of action to implement the decision, and unless otherwise directed by the Minister or the Appeal Committee (as the case may be), the decision, order or direction appealed against must be complied with until the determination of the appeal.”.

#### **Amendment of section 101**

**26.** In the principal Act, in section 101 —

- (a) in subsection (6), delete “, in the presence of the persons named in the certificate, or, if they are absent, in the presence of 2 credible witnesses,”;
- (b) in subsection (7)(a), replace “sign and date any correction” with “authenticate any rectification”;
- (c) in subsection (7)(b), replace “correction” with “rectification”; and
- (d) delete subsection (8).

#### **Amendment of section 103**

**27.** In the principal Act, in section 103, delete subsection (3).

#### **Amendment of section 108**

**28.** In the principal Act, in section 108, delete “duly signed and sealed with his seal of office”.

**Amendment of section 109A**

**29.** In the principal Act, in section 109A, delete subsections (2) and (5).

**Amendment of section 109B**

**30.** In the principal Act, in section 109B —

- (a) in paragraph (a), replace “109A(2) or (4)” with “109A(4)”;  
and
- (b) in paragraph (b), replace “109A(1), (3) or (5)” with  
“109A(1) or (3)”.

**Amendment of section 141**

**31.** In the principal Act, in section 141(1) —

- (a) in paragraph (h), replace the full-stop at the end with a semi-colon; and
- (b) after paragraph (h), insert —
  - “(i) every officer and employee of the Majlis appointed under section 8.”.

**Amendment of section 145**

**32.** In the principal Act, in section 145(2), after paragraph (d), insert —

- “(da) providing for a right to appeal to the Minister against any decision of the Majlis under any subsidiary legislation made under this Act, and the procedure for such appeals;”.

**Miscellaneous amendments**

**33.** In the principal Act —

- (a) in the following provisions, replace “the Fund” with “the General Endowment Fund”:
  - Section 61(2)
  - Section 62(1), (3) and (4)

Section 66

Section 71(3)

Section 73

Section 82(2);

(b) in Part 5, in the Part heading, replace “RELIGIOUS SCHOOLS” with “MUSLIM RELIGIOUS SCHOOLS”;  
and

(c) in section 88, in the section heading, replace “**religious school**” with “**Muslim religious school**”.

### **Saving and transitional provision**

**34.** Any person who, immediately before the date of commencement of section 5, holds an appointment or is employed by the Majlis as an officer, employee, consultant or agent, is deemed to have been appointed or employed as such by the Majlis under section 8 of the principal Act as inserted by section 5 of this Act.

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