

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3, SECTION 145)

MUSLIM MARRIAGE AND DIVORCE RULES

ARRANGEMENT OF RULES

PART I

PRELIMINARY

Rule

1. Citation
2. Definitions

PART II

APPLICATIONS TO KADI OR NAIB KADI

3. Application to have marriage solemnized
4. Inquiry into wali's refusal to consent
5. Application by man already married
6. Registration of marriage, divorce and revocation of divorce
7. Record book kept by Kadi or Naib Kadi
8. Summons issued by Kadi or Naib Kadi

PART III

SYARIAH COURT

9. Originating procedure in Syariah Court
10. Parties to and joinder of actions
11. Persons under disability
12. Defence and cross-application
13. Discovery of documents
14. Interim orders relating to child of parties
15. Miscellaneous interim orders
16. Intervener
17. Leave to commence or to continue civil proceedings
18. Withdrawal, compromise and settlement
19. Affidavits
20. Witnesses
21. Warrant of arrest
22. Mediation session and pre-trial conference

Rule

23. Hearings
24. Evidence
25. Proceedings relating to custody, etc.
26. Consent decrees and orders
27. Judgment decrees and orders
28. *[Deleted]*
29. Execution of deed or indorsement of negotiable instrument
30. *[Deleted]*
31. Costs
32. Hakam
33. Personal service
34. Substituted service
35. Service of other documents
36. Application for order of presumption of death
37. Appointment and discharge of solicitors
38. Appeals from directions and orders of registrar

PART IV

APPEAL BOARD

39. Appeals to Appeal Board
40. Appeals on certain matters
41. Hearing of appeals
42. Further evidence

PART V

MISCELLANEOUS

43. Oral applications to Court or Appeal Board
  44. Practice and procedure
  45. Fees
  46. Transitional provision
- The Schedules
- 

[1st August 1999]

PART I

PRELIMINARY

**Citation**

1. These Rules may be cited as the Muslim Marriage and Divorce Rules.

**Definitions**

2.—(1) In these Rules, unless the context otherwise requires —

“Court” means the Syariah Court constituted under section 34 of the Act and includes a president of the Court sitting in open court or in chambers;

“president” means a president of the Court appointed under section 34A(1) of the Act;

“registrar” means the registrar of the Court appointed under section 34B of the Act;

“Secretary” means the Secretary of the Majlis;

“senior president” means a president designated to be the senior president under section 34A(1) of the Act;

“solicitor” means an advocate and solicitor of the Supreme Court.

(2) The forms mentioned in these Rules are those set out in the First Schedule.

PART II

APPLICATIONS TO KADI OR NAIB KADI

**Application to have marriage solemnized**

3.—(1) An application to a Kadi or Naib Kadi for solemnization of a marriage under section 95(2) of the Act —

(a) shall be made in —

(i) Form 1, where the application is submitted before 1st September 2011; or

(ii) Form 1A, where the application is submitted on or after 1st September 2011; and

(b) shall be accompanied by a statutory declaration made by each party to the intended marriage and the wali of the woman to be married.

(2) Where an application under paragraph (1) is made on or after 1st September 2011 and any of the parties to the intended marriage has previously been married but is divorced, the statutory declaration referred to in paragraph (1)(b) shall state whether he or she owes any arrears in respect of any maintenance which is payable under a maintenance order.

(3) The statutory declaration referred to in paragraph (1)(b) shall be made by each party to the intended marriage in the presence of the other party.

(4) A marriage shall not be solemnized by Kadi or Naib Kadi unless the parties to the proposed marriage comply with paragraphs (1), (2) and (3).

(5) In this rule, “maintenance order” has the same meaning as in section 17(4) of the Women’s Charter (Cap. 353).

*[S 495/2011 wef 01/09/2011]*

### **Inquiry into wali’s refusal to consent**

4.—(1) A Kadi or Naib Kadi who holds an inquiry under section 95(3) of the Act may issue a summons to any person to attend the inquiry.

(2) An inquiry held by a Kadi or Naib Kadi under this rule shall be held not earlier than 7 days from the date of the issue of the summons by the Kadi or Naib Kadi to a person required to attend the inquiry.

(3) At the inquiry, the Kadi or Naib Kadi shall —

(a) hear and record the evidence given by every person summoned to attend the inquiry; and

(b) give to every person an opportunity to examine, cross-examine and re-examine the other persons in the manner provided in the Evidence Act (Cap. 97).

(4) The Kadi or Naib Kadi may call for any evidence relating to the inquiry that he considers necessary.

(5) The Kadi or Naib Kadi may give his decision immediately after the inquiry or at a later date in which case notice shall be given to all the parties concerned.

(6) If a notice of appeal referred to in rule 39(2) against the decision of the Kadi or Naib Kadi has been filed within 30 days of the date of the decision, the decision of the Kadi or Naib Kadi shall not be carried out except by order of the Appeal Board.

### **Application by man already married**

**5.—(1)** A Kadi who holds an inquiry under section 96(3) of the Act may issue summons to require —

- (a) the man;
- (b) the woman;
- (c) the wali of that woman; and
- (d) any other person who is able to give any evidence in the matter,

to attend the inquiry.

(2) An inquiry held by a Kadi under this rule shall be held not earlier than 7 days from the date of the issue of the summons by the Kadi as referred to in paragraph (1).

(3) At the inquiry, the Kadi shall —

- (a) hear and record the evidence given by all of the parties referred to in paragraph (1); and
- (b) give to every party an opportunity to examine, cross-examine and re-examine the other parties in the manner provided in the Evidence Act (Cap. 97).

(4) The Kadi may call for any evidence relating to the inquiry that he considers necessary.

(5) The Kadi may give his decision immediately after the inquiry or at a later date in which case notice shall be given to all the parties concerned.

(6) If a notice of appeal referred to in rule 39(2) against the decision of the Kadi has been filed within 30 days of the date of the decision, the decision of the Kadi shall not be carried out except by order of the Appeal Board.

### **Registration of marriage, divorce and revocation of divorce**

6.—(1) A marriage solemnized by a Kadi or Naib Kadi shall be registered in Form 2.

(2) A divorce shall be registered in Form 3.

(3) A revocation of divorce shall be registered in Form 4.

### **Record book kept by Kadi or Naib Kadi**

7. Every Kadi or Naib Kadi shall keep a record book in which he shall record all the evidence taken by him in any inquiry under Part VI of the Act or any of these Rules.

### **Summons issued by Kadi or Naib Kadi**

8. A summons issued by a Kadi or Naib Kadi under section 95(4) of the Act or any of the provisions in this Part shall be in Form 5.

## **PART III**

### **SYARIAH COURT**

#### **Originating procedure in Syariah Court**

9.—(1) Except as expressly provided in these Rules, all proceedings in the Court shall be commenced by originating summons.

(2) An originating summons shall be in Form 6 and shall be prepared in triplicate or such greater number as may be necessary.

(3) An originating summons shall be indorsed with a case statement in Form 7, 8, 11 or 12, whichever is appropriate, unless the registrar or the Court otherwise directs.

*[S 51/2009 wef 01/03/2009]*

(4) The registrar or the Court shall cause a copy of the originating summons and the case statement to be served on the defendant.

(5) A case statement that has been served on the defendant shall not be amended without the leave of the registrar or the Court.

*[S 51/2009 wef 01/03/2009]*

### **Parties to and joinder of actions**

**10.—**(1) Two or more persons may, with the leave of the registrar or the Court, be joined as plaintiffs or defendants in a cause of action.

(2) More than one cause of action may be raised in any proceedings but the registrar or the Court may order separate proceedings.

(3) The registrar or the Court may consolidate 2 or more causes of actions in joint proceedings if they relate to the same issues of fact or law.

### **Persons under disability**

**11.—**(1) The lawful guardian of a minor or any other person having parental rights with respect to the minor may apply to the Court to represent the minor in any proceedings in the Court to which the minor is a party.

(2) The committee of a person of unsound mind appointed under section 9(1) of the Mental Disorders and Treatment Act (Cap. 178) or any person related by blood or marriage to the person of unsound mind may apply to the Court to represent that person of unsound mind in any proceedings in the Court to which that person of unsound mind is a party.

(3) An application under this rule shall be in Form 13 and shall be supported by an affidavit made by the applicant.

(4) The Court may appoint the applicant referred to in paragraph (1) or (2) to represent the minor or person of unsound mind, as the case may be, in the proceedings if the Court thinks that this is not adverse to the interests of the minor or person of unsound mind.

### **Defence and cross-application**

**12.—**(1) A defendant to any proceedings in the Court shall, within 21 days of being served with an originating summons under these

Rules, file in the Court and serve on the plaintiff and every other party to the proceedings his Memorandum of Defence.

(2) The Memorandum of Defence referred to in paragraph (1) shall be in Form 14, 15, 18 or 19, whichever is appropriate, unless the registrar or the Court otherwise directs.

*[S 51/2009 wef 01/03/2009]*

(3) A defendant who has filed his Memorandum of Defence shall not thereafter amend the Memorandum of Defence or raise other grounds in his defence without the leave of the registrar or the Court.

(4) A defendant may include a cross-application in his Memorandum of Defence, which shall be in the form of a concise statement stating —

- (a) the nature of the cross-application;
- (b) the reliefs sought and the judgment prayed for; and
- (c) the facts relied on in support of the cross-application.

### **Discovery of documents**

**13.—**(1) Unless otherwise directed by the registrar or the Court, there shall be discovery, in the manner set out in this rule, by the parties to any proceedings in the Court of the documents that are in the possession, custody or control of the parties.

(2) Within 8 weeks of the service of the Memorandum of Defence on the plaintiff and every other party to the proceedings, each party shall file in the Court and serve on every other party a list of all documents in his possession, custody or control relating to the matters in question in the proceedings.

(3) Every list filed under paragraph (2) shall be verified by the party who files that list in an affidavit in Form 20.

(4) Every party shall carry out an inspection of all documents specified in the list served on him under paragraph (2) within 2 weeks of the service of that list on him.

(5) A party shall, upon the request of any other party, supply to that other party a copy of any of the documents in the list of documents served by him on that other party under paragraph (2).



(6) Where a party fails, refuses or neglects to comply with this rule, the registrar or the Court may, on an application by any other party, make an order for discovery on such terms as the registrar or the Court thinks fit.

(7) An application under paragraph (6) shall be made in Form 21 supported by an affidavit made by the applicant, and shall be served on every other party to the proceedings within 3 days of filing the application in the Court, or within such other period as the registrar or the Court may direct.

### **Interim orders relating to child of parties**

**14.—**(1) The registrar or the Court may, on the application of any party to any proceedings in the Court, during any stage in the proceedings, make an interim order on the —

- (a) custody, care and control of; or
- (b) access to,

any child of the parties, if the registrar or the Court thinks that it is in the interests of the child to do so.

(2) Before making any interim order under paragraph (1), the registrar or the Court shall have regard to all the circumstances of the case, including the following matters:

- (a) whether the child is being taken care of by any welfare organisation during the proceedings;
- (b) whether the child should be produced in Court during the proceedings; and
- (c) whether any party is likely to take the child outside Singapore during the proceedings.

(3) An application under paragraph (1) shall be made in Form 22 supported by an affidavit made by the applicant, and shall be served on every other party to the proceedings within 3 days of filing the application in the Court, or within such other period as the registrar or the Court may direct.

(4) An application under paragraph (1) may be made *ex parte* in cases of urgency, and the registrar or the Court may make an order subject to such terms as the registrar or the Court thinks fit.

### **Miscellaneous interim orders**

**15.**—(1) The registrar or the Court may, on the application of any party to any proceedings in the Court, make an interim order —

- (a) in such terms as the registrar or the Court thinks fit, for the purpose of facilitating or expediting the hearing of the proceedings;
- (b) to allow an amendment of any case statement or Memorandum of Defence;
- (c) to strike out or expunge any affidavit or part thereof;
- (d) to permit the correction of any clerical error in any document filed in the Court;
- (e) to extend the time required for the doing of anything under these Rules, or pursuant to any direction or order of the registrar or the Court; or
- (f) to set aside any order made in the absence of any party to the proceedings, not being an order relating to the marital status of the parties.

(2) An application under paragraph (1) shall be made in Form 23 supported by an affidavit made by the applicant, and shall be served on every other party to the proceedings within 3 days of filing the application in the Court, or within such other period as the registrar or the Court may direct.

### **Intervener**

**16.**—(1) A person who is not a party to any proceedings in the Court but who has an interest in the proceedings may apply to intervene in the proceedings, and the registrar or the Court may join that person as an intervener in the proceedings on such terms as the registrar or the Court thinks fit.

(2) An application under paragraph (1) shall be made in Form 24 supported by an affidavit made by the applicant, and shall be served on every other party to the proceedings within 3 days of filing the application in the Court, or within such other period as the registrar or the Court may direct.

(3) An order made by the registrar or the Court to join any person as an intervener under this rule shall be in Form 25.

### **Leave to commence or to continue civil proceedings**

**17.—**(1) An application for leave to commence or to continue civil proceedings under section 35A of the Act shall be made in Form 26 supported by an affidavit made by the applicant, and shall be served on every other party affected by the application within 3 days of filing the application in the Court or within such other period as the Court may direct.

(2) An affidavit made by an applicant under paragraph (1) shall state the reasons for the application.

(3) A commencement certificate issued by the Court under section 35A(4) of the Act shall be in Form 27.

(4) A continuation certificate issued by the Court under section 35A(4) of the Act shall be in Form 28.

(5) A certificate of attendance issued by the Court under section 35A(7) of the Act shall be in Form 29.

### **Withdrawal, compromise and settlement**

**18.—**(1) A plaintiff to any proceedings in the Court may withdraw the cause of action at any stage of the proceedings before judgment but shall be liable to pay the costs of such proceedings and shall not thereafter commence any other proceedings in the same cause without the leave of the registrar or the Court.

(2) The parties to any proceedings in the Court may, at any stage of the proceedings, reach a compromise or settlement and the registrar or the Court shall, if so requested by the parties, record the terms of the compromise or settlement.

(3) No person who has been appointed to represent any minor or person of unsound mind in any proceedings under rule 11(4) shall withdraw the cause of action in the proceedings or reach a compromise or settlement in the proceedings without the leave of the registrar or the Court.

### **Affidavits**

**19.**—(1) Every affidavit made by any person under these Rules shall depose to —

- (a) the facts of which the deponent has personal cognizance; and
- (b) where applicable, the belief of the deponent in the truth of any other facts.

(2) A party to any proceedings in the Court who is served with any application under these Rules and who intends to be heard on the application shall —

- (a) file an affidavit-in-reply within 14 days of being served with the application; and
- (b) serve his affidavit-in-reply to every other party to the proceedings within 3 days of filing the affidavit-in-reply in the Court, or within such other period as the registrar or the Court may direct.

(3) No further affidavit-in-reply shall be filed in the Court without the leave of the registrar or the Court.

### **Witnesses**

**20.**—(1) A party to any proceedings in the Court who desires a person to be summoned as a witness to give oral evidence during the proceedings or to produce before the Court a document in his possession, custody or control, may make an application in Form 30.

(2) On receipt of an application under paragraph (1), the registrar or the Court may issue a subpoena in Form 31 to the witness.

### **Warrant of arrest**

**21.** A warrant of arrest referred to in section 40 of the Act shall be in Form 32.

### **Mediation session and pre-trial conference**

**22.** The registrar or the Court may, at any stage of any proceedings in the Court, require all or any of the parties to the proceedings to attend a mediation session or pre-trial conference during which any order or direction may be made or given for the expeditious disposal of the proceedings.

### **Hearings**

**23.—(1)** If, at the time appointed for the hearing of any cause of action or application in the Court, the plaintiff or applicant does not appear, the cause of action or application, as the case may be, may be struck out.

(2) If, at the time appointed for the hearing of any cause of action or application in the Court, the defendant or any other respondent to the application does not appear, the registrar or the Court may, if satisfied that the absent party has been duly served with the originating summons or application (as the case may be) at least 21 days before the date appointed for the hearing —

- (a) proceed with the hearing and give judgment for the plaintiff or make an order in favour of the applicant, as the case may be;
- (b) make such other order as the registrar or the Court thinks fit; or
- (c) adjourn the hearing to another date.

(3) Where a cause of action or an application has been struck out under paragraph (1), the registrar or the Court may proceed to hear a cross-application relating to the same matter.

(4) If a party to any cause of action or application admits the other party's claim in the cause of action or application, the registrar or the Court may give judgment in respect of that claim for that party or make an order without hearing any evidence.

**Evidence**

**24.**—(1) Unless otherwise directed by the registrar or the Court, the evidence of a party to any proceedings in the Court and his witnesses shall be adduced by way of affidavit.

(2) Subject to any direction of the registrar or the Court, a party in any proceedings may cross-examine the other party to the proceedings or his witnesses on their affidavits.

(3) The registrar or the Court may, in an appropriate case, direct that affidavits-in-reply be filed and served in such manner as the Court thinks fit in lieu of cross-examination.

(4) The registrar or the Court may, if it appears likely that any witness in any proceedings will not be able to adduce evidence at the time of the hearing —

(a) record the evidence of the witness in writing at any time before the date of the hearing; and

(b) provide every other party to the proceedings due opportunity to cross-examine the witness in such manner as the registrar or the Court thinks fit.

(5) The registrar or the Court may, at any stage of any proceedings in the Court, appoint a person whom the registrar or the Court considers appropriate to assist on any point of law, legal procedure or evidence.

(6) Paragraphs (1) and (3) do not prevent the registrar or the Court from allowing any party or witness to give his evidence or any part thereof by oral testimony.

**Proceedings relating to custody, etc.**

**25.**—(1) The registrar or the Court may, in any proceedings in the Court, have regard to any report, investigations, advice and recommendations made by any welfare officer, welfare organisation, social worker or medical practitioner registered under the Medical Registration Act (Cap. 174) relating to any child of the parties to the proceedings for the purpose of deciding any matter relating to the custody, care and control of or access to the child.

(2) The registrar or the Court may direct the parties to the proceedings to attend a counselling session, with or without the child of the parties, for the purpose of resolving any issue of the custody, care and control of or access to the child.

### **Consent decrees and orders**

**26.**—(1) Where the parties to any proceedings in the Court consent to a divorce, the registrar may make a decree of divorce and any order which the Court may make under section 52 of the Act.

(2) Paragraph (1) shall not apply if the divorce is by 3 talak or the third talak.

### **Judgment decrees and orders**

**27.**—(1) Unless otherwise directed by the registrar or the Court, every decree or order made by the registrar or the Court shall be —

- (a) in Form 33 or 34, whichever is appropriate;
- (b) dated and signed by the registrar or the Court; and
- (c) sealed and retained by the Court.

(2) A party to any proceedings in the Court may, on payment of a fee specified in the Third Schedule, obtain a certified copy of any decree or order made by the registrar or the Court from the Court.

(3) An order granted on an *ex parte* application under rule 14(4) shall be in Form 35.

**28.** [*Deleted by S 51/2009*]

### **Execution of deed or indorsement of negotiable instrument**

**29.** Any person who desires to tender to the Court a deed, document or negotiable instrument for execution in pursuance of a judgment or order of the Court under section 53A(1) of the Act shall —

- (a) make an application to the Court in Form 38 supported by an affidavit made by the applicant; and
- (b) serve the application on every other party to the proceedings in respect of which the judgment or order is obtained.

**30.** [*Deleted by S 51/2009*]

**Costs**

**31.**—(1) The registrar or the Court may order a party to any proceedings in the Court to pay the costs of the proceedings, including travelling expenses and subsistence expenses of any of the parties and witnesses.

(2) In making an order under this rule, the registrar or the Court may have regard to any practice applicable to civil proceedings in any court.

(3) The registrar or the Court may, in an appropriate case, order a solicitor acting for a party in any proceedings in the Court to bear his costs personally.

**Hakam**

**32.**—(1) The appointment of hakam by the Court or the registrar under section 50(1) of the Act shall be made in Form 40.

*[S 51/2009 wef 01/03/2009]*

(2) A solicitor acting for any party to be divorced may, with the leave of the registrar or the Court, be present at any meeting of the hakam and the parties.

(3) The hakam may, in making a decree of divorce under section 50(6) of the Act, recommend an appropriate amount of redemption money to the Court for its decision.

(4) A party dissatisfied with a decision of the Court or the registrar to appoint hakam under section 50(1) of the Act may, before the hakam makes a decree of divorce under section 50(6) of the Act, appeal against the decision —

(a) to the Court, if the decision was made by the registrar; and

(b) to the Appeal Board, if the decision was made by the Court.

*[S 51/2009 wef 01/03/2009]*

(5) An appeal shall lie from any decision of the Court in respect of the amount of redemption money to the Appeal Board.



(6) No appeal shall lie against a decision of the hakam to make a decree of divorce under section 50(6) of the Act.

(7) The fees for the hakam shall be borne by the parties to be divorced and shall be of such amount as the Court may determine.

### **Personal service**

**33.—**(1) Except as otherwise directed by the registrar or the Court, every originating summons or application made under rule 29(a) shall be personally served.

(2) Personal service of an originating summons or an application made under rule 29(a) may be effected by the Court's process server or a solicitor's clerk authorised by the Court.

(3) Where a defendant or respondent refuses to accept service of an originating summons or an application made under rule 29(a), personal service shall be deemed to be effected if the originating summons or the application is brought to his notice and left at a place near him.

(4) The solicitor acting for a defendant or a respondent may accept personal service of an originating summons or an application made under rule 29(a) on behalf of the defendant or respondent.

(5) Personal service of an originating summons or an application made under rule 29(a) shall be deemed to be effected if —

- (a) the originating summons or the application is delivered to a defendant or respondent by courier and the defendant or respondent makes a written acknowledgement of delivery and his acceptance of the originating summons or the application;
- (b) the originating summons or the application is personally collected by a defendant or respondent who acknowledges receipt of the originating summons or the application;
- (c) in the case of the originating summons, a defendant or respondent has filed in the Court a Memorandum of Defence in relation to the cause of action stated in the originating summons; or

- (d) a defendant or respondent has appeared in the Court at least once for the purpose of the cause of action stated in the originating summons or the matter stated in the application.

### **Substituted service**

**34.**—(1) Where an originating summons or an application made under rule 29(a) is to be served on a defendant or respondent outside Singapore, the registrar or the Court may direct that service be effected in such manner as the registrar or the Court thinks fit.

(2) Where it is impracticable to serve an originating summons or an application made under rule 29(a) personally on a defendant or respondent, the registrar or the Court may direct that substituted service be effected in such manner as the registrar or the Court thinks fit.

(3) The registrar or the Court may, in an appropriate case, order that service of an originating summons or an application made under rule 29(a) be dispensed with.

### **Service of other documents**

**35.**—(1) Any document, other than an originating summons and an application made under rule 29(a), which is required to be served on a person under these Rules, may be served by ordinary post at the last known address of that person.

(2) Where service of an originating summons or an application made under rule 29(a) has been dispensed with under rule 34(3), the registrar or the Court may, in an appropriate case, order that service of any other document be dispensed with.

### **Application for order of presumption of death**

**36.**—(1) An application by any person for an order that his spouse be presumed dead under section 54 of the Act shall be made *ex parte* in Form 41 supported by an affidavit made by the applicant.

(2) At the hearing of an application under paragraph (1), the Court may —

- (a) give such directions as it thinks fit as to the service of the application on any person who may have an interest in or who may assist the Court in the matter;
  - (b) require further evidence to be adduced either by way of oral testimony or by further affidavit; or
  - (c) proceed to hear the application.
- (3) The certificate of presumption of death issued by the Court under section 54 of the Act shall be in Form 42.

### **Appointment and discharge of solicitors**

**37.—**(1) A solicitor appointed to act for a party in any proceedings in the Court shall —

- (a) file in the Court a notice of appointment of solicitor in Form 43 within 7 days of being appointed; and
  - (b) serve a copy of the notice of appointment of solicitor on every party to the proceedings or their solicitor, within 3 days of filing the notice of appointment of solicitor.
- (2) A solicitor who is acting for a party in any proceedings shall attend all proceedings in the Court relating to the same cause of action including mediation sessions and pre-trial conferences.
- (3) A solicitor who is taking over the conduct of any proceedings in the Court from another solicitor shall —
- (a) file in the Court a notice of change of solicitor in Form 44 within 7 days of taking over the conduct of the proceedings; and
  - (b) serve a copy of the notice of change of solicitor on the previous solicitor and on every other party to the proceedings or his solicitor, within 3 days of filing the notice of change of solicitors in the Court.
- (4) A solicitor who is acting for a party in any proceedings and who wishes to cease acting for that party shall —
- (a) file in the Court an application in Form 45 supported by an affidavit made by the solicitor; and

(b) serve a copy of the application on that party, within 3 days of filing the application in the Court.

(5) The registrar or the Court may, upon receipt of the application referred to in paragraph (4), make an order for discharge of the solicitor and shall cause that order to be served on the party for whom the solicitor wishes to cease acting and on every other party to the proceedings or his solicitor.

(6) Until an order for discharge made under paragraph (5) is served on the party for whom the solicitor wishes to cease acting, that solicitor shall continue to act for that party.

### **Appeals from directions and orders of registrar**

**38.**—(1) An appeal shall lie from any direction or order of the registrar to the Court.

(2) An appeal to the Court under this rule shall be commenced by filing in the Court a notice of appeal in Form 46 addressed to the senior president of the Court not later than 14 days from the date of the direction or order of the registrar.

(3) The appellant shall serve on every respondent to the appeal a copy of the notice of appeal within 3 days of filing the notice of appeal in the Court.

(4) An appeal to the Court under this rule shall be heard by way of rehearing.

(5) No appeal shall lie from a decision of the Court on an appeal under this rule except —

(a) an appeal from an interim order made by the registrar under rule 14(1); and

(b) an appeal from a consent decree or order made by the registrar under rule 26(1).

(6) Notwithstanding anything in this rule, the Court may, if it thinks fit, extend the time required for the doing of any act under this rule.

PART IV

APPEAL BOARD

**Appeals to Appeal Board**

**39.**—(1) This rule shall apply to all appeals to the Appeal Board under section 55 of the Act except for the matters specified in the Second Schedule.

(2) An appeal to the Appeal Board shall be commenced by filing with the Secretary a notice of appeal in Form 47 addressed to the Appeal Board, accompanied by the relevant fee specified in the Third Schedule, within 30 days from the date of the decision or order of the Court, Kadi or Naib Kadi, as the case may be.

(3) An appellant shall serve a copy of his notice of appeal on each respondent to the appeal within 3 days of filing the notice of appeal with the Secretary.

(4) The Secretary shall cause a copy of the notice of appeal to be served as soon as possible on the Court, Kadi or Naib Kadi, as the case may be.

(5) On receiving the copy of the notice of appeal, the president of the Court, the Kadi or Naib Kadi, as the case may be, shall prepare and sign a copy of the grounds of his decision or order and forward the copy of the grounds of his decision or order to the Secretary who shall then serve on the appellant a notice to collect.

(6) Upon payment of the relevant fee specified in the Third Schedule, the appellant shall collect the copy of the grounds of the decision or order referred to in paragraph (5) together with a copy of the notes of the proceedings and any other document (including exhibits) used by the Court, Kadi or Naib Kadi, as the case may be, in the first instance.

(7) Within 21 days after the service of the notice to collect on the appellant referred to in paragraph (5), the appellant shall, if he desires to proceed with the appeal file with the Secretary a petition of appeal in quadruplicate in Form 48.

(8) The appellant shall serve on every respondent to the appeal a copy of the petition of appeal, a copy of the grounds of the decision or

order and all other documents received by him from the Secretary under paragraph (6), within 3 days of filing the petition of appeal with the Secretary.

(9) Every petition of appeal shall be signed by the appellant or his solicitor and shall contain —

(a) the grounds of appeal; and

(b) a concise statement of the particulars of the matters of law or fact relating to each ground of appeal,

and, subject to rule 42, the appellant shall not be permitted at the hearing of the appeal to rely on any ground of appeal other than those specified in the petition of appeal.

(10) If a petition of appeal is not filed within the time specified in paragraph (7), the appeal shall be deemed to have been withdrawn.

(11) A respondent to an appeal may give notice to the Appeal Board through the Secretary, and to every other party involved in the appeal that he intends to seek a variation of the decision or order appealed from, and such notice shall operate as a cross-appeal.

(12) The notice given by the respondent referred to in paragraph (11) shall be —

(a) in Form 49; and

(b) filed with the Secretary in quadruplicate within 14 days of service of the petition of appeal by the respondent,

and a copy of the notice shall be served by the respondent on the appellant within 3 days of filing with the Secretary.

(13) Subject to rule 42, a respondent who has filed and served a notice under paragraph (12) shall not raise any matter not specified in the notice.

(14) Within 21 days of the filing of the petition of appeal referred to in paragraph (7), the appellant shall file with the Secretary 4 copies of the record of appeal, and serve a copy of the record of appeal on every respondent to the appeal.

(15) The record of appeal shall consist of a copy of —

- (a) the notice of appeal, petition of appeal and the notice (if any);
- (b) the grounds of the decision or order, the notes of proceedings and any other document referred to in paragraph (6); and
- (c) the case statement, Memorandum of Defence and any other document relating to the cause of action in the first instance.

(16) If a record of appeal is not filed within the time specified in paragraph (14), the appeal shall be deemed to have been withdrawn.

(17) An application for leave to appeal to the Appeal Board under section 55(1)(g) or (2) of the Act shall be made by way of motion in Form 50 supported by an affidavit made by the applicant setting out the reasons why leave should be granted.

(18) The application and affidavit referred to in paragraph (17) shall be —

- (a) filed with the Secretary;
- (b) accompanied by the relevant fee specified in the Third Schedule; and
- (c) served on every other party to which the application relates within 3 days of filing with the Secretary.

(19) A party who has been served with an application under paragraph (18)(c) shall, if he wishes to be heard on the application, file with the Secretary an affidavit-in-reply within 21 days of being served with the application, and serve the affidavit-in-reply on the applicant within 3 days of filing with the Secretary.

(20) No further affidavit or affidavit-in-reply shall be filed with the Secretary without the leave of the Appeal Board.

(21) Notwithstanding anything in this rule, the Appeal Board may, if it thinks fit, extend the time required for the doing of any act under this rule.

(22) An application for leave to extend the time for the doing of any act under this rule shall be made by way of motion in Form 50 and

paragraphs (17) to (20) shall apply, with the necessary modifications, to such application.

### **Appeals on certain matters**

**40.**—(1) This rule shall apply to appeals to the Appeal Board under section 55 of the Act on the matters specified in the Second Schedule.

(2) An appeal under this rule shall be commenced by filing with the Secretary a notice of appeal in Form 51 addressed to the Appeal Board, accompanied by the relevant fee specified in the Third Schedule.

(3) The Secretary shall cause a copy of the notice of appeal filed with him under paragraph (2) to be served as soon as possible on the Court.

(4) The notice of appeal referred to in paragraph (2) shall be filed not later than 14 days from the date of the order of the Court and the appellant shall serve a copy of the notice of appeal on every respondent to the appeal within 3 days of filing the notice of appeal with the Secretary.

(5) Upon receipt of the notice of appeal, the Court shall prepare and sign a copy of the grounds of its order and forward the copy of the grounds of its order to the Secretary who shall then serve on the appellant a notice to collect.

(6) Upon payment of the relevant fee specified in the Third Schedule, the appellant shall collect the copy of the grounds of the order referred to in paragraph (5) together with a copy of the notes of the proceedings and any other document (including exhibits) used by the Court in the first instance.

(7) The appellant shall serve on every respondent to the appeal a copy of the grounds of the order of the Court and all other documents received by the appellant under paragraph (6) within 3 days of receiving them from the Secretary.

(8) An appeal under this rule shall be heard by way of rehearing.

(9) Notwithstanding paragraph (4), the Appeal Board may extend the time required for the filing of a notice of appeal under this rule.



(10) An application for leave to extend the time for the filing of a notice of appeal under this rule shall be made by way of motion in Form 50 and rule 39(17) to (20) shall apply, with the necessary modifications, to such application.

### **Hearing of appeals**

**41.**—(1) Upon receipt by the Secretary of —

- (a) the record of appeal under rule 39(14);
- (b) the notice of appeal under rule 40(2); or
- (c) the notice of motion referred to in rule 39(17) or (22), 40(10) or 42(1),

the President of the Majlis shall constitute an Appeal Board to hear the appeal in the manner provided in section 55 of the Act.

(2) The Appeal Board shall fix a date for the hearing of the appeal and shall notify the parties to the appeal of the date and the place for the appeal to be heard.

(3) The Appeal Board may make any order as to costs as it thinks fit.

(4) Where an appeal is deemed to be withdrawn under rule 39(10) or (16), the Secretary shall inform every respondent to the appeal or his solicitor of the withdrawal and shall refund to the appellant such amounts of the fees paid by the appellant as may be appropriate.

(5) Notwithstanding rules 39 and 40, the Appeal Board may, upon an application made by any party at the hearing of an appeal, including an application made orally, waive any of the requirements of rule 39 or 40 if the Appeal Board thinks that it is just and expedient to do so.

(6) An order made by the Appeal Board under these Rules shall be in Form 52.

### **Further evidence**

**42.**—(1) If a party to an appeal desires to —

- (a) adduce further evidence on any question of fact at the hearing of the appeal; or

- (b) rely on any ground other than that specified in the petition of appeal or the notice given by the respondent, as the case may be,

that party shall make an application for leave to do so by way of motion in Form 50.

(2) Rule 39(17) to (20) shall apply, with the necessary modifications, to an application made under paragraph (1).

## PART V

### MISCELLANEOUS

#### **Oral applications to Court or Appeal Board**

**43.**—(1) Notwithstanding any requirement in these Rules, the registrar, the Court or the Appeal Board may, in an appropriate case, allow an application under these Rules to be made by way of an oral request by the applicant.

(2) This rule does not apply to —

- (a) the commencement of any proceedings in the Court under rule 9; and
- (b) the commencement of any appeal to the Court or the Appeal Board under rule 38, 39 or 40.

#### **Practice and procedure**

**44.** In matters of practice and procedure not expressly provided for in these Rules, the registrar, the Court or the Appeal Board may adopt the practice and procedure for the time being adopted in relation to civil proceedings in any court.

#### **Fees**

**45.**—(1) Subject to paragraphs (2) and (3), the fees specified in the Third Schedule shall be payable for the matters stated therein.

*[S 222/2010 wef 16/04/2010]*

(2) The Court or the Appeal Board may, on an application by any person to any proceedings in the Court or Appeal Board, as the case

may be, waive the relevant fees specified in the Third Schedule payable by that person by reason of the poverty of that person.

(3) The Permanent Secretary may, in the circumstances of a particular case or a class of cases, waive the whole or any part of any fee specified in the Third Schedule for a search of the Register of Marriages.

[S 222/2010 wef 16/04/2010]

### **Transitional provision**

**46.**—(1) These Rules shall not apply to any proceedings or appeal commenced before 1st August 1999 and the revoked Muslim Marriage and Divorce Rules (R 1, 1990 Ed.) shall continue to apply to that proceedings or appeal.

(2) Any direction, order, decision or decree made by —

- (a) the Kadi or Naib Kadi;
- (b) the registrar or the Court; or
- (c) the Appeal Board,

under the revoked Muslim Marriage and Divorce Rules (R 1, 1990 Ed.), shall be treated as a direction, order, decision or decree made under these Rules and shall have the same force and effect as if it had been made by —

- (i) the Kadi or Naib Kadi;
- (ii) the registrar or the Court; or
- (iii) the Appeal Board,

as the case may be, under these Rules.

(3) Every registration of —

- (a) marriage or revocation of divorce by the Kadi or Naib Kadi;  
or
- (b) divorce by the Kadi,

under the revoked Muslim Marriage and Divorce Rules shall be treated as a registration of marriage or revocation of divorce or a registration of divorce under these Rules.

FIRST SCHEDULE

FORM 1

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

MUSLIM MARRIAGE AND DIVORCE RULES

Rule 3

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

ORIGINAL \_\_\_\_\_

قرومھتن انتوق اوقچارا قورنكاجن  
APPLICATION FOR SOLEMNISATION OF MARRIAGE

	لاکھی MALE	قورمھتن FEMALE	
نام قورمھتن FULL NAME			APPLICATION DATE
كاليں ALIAS			MARRIAGE CERTIFICATE NO.
ھېسب قورمھتن IDENTITY TYPE			SOLEMNISATION DATE
ھېسب قورمھتن پاسپورت NRIC/PASSPORT NO.			MARRIAGE PREFIX
تاریخ الامیر DATE OF BIRTH			MARRIAGE TYPE
یارق قورمھتن MARITAL STATUS			POLYGAMY
نېسا RACE			MARRIAGE COUNSELLING
قورمھتن قورمھتن قورمھتن NATIONALITY			SOLEMNISATION PLACE
قورمھتن قورمھتن قورمھتن RESIDENTIAL STATUS			SOLEMNISER
قورمھتن قورمھتن قورمھتن HIGHEST EDUCATIONAL QUALIFICATION			
قورمھتن قورمھتن قورمھتن OCCUPATION			
قورمھتن قورمھتن قورمھتن ADDRESS			
قورمھتن قورمھتن قورمھتن CONTACT NUMBER		تاریخ ۋاقت قورمھتن قورمھتن قورمھتن Proposed date and hour of marriage	
قورمھتن قورمھتن قورمھتن RELIGIOUS KNOWLEDGE		مستھون Meeharum	
نام وای قورمھتن قورمھتن قورمھتن Name of Male of female party and reasoning		قورمھتن قورمھتن قورمھتن Agreed marriage expenses	
ھېسب قورمھتن قورمھتن قورمھتن If female party is divorced or widowed, evidence of divorce or death			
ھېسب قورمھتن قورمھتن قورمھتن If male party is married, divorced or widowed, evidence of marriage, divorce or death			

FIRST SCHEDULE — continued

معرضة دهن سيندو؟ بيا	ساي	بيج بلانچ كهه قلطان اير	ساي	معرضة دهن سيندو؟	ساي
<p>ساي اهله فرسوان بخرسوت نامن دانس. دان بيرا          (1) فرکر؟ بخرسوت کورت دهن دوي ساي اهله بزا مان بول کسوتان          (2) ساي بخرسوت بلنکرت ماشنه. کاي سکر؟ اهلاي          (3) ساي نيکه خولاي دوي بچ براه سلاستکن فرکوسن ساي ک ساي له ساروغ ووي          براه          نيکلای          ناني ي لهسول برصوهر سلفاننگن فرکوسن ساي.          (4) ساي ريفالنت بياي ليدل له الهه 1-لاي بچ سيج بچ براه سلفانچ فرکوسن          اين. سلاي دوي سيج بچ بوي ساي ليدل کروي فرسوزان. دن دني اين ساي          بخرس ساي فرکوسن اين دانله دچاننگن داي ساي کسوتان سورت اکران اين          دن فرکران بيرا دانس؟ بخرسوت دهان الهه براه سورت اکران؟ سورت اکران          نامن 1835</p>		<p>معرضة دهن سيندو؟ بياي ساي اهله دوي بچ سيج سورت اکران؟ اهلاي داي          قسوتان فرسوان بخرسوت نامن دانس. دان بيرا          (1) فرکر؟ بخرسوت کورت دهن فرسوان ايت الهه بزا مان بول کسوتان          (2) فرسوان ايت الهه ساي کوي          (3) فرسوان ايت له ساي اين ليدل ورترا بچ کله ساروغ آين          (4) ساي ريفالنت بياي ليدل له الهه 1-لاي بچ سيج بچ براه سلفانچ فرکوسن          اين دهن لاي ساي بخرسوت نامن دانس دان دني اين ساي کوي نامن دانس          فرکوسن اين. دن ساي کسوتان سورت اکران اين دن فرکران بيرا دانس؟          بخرسوت دهان الهه براه سورت اکران؟ سورت اکران نامن 1835</p>		<p>معرضة دهن سيندو؟          اهله لاي بخرسوت نامن دانس دان بيرا          فرکر؟ بخرسوت کورت دهن دوي ساي اهله بزا مان بول کسوتان          ساي سوي کوسن دهن فرسوان بچ رسوت دانس دهن دن اين ساي بخرس ساي          ساي دهرن کوسن دهن فرسوان ايت          ساي ريفالنت بياي ليدل له الهه 1-لاي بچ سيج بچ براه سلفانچ فرکوسن اين          دن ساي کسوتان سورت اکران اين دن فرکران بيرا دانس؟ بخرسوت دهان          الهه براه سورت اکران؟ سورت اکران نامن 1835.</p>	
<p>دوات دهان ساي دسقاورا لهه          طريون نامن 19</p>		<p>دوات دهان ساي دسقاورا لهه          طريون نامن 19</p>		<p>دوات دهان ساي دسقاورا لهه          طريون نامن 19</p>	
<p>نامي اير تيب نامي</p>		<p>نامي اير تيب نامي</p>		<p>نامي اير تيب نامي</p>	
<p>I do solemnly and sincerely declare that I am the male party described herein and that -          (1) the particulars relating to myself are true and correct in all respects.          (2) I wish to be married to the female party described herein, and hereby apply for the marriage to be solemnised.          (3) I know of no lawful obstacle to the marriage.          and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.</p>		<p>I do solemnly and sincerely declare that I am the female party described herein and that -          (1) the particulars relating to her are true and correct in all respects.          (2) she is my _____          (3) she is not at present betrothed to any other person.          (4) I know of no lawful obstacle to her marrying the male party described herein, and to which marriage I hereby give my consent.          and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.</p>		<p>I do solemnly and sincerely declare that I am the female party described herein and that -          (1) the particulars relating to myself are true and correct in all respects.          (2) I am a follower of the _____ School of Muslim law.          (3) "I have no wali who can give me away in marriage have a Wali named _____ but he has refused his consent to my marriage.          (4) I know of no lawful obstacle to the marriage, other than the fact that my wali has refused to consent to the marriage, and I hereby apply for the marriage to be solemnised.          and I make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Statutory Declarations Act, 1835.</p>	
<p>Signature of Declarant          Declared before me at Singapore this _____ day of _____</p>		<p>Signature of Declarant          Declared before me at Singapore this _____ day of _____</p>		<p>Signature of Declarant.          Declared before me at Singapore this _____ day of _____</p>	
<p>Kadi or Nab Kadi</p>		<p>Kadi or Nab Kadi</p>		<p>Kadi or Nab Kadi</p>	

\* Debit v/hut masepok





FIRST SCHEDULE — *continued*

FORM 2

Rule 6(1)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ  
دَفْتَرِ فُرْكَهَوِیْنِ  
REGISTER OF MARRIAGE

Entry No. 000000

_____ بُرْهَمَیْمَیْنِ لَکَیْنِ Bridegroom	_____ کَیْمَیْنِ نَیْمَیْنِ NRIC No.	_____ نَیْمَیْنِ Signature
_____ بُرْهَمَیْمَیْنِ قَیْمَیْنِ Bride	_____ کَیْمَیْنِ نَیْمَیْنِ NRIC No.	_____ نَیْمَیْنِ Signature
بُرْهَمَیْمَیْنِ دَکَیْمَیْنِ دَکَیْمَیْنِ This Marriage was solemnized as		
نَیْمَیْنِ on	نَیْمَیْنِ by	_____ نَیْمَیْنِ in the presence of
_____ نَیْمَیْنِ Witness	_____ کَیْمَیْنِ نَیْمَیْنِ NRIC No.	_____ نَیْمَیْنِ Signature
_____ نَیْمَیْنِ Witness	_____ کَیْمَیْنِ نَیْمَیْنِ NRIC No.	_____ نَیْمَیْنِ Signature
مَکَیْمَیْنِ Makshwin	مَکَیْمَیْنِ Marriage expenses	مَکَیْمَیْنِ Registered by
_____ نَیْمَیْنِ دَکَیْمَیْنِ دَکَیْمَیْنِ Signature of Wali/Wali Hakim	نَیْمَیْنِ on	_____ کَیْمَیْنِ نَیْمَیْنِ Kadi or Nash Kadi



FIRST SCHEDULE — continued

(Reverse side)

تعليق

- له تعلقه کالی سالی.....
- (1) متعلقه کالی استری سالی.....
- دین سلیح اتو تیدیق سلیا امتت بولن اتو لیه، اتو
- (2) سالی اتو دیکل سالی تیدیق بری نلقه کلدن سلیا ماس ترسوت سدلیکن ای طاعت کلدن سالی، اتو
- (3) سالی ملاکون سالیخ لریکارا یخ منچوراکن نوبه بدائن، اتو بروسلیکن هون بدائن، اتو منچورمکن کسرماتین، کسدین منقادو ای کلدن حکمه شرعیه سوت دوائقی قلدوانین این بتبول نسجای کو توره طلاق استری این دین طلاق ساتو.

Special Conditions

On every occasion that I \_\_\_\_\_

- (1) Leave my wife \_\_\_\_\_  
for a continuous period of 4 months or more, intentionally or unintentionally, or
- (2) Fail to maintain her for the said period, whereas she is obedient to me, or
- (3) Commit any action that causes injury to her body or damage to her property or causes her to lose self-respect,  
and my wife complains to the Syariah Court and if her complaint is proved, then she is divorced by one talak.

FIRST SCHEDULE — continued

FORM 3

Rule 6(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

دفتر فرجراين  
**REGISTER OF DIVORCE**

NO

نام سواسي <b>Name of Husband:</b>	نمبر ڪار ڦهڻاڻون <b>NRIC No.:</b>	هه ٿاڻين <b>Signature</b>
نام امستري <b>Name of Wife:</b>	نمبر ڪار ڦهڻاڻون <b>NRIC No.:</b>	هه ٿاڻين <b>Signature</b>
فرجراين ٿيڻ جو تاريخ/مقرر ٿيڻ جو تاريخ: <b>The Divorce was pronounced/decreeed on (date):</b>	ڇو <b>by:</b>	
بيعتن ۽ طبيعتن جو تعداد <b>Number &amp; Nature of Talak:</b>	بيعتن جو تعداد <b>Nafkah Etdah:</b>	مستحق <b>Muta' ah:</b>
بيعتن جو احوال <b>Custody of Children: To husband:</b>	فرجراين <b>To wife:</b>	
شاهدي <b>Witness:</b>	نمبر ڪار ڦهڻاڻون <b>NRIC No.:</b>	ٿاڻين <b>Signature</b>
شاهدي <b>Witness:</b>	نمبر ڪار ڦهڻاڻون <b>NRIC No.:</b>	ٿاڻين <b>Signature</b>
تاريخ ۽ ڏينھن <b>Date of Marriage:</b>	تاريخ ۽ ڏينھن <b>Marriage Certificate No.:</b>	
رجسٽر ٿيڻ جو مقام <b>Registered at:</b>		رجسٽر ٿيڻ جو مقام <b>AND IS REGEDLY REGISTERED ON:</b>
		ٿاڻين <b>BY ME</b>

(SEAL)

**پريزيڊنٽ مسلمان عدالت**  
**President, Shariah Court**

FIRST SCHEDULE — continued

FORM 4

Rule 6(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ  
فُنْدُقْتَرَانِ وَجْوَع

REGISTER OF REVOCATION OF DIVORCE

Entry No. 000000

\_\_\_\_\_ Husband \_\_\_\_\_ NRIC No. \_\_\_\_\_ Signature

\_\_\_\_\_ Wife \_\_\_\_\_ NRIC No. \_\_\_\_\_ Signature

رجوع ارسوت قلل هوات

This Revocation of the Divorce was made at \_\_\_\_\_

قُءِ \_\_\_\_\_ بولل \_\_\_\_\_

\_\_\_\_\_ in the presence of

\_\_\_\_\_ Witness \_\_\_\_\_ NRIC No. \_\_\_\_\_ Signature

\_\_\_\_\_ Witness \_\_\_\_\_ NRIC No. \_\_\_\_\_ Signature

دوفنوك اولل  
Registered by \_\_\_\_\_

تارلج نكاح \_\_\_\_\_ نلسر سبجل \_\_\_\_\_ قءِ \_\_\_\_\_  
Marriage Date \_\_\_\_\_ Certificate No. \_\_\_\_\_

نلسر سبجل چول \_\_\_\_\_ سبجل/كلس نلسر \_\_\_\_\_ تارلج \_\_\_\_\_  
No. of Divorce \_\_\_\_\_ Certificate/Case No. \_\_\_\_\_ Date \_\_\_\_\_  
قاضي ائو نائب قاضي  
Kadi/Naib Kadi

FIRST SCHEDULE — continued

(Reverse side)

تعليق

قد تيقم؟ كالي ساي.....

(1) منيفكلكن استري ساي.....

دغن سلهياج اتو تيدق سلهيا امئت بولن اتو ليه. اتو

(2) ساي اتو دكول ساي تيدق بري نلقه كلفن سلهيا ماس ترسيرت مدقنن اي طاعت كقد ساي. اتو

(3) ساي ملاكوكن سيارخ لركاردا بيج منچدراكن توبه بدانن. اتو مروسلفن هرت ندانن. اتو

منجاتوهكن كهر ماترن. كسدبن صفادو اي كقد محكمه شرعيه سرت دوانق قشادوانن ايت بتول

نسجاي كور كوره طلاق استري ايت دغن طلاق ساتو

Special Conditions

On every occasion that I \_\_\_\_\_

(1) Leave my wife \_\_\_\_\_  
for a continuous period of 4 months or more, intentionally or unintentionally, or

(2) Fail to maintain her for the said period, whereas she is obedient to me, or

(3) Commit any action that causes injury to her body or damage to her property or causes  
her to lose self-respect,

and my wife complains to the Syariah Court and if her complaint is proved, then she is  
divorced by one talak.

FIRST SCHEDULE — continued

FORM 5

Rule 8

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

MAHKAMAH SYARIAH

Undang-Undang Pentadbiran Hukum Islam  
Undang-Undang Perkahwinan dan Perceraian Islam

Administration of Muslim Law Act  
(Chapter 3)

Muslim Marriage and Divorce Rules

SAMAN KADI KEPADA SAKSI  
SUMMONS TO A WITNESS BY KADI OR NAIB KADI

Kepada To ..... .....  Dikehendaki hadir untuk Penyiasatan pada: Required to attend Inquiry on: Haribulan      Masa      Pagi/Petang Date              Hour      A.M./P.M.  Surat-surat (dokumen) yang akan dibawa: Documents to be produced:  Tempat Penyiasatan akan dijalankan: Place at which Inquiry is to be held:	Dalam Penyiasatan IN THE INQUIRY
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------

WHEREAS you are required to testify at the above Inquiry to be held by me.

You are hereby summoned to appear in person before me at the place, date and hour, and to bring with you all the documents stated above, and to testify at the Inquiry as to all such matters and things that you may know and that may be relevant to the Inquiry.

Oleh kerana kehadiran tuan/puan dikehendaki untuk memberi keterangan berkenaan dengan penyiasatan yang tersebut diatas dan dijalankan oleh saya.

Maka dengan ini tuan/puan dipanggil hadir sendiri dihadapan saya ditempat, haribulan dan masa, dan bawalah bersama tuan/puan surat-surat (dokumen) yang semuanya tersebut diatas untuk memberi keterangan dalam penyiasatan ini apa-apa hal dan benda-benda yang tuan/puan tahu yang berhubung dengan penyiasatan ini.

Ketahuilah jika tuan/puan tidak hadir pada haribulan dan masa yang ditetapkan dan juga tuan/puan tiada dapat kemukakan sebab-sebab yang boleh diterima kerana ketiadaan hadir itu, satu perintah/warrant untuk menangkap tuan/puan boleh dikeluarkan oleh Mahkamah Syariah.

Bertarikh              Haribulan              20  
Dated this ..... day of ..... 20.....

(Seal)

.....  
*Tandatangan Kadi atau Naib Kadi*  
*Signature of Kadi or Naib Kadi*

FIRST SCHEDULE — *continued*

FORM 6

Rule 9(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

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ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

MUSLIM MARRIAGE AND DIVORCE RULES

Undang-Undang Pentadbiran Hukum Islam  
Undang-Undang Perkahwinan dan Perceraian Islam

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons No.

*No. Saman Permulaan*

BETWEEN/*ANTARA*

[Plaintiff's Name/*Nama Plaintiff*]

(NRIC No.                      )                                  ... Plaintiff/*Plaintif*

AND/*DAN*

[Defendant's Name/*Nama Defendan*]

(NRIC No.                      )                                  ... Defendant/*Defendan*

Date of Mediation/Pre-Trial Conference :  
(*Tarikh Pengantaraan/Perundingan  
Sebelum Perbicaraan*)

Time of Mediation/Pre-Trial Conference :  
(*Waktu Pengantaraan/Perundingan  
Sebelum Perbicaraan*)

You, the abovenamed Defendant, are hereby summoned to appear either in person or with your advocate and solicitor before the Syariah Court, Singapore, at the date and time stated above.

And take Notice that in default of such appearance:

- (1) a warrant of arrest may be issued against you if no reasonable excuse is offered for such failure to appear;
- (2) the Court may proceed to hear the Originating Summons in your absence.

A copy of the Plaintiff's Case Statement is filed together with this Originating Summons.

FIRST SCHEDULE — *continued*

*Anda sebagai Defendan di atas, dengan ini diperintahkan hadir secara perseorangan atau bersama peguam anda di Mahkamah Syariah, Singapura pada tarikh dan waktu yang tersebut di atas.*

*Dan ambil Perhatian bahawa jika anda gagal menghadirkan diri sebagaimana yang diperintahkan:*

- (1) satu perintah/warrant untuk menangkap anda boleh dikeluarkan jika tidak mengemukakan sebab yang munasabah kerana kegagalan menghadirkan diri;*
- (2) mahkamah boleh meneruskan percabaran walaupun tanpa kehadiran anda.*

*Satu salinan Penyata Kes Plaintiff telah disertakan bersama Saman Permulaan ini.*

Dated this       day of                         20 .  
*Bertarikh        haribulan*

(Seal)

Senior President, Syariah Court, Singapore  
*Presiden Kanan, Mahkamah Syariah, Singapura*

**NOTICE TO THE DEFENDANT**

***NOTIS KEPADA DEFENDAN***

Take Notice that an Originating Summons has been commenced by the Plaintiff against you for \_\_\_\_\_.

If you wish to be heard on this matter, you must complete the accompanying Memorandum of Defence in triplicate. Take note that the Memorandum of Defence must be affirmed and filed with the Syariah Court within 21 days of your receiving this Summons. A filed copy must be served on the Plaintiff or Plaintiff's advocate and solicitor. Take note that you have to pay fees on the copy to be filed with the Syariah Court. If you do not agree with the matters stated in the Plaintiff's Case Statement, you may include a cross-application in your Memorandum of Defence.

If you intend to instruct an advocate and solicitor, you should at once give your advocate and solicitor all the documents that you have received.

This Originating Summons is taken out by the abovenamed Plaintiff who resides at [to state address].

*Ambil perhatian bahawa Plaintiff telah memulakan Saman Permulaan terhadap anda dalam perkara \_\_\_\_\_.*

*Anda dikehendaki mengisi borang Memorandum Pembelaan yang dilampirkan bersama surat saman ini sebanyak tiga salinan. Sila ambil perhatian bahawa borang Memorandum Pembelaan ini hendaklah disahkan secara bersumpah dan difaikan di Mahkamah Syariah dalam tempuh 21 hari dari tarikh anda menerima surat saman ini.*

FIRST SCHEDULE — *continued*

*Anda akan dikenakan bayaran ketika memfailkan salinan di Mahkamah Syariah. Satu salinan yang telah difailkan mesti diserahkan kepada Plaintiff atau peguam yang mewakilinya. Jika anda tidak setuju dengan tuntutan yang dikemukakan oleh pihak Plaintiff sebagaimana yang tertera di dalam Penyataan Kes beliau, anda dibenarkan untuk menyertakan permohonan balas (cross application) di dalam Memorandum Pembelaan anda.*

*Jika anda bertujuan untuk mendapatkan khidmat peguam, anda hendaklah segera menyerahkan semua dokumen-dokumen yang telah anda terima ini kepada peguam anda.*

*Saman Permulaan ini telah dibuat oleh pihak Plaintiff yang namanya tertera di atas dan beralamatkan di (nyatakan alamat).*

To The Defendant/Kepada Defendan

Name>Nama :

Address/Alamat:

**ACKNOWLEDGMENT OF RECEIPT OF ORIGINATING SUMMONS**

I, the Defendant, acknowledge that I have received a copy of the Originating Summons, the Plaintiff's Case Statement and a copy of Memorandum of Defence Form.

*Saya, Defendan, mengakui bahawa saya telah menerima Saman Permulaan, Penyataan Kes Plaintiff dan Borang Memorandum Pembelaan.*

Signed (Defendant)

Name :

NRIC No.:

Date :

---

**MEMORANDUM OF SERVICE OF ORIGINATING SUMMONS, ETC.**

I, \_\_\_\_\_, do hereby declare that I did on the \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ A.M./P.M. at \_\_\_\_\_ serve a copy of this Originating Summons, the Case Statement and Memorandum of Defence Form on the Defendant.

.....  
Signature of person authorised to serve Summons.



FIRST SCHEDULE — *continued*

FORM 7

Rule 9(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

CASE STATEMENT  
**(by Plaintiff Husband)**  
(*talak* and divorces)

**IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE**

Originating Summons No.  
*No. Saman Permulaan*

BETWEEN/ANTARA

[Plaintiff's Name/*Nama Plaintiff*]

(NRIC No.                      )                                                          ... Plaintiff/*Plaintif*

AND/DAN

[Defendant's Name/*Nama Defendan*]

(NRIC No.                      )                                                          ... Defendant/*Defendan*

1. Particulars of Plaintiff

- Age : \_\_\_\_\_
- Citizenship : \_\_\_\_\_
- Religion : \_\_\_\_\_
- Educational Level: \_\_\_\_\_
- Occupation : \_\_\_\_\_
- Current Address : \_\_\_\_\_

2. Date and Place of Marriage:

\_\_\_\_\_  
(To enclose a copy of the original marriage certificate/certified true copy)

3. Ground of Divorce (\*Delete where inapplicable)

\*(a) I wish to divorce the Defendant.

The reason(s) for divorce is/are —

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_

FIRST SCHEDULE — *continued*

\*(b) I had pronounced *talak* on the Defendant.

Date of Pronouncement: \_\_\_\_\_ day of \_\_\_\_\_ (month) of \_\_\_\_\_ (year) at \_\_\_\_\_ in the presence of (1) \_\_\_\_\_ and (2) \_\_\_\_\_

The words I said were:

\_\_\_\_\_

\_\_\_\_\_

4. Particulars of all children:

S/No.	Name	Birth Cert./ NRIC No.	Date of Birth	Gender
1				
2				
3				
4				
5				
6				

5. Particulars of adopted children:

S/No.	Name	Birth Cert./ NRIC No.	Date of Birth	Gender
1				
2				

6. Particulars of the matrimonial home:

(a) Address: \_\_\_\_\_

(b) Name of Lessee(s)/Owner(s):

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

(c) Name of permitted occupiers and relationship with each Lessee/Owner:

\_\_\_\_\_

(d) Sole Tenancy/Joint Tenancy/Tenancy in common (please specify shares):

\_\_\_\_\_

(e) Type of matrimonial home (i.e. whether 3-room, 4-room, 5-room, Executive, etc.):

\_\_\_\_\_

(f) Date of Purchase: \_\_\_\_\_

FIRST SCHEDULE — continued

(g) Amount of outstanding loan due to the HDB/Bank as at current date:

\_\_\_\_\_

(h) The estimated value of the matrimonial home as at \_\_\_\_\_ is \_\_\_\_\_

(i) Amount of CPF Housing grant credited to:

Plaintiff's CPF Account : \_\_\_\_\_

Defendant's CPF Account: \_\_\_\_\_

(j) Payment made by Plaintiff towards the purchase of the matrimonial home:

CPF : \_\_\_\_\_

Bank: \_\_\_\_\_

Cash: \_\_\_\_\_

Indirect contributions: \_\_\_\_\_

(To enclose Plaintiff's CPF Public Housing Scheme Withdrawal Statement, Property Statement, HDB/Bank statement on the outstanding loan of the home)

7. The following is a list of other matrimonial assets:

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

8. The Defendant and I had previous matrimonial proceedings as follows:

(\*Delete where inapplicable)

\*(1) First Divorce on \_\_\_\_\_ and \**rujuk*/remarried on \_\_\_\_\_  
(dd/mm/yyyy) (dd/mm/yyyy)

\*(2) Second Divorce on \_\_\_\_\_ and \**rujuk*/remarried on \_\_\_\_\_  
(dd/mm/yyyy) (dd/mm/yyyy)

9. The Defendant and I have on-going matrimonial proceedings as follows:

Details, if any \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Proposal on Custody of Minor Children (\*Delete where inapplicable)

\*(a) I wish to have joint/sole custody, care and control of the minor children (below 21 years), namely:

S/No.	Name	Birth Cert/ NRIC No.	Date of Birth	Gender
-------	------	-------------------------	------------------	--------

1

2

FIRST SCHEDULE — continued

3  
4  
5  
6

with reasonable access to the Defendant.

\*(b) I wish that the Defendant be granted joint/sole custody, care and control of the minor children with reasonable access to me.

11. Proposal on Matrimonial Home (\*Delete where inapplicable)

\*Option 1 — To be surrendered to HDB

\*Option 2 — To be sold

(Profit sharing: Plaintiff \_\_\_\_\_ %, Defendant \_\_\_\_\_ %)

\*Option 3 — To be transferred to me

\*Option 4 — To be transferred to the Defendant

\*Option 5 — Others \_\_\_\_\_

12. Proposal on the disposal of other matrimonial assets:

\_\_\_\_\_  
\_\_\_\_\_

13. Proposal on Nafkah Iddah and Mutaah

(a) I offer *nafkah iddah* in the sum of \_\_\_\_\_ per month for the period of *iddah*.

(b) I offer *mutaah* in the sum of \_\_\_\_\_ for the duration of marriage of \_\_\_\_\_ years \_\_\_\_\_ months.

14. To the best of my knowledge, information and belief, the Defendant is working as a \_\_\_\_\_ earning an income of \_\_\_\_\_.

Affirmed at Singapore by the abovenamed

\_\_\_\_\_  
this day of \_\_\_\_\_ 20 .

}  
} Before me,  
}

A COMMISSIONER FOR OATHS

FIRST SCHEDULE — *continued*

## FORM 8

Rule 9(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)CASE STATEMENT  
(by Plaintiff Wife)  
(*talak* and divorces)

## IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons No.  
*No. Saman Permulaan*BETWEEN/*ANTARA*[Plaintiff's Name/*Nama Plaintiff*](NRIC No.                   )                   ... Plaintiff/*Plaintif*AND/*DAN*[Defendant's Name/*Nama Defendan*](NRIC No.                   )                   ... Defendant/*Defendan*

## 1. Particulars of Plaintiff

Age                   :  
Citizenship       :  
Religion           :  
Educational Level:  
Occupation       :  
Current Address  :

## 2. Date and Place of Marriage:

\_\_\_\_\_  
(To enclose a copy of the original marriage certificate/certified true copy)

## 3. Ground of Divorce (\*Delete where inapplicable)

\*(a) I wish to apply for divorce from the Defendant.

The reason(s) for divorce is/are —

- (1) \_\_\_\_\_
- 
- (2) \_\_\_\_\_
- 
- (3) \_\_\_\_\_

FIRST SCHEDULE — continued

\*(b) The Defendant had pronounced *talak* on me.

Date of Pronouncement: \_\_\_\_\_ day of \_\_\_\_\_ (month) of \_\_\_\_  
(year) at \_\_\_\_\_ in the presence of  
(1) \_\_\_\_\_ and (2) \_\_\_\_\_

The words the Defendant said were:

\_\_\_\_\_  
\_\_\_\_\_

4. Particulars of all children:

S/No.	Name	Birth Cert./ NRIC No.	Date of Birth	Gender
1				
2				
3				
4				
5				
6				

5. Particulars of adopted children:

S/No.	Name	Birth Cert./ NRIC No.	Date of Birth	Gender
1				
2				

6. Particulars of the matrimonial home:

(a) Address: \_\_\_\_\_

(b) Name of Lessee(s)/Owner(s):

(i) \_\_\_\_\_

(ii) \_\_\_\_\_

(iii) \_\_\_\_\_

(c) Name of permitted occupiers and relationship with each Lessee/Owner:  
\_\_\_\_\_

(d) Sole Tenancy/Joint Tenancy/Tenancy in common (please specify shares):  
\_\_\_\_\_

(e) Type of matrimonial home (i.e. whether 3-room, 4-room, 5-room,  
Executive, etc.):  
\_\_\_\_\_

(f) Date of Purchase: \_\_\_\_\_

FIRST SCHEDULE — *continued*

(g) Amount of outstanding loan due to the HDB/Bank as at current date:  
\_\_\_\_\_

(h) The estimated value of the matrimonial home as at \_\_\_\_\_ is \_\_\_\_\_

(i) Amount of CPF Housing grant credited to:

Plaintiff's CPF Account : \_\_\_\_\_

Defendant's CPF Account: \_\_\_\_\_

(j) Payment made by Plaintiff towards the purchase of the matrimonial home:

CPF : \_\_\_\_\_

Bank: \_\_\_\_\_

Cash: \_\_\_\_\_

Indirect contributions: \_\_\_\_\_

*(To enclose Plaintiff's CPF Public Housing Scheme Withdrawal Statement, Property Statement, HDB/Bank statement on the outstanding loan of the home)*

7. The following is a list of other matrimonial assets:

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

8. The Defendant and I had previous matrimonial proceedings as follows:

(\*Delete where inapplicable)

\*(1) First Divorce on \_\_\_\_\_ and \**rujuk*/remarried on \_\_\_\_\_  
(dd/mm/yyyy) (dd/mm/yyyy)

\*(2) Second Divorce on \_\_\_\_\_ and \**rujuk*/remarried on \_\_\_\_\_  
(dd/mm/yyyy) (dd/mm/yyyy)

9. The Defendant and I have on-going matrimonial proceedings as follows:

Details, if any \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

10. Proposal on Custody of Minor Children (\*Delete where inapplicable)

\*(a) I wish to have joint/sole custody, care and control of the minor children (below 21 years), namely:

S/No.	Name	Birth Cert/ NRIC No.	Date of Birth	Gender
-------	------	-------------------------	------------------	--------

1

2

FIRST SCHEDULE — continued

3  
4  
5  
6

with reasonable access to the Defendant.

\*(b) I wish that the Defendant be granted joint/sole custody, care and control of the minor children with reasonable access to me.

11. Proposal on Matrimonial Home (\*Delete where inapplicable)

\*Option 1 — To be surrendered to HDB

\*Option 2 — To be sold  
(Profit sharing: Plaintiff \_\_\_\_\_ %, Defendant \_\_\_\_\_ %)

\*Option 3 — To be transferred to me

\*Option 4 — To be transferred to the Defendant

\*Option 5 — Others \_\_\_\_\_

12. Proposal on the disposal of other matrimonial assets:

\_\_\_\_\_  
\_\_\_\_\_

13. Proposal on Nafkah Iddah and Mutaah

(a) I wish to claim *nafkah iddah* in the sum of \_\_\_\_\_ per month for the period of *iddah*.

(b) I wish to claim *mutaah* in the sum of \_\_\_\_\_ for the duration of marriage of \_\_\_ years \_\_\_ months.

14. Proposal on Outstanding Emas Kahwin and Marriage Expenses (Hantaran Belanja)

(a) I wish to claim the outstanding *emas kahwin* in the sum of \_\_\_\_\_.

(b) I wish to claim the outstanding marriage expenses (*hantaran belanja*) in the sum of \_\_\_\_\_.

15. To the best of my knowledge, information and belief, the Defendant is working as a \_\_\_\_\_ earning an income of \_\_\_\_\_.

Affirmed at Singapore by the abovenamed )

\_\_\_\_\_ )

\_\_\_\_\_ )

this day of \_\_\_\_\_ 20 .

Before me,

A COMMISSIONER FOR OATHS”;



FIRST SCHEDULE — continued

FORM

Form 9 — Deleted by S 51/2009, wef 01/03/2009.

FORM

Form 10 — Deleted by S 51/2009, wef 01/03/2009.

FORM 11

Rule 9(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

(Nullity)

CASE STATEMENT

1. Name of Plaintiff: \_\_\_\_\_

2. Address: \_\_\_\_\_

3. Date and Place of Marriage: \_\_\_\_\_  
(To enclose certified true copy/original Marriage Certificate)

4. I wish to apply for my marriage to the Defendant to be declared null and void.

5. The reasons are as follows:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. The Defendant and I have the following children:

*Name* *Sex* *Date of birth*

(1)

(2)

(3)

(4)

7. \*(a) I claim nafkah iddah in the sum of \_\_\_\_\_ and  
mutaah in the sum of \_\_\_\_\_.

\*(b) I do not wish to claim nafkah iddah and mutaah.

\*(c) I leave the issue of nafkah iddah and mutaah to the Syariah Court.

FIRST SCHEDULE — continued

8. \*(a) I wish to have custody, care and control of the following children:

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

with reasonable access to the Defendant as follows \_\_\_\_\_

\_\_\_\_\_

\*(b) I have no objection to the Defendant having custody, care and control of the following children:

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_

with reasonable access to me as follows \_\_\_\_\_

\_\_\_\_\_

9. The following are particulars of the matrimonial home:

(a) Address: \_\_\_\_\_

(b) Owners: (1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

(4) \_\_\_\_\_

(c) Mode of ownership: \_\_\_\_\_

10. \*(a) I propose to dispose of the matrimonial home as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*(b) I wish to leave the issue of the matrimonial home to the Syariah Court.

FIRST SCHEDULE — continued

11. The following is a list of other matrimonial assets:

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_
- (4) \_\_\_\_\_
- (5) \_\_\_\_\_

12. \*(a) I propose to dispose of the matrimonial assets as follows:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\*(b) I wish to leave the issue of the matrimonial assets to the Syariah Court.

13. To the best of my knowledge, information and belief, the Defendant is working as a \_\_\_\_\_ earning an income of \_\_\_\_\_.

14. There \*have/have not been any previous matrimonial proceedings between us. Details, if any \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

15. There \*are/are no matrimonial proceedings currently pending between us. Details, if any \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Affirmed at Singapore by the abovenamed        )  
 this            day of                                    20    } Before me,

**A COMMISSIONER FOR OATHS**

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*  
FORM 12

Rule 9(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

(Breach of contract of betrothal)

CASE STATEMENT

1. Name of Plaintiff: \_\_\_\_\_
2. Address: \_\_\_\_\_
3. Date and Place of betrothal: \_\_\_\_\_  
Details:  
 (a) Amount of mahr agreed: \_\_\_\_\_  
 (b) Amount/value of wedding expenses (hantaran): \_\_\_\_\_  
 (c) Amount payable in event of breach, if any: \_\_\_\_\_
4. The Defendant breached the contract of betrothal on \_\_\_\_\_  
Details:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
5. I have suffered the following financial losses and/or incurred the following expenses.  
Details:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
6. I wish to claim the amount of \_\_\_\_\_.

Affirmed at Singapore by the abovenamed }  
this            day of                            20    } Before me,

**A COMMISSIONER FOR OATHS**

FIRST SCHEDULE — *continued*

FORM 13

Rule 11(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application to appoint a person to represent a party who is a minor or of unsound mind

(Title as in Action)

Let all parties concerned attend before the president or registrar in Chambers on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_ a.m./p.m. on the hearing of an application on the part of \_\_\_\_\_ for an order that:

1. [person to be appointed] of [address], be appointed to represent the \*Plaintiff/Defendant/[any other named party] in this action for the purpose of the proceedings in this action.
2. The costs of this application be provided for.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Application No.

*Clerk*

*Registrar*

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 14

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

**MEMORANDUM OF DEFENCE**  
**(by Defendant Husband)**  
(*talak* and divorces)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons No.  
*No. Saman Permulaan*

BETWEEN/ANTARA

[Plaintiff's Name/*Nama Plaintiff*]

(NRIC No.                    )

... Plaintiff/*Plaintif*

AND/DAN

[Defendant's Name/*Nama Defendan*]

(NRIC No.                    )

... Defendant/*Defendan*

1. Particulars of Defendant

- Age                    :
- Citizenship        :
- Religion            :
- Educational Level:
- Occupation         :
- Current Address   :

2. Date and Place of Marriage:

\_\_\_\_\_

(To enclose a copy of the original marriage certificate/certified true copy)

3. Ground of Divorce

\*(a) I agree/disagree with paragraph 3(a) of the Plaintiff's Case Statement.

\*(b) I confirm/do not confirm paragraph 3(b) of the Plaintiff's Case Statement.

If no, give details \_\_\_\_\_

\_\_\_\_\_

FIRST SCHEDULE — *continued*

4. I disagree with the particulars of the children as stated in paragraphs 4 and 5 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

5. I disagree with the particulars of the matrimonial home as stated in paragraph 6 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

6. I disagree with the list of other matrimonial assets as listed in paragraph 7 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

7. I disagree with the particulars of the previous matrimonial proceedings as stated in paragraph 8 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

8. I disagree with the particulars of on-going matrimonial proceedings as stated in paragraph 9 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

9. I \*agree/disagree with the Plaintiff's proposal on the custody, care and control of the minor children. I counter-propose the following:

\_\_\_\_\_  
\_\_\_\_\_

10. I \*agree/disagree with the Plaintiff's proposal on the division of the matrimonial home.

(a) I counter-propose the following:

\_\_\_\_\_

FIRST SCHEDULE — continued

(b) Payment made by me towards the purchase of the matrimonial home:

CPF : \_\_\_\_\_

Bank: \_\_\_\_\_

Cash : \_\_\_\_\_

Indirect contributions : \_\_\_\_\_

(To enclose Defendant's CPF Public Housing Scheme Withdrawal Statement, Property Statement, HDB/Bank statement on the outstanding loan of the property)

11. I \*agree/disagree with the Plaintiff's proposal on the division of the other matrimonial assets. I counter-propose the following:

\_\_\_\_\_  
\_\_\_\_\_

12. I \*agree/disagree with the Plaintiff's proposal on *nafkah iddah* and *mutaah*. I counter-propose the following:

\_\_\_\_\_  
\_\_\_\_\_

13. I \*agree/disagree with the Plaintiff's claim on outstanding *emas kahwin* and marriage expenses (*hantaran belanja*).

If disagree, give details:

\_\_\_\_\_  
\_\_\_\_\_

Affirmed at Singapore by the abovenamed )

\_\_\_\_\_  
this day of 20 .

Before me,

A COMMISSIONER FOR OATHS

\*Delete where inapplicable.



FIRST SCHEDULE — *continued*

FORM 15

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

**MEMORANDUM OF DEFENCE**

**(by Defendant Wife)**

*(talak and divorces)*

**IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE**

Originating Summons No.

*No. Saman Permulaan*

BETWEEN/*ANTARA*

[Plaintiff's Name/*Nama Plaintiff*]

(NRIC No.                    )

... Plaintiff/*Plaintif*

AND/*DAN*

[Defendant's Name/*Nama Defendan*]

(NRIC No.                    )

... Defendant/*Defendan*

1. Particulars of Defendant

Age                         :

Citizenship             :

Religion                 :

Educational Level:

Occupation             :

Current Address       :

2. Date and Place of Marriage:

\_\_\_\_\_  
(To enclose a copy of the original marriage certificate/certified true copy)

3. Ground of Divorce

\*(a) I do not wish to be divorced by the Plaintiff.

\*(b) I confirm/do not confirm paragraph 3(b) of the Plaintiff's Case Statement.

If no, give details \_\_\_\_\_

FIRST SCHEDULE — *continued*

4. I disagree with the particulars of the children as stated in paragraphs 4 and 5 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

5. I disagree with the particulars of the matrimonial home as stated in paragraph 6 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

6. I disagree with the list of other matrimonial assets as listed in paragraph 7 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

7. I disagree with the particulars of the previous matrimonial proceedings as stated in paragraph 8 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

8. I disagree with the particulars of on-going matrimonial proceedings as stated in paragraph 9 of the Plaintiff's Case Statement and the correct particulars are as follows:

\_\_\_\_\_  
\_\_\_\_\_

9. I \*agree/disagree with the Plaintiff's proposal on the custody, care and control of the minor children. I counter-propose the following:

\_\_\_\_\_  
\_\_\_\_\_

10. I \*agree/disagree with the Plaintiff's proposal on the division of the matrimonial home.

(a) I counter-propose the following:

\_\_\_\_\_

FIRST SCHEDULE — continued

(b) Payment made by me towards the purchase of the matrimonial home:

CPF : \_\_\_\_\_

Bank: \_\_\_\_\_

Cash : \_\_\_\_\_

Indirect contributions : \_\_\_\_\_

(To enclose Defendant's CPF Public Housing Scheme Withdrawal Statement, Property Statement, HDB/Bank statement on the outstanding loan of the property)

11. I \*agree/disagree with the Plaintiff's proposal on the division of the other matrimonial assets. I counter-propose the following:

\_\_\_\_\_  
\_\_\_\_\_

12. I \*agree/disagree with the Plaintiff's proposal on *nafkah iddah* and *mutaah*. I counter-propose the following:

\_\_\_\_\_  
\_\_\_\_\_

13. I wish to claim the outstanding *emas kahwin* in the sum of \_\_\_\_\_.

14. I wish to claim the outstanding marriage expenses (*hantaran belanja*) in the sum of \_\_\_\_\_.

Affirmed at Singapore by the abovenamed }  
\_\_\_\_\_) Before me,  
this day of \_\_\_\_\_ 20 .

A COMMISSIONER FOR OATHS

\*Delete where inapplicable."; and

FIRST SCHEDULE — *continued*

FORM

*Form 16 — Deleted by S 51/2009, wef 01/03/2009.*

FORM

*Form 17 — Deleted by S 51/2009, wef 01/03/2009.*

FORM 18

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

(Nullity)

MEMORANDUM OF DEFENCE

1. Name of Defendant: \_\_\_\_\_
2. Address of Defendant: \_\_\_\_\_
3. Date and Place of Marriage: \_\_\_\_\_
4. I \*agree/do not agree with paragraph 5 of the Plaintiff's Case Statement.
5. Paragraph 6 of the Case Statement is \*correct/incorrect and the correct particulars of the children are as follows:  
\_\_\_\_\_  
\_\_\_\_\_
6. \*(a) I \*agree/disagree with the Plaintiff's claim of nafkah iddah and mutaah.  
\*(b) I propose to pay nafkah iddah in the sum of \_\_\_\_\_ and mutaah in the sum of \_\_\_\_\_.  
\*(c) I leave the issue of nafkah iddah and mutaah to the Syariah Court.
7. \*(a) I wish to have custody, care and control of the following children:  
(1) \_\_\_\_\_  
(2) \_\_\_\_\_  
with reasonable access to the Plaintiff as follows: \_\_\_\_\_  
\_\_\_\_\_  
\*(b) I have no objections to the Plaintiff having custody, care and control of the following children:  
(1) \_\_\_\_\_  
(2) \_\_\_\_\_  
with reasonable access to me as follows: \_\_\_\_\_  
\_\_\_\_\_



FIRST SCHEDULE — continued

FORM 19

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

(Breach of contract of betrothal)

MEMORANDUM OF DEFENCE

1. Name of Defendant: \_\_\_\_\_

2. Address of Defendant: \_\_\_\_\_

3. I \*agree/disagree with paragraph 3 of the Plaintiff's Case Statement.

Details:

(a) Amount of mahr agreed: \_\_\_\_\_

(b) Amount/value of wedding expenses (hantaran): \_\_\_\_\_

(c) Amount payable in event of breach, if any: \_\_\_\_\_

4. \*(a) I \*agree/do not agree with paragraph 4 of the Plaintiff's Case Statement.

\*(b) It was the Plaintiff who breached the contract of betrothal.

Details:

\_\_\_\_\_  
\_\_\_\_\_

5. \*(a) I admit to the Plaintiff's claim in paragraph 6 of the Case Statement to the amount of \_\_\_\_\_.

\*(b) I do not admit to the Plaintiff's claim.

6. I have suffered the following losses and/or incurred the following expenses.

Details:

\_\_\_\_\_  
\_\_\_\_\_

7. I wish to counter-claim the amount of \_\_\_\_\_.

Affirmed at Singapore by the abovenamed }  
this day of 20 } Before me,

**A COMMISSIONER FOR OATHS**

\*Delete where inapplicable.



FIRST SCHEDULE — *continued*

List of Documents marked “\_” referred to in the affidavit of the \*Plaintiff/  
Defendant.

<i>Title/Type/Nature of Document</i>	<i>Date of Document</i>
1.	
2.	
3.	
4.	
5.	
6.	
7.	
8.	
9.	
10.	

\*Deleted where inapplicable.



FIRST SCHEDULE — *continued*

FORM 21

Rule 13(7)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for list of documents/inspection of documents

(Title as in Action)

Let all parties concerned attend before the president or registrar in Chambers on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_ a.m./p.m. on the hearing of an application on the part of \_\_\_\_\_ for an order that —

- \*1. a list of documents verified by affidavit be furnished to \_\_\_\_\_
- \*2. the inspection of the documents enumerated in the list of documents verified in the affidavit of \_\_\_\_\_ be carried out.

Entered No.            of 20

Clerk:

Registrar

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 22

Rule 14(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for interim custody, care and  
control of and access to child

(Title as in Action)

Let all parties concerned attend before the president or registrar in Chambers  
on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_ a.m./p.m. on the hearing  
of an application on the part of the abovenamed \*Plaintiff/Defendant for the  
following orders:

1. That the \*Plaintiff/Defendant be granted interim custody, care and control of \_\_\_\_\_.
2. That the \*Plaintiff/Defendant do deliver custody of \_\_\_\_\_ to the \*Plaintiff/Defendant at a time and place to be determined by the Syariah Court.
3. That the \*Plaintiff/Defendant do at the same time deliver to the \*Plaintiff/Defendant all the passports, birth certificates, health certificates and other related documents of \_\_\_\_\_.
4. That the \*Plaintiff/Defendant be granted access to \_\_\_\_\_ as follows: \_\_\_\_\_
5. That the costs of this application be provided for.

The grounds of this application are stated in the affidavit of \_\_\_\_\_ filed herein.

Dated this             day of                             20

*Registrar*

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 23

Rule 15(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for miscellaneous interim orders

(Title as in Action)

Let all parties concerned attend before the president or registrar in Chambers on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_ a.m./p.m. on the hearing of an application on the part of \_\_\_\_\_ for:

- \*1. An order that the \*Case Statement/Memorandum of Defence be amended.
- \*2. An order that the affidavit of \_\_\_\_\_ or any part thereof be struck out or expunged.
- \*3. An order that the time limited for \_\_\_\_\_ be extended to the \_\_\_\_ day of \_\_\_\_\_ 20\_\_.
- \*4. An order that the order made on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ before the \_\_\_\_\_ be set aside.
- \*5. An order that the clerical error in the document specified in the affidavit filed herein be corrected as follows: \_\_\_\_\_  
\_\_\_\_\_
- \*6. Such other order as the president or registrar thinks fit.
- 7. The costs of this application be provided for.

Dated this \_\_\_\_ day of \_\_\_\_\_ 20\_\_

Entered No. \_\_\_\_\_

*Clerk:* \_\_\_\_\_

*Registrar* \_\_\_\_\_

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 24

Rule 16(2)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application to be joined as intervener

(Title as in Action)

Let all parties concerned attend before the president or registrar in Chambers on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_ a.m./p.m. on the hearing of an application on the part of \_\_\_\_\_ for an order that:

1. The said \_\_\_\_\_ be added as Intervener in this action.
2. The Summons [or Application] be amended accordingly by adding his name as Intervener.
3. The said \_\_\_\_\_ be at liberty to file an affidavit by the \_\_\_\_ day of \_\_\_\_\_ 20\_\_.
4. The costs of this application be provided for.

Dated this            day of                                    20

Entered No:

Clerk:

*Registrar*

FIRST SCHEDULE — *continued*

## FORM 25

Rule 16(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Order for intervention

(Title as in Action)

**UPON THE APPLICATION** made by [Intervener] in Application No. [application no.] and **UPON READING** the affidavit(s) of the [Intervener] filed on [date], **AND UPON HEARING** \*Counsel for Intervener/ Intervener appearing in person, **IT IS HEREBY ORDERED:**

1. That the said [Intervener] be added as an Intervener in this action.
2. That the \*Originating Summons/Application No. \_\_\_\_\_ be amended accordingly by adding [name of Intervener] as an Intervener.
3. That the said [Intervener] be at liberty to file an affidavit by the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_.
4. [Other directions].
5. That the costs of this application be fixed at S\$\_\_\_\_\_.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

(SEAL)

*Registrar*

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*  
FORM 26

Rule 17(1)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for leave under section 35A

(Title as in Action)

Let all parties concerned attend before the president in Chambers on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ at a.m./p.m. on the hearing of an application on the part of \_\_\_\_\_ for leave to \_\_\_\_\_ \*commence/continue civil proceedings for disposition or division of property on divorce or custody of any child under section 35A of the Administration of Muslim Law Act (Cap. 3).

The grounds of the application are as stated in the affidavit filed herewith.

Entered No. \_\_\_\_\_ of 20

*Clerk:*

*Registrar*

This summons is taken out by the Plaintiff of (state address).

To the Defendant.

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

(Reverse)

Affidavit for leave to commence or continue action  
in civil court under section 35A

(Title as in Action)

- (1) I am the \*Plaintiff/Defendant in this action. I am married to the \*Defendant/  
Plaintiff.
- (2) My personal particulars are as follows:
  - (a) Full name:
  - (b) Address:
  - (c) NRIC No.:
  - (d) Date of Birth:
  - (e) Race:
  - (f) Occupation:
  - (g) Qualifications:
- (3) The \*Plaintiff's/Defendant's personal particulars are as follows:
  - (a) Full name:
  - (b) Address:
  - (c) NRIC No.:
  - (d) Date of Birth:
  - (e) Race:
  - (f) Occupation:
  - (g) Qualifications:
- (4) The particulars of my marriage with the \*Plaintiff/Defendant are as follows:
  - (a) Date of Marriage:
  - (b) Place:

The divorce proceedings between the \_\_\_\_\_ and myself  
are (state stage and proceedings).

FIRST SCHEDULE — continued

(5) Through our marriage, the \*Plaintiff/Defendant and I have \_\_\_\_\_ children, namely:

Name	Sex	Date of Birth	School
(a)			
(b)			
(c)			
(d)			

(6) The matrimonial assets (including matrimonial home) owned by myself and the \*Plaintiff/Defendant are as follows:

- (a) House/Flat:
- (b) Car:
- (c) Shares:
- (d) Others:

(7) I am making this application for the following reasons:

---



---

AFFIRMED by the abovenamed \_\_\_\_\_ )  
 on this \_\_\_\_\_ day of \_\_\_\_\_ 20 \_\_\_\_\_ )  
 at Singapore: \_\_\_\_\_ )

Before me,

A COMMISSIONER FOR OATHS

\*Delete where inapplicable.



FIRST SCHEDULE — *continued*

FORM 27

Rule 17(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Commencement Certificate

(Title as in Action)

**UPON** the Application No. \_\_\_\_\_ made by the \*Plaintiff/Defendant and **UPON HEARING** the \*Plaintiff/Defendant, it is hereby certified that:

- 1. civil proceedings under section 35A (1) of the Administration of Muslim Law Act (Cap. 3) in the question of custody of any child of the parties or the disposition or division of property on divorce may be commenced.
- 2. [To state provision as to costs, if any]

Dated this                     day of                                             20

*Registrar*

\*Delete where inapplicable.



FIRST SCHEDULE — continued

FORM 30

Rule 20(1)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for Summons to a Witness

(Title as in Action)

To the registrar, Syariah Court

Please issue a Summons to the following person to attend the hearing in the matter of Summons No. \_\_\_\_\_ between \_\_\_\_\_ and \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_\_ a.m/p.m and to produce the following documents: \_\_\_\_\_

Witness name: \_\_\_\_\_

His (Her) residence/place of business: \_\_\_\_\_

His (Her) occupation: \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20

Solicitor for the \_\_\_\_\_

FIRST SCHEDULE — continued

FORM 31

Rule 20(2)

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

Undang-Undang Pentadbiran Hukum Islam Undang-Undang Perkahwinan dan Perceraian Islam MAHKAMAH SYARIAH

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3) MUSLIM MARRIAGE AND DIVORCE RULES THE SYARIAH COURT

SAMAN KEPADA SAKSI SUMMONS TO A WITNESS

Kepada To ... Dikehendaki hadir di Mahkamah pada: Required to attend in Court on: Haribulan Masa Pagi/Petang Date Hour A.M./P.M. Dan membawa surat-surat (dokumen) yang berikut: and to produce the following documents:

Dalam Perkara diantara IN THE CASE BETWEEN Nama penuh yang mendakwa Full name of Plaintiff Alamat of dan AND Nama penuh yang didakwa Full name of Defendant Alamat of

YOU are hereby summoned personally to attend before the Syariah Court, Singapore, at the date and hour, and to bring with you all the documents as stated above, and there and then to testify in Court all such matters and things you may know regarding the above action, and so from day to day until you shall have given evidence and have leave to depart the Court.

And take Notice that if you fail to attend, and no reasonable explanation is offered for such failure, a Warrant of Arrest may be issued for your arrest.

Tuan/Puan, dengan ini, dikehendaki hadir sendiri di Mahkamah Syariah, Singapura pada haribulan dan masa, dan bawa bersama tuan/puan surat-surat (dokumen) yang semuanya tersebut diatas untuk memberi keterangan berkenaan dengan hal-hal dan benda-benda yang tuan/puan tahu yang berkenaan dengan perkara yang tersebut diatas, dan tuan/puan hendaklah hadir di Mahkamah daripada sehari kesehari sehingga tuan/puan sudah memberi keterangan dan mendapat izin daripada Mahkamah untuk meninggalkannya.

Ketahuiilah bahawa jika tuan/puan tidak hadir dan tiada dapat kemukakan sebab-sebab yang boleh diterima kerana ketiadaan hadir itu satu perintah/warrant untuk menangkap tuan/puan boleh dikeluarkan.

Bertarikh Haribulan 20 Dated this ... day of .....20....

(Seal)

Presiden Mahkamah Syariah, Singapura President, Syariah Court, Singapore

FIRST SCHEDULE — *continued*

(Reverse)

**ACKNOWLEDGEMENT OF RECEIPT OF SUMMONS  
PENGAKUAN MENERIMA SAMAN**

Received a copy of this Summons  
Sudah terima Saman ini

.....  
Haribulan.  
Date.

.....  
Tandatangan.  
Signature.

**MEMORANDUM OF SERVICE OF SUMMONS**

I, .....,  
do hereby declare that I did on the ..... day of ..... 20.....  
at ..... o'clock ..... A.M./P.M.  
at ..... serve a copy of this Summons  
on .....

.....  
Signature of person authorised to serve Summons.

\*Delete where inapplicable.

FIRST SCHEDULE — continued

FORM 32

Rule 21

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

WARRANT OF ARREST

Summons Number
Name of Accused
Offence: Failure to attend before
Endorsement of bail allowed \$ with surety/sureties
Clerk
Initials of President Syariah Court
Remarks

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3) MUSLIM MARRIAGE AND DIVORCE RULES THE SYARIAH COURT, SINGAPORE

WARRANT OF ARREST

To the Commissioner of Police and all other Police Officers of Singapore.

WHEREAS a summons has been duly issued and served on (name, description and address) to attend before on the day of 20....

AND WHEREAS the said has failed to attend before and has not given any explanation for his failure to do so:

This is to authorise you to arrest the said and to produce him before

Dated this day of 20....

(SEAL)

President, Syariah Court, Singapore.

(Reverse)

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

If the said shall give himself bail in the sum of dollars with surety/sureties in the sum of dollars to attend before the at the next sitting following the day of his arrest and to continue to attend until otherwise directed by the Syariah Court, he may be released.

Dated this day of 20....

President, Syariah Court, Singapore.

FIRST SCHEDULE — continued

FORM 33

Rule 27(1)(a)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Summons No.	)	Between	
	)		... Plaintiff
of	)	And	
			... Defendant

DECREE

UPON THE APPLICATION of the \*Plaintiff/Defendant and UPON HEARING \*the parties/Counsel for the parties/Counsel for Plaintiff/Defendant and Plaintiff/Defendant appearing in person/Counsel for Plaintiff/Defendant and Plaintiff/Defendant appearing in person and Counsel for Intervener/Intervener appearing in person, it is hereby DECREED that

- \*1. that the marriage \*was/be dissolved by the \*Plaintiff's/Defendant's pronouncement of talak on \_\_\_\_\_ [this date] as follows.
- \*2. that the marriage be dissolved by the \*Plaintiff's/Defendant's breach of taklik.
- \*3. that the marriage be dissolved by fasakh.
- \*4. that the marriage be dissolved by kholo in consideration of payment of \_\_\_\_\_ by the \*Plaintiff/Defendant to the \*Plaintiff/Defendant on this date.
- \*5. that the marriage be declared null and void.

AND IT IS HEREBY ORDERED that:

- 1.
- 2.
- 3.

Dated this          day of                                  20

*President, Syariah Court,  
Singapore.*

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*  
FORM 34

Rule 27(1)(a)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

(Title as in Action)

ORDER OF COURT

**UPON THE APPLICATION** made by \_\_\_\_\_  
in Application No. \_\_\_\_\_ AND **UPON READING** the affidavit(s) of  
\_\_\_\_\_, AND **UPON HEARING** Counsel  
for \_\_\_\_\_ and Counsel for \_\_\_\_\_ **IT IS HEREBY**  
**ORDERED THAT:**

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

*President/Registrar*



FIRST SCHEDULE — *continued*

FORM 35

Rule 27(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

ORDER OF COURT

(Title as in Action)

**UPON THE APPLICATION** made by \_\_\_\_\_  
in Application No. \_\_\_\_\_ **AND UPON READING** the affidavit(s)  
of \_\_\_\_\_ **AND UPON HEARING** Counsel  
for \_\_\_\_\_ **IT IS HEREBY ORDERED THAT:**

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_

Dated this          day of                                  20

Signed

FIRST SCHEDULE — *continued*

FORM

*Form 36 — Deleted by S 51/2009, wef 01/03/2009.*

FORM

*Form 37 — Deleted by S 51/2009, wef 01/03/2009.*

FORM 38

Rule 29(a)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for execution of deed, document  
or negotiable instrument

Let all parties concerned attend before the president or registrar in Chambers on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ at a.m./p.m. on the hearing of an application on the part of the \*Plaintiff/Defendant for an order that:

1. The \*Plaintiff/Defendant sign, execute and/or endorse his signature on [state and describe the documents] pursuant to the Order of Court dated \_\_\_\_\_ [if any].
2. The costs of this application be provided for.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_

Entered No.

*Clerk:*

*Registrar*

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM

*Form 39 — Deleted by S 51/2009, wef 01/03/2009.*

FORM 40

Rule 32(1)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

(Title as in Action)

ORDER OF COURT TO APPOINT HAKAM

Pursuant to section 50 (1) of the Administration of Muslim Law Act (Cap. 3),  
it is hereby ordered that the following hakam be appointed:

\_\_\_\_\_  
\_\_\_\_\_

in respect of the action.

2. The costs occasioned by the appointment of hakam be provided for  
by \_\_\_\_\_.

3. The appointment of hakam shall not be discharged unless the Court so  
directs or upon the death of any or all of the hakam.

4. Unless otherwise directed by the Court, the hakam shall only deal with  
issues relating to the marital status of the parties.

*Registrar*

FIRST SCHEDULE — *continued*  
FORM 41

Rule 36(1)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for order for presumption of death  
(Title as in Application)

Let the abovenamed Applicant attend before the president in Chambers on \_\_\_\_\_ the \_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_\_ a.m./p.m for an order pursuant to section 54 of the Administration of Muslim Law Act (Cap. 3):

1. That [name of person to be presumed dead] be presumed to have died.

The grounds of this application are as stated in the affidavit filed herewith.

Entered No. \_\_\_\_\_ of 20

*Clerk:*

(SEAL)

*Registrar*

This summons is taken out by the Applicant (state address)

FIRST SCHEDULE — *continued*

FORM 42

Rule 36(3)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Certificate of presumption of death

(Title as in Application)

**UPON THE APPLICATION** made by the Applicant in Application No. \_\_\_\_\_ and, **UPON READING** the affidavit of the Applicant, **AND UPON HEARING** \*Counsel for the Applicant/the Applicant appearing in person pursuant to section 54 of the Administration of Muslim Law Act (Cap. 3), **IT IS HEREBY ORDERED** that:

1. [name of person to be presumed dead] in this matter be presumed dead.
2. A Certificate of Presumption of Death of [name] be issued to the Applicant, such certificate shall be deemed to be a certificate of the death of [name].

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_

(SEAL)

*Registrar*

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 43

Rule 37(1)(a)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

FORM 43

Rule 37 (1) (a)

Notice of Appointment of Solicitor

(Title as in Action)

To the president of the Syariah Court,

Take notice that (name of solicitor), of \_\_\_\_\_,  
has been appointed to act as the solicitor of the abovenamed \*Plaintiff/Defendant  
in this action.

The address for service of the abovenamed (solicitor) is \_\_\_\_\_.

Dated this        day of                                20        .

*Solicitor.*

To the abovenamed \*Plaintiff/Defendant or his solicitor.

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*  
FORM 44

Rule 37(3)(a)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Notice of Change of Solicitor

(Title as in Action)

To the president of the Syariah Court,

Take notice that (name of new solicitor), of \_\_\_\_\_  
has been appointed to act as the solicitor of the abovenamed \*Plaintiff/Defendant  
in this action, in the place of (name of original solicitor).

The address for service of the abovenamed (new solicitor) is \_\_\_\_\_.

Dated this            day of                            20       .

*Solicitor.*

To the abovenamed \*Plaintiff/Defendant or his solicitor and to (naming the  
former solicitor of the plaintiff (or defendant)).

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 45

Rule 37(4)(a)

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Application for the discharge of solicitor

(Title as in Action)

Let all parties concerned attend before the president or registrar in Chambers on \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_\_ a.m./p.m. on the hearing of an application on the part of \_\_\_\_\_ for an order that:

1. [name of solicitor] of \_\_\_\_\_ be discharged from acting as solicitor for the \*Plaintiff/Defendant in the action.
2. The costs of this application be provided for.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ .

Entered No.

Clerk:

*Registrar*

\*Delete where inapplicable.

FORM 46

Rule 38(2)

Notice of Appeal against Registrar’s decision or order

(Title as in Action)

To: The Senior President

Syariah Court

TAKE NOTICE, that I, the abovenamed \*Plaintiff/Defendant intend to appeal against the \*whole/part of the decision of the learned registrar of the Syariah Court given at hearing on \_\_\_\_\_ granting the following orders:

(1) \_\_\_\_\_



FIRST SCHEDULE — *continued*

(2) \_\_\_\_\_

(3) \_\_\_\_\_

I intend to appeal against the following orders:

(1) \_\_\_\_\_

(2) \_\_\_\_\_

(3) \_\_\_\_\_

Dated this            day of            20   .

Entered No: \_\_\_\_\_

\_\_\_\_\_  
Signed

To the \*Plaintiff/Defendant

Address:

\*Delete where inapplicable.





FIRST SCHEDULE — *continued*

FORM 49

Rule 39(12)(a)

Respondent’s Notice

(Title as in Appeal)

TAKE NOTICE that, on the hearing of the above appeal, the abovenamed Respondent will contend that the order of the learned president given \_\_\_\_\_ at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ ought to be varied on the grounds hereinafter set out

(set out in numbered paragraphs

- (a) the nature of the relief claimed; and
- (b) the grounds relied upon).

Signature

(Respondent or Solicitors for the Respondent)

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ .

To the Appeal Board

Through: The Secretary

Majlis Ugama Islam, Singapura

The address for service of the Respondent is:

FORM 50

Rules 39(17) and (22), 40(10) and 42(1)

Notice of Motion

(Title as in Action)

Let all parties concerned attend before the Appeal Board on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_ at \_\_\_\_\_ a.m/p.m on the hearing of a motion on the part of the \*Plaintiff/Defendant for the following orders:

---

FIRST SCHEDULE — *continued*

- (1) \_\_\_\_\_
- (2) \_\_\_\_\_
- (3) \_\_\_\_\_

Dated this          day of                                  20          .

\*Appellant/respondent/solicitor for the  
appellant/solicitor for the respondent

To the Appeal Board

Through: The Secretary

Majlis Ugama Islam, Singapura

and to:

The address for service of the Appellant is:

The address for service of the Respondent is:

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 51

Rule 40(2)

IN THE APPEAL BOARD

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

Appeal No. ) Between ... Appellant

And ... Respondent

In the matter of Syariah Summons No. of 20 Between ... Plaintiff

And ... Defendant

Notice of Appeal  
(Second Schedule)

TAKE NOTICE that the abovenamed \*Plaintiff/Defendant being dissatisfied with the decision of the learned president given at \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_\_ intends to appeal to the Appeal Board against

( the whole of the said decision  
( such part only of the said decision  
either/or ( as decides that  
( (set out details)

Dated this day of 20 .

Signature  
(Appellant/Solicitors for Appellant)

To the Appeal Board  
Through: The Secretary

FIRST SCHEDULE — *continued*

Majlis Ugama Islam, Singapura

The address for service of the Appellant is:

The address for service of the Respondent is:

\*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 52

Rule 41(6)

IN THE APPEAL BOARD

ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3)

ORDER OF APPEAL BOARD

(Title as in Action)

Before the Honourable Members

In Open Hearing

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

**UPON THE APPEAL/MOTION** No. \_\_\_\_\_ **AND UPON HEARING**  
Counsel for the Appellant and Counsel for the Respondent it is **ADJUDGED THAT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Dated this            day of                                            20            .

*Signed*



SECOND SCHEDULE

Rules 39(1) and 40(1)

MATTERS FOR APPEALS

- (1) Orders made on applications to represent minor or person of unsound mind under rule 11.
- (2) Orders made on interim applications under rule 14.
- (3) Orders made on applications for leave to commence or to continue civil proceedings in any court under rule 17.
- (4) [*Deleted by S 51/2009*]
- (5) [*Deleted by S 51/2009*]
- (6) Orders made on applications for presumption of death under rule 36.

THIRD SCHEDULE

Rules 27(2), 39(2), (6) and (18)(b),  
40(2) and (6) and 45

PART I

Fees payable to Syariah Court and Registry of Muslim Marriages

- |                                                                                                                               |       |
|-------------------------------------------------------------------------------------------------------------------------------|-------|
| 1. Application for registration of Marriage where at least one party is a citizen of Singapore                                | \$39  |
| 2. <i>Deleted by S 388/2001, wef 01/04/2001</i>                                                                               |       |
| 3. Application for registration of Marriage where both parties are not citizens of Singapore                                  | \$128 |
| 3A. Application for registration of Marriage where at least one party is below the age of 18 years                            | \$120 |
| 3B. Application for registration of Marriage where the wali refuses consent                                                   | \$100 |
| 4. Registration of revocation of divorce by Kadi or Naib Kadi under rule 6(3) (inclusive of issue of 2 copies of certificate) | \$42  |
| 5. Issue of a summons under section 142 of the Act (summons to appear before a Kadi)                                          | \$40  |
| 6. <i>Deleted by S 51/2009, wef 01/03/2009.</i>                                                                               |       |

THIRD SCHEDULE — *continued*

7. Certified copy of the notes of evidence of any proceedings before a Kadi or Naib Kadi	\$180
8. Search of Register:	
(a) Syariah Court	\$27
(b) Registry of Muslim Marriages:	
(i) through the Internet	\$35
(ii) carried out by any other means	\$50
9. Certified copy of grounds of refusal to register a marriage, divorce or revocation of divorce issued by —	
(a) the Syariah Court	\$39
(b) the Registry of Muslim Marriages	\$100
10. Certified copy of certificate of divorce	\$13
11. Issue of a summons for maintenance	\$16
12. Issue of a summons for marriage payment	\$16
13. Issue of a summons for mutaah	\$16
14. Issue of a summons to a defendant for divorce	\$22
15. Issue of a summons for application not made at a hearing	\$16
16. Registration of divorce	\$100
17. Certified copy of a decree or order of Court	\$22
18. Issue of a summons to a witness under rule 20(1)	\$16
19. Service of a summons on a defendant or a witness	\$29
20. Certified copy of notes of evidence of any proceedings before the Syariah Court (per page)	\$34
21. Certified copy of the grounds of any order made by the Syariah Court	\$140

THIRD SCHEDULE — *continued*

22. Certificate of Inheritance issued under section 115 of the Act	\$34
23. Revised Certificate of Inheritance on the death of one or more of the beneficiaries of the estate before the final distribution of the estate is made (per page)	\$34
24. Appeal against the registrar’s decision under rule 38(2)	\$64
25. Issue of a certificate of attendance under rule 17(5)	\$50
26. Issue of a commencement certificate or continuation certificate under rule 17(3) and (4)	\$204
27. Filing fees	\$12
28. Certified copy of certificate of marriage	\$40
29. Registration of polygamous marriage	\$380
30. Change of details of a solemnization or particulars of any witness at a solemnization	\$15

PART II

FEES PAYABLE TO SECRETARY IN RESPECT OF APPEALS TO APPEAL BOARD

1. Appeal under rule 39:	
(a) on filing a notice of appeal	\$16
(b) for the hearing by the Appeal Board	\$630
(c) for the issue of a certified copy of the decision of the Appeal Board	\$18
(d) for the issue of a certified copy of the grounds of decision of the Appeal Board	\$100
(e) deposit payable for the issue of the notes of evidence and other documents of the Syariah Court or the Registry of Muslim Marriages	\$500
2. Appeal on certain matters under rule 40:	

THIRD SCHEDULE — *continued*

(a) on filing a notice of appeal	\$16
(b) for the hearing by the Appeal Board	\$630
(c) for the issue of a certified copy of the decision of the Appeal Board	\$18
(d) for the issue of a certified copy of the grounds of decision of the Appeal Board	\$100
(e) deposit payable for the issue of the notes of evidence and other documents of the Syariah Court	\$300
3. Application for leave to appeal under rule 39(17):	
(a) on filing a motion	\$16
(b) for the hearing by the Appeal Board	\$630
(c) for the issue of a certified copy of the decision of the Appeal Board	\$18
(d) for the issue of a certified copy of the grounds of decision of the Appeal Board	\$100

*[G.N. Nos. S 331/99; S146/2000; S434/2000]*

LEGISLATIVE HISTORY  
MUSLIM MARRIAGE AND DIVORCE RULES  
(CHAPTER 3, R 1)

This Legislative History is provided for the convenience of users of the Muslim Marriage and Divorce Rules. It is not part of these Rules.

**1. 1995 Revised Edition — Muslim Marriage and Divorce Rules**

Date of operation : 25 March 1992

**2. G. N. No. S 331/1999 — Muslim Marriage and Divorce Rules 1999**

Date of commencement : 1 August 1999

**3. G. N. No. S 146/2000 — Muslim Marriage and Divorce (Amendment) Rules 2000**

Date of commencement : 1 April 2000

**4. G. N. No. S 434/2000 — Muslim Marriage and Divorce (Amendment No. 2) Rules 2000**

Date of commencement : 1 October 2000

**5. 2001 Revised Edition — Muslim Marriage and Divorce Rules**

Date of operation : 31 January 2001

**6. G. N. No. S 163/2001 — Muslim Marriage and Divorce (Amendment) Rules 2001**

Date of commencement : 1 April 2001

**7. G. N. No. S 388/2001 — Muslim Marriage and Divorce (Amendment No. 2) Rules 2001**

Date of commencement : 1 April 2001

**8. G. N. No. S 101/2002 — Muslim Marriage and Divorce (Amendment) Rules 2002**

Date of commencement : 1 December 2001

**9. G. N. No. S 527/2002 — Muslim Marriage and Divorce (Amendment No. 2) Rules 2002**

Date of commencement : 1 October 2002

**10. G. N. No. S 1/2003 — Muslim Marriage and Divorce (Amendment) Rules 2003**

Date of commencement : 2 January 2003

**11. G. N. No. S 600/2005 — Muslim Marriage and Divorce (Amendment) Rules 2005**

Date of commencement : 1 October 2005

**12. G. N. No. S 51/2009 — Muslim Marriage and Divorce (Amendment) Rules 2009**

Date of commencement : 1 March 2009

**13. G. N. No. S 222/2010 — Muslim Marriage and Divorce (Amendment) Rules 2010**

Date of commencement : 16 April 2010

**14. 1990 Revised Edition — Muslim Marriage and Divorce Rules 1990**

Date of operation : 31 December 1999

**15. G.N. No. S 495/2011 — Muslim Marriage and Divorce (Amendment) Rules 2011**

Date of commencement : 1 September 2011