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

#### MUSLIM MARRIAGE AND DIVORCE RULES

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#### 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;

[Deleted by S 804/2017 wef 01/01/2018]

- "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 Chief Executive 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.

[S 804/2017 wef 01/01/2018]

(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 Chief Executive.

[S 804/2017 wef 01/01/2018]

(4) The Chief Executive 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.

[S 804/2017 wef 01/01/2018]

(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 Chief Executive who shall then serve on the appellant a notice to collect.

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive a petition of appeal in quadruplicate in Form 48.

[S 804/2017 wef 01/01/2018]

(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 Chief Executive under paragraph (6), within 3 days of filing the petition of appeal with the Chief Executive.

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive, 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.

[S 804/2017 wef 01/01/2018]

- (12) The notice given by the respondent referred to in paragraph (11) shall be
  - (a) in Form 49; and
  - (b) filed with the Chief Executive 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 Chief Executive.

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive 4 copies of the record of appeal, and serve a copy of the record of appeal on every respondent to the appeal.

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive;

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive.

[S 804/2017 wef 01/01/2018]

(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 Chief Executive 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 Chief Executive.

[S 804/2017 wef 01/01/2018]

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

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive a notice of appeal in Form 51 addressed to the Appeal Board, accompanied by the relevant fee specified in the Third Schedule.

[S 804/2017 wef 01/01/2018]

(3) The Chief Executive 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.

[S 804/2017 wef 01/01/2018]

(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 Chief Executive.

[S 804/2017 wef 01/01/2018]

(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 Chief Executive who shall then serve on the appellant a notice to collect.

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive.

[S 804/2017 wef 01/01/2018]

- (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 Chief Executive 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.

[S 804/2017 wef 01/01/2018]

(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 Chief Executive 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.

[S 804/2017 wef 01/01/2018]

- (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 ATION OF MUSLIM LA

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

MUSLIM MARRIAGE AND DIVORCE RULES

Rule 3

#### FIRST SCHEDULE — continued

# ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

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#### ${\tt FIRST\ SCHEDULE--} continued$

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ساي ادال ترسلوان بلنرسيوت نامع وأنس. دان جوا		رکار ۱۱ بقرسفکوت قاوت د قن دیری سای اداله بنر دان بنول کنسبرات. برسوط
<ul> <li>٤) قر كلرا؟ بقرستشكرت كارت دغن ديري ساي اداله بقر دان بترل كسيران.</li> <li>٤) ساي ستررخ تقيمكرت مذهب بالي حكوم؟ اسلام.</li> </ul>		
13 متاي تباد علوياًي ديل يخ براد مثلاثينكن تركير من ساي 4 ساي اد سفر رخ ول. ينگار ناشي دي تمان برسفر بر مثلاثينكن قر كفريان ساي. ناشي دي تمان برسفر بر مثلاثينكن قر كفريان ساي. با ساي درست يا دي درست و در سفواني تركيرون بن سايل ديد مو دران والى تمان فري ترمو مراش دارد دارد دارد اس ساي درس	طون این ادامه سیابی خود طرف بات قد مامل این تبدیق برزیخ کلف ستورخ کارد. به دخت لاکنی بیکترسوت شان دفتر مداد دختی با دراه ساخان از کلوریز دخت لاکنی بیکترسوت شان دفتر مداد دختی این سیابی جدی افادد دفتر میشتن باشد دارنسسای میرفت سروت اکوان این داری کلوریاتی بیرا الاس	ان رخصات بأنت ليمل أد الداء حجائل في مبد بغ براء مطابع تراكزين أن (2) أن (ق) على عيرات مورت أكران أن وقل كالرجائل بيدا ألك ؟ بتقرسوت دوائل (4) سال بالديدر مدرت أرضع؟ سورت أكران كامل 1835. أن
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#### FIRST SCHEDULE — continued

#### FORM 1A Administration Of Muslim Law Act (chapter 3)

Muslim Marriage And Divorce Rules

Rule 3

# ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

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ا اور مالي سوامين . الله كار اللان If female party is divorce	يان بان بان بان بان بان بان بان بان بان ب		Maskahwin	
تو كمتين استري . لف كثر الكن If male party is married,	یشانگری براستری اگر قرف برجرای divorced, widowed, evidence of marriage, divorce or death		مثارن بانیم پشارستوجوه ی Agreed marriage expenses	

سنياف يو مفكر درين برجع سنتي يترم بركيون دان يركان دردارست. † Someone who describes himselfherself as single must be previously unmarried and not a divorce

#### FIRST SCHEDULE — continued

	برسومله دغل سيتر آن	سائي	يخ ممكاخ كاد فاقائن نمير	ساي	يوسومله دغل سينو الع يأيت
دقه للاكمي يطار منبوت نامڻ دائس،	ن بهوا	بر سوطه دغان مجنر <sup>۱</sup> ن بایت سای	له ولي يغ صبح مفورت اولد ع؟ اساله باللي	ساي دف قرمقوان يكرسبون نامڻ دائس، دان يهوا	
) قركار ۱۱ يىغىرسىلگوت قارت دىلى دىرىي سەي ادىلە بىئر دان بئول كىسمواخ،		قبيق فرملوان پلازستوت نامن دائش ، دان ميوآ		(1) فركار ۱۱ يغير سلام ت فاوت دهان ديوري ساي ادله باردان باول كسموان،	
2) ساي سواد کيوين دخل قر مار باي دينرکن کيوين دخل قر ماران	يغ ترميوت دلاس دان دغل - اين ساي معوهن سقاي ده	<ul> <li>(1) قركارا * يشرستكوت قارت دا</li> <li>(2) قرمفوان ايت اداله ساي قرن</li> </ul>	قرمقوان بنت اداته بفر دان بقول کسموان،	(2) ساي سٽور غ فليکوت مذهب	باللي حكوم؟ اسلام،
3) أساني ستورغ دودا. "تيدق ا: رهر 12 تر ۱۹۵۵ن نقله دينره فرينته	. قريقه نظه تر هادف ساي دان ساي *پر هرتيّا/ نيدق 	(3) فرملون بت قد سنس بين تيدق	تونع كالدستورغ كأين	<ul> <li>(3) أسان سنورغ جندا "ثبدق ادابد أريته على بر هوانغ تو هاتكان نظاه دباره الريته عظاه.</li> </ul>	ظه تر هانگ ساي دان ساي *بر هو تخ/ تيدق
	ا هلاهن يؤ مسح ، يؤ برنه مقهالة أو كهويتن ابن ،	<ul> <li>(4) ساي بر شدافت بأيت تيدق د الا اين دخن ناتكي بالترسبوت تمن دكا</li> </ul>	هلائل بغ صح، يغ بوله مقهالغ الركهويان دان دغن اين ساي مميري انهن دكس	<ul> <li>(4) *ساي ئياد معاوياي ولي يخ بوله مائيتينكن</li> </ul>	كن قركهوينن ساي / ساي اد ستورغ ولي
دار سید که در سان سید ک که	اين، مغوروت لكنا سومله مان لكوان (باب 211).	قركهويلن فيتء		يدنام	
ان ترتطوق قد حكومن بغ مقرانتو	ترتطوق في حكومان بغ مثل أنتوقكن مينوه نكانا ترسبوت كران معبوات كالراغن فسو دائم		ب، منوروت کتا سومله دنن کوان (باب	تيدهان د	
ن برقانون، سرت معطر چهانی دغن سينون بهوا كار اغن يخ تركندو غ ددامن اداله ينو.			ِ اَنْتُولَکُنَ دَینُوه اکْتَا تُرسیوت کُر ان معیوات ک مطرحیتی دهن سینری بهوا کار اهن	<ul> <li>اتنافی دی تیدق برستوجو مالینینکن ارکی</li> </ul>	كهريان سايء
دا تاین شرین		يغ تركتمر في ندف بلز .	5-7- A 63-5-6-47	(5) ساي پر قدافت پايت تيدی اد ک۲ علاطن اسلاين در ي سبب يع ولي ساي تيدی ممبر ي ا ستاي او کهو پن اين دافت ميشکر،	ان يخ منح ، يغ يوله مثهائغ قركهويتن اين يا فرستوجر اتن ، دان دهل اين ساي مدو هن
وات دهادفن ساي دسيقاقور ا الد	هتريبوان تاهون 20	تلدا قابلن للموحن		دان سمو څکو هڻ ساي معيو اٿ اکو ان اين، منور	وروت فكالسوسة دان فوان (باب 211)، دار
نشى الو تايب قانشى		ديوات دهاطن ساي دسيلاطور ا ف	ھارپيران تاھون 20	ترتخوق قد حکومن یغ دفر آنتوقکن  دینوه کتا تر کوان پرفتون، سرت  مطرچیش دفن سیترن	ا ترسیوت کر ان معبرات کائر اغن قسو دائم
مي تو عيب مصي					
		قامتني الو تايب قعتني		تتما ثناغن فموهن	
				دبوات دهانان ساي دسيدافر را ال عاريبوان	ان تاھرن 20
				دیرات دهلطن سای میشافر دافد هار پیران فانشی اثر تایب فانشی	اِن تامرن 20
				قائنى اگر تاپ، قائنى	
	I		holder of Identity Card No	قانسي ال تايب قانسي the male party described herein and that.	to solemnly and sincerely declare that I am th
		lewful Wall under the Muslim Law	sciennily and sincerely declare that I am to the female party described herein and to the particulars relating to her are true.	قانسي ال تايب قانسي the male party described herein and that.	so solemnly and eincerely deciare that I am th 1) the particulars relating to myself are true a 2) I wish to be married to the shalle party of
in all respects,	(1) the perticulars relating to myself are true and corr (2) I am a follower of the	tewful Wail under the Muslim Lew and correct in all respects,	solemnly and sincerely declare that I am t of the female party described herein and t	bre male party described haven and that and correct in all response, and correct in all response, described herein, and I havenly apply for the reservance order against the and I "overlide not	to solemnily and sincerely declare that I am in 1) the particulare relating to myself are true is 2) I wish to be married to the female party of earning in to be solemnized.
in all respects,	(1) the persoulars relating to myself are true and core (2) I am a follower of the School of Muslim Law. (3) If am a divorce. There fishers a maintenance or own maintenance enteris under the maintenance ord (4) These no Wall who can give the easy in matriage.	tewful Wail under the Muslim Lew- and correct in all respects, ther person, anying the male party described.	solimnity and sincerely deciare that I am of the female party described herein and I (1) the particulars raising to her are true (2) whe is more at present betrothed to an (4) I know of no iterful obstacle to he.	the male pany described haren and that- e and cornect in all nespects. described haren, and I havely apply for the transact order. Towards not name to the	to scientify and sincerely disclare that I am the 1) the perfoldiers relating to myself are thus a 2) when to be married to the finished party of managed to be elementaged to the contemple of 3) If a mile a disclose. These "select a marrier are arried to the element of the Brain them."
in all respects,  r against me and I "oweldo not have a Wall bean the fact that my Well has	(1) the particulars relating to myself are true and con (2) I am a follower of the School of Muslim Law. (3) I til an allowores. There "tallen" a maintenance or owe maintenance arrears under the maintenance or	iseful Wall under the Muslim Law- nd correct in all respects.  ther person,  artying the male party described by consent, of the Oatris and Declarations Act. died by their Act for the making of a.  consentrously believing the	solemnly and sincestly declare that I am of the famile party described herein and I (1) the particulars relating to her are true (2) she is my	the male party devotoed herein and Trus.  and connect in all respects, described herein, and I havely apply for the standard crotte applicat the and I howevito not make the	to orderenly and sincerely declare that I am to 1) the periodiculars intelling to myorif or to us or 1) when the intelling to the female purply of serings to be elementated. 17 I am a divioused himse "when I a passive termatricence series" code the marketine 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intellin
in all respects,  r against me and I "overldo not have a Wall  then the fact that my Wall has at the markage to be reths and Declarations Act (Cap	(1) the particulars relating to reyeaf are true and core (2) I are in followed in the Short of Mikelini Lew. (3) I film at discusses. There "failure a maintenance or the maintenance are the under the maintenance or (4) There in VMIII and core give in easy in marriage. (5) I home of no well-discussed by the marriage. Not seemed to be the maintenance of the marriage. Not seemed to be the maintenance of the marriage. The season-seed.	iseful Wall under the Muslim Law- nd correct in all respects.  ther person,  artying the male party described by consent, of the Oatris and Declarations Act. died by their Act for the making of a.  consentrously believing the	aclampily and shooking find in the same in and of the families purp ideas that herein and of the families purp ideas that herein in and (1). The personalize relating to her are tout (2), whe is my.  (2) whe is not all present betworked to an (4). I know of no itendul obstacle to the herein, and to which manage it hereby given it make that is action shocked manage in the personalize of CPU, and solders that personalize that established in status of the personalize states established in status of decrease.	the male party described harver and thus.  and commit in all respects,  coverable them, and I thereby apply for the stemants cross agginst me and I "breakfor not more, order,  the state of the state and Described harver,  the off in a state and Description and I Clau- by the did for the reading of these seminors.	to orderenly and sincerely declare that I am to 1) the periodiculars intelling to myorif or to us or 1) when the intelling to the female purply of serings to be elementated. 17 I am a divioused himse "when I a passive termatricence series" code the marketine 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intelling 10 Intellin
in all respects,  r against me and I "tweldo not have a Wali  ten the fact that my Wei has or the marriage to be seth and Declarations Act (Co. to the waters (or the relative	(1) the particulan relating to reyeal are true and core (2) I are a follower of the Second of Mulenia second or the Second of Mulenia second or the (3) I if are discussed. There failure a maniferance or or maniferance removes under the maniferance or (4) There in OWIII who can give one easy in maniferance where the control of the command of the comm	sealed Wall under the Musim Lew- d connect in all respects, anyling the male party described by conseast. Of the Carte and Described or Cartes and Described on the Carte and cled by the Art for the making of London-Could Descripe the load in every particular.	extensive and recovery declares that I am of the Seniar part of the Se	the male party described harver and that.  and commit in all respects.  General three and 1 however the same commit in a second once a second once a second once and the second once are committed to the second once committee committee committee committee and the second once committee co	to externly and sincerely declare that I am the 10° the periodices mileting to myself on the set 20° which the humanite to the female party of manage to be externed.  20° I am a discount to the relativity to 30° I am a discount to the miletime are residence are set under the miletime and I notice the actions declared to the manage of I notice the actions declared to the catalogy discount to the set of catalogy discount to the set catalogy discount to the time the catalogy discount to the set of the catalogy discount to the catalogy discount to the set of the catalogy discount to the set of the set of the set of the set of the the set of the the set of the the the the the the the the
in all respects,  r against me and I "tweldo not have a Wali  ten the fact that my Wai has or the marriage to be eiths and Decisions Act (Cop to the making of these statement	(1) the particulan relating to myself are true and core (2) I are in follower of the formed of Municipal (1): The Talant a manifestance of the manifestance state of the manifestance of (1) There in William to care give an easy in manifestance (2) There in William to care give an easy in manifestance manifestance of the manifestance of the manifestance of the manifestance of the manifestance of the manifestance and in male with each of care of the manifestance of the manifestance of the manifestance of the man	iserful Wall under the Muslim Law of correct in all respects,  there person,  anying the male party described by consent, of the Ostria and Declarations Act died by the Act for the mailing of Lower persons and the Correct	extensive and recovery declares that I am of the Seniar part of the Se	the male party described harver and that.  and common in all regions.  described here, and it harvey apply for the described here, and it harvey apply for the described here, and it harvey apply for the described here.  described here, and it harvey apply for the described here, and it harvey apply for the described here.  described here and Described harvey described here.  Signature of Declarate.	to externly and sincerely declare that I am the 10° the periodices mileting to myself on the set 20° which the humanite to the female party of manage to be externed.  20° I am a discount to the relativity to 30° I am a discount to the miletime are residence are set under the miletime and I notice the actions declared to the manage of I notice the actions declared to the catalogy discount to the set of catalogy discount to the set catalogy discount to the time the catalogy discount to the set of the catalogy discount to the catalogy discount to the set of the catalogy discount to the set of the set of the set of the set of the the set of the the set of the the the the the the the the
in all respects,  r against me and I "overdo not have a Weil  than the fact that my Weil has, or the mantage to be with a and Declarations Act (Day or the making of false statements or the making of false statements or statements contained in the	(1) the particulars relating to inyest are true and core (2) I are in topseed of the control of Mulesian Law. (3) I still an advances. There "failure a manneamore or (4) I still are advances. There "failure a manneamore or (4) I still are no Visit and core give an easy in membray (4) I still are no Visit and core give an easy in membray (5) I store of the advances to the membray. (5) I store of no earth dip class that is not invested to consent to the membray and consent consents to the membray and terreting year absorbed and (1) I still a stil	sealed Wall under the Musim Lew- d connect in all respects, anyling the male party described by conseast. Of the Carte and Described or Cartes and Described on the Carte and cled by the Art for the making of London-Could Descripe the load in every particular.	extensive and recovery declares that I am of the Seniar part of the Se	the male party Selective have and thruit and control and selection of the	o potentify and showey declare that I am the 1) the performance of the state of the state of the just which has marked to the female party of participation of the communities of the just are advocated to the marked to just are advocated to the marked participation of the state of the state of just more of the state of the state of just and the state of the state of the state of the state of state of the state of state of state

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

قر 40 و (3) بوله افراد خ مراه 400 بركن نوه (يوناد) Paragraph (3) may be deleted if the declarant is not a divorce

[2001 Ed. p. 33

## FIRST SCHEDULE — continued

FORM 2

Rule 6(1)

# ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

	بسم الله الرحمن الرحيم دفتر	E	Entry No. 000000
	Bridegroom فلنتين للاكي	NRIC No. عارد قلتان	Signature نند اتا غن
قركيويين والكوكن وتسقت	المعارين قرمغوان Bride	NRIC No. عارد قلمان	Signature بندانا کن
This Marriage was solemnised as	in the presence of		
	witness	ير د فلدان NRIC No.	04 Ulau Signature
in pal Maskahwa	Winnes المسب مشارن بشيما Morringe espenses وماشركان اوله Registered by	NRIC No. عارد قطاهان	Signature نید Ul عن
سالناغن ولي اولي حاكم Signature of WalliWali He	akim	فاغس اتو نائب قاغس Kadi ar Naih Kadi	

#### Rules

#### FIRST SCHEDULE — continued

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<u>e</u>

نطبن

دعن سقهاج انو تبدق سام اسفت بول انو لبدء انو
 دعن سقهاج انو تبدق سام اسفت بول انو لبدء انو
 سابي انو وكيل سابي تبدق بري تفقه كلمك ساما ماس ترسبوت سدفكن اي طاعت كقد سابي انو
 سابي ملاكوكن سياسية لركارا بغ منجدواكن توبه بدائن. انو مروسفكن موت بتدال، انو
 باي ملاكوكن سياسية لركارا بغ منجدواكن توبه بدائن. انو مروسفكن موت بتدال، انو

# Special Conditions

ئورله طلاق استري ابت دغن طلاق سائو

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 the contract of th

(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)

فرچراین REGISTER OF		ма
الم سواسي Name of Husbends الالم المستري الالم المستري الالم المسترية المسترية المسترية المسترية المسترية المسترية المسترية	تمبر کا و فقتالن ** NRIC No. : نصبر کار فقاتان ** NRIC No. :	ده تاغن Signature بخد قائد Signature
ا الله المعاونة المع	vii vili Nafkah Iddah: _	tadio Minta alto
بيلسي Witness	ئىس كاد فغائدان : NRIC No. :	تداتائن Signature
Witness	سبر کار فقتائن : NRIC.No.:	فتدادا گن
نار بن ف نکاح کار		SIY IIISGISTIRRED ON-
		SHA INSCREMED ON-
SEAL	1	فرومونین مماکنه اثر عود President Sprick Court

### FIRST SCHEDULE — continued

FORM 4

Rule 6(3)

# ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

بسم الله الرحمن الرحيم فندفتران وجوع REGISTER OF REVOCATION OF DIVORCE

Entry No. 000000

	thurshand me trap		NRIC No. کارد فقات	Signmun نيدانا لان
رحوع ترسبوت تله دبوات	Wife استوی		NRIC Nu کارد فلناتن	Signature تيران غن
This Revocation of the Divarce we				
	in the presence of			
	Witness		،NRIC Na کارد قشالی	Signatur نيدانالمن
7	Water 1	دد فترکن اوله Registered by	NRIC No. کارد فشالی	Segmaner تندانا لين
تاريخ نگاع Marriage Date مدير صيحال خوال	نمبر سيجيل Certificate No	ــــــــــــــــــــــــــــــــــــــ	_	
No. of Divary	Certificate/Case No	نار یخ Dutr	نائب فاخس KadiMai	

#### (Reverse side)

#### Special Conditions

(1)	Leave my wife						
	for a continuous	period of 4 mo	onths or mo	re, intentio	ally or u	nintentional	lly, 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.

#### FORM 5

Rule 8

#### MAHKAMAH SYARIAH

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

On every occasion that I \_\_\_

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 Date	Masa Hour	Pagi/Petang A.M./P.M.			
Surat-surat (dokumen) yang akan dibawa: Documents to be produced:					

Dalam Penyiasatan IN THE INQUIRY

Tempat Penyiasatan akan dijalankan: Place at which Inquiry is to be held:

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

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

You are hereby summoned to appear in person before me at the place, date and hour, and to hadir sendiri dihadapan saya ditempat, 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.

Maka dengan ini tuan/puan dipanggil haribulan dan masa, dan bawalah bersama tuan/puan surat-surat (dokumen) yang semuanya tersebut diatas untuk memberi keterangan dalam penyiasatan ini apa-apa hal 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 kemukakan sebab-sebab yang boleh diterima kerana ketiadaan hadir itu, satu perintah/warrant untuk menangkap tuan/puan boleh dikeluarkan Mahkamah Syariah.

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

(Seal)

Tandatangan Kadi atau Naib Kadi Signature of Kadi or Naib Kadi

#### FORM 6

Rule 9(2)

## ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

## 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 N No. Saman Permulaan	o.			
	BETWEEN	ANTARA		
[Plaintiff's Name/Nama	Plaintif]			
(NRIC No.	)			Plaintiff/Plaintif
	AND/	DAN .		
[Defendant's Name/Nam	na Defendan]			
(NRIC No.	)			Defendant/Defendan
Date of Mediation/Pre-Trial Conference : (Tarikh Pengantaraan/Perundingan Sebelum Perbicaraan)				
Time of Mediation/Pre- (Waktu Pengantaraan/Pe 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:

- 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.

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:

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

Satu salinan Penyata Kes Plaintif telah disertakan bersama Saman Permulaan ini.

Dated this day of Bertarikh haribulan 20

(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

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.

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.

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

Ambil perhatian bahawa Plaintif 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 difalikan di Mahkamah Syariah dalam tempuh 21 hari dari tarikh anda menerima surat saman ini.

Anda akan dikenakan bayaran ketika memfailkan salinan di Mahkamah Syariah. Satu salinan yang telah difailkan mesti diserahkan kepada Plaintif atau peguam yang mewakilinya. Jika anda tidak setuju dengan tuntutan yang dikemukakan oleh pihak Plaintif 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 Plaintif 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 Saya, Defendan, mengakui bahawa saya telah menerima Saman Permulaan, Penyataan Kes Plaintif dan Borang Memorandum Pembelaan. Signed (Defendant) Name NRIC No.: Date MEMORANDUM OF SERVICE OF ORIGINATING SUMMONS, ETC. , do hereby declare that I did on the \_ A.M./P.M. at day of this Originating Summons, the Case Statement and Memorandum of Defence Form on the Defendant. Signature of person authorised to serve Summons.

### 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

Orig	inating Sumn	nons No.				
	Saman Permi					
		E	BETWEEN/A	NTARA		
Pla	intiff's Name/	Nama Plainti	if]			
(NR	IC No.	)				Plaintiff/Plaintif
			AND/DA	4N		
Dei	fendant's Nan	ne/Nama Def	fendan]			
(NR	IC No.	)				Defendant/Defendan
1.	Particulars o	f Plaintiff				
	Age	:				
	Citizenship	:				
	Religion	:				
	Educational	Level:				
	Occupation	:				
	Current Add	fress :				
2.	Date and Pla	ace of Marria	ige:			
	(To enclose	a copy of the	original mar	riage certifi	cate/	certified true copy)
3.	Ground of I	Divorce (*Dei	lete where ina	applicable)		
	*(a) I wish t	o divorce the	e Defendant.			
	The rea	son(s) for di	vorce is/are -	_		
	(1)					
	(2)					
	(2)					

*( <i>b</i> ) 1 nau p	ronounced talak on the	Defendant.			
Date of	Pronouncement:	day of	(mont	h) of	
(1)		and (2)	in the presence o		
	rds I said were:				
Particulars o	f all children:				
S/No.	Name	Birth Cert./ NRIC No.	Date of Birth	Gender	
1	rume	NRIC No.	Dirin	Genaer	
2					
3					
4					
5					
6					
Particulars o	f adopted children:				
		Birth Cert./			
S/No.	Name	NRIC No.	Birth	Gender	
1 2					
_	6 4hii-1 h				
	f the matrimonial home				
	Lessee(s)/Owner(s):				
(c) Name of	permitted occupiers ar	nd relationship witl	n each Lesse	ee/Owner:	
(d) Sole Ten	ancy/Joint Tenancy/Te	nancy in common (	please speci	fy shares):	
(e) Type of Executiv	matrimonial home (	i.e. whether 3-roo	om, 4-room	, 5-room,	

(f) Date of Purchase:

	(g) Amour	nt of outstanding loan d	lue to the HDB/Ban	k as at curr	ent date:
	(h) The est	timated value of the ma	atrimonial home as a	t	is
	(i) Amour	nt of CPF Housing gran	t credited to:		
	Plaintif	f's CPF Account :			
	Defend	lant's CPF Account:			
	(j) Paymei	nt made by Plaintiff towa	ards the purchase of t	the matrimo	nial home:
	CPF:	<del>-</del>			
	Bank:				
	Cash:				
	Indirec	t contributions:			
		close Plaintiff's CPF Pul ly Statement, HDB/Bani			
7.	The followi	ing is a list of other ma	trimonial assets:		
	(1)				
	(2)				
	(3)				
8.		dant and I had previous here inapplicable)	s matrimonial procee	edings as fol	lows:
	*(1) First I	Divorce on(dd/mm/yyyy	_ and *rujuk/remarr	ried on	nm/yyyy)
	*(2) Secon			-	
	(2) Secon	d Divorce on(dd/mm/yy	анд <i>-гијик</i> лена уу)	(dd/	mm/yyyy)
9.	The Defend	dant and I have on-goin	ng matrimonial proce	edings as fo	ollows:
	Details, if a	nny			
10.	Proposal or	n Custody of Minor Chi	ildren (*Delete wher	re inapplical	ole)
		to have joint/sole custo v 21 years), namely:	dy, care and control	of the mino	or children
		•	Birth Cert./	Date of	
	S/No.	Name	NRIC No.	Birth	Gender
	1				
	2				

	3
	4
	5
	6
	with reasonable access to the Defendant.
	*(b) I wish that the Defendant be granted joint/sole custody, care and contro 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
	<ul><li>(a) I offer nafkah iddah in the sum of per month for the period o iddah.</li></ul>
	(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 Before me,
	this day of 20 .

A COMMISSIONER FOR OATHS

### 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

	ginating Summo Saman Permul				
		BETV	WEEN/ANTARA		
[Pla	intiff's Name/N	lama Plaintif]			
(NR	RIC No.	)			Plaintiff/Plaintif
			AND/DAN		
[De	fendant's Name	e/Nama Defenda	in]		
(NR	CIC No.	)			Defendant/Defendan
1.	Particulars of	Plaintiff			
	Age	:			
	Citizenship	:			
	Religion	:			
	Educational L	.evel:			
	Occupation	:			
	Current Addr	ess :			
2.	Date and Place	ce of Marriage:			
	(To enclose a	copy of the orig	ginal marriage certi	ficate	/certified true copy)
3.	Ground of Di	vorce (*Delete	where inapplicable	)	
	*(a) I wish to	apply for divor	ce from the Defen	dant.	
	The reas	on(s) for divorc	e is/are —		
	(1)				
	(2)				
	(3)				

## **CAP. 3**, R 1]

## FIRST SCHEDULE — continued

	*(b) The D	efendant had pronoun	ced talak on me.			
	Date o	of Pronouncement:	day of	(mont	h) of	
	(year) at		and (2)	in the p	in the presence of	
		ords the Defendant sai				
4.	Particulars	of all children:				
			Birth Cert./			
	S/No.	Name	NRIC No.	Birth	Gender	
	1					
	2					
	3					
	4					
	5					
	6					
5.	Particulars	of adopted children:	Pint Cont	Data of		
	S/No.	Name	Birth Cert./ NRIC No.	Date of Birth	Gender	
	1					
	2					
6.	_	of the matrimonial hor	ne:			
٠.						
		S:				
	` '	of Lessee(s)/Owner(s):				
	—	of permitted occupiers		n each Lesse	ee/Owner:	
	(-)					
	(d) Sole Te	nancy/Joint Tenancy/T	enancy in common (	please speci	fy shares):	
		of matrimonial home ve, etc.):	(i.e. whether 3-roo	om, 4-room	, 5-room,	
	(f) Date of	Purchase:				

## Rules

## ${\tt FIRST\ SCHEDULE--} continued$

	(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)	
	*(2) Second Divorce on and *rujuk/remarried on (dd/mm/yyyy)	
9.	The Defendant and I have on-going matrimonial proceedings as follows:	
	Details, if any	
0.	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:	ı
	Birth Cert./ Date of S/No. Name NRIC No. Birth Gender	
	1	

## Rules

## 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 <i>mutaah</i> 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
	<del></del>
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 Before me,
	this day of 20 .

A COMMISSIONER FOR OATHS";

### **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.	Naı	me of Plaintiff:		
2,	Ad	dress:		
3.		te and Place of Marriage: enclose certified true copy/original M		
4.	I wi	ish to apply for my marriage to the De	fendant to be de	clared null and void.
5.	The	e reasons are as follows:		
6.	The	e 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 mutaah in the sum of		and
	*(b)	I do not wish to claim nafkah iddah	and mutaah.	
	*(c)	I leave the issue of nafkah iddah and	l mutaah to the	Syariah Court.

## Rules

ð.	*(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.		e following are particulars of the matrimonial home:  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.

## Rules

## 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
Aff	rmed at Singapore by the abovenamed )
this	day of 20 Before me,
	A COMMISSIONER FOR OATHS

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
5.	I have suffered the following financial losses and/or incurred the following expenses.  Details:
6.	I wish to claim the amount of
Aff this	day of 20 Before me,
	A COMMISSIONER FOR OATHS

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

		(Ti	tle as in	Action	n)			
Let a	Il parties cor	cerned atte	nd befor	e the p	resident o	r registr	ar in Cham	bers
on the	day of		20_	_ at	a.m./p.i	m. on th	e hearing o	of an
applicatio	n on the par	t of		fo	or an orde	er that:		
1,		be appointe efendant/[arthe proceed	y othe	r name	ed party]			
2,	The costs of	f this applic	ation be	provid	ded for.			
Date	d this	day of			20			
Application	on No.							
Clerk								
							Registrar	
		*Dele	te where	inapplica	ible.			

### ${\it FIRST~SCHEDULE-continued}$

### 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

	inating Summo Saman Permula				
		BE	TWEEN/ANTA	ARA	
[Plai	ntiff's Name/Na	ıma Plaintif]			
(NRIC No.		)			Plaintiff/Plaintif
			AND/DAN		
[Def	endant's Name	Nama Defen	dan]		
(NR	IC No.	)			Defendant/Defendar
1.	Particulars of I	Defendant			
	Age	:			
	Citizenship	:			
	Religion	:			
	Educational Le	evel:			
	Occupation	:			
	Current Addre	ss :			
2.	Date and Place	of Marriage	3.		
	(To enclose a	opy of the o	riginal marriage	certificate	/certified true copy)
3.	Ground of Div	orce			
	*(a) I agree/di	sagree with p	oaragraph 3(a)	of the Plain	tiff's Case Statement.
	*(b) I confirm/	do not confir	m paragraph 3(b	of the Pla	intiff's Case Statemen
	If no, give	e details			

## ${\tt FIRST~SCHEDULE}--continued$

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:

(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)
	ngree/disagree with the Plaintiff's proposal on the division of the other rimonial assets. I counter-propose the following:
	ngree/disagree with the Plaintiff's proposal on nafkah iddah and mutaah.  punter-propose the following:
mar	ngree/disagree with the Plaintiff's claim on outstanding <i>emas kahwin</i> and riage expenses ( <i>hantaran belanja</i> ). isagree, give details:
Aff	irmed at Singapore by the abovenamed } Before me,

A COMMISSIONER FOR OATHS

<sup>\*</sup>Delete where inapplicable.

### 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

	inating Summons Saman Permulaan					
		BE	TWEEN/A	VTARA		
[Plai	ntiff's Name/Nam	a Plaintif]				
(NR	IC No.	)				Plaintiff/Plaintif
			AND/DA	N		
[Def	endant's Name/Na	ıma Defen	ndan]			
(NR	IC No.	)				${\bf Defendant}/{\bf Defendan}$
1.	Particulars of De	fendant				
	Age	:				
	Citizenship	:				
	Religion	:				
	Educational Leve	l:				
	Occupation	:				
	Current Address	:				
2.	Date and Place o	f Marriage	e:			
	(To enclose a cop	y of the	original marr	iage certif	icate/	certified true copy)
3.	Ground of Divor	ce				
	*(a) I do not wis	h to be di	vorced by th	e Plaintiff		
	*(b) I confirm/do	not confir	m paragraph	3(b) of th	e Plai	ntiff's Case Statement.
	If no, give d	etails				

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 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 contro of the minor children. I counter-propose the following:
10.	I *agree/disagree with the Plaintiff's proposal on the division of the matrimonia home.  (a) I counter-propose the following:

	(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. 14.	I wish to claim the outstanding emas kahwin in the sum of  I wish to claim the outstanding marriage expenses (hantaran belanja) in the
	sum of
	Affirmed at Singapore by the abovenamed Before me,

A COMMISSIONER FOR OATHS

\*Delete where inapplicable.", and

### **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.	Naı	me of Defendant:
2.	Ad	dress of Defendant:
3.	Da	te and Place of Marriage:
4.	I *a	agree/do not agree with paragraph 5 of the Plaintiff's Case Statement.
5.		agraph 6 of the Case Statement is *correct/incorrect and the correct ticulars of the children are as follows:
,		
6.		I *agree/disagree with the Plaintiff's claim of nafkah iddah and mutaah.  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)
		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:

Rules

[CAP. 3, R 1

## FIRST SCHEDULE — continued

8.	I *agree/disagree with the particulars of the matrimonial home as stated in paragraph 9 of the Case Statement (and the correct particulars are as follows):
	(a) Address:
	(b) Owners:
	(c) Mode of ownership:
9.	I *agree/disagree with the Plaintiff's proposal on disposition of the matrimonial home as follows: and counter-propose to dispose of the matrimonial home as follows:
10.	Paragraph 11 of the Case Statement shows the Plaintiff's list of matrimonial assets. I *agree/disagree with the said list and the correct list is as follows:
11.	Paragraph 12 of the Case Statement shows the Plaintiff's proposal to dispose of the matrimonial assets. I *agree/disagree with the proposal and propose that they be disposed of as follows:
Affi	rmed at Singapore by the abovenamed ) Before me,

A COMMISSIONER FOR OATHS

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. <u>Details:</u>
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
	firmed at Singapore by the abovenamed Before me,
thi	day of 20 )
	A COMMISSIONER FOR OATHS

Rule 13(3)

## ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

Affidavit verifying list of documents

(Title as in Action)

- I, the abovenamed \*Plaintiff /Defendant do affirm and say as follows:
  - A list of documents in my possession, custody or power relating to the matters in question in these proceedings is produced and shown to me marked "\_".
  - I will be able to produce the documents in the list of documents at the hearing of these proceedings.
  - I do not have any other documents that are relevant to these proceedings except those enumerated in the list of documents marked "".

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

A COMMISSIONER FOR OATHS

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

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

Rule 13(7)

## ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

Application for list of documents/inspection of documents

(Title as in Action)

Let a	Il parties concerned attend be	fore th	e presi	dent or registrar in Chambers
on the _	day of	_ 20	_ at	a.m./p.m. on the hearing
of an app	lication on the part of		for an	order that —
	a list of documents verified			
*2.	the inspection of the docum verified in the affidavit of			
Entered 1	No. of 20			
Clerk:				
				Registrar

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 a	ll parties co	ncerned atten	d before th	ne presid	ent or regist	rar in Chamb	ers
on the	day of		20	_ at	a.m./p.m	. on the hear	ing
of an ap	plication on	the part of	the above	named *	Plaintiff/De	fendant for	the
following	orders;						
1.		*Plaintiff/Def		granted	interim cu	stody, care a	and
2,		Plaintiff/Defe Defendant at a					
3.	*Plaintiff/I	*Plaintiff/Def Defendant a and other re	ll the pa	ssports,	birth cer	tificates, hea	
4.		Plaintiff/Def		0			as
5.	That the c	osts of this ap	plication b	e provid	led for.		
The herein.	grounds of t	his applicatio	n are state	d in the	affidavit of	fi	iled
Date	d this	day of		20			
						Registrar	
		*Dele	te where inag	plicable.			

Rule 15(2)

## ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

Application for miscellaneous interim orders

(Title as in Action)

		concerned attend			Ų		
		of			a.m./p.m	, on the hear	ıng
of an app	lication or	the part of		for:			
*1.	An orde	er that the *Co	ase States	ment/Me	emorandum	of Defence	be
*2,	An order or expun	that the affiday	rit of	or a	ny part there	eof be struck	out
*3.		r that the time li			_ be extende	ed to the	
*4,		r that the order fore the					
*5.		that the clerical ein be corrected					
*6.	Such oth	er order as the	president	or regis	trar thinks fi	t.	
7.	The cost	s of this applica	tion be pr	ovided f	or.		
Date	d this	day of		20	)		
Entered 1	No.						
Clerk:							
						Registrar	

[2001 Ed. p. 69

# 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)

	•	and before the president or registrar in Chambers 20 at a.m./p.m. on the hearing
	=	for an order that:
1.	The said	be added as Intervener in this action.
2.	The Summons [or Approximate as Intervener.	plication] be amended accordingly by adding his
3.	The said	be at liberty to file an affidavit
	by the day of _	20
4.	The costs of this applie	cation be provided for.
Date	ed this day of	20
Entered 1	No:	
Clerk:		

Registrar

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\$				
Date	d this day of 20				
	(SEAL)				
		Registrar			

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.

## Rules

## 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:
(ε) 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).

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

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

	(d)								
	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	n for the	follow	ing reasor	18:				
AFI	FIRMED by the abovename	d		}					
on t	his day of		20	}					
	ingapore:			}					

Before me,

### A COMMISSIONER FOR OATHS

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:

- 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

Rule 17(4)

# ADMINISTRATION OF MUSLIM LAW ACT

ADMINISTICATION C	JI WIOSEIMI EAW ACT
(CHAI	PTER 3)

	Continuation Certifica	ate			
	(Title as in Action)				
	e Application No ma EARING the *Plaintiff/Defendant, i				
<ol> <li>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 continued.</li> </ol>					
2. [To	state provision as to costs, if any]				
Dated this	s day of	20			
		Registr	ar		
	*Delete where inapplicabl	le.			
	FORM 29		Rule 17(:		

5)

Registrar

### ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

Certificate of Attendance

(Title as in Action)

IT IS HERI	EBY CERTIFIED	that the Plaintiff	and the Defendant have
attended and bee	en counselled unde	er section 35A (7)	of the Administration o
Muslim Law Act	(Cap. 3) on the	day of	20
Dated this	day of	20	

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

matter of Summons No		_ between _	a	nd	on	the
day of	20	_ at	_ a.m/p.m	and to	produce	the
following documents:						
Witness name:						
His (Her) residence/place o	f business:					
His (Her) occupation:						
Dated this day	of		20			
		Solicit	tor for the			

Rule 20(2)

### ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

Undang-Undang Pentadbiran Hukum Islam ADMINISTRATION OF MUSLIM LAW ACT Undang-Undang Perkahwinan dan Perceraian Islam

MAHKAMAH SYARIAH

(CHAPTER 3)

MUSLIM MARRIAGE AND DIVORCE RULES THE SYARIAH COURT

#### SAMAN KEPADA SAKSI SUMMONS TO A WITNESS

To	Dalam Perkara diantara IN THE CASE BETWEEN		
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:	Nama penuh yang mendakwa Full name of Plaintiff Alamat of		
YOU are hereby summoned personally to attend before the Syariah Court, Singapore, at the date and bour, 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.	Tuan/Puan, dengan ini, dikehendaki had sendiri di Mahkamah Syariah, Singapura padharibulan dan masa, dan bawa bersan tuan/puan surat-surat (dokumen) yat semuanya tersebut diatas untuk membe keterangan berkenaan dengan hal-hal di benda-benda yang tuan/puan tahu yat berkenaan dengan perkara yang tersebut diata dan tuan/puan hendaklah hadir di Mahkamadaripada sehari kesehari sehingga tuan/puan undah memberi keterangan dan mendapat iz daripada Mahkamah untuk meninggalkannya.		
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.			
	Ketahuilah bahawa jika tuan/puan tidak hadir dan tiada dapat kemukakan sebab-sebab yang boleh diterina kerana ketiadaan hadir itu satu perintah/warrant untuk menangkap tuan/puan boleh dikeluarkan.		
Bertarikh Haribulan 20 Dated thisday of20			
(Se	Presiden Mahkamah Syariah, Singapura		

### Rules

### FIRST SCHEDULE — continued

(Reverse)

### ACKNOWLEDGEMENT OF RECEIPT OF SUMMONS PENGAKUAN MENERIMA SAMAN

Received a copy of this Summe Sudah terima Saman ini	ons
Haribulan. Date.	Tandatangan. Signature.
MEMORANDU	UM OF SERVICE OF SUMMONS
do hereby declare that I did or	1 the day of
	o'clock A.M./P.M.
	Signature of person authorised to serve Summons.

Rule 21

# ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

WARRANT OF ARREST	ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)
Summons Number	MUSLIM MARRIAGE AND DIVORCE RULES
	THE SYARIAH COURT, SINGAPORE
Name of Accused	WARRANT OF ARREST
Offence: Failure to attend before	To the Commissioner of Police and all other Police Officers of Singapore.  WHEREAS a summons has been duly issued and served on
Endorsement of bail allowed \$	(name, description and address)
with surety/sureties	to attend before
Clerk	on the day of 20
	AND WHEREAS the said has failed
Initials of President Syariah Court	to attend beforeand has not
	given any explanation for his failure to do so:
Remarks	This is to authorise you to arrest the said
	Dated this day of 20
	(SEAL)
	President, Syariah Court, Singapore.
ADMINIS	(Reverse) STRATION 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 Defendant				
		DECREE					
HEARING and Plaint Plaintiff/D	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 *wa pronouncement of talak		e *Plaintiff's/Defendant's is date] as follows.				
*2.	that the marriage be dis taklik.	solved by the *Plainti	ff's/Defendant's breach of				
*3.	that the marriage be dis	ssolved by fasakh.					
*4.			nsideration of payment of ne *Plaintiff/Defendant on				
*5.	that the marriage be de	clared null and void.					
	AND IT IS H	EREBY ORDERED	that:				
1.							
2.							
3.							
Dated	this day of	20					
			President, Syariah Court, Singapore.				

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						
		READING the affidavit(s) of				
		D UPON HEARING Counsel				
for	and Counsel for	IT IS HEREBY				
ORDERED THAT:						
1						
Dated this	day of	20				

President/Registrar

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 IT IS HEREBY ORDERED THAT:				
for	IT IS HE					
1						
2						
Dated this	day of	20				
			Signed			

### ${\tt FIRST~SCHEDULE}--continued$

### **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 a	ll parties con	cerned attend bef	fore the	e president or re	gistrar in Chambers
on the	day of		_ 20	_ at a.m./p.m. or	n the hearing of an
applicatio	n on the par	t of the *Plaintiff	/Defen	dant for an orde	er that:
1.	on [state ar		ocumen	its] pursuant to	dorse his signature the Order of Court
2.	The costs of	of this application	be pro	vided for.	
Date	d this	day of		20	
Entered N	No.				
Clerk:					
					Registrar
		*Delete whe	re inapp	licable.	

#### **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

it is	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 1	respect of the action.					
by.	2. The costs occasioned by the appointment of hakam be provided for					
	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
- 4. Unless otherwise directed by the Court, the nakam shall only deal with issues relating to the marital status of the parties.

Registrar

[2001 Ed. p. 85

# 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)

th	e day of	20 at a.m./p.n
for an order pursua	nt to section 54 of the A	Administration of Muslim Law Ac
(Cap. 3):		
1. That [name	of person to be presumed	d dead] be presumed to have died.
The grounds of this	application are as stated in	in the affidavit filed herewith.
Entered No.	of 20	
Clerk:		
	(SEAL)	
		Registrar
This summons is tak	en out by the Applicant (	(state address)

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)

UP	ON THE APPLICATION made by the Applicant in Application
No	and, UPON READING the affidavit of the Applicant, AND
UPON I	HEARING *Counsel for the Applicant/the Applicant appearing in person
pursuan	to section 54 of the Administration of Muslim Law Act (Cap. 3), IT IS
HEREB	Y 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

[2001 Ed. p. 87

# FIRST SCHEDULE — continued FORM 43

Rule 37(1)(*a*)

# ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

	FORM Notice of Appointm (Title as in	nent of Solicitor	Rule 37 (1) (a)			
To the president of the	e Syariah Court,					
Take notice that (name of solicitor), of						
Dated this	day of	20 .				
			Solicitor.			
To the abovenamed *1	Plaintiff/Defendant o	or his solicitor.				

### Rules

### 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,
----	-----	-----------	----	-----	---------	--------

has been appointed	at (name of new soli to act as the solicito e place of (name of o	or of the abovenamed	d *Plaintiff/Defendant
The address for	or service of the above	renamed (new solicit	or) 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)).

Rule 37(4)(*a*)

# ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

Application for the discharge of solicitor

(Title as in Action)

	-	-	oresident or registrar in Chambers a.m./p.m. on the hearing of an	
application	on the part of		for an order that:	
i	name of solicitor] of be discharged from act action.	ting as solicitor	for the *Plaintiff/Defendant in the	
2.	The costs of this appli	cation be provi	ded for.	
Dated	this day of		20 .	
Entered No	).			
Clerk:				
			Registrar	
	*De	elete where inapplic	rable.	
		FORM 46	p.,.	1- 20/2
<b>3</b> 1	[-4:C A1	aland Daniedo		le 38(2)
N	• • • •		ar's decision or order	
	(T	itle as in Acti	ion)	
The Senio	r President			
Syariah (	Court			
hole/part of g on		he learned re following or		_

### Muslim Marriage and Divorce

p. 90	2001 Ed.]		Rules			[CAP. 3, R 1
		FIRST SO	CHEDULE -	– continu	ed	
	(2)					
	(3)					
I inten	d to appeal	against the follow	ving orders:			
	(2)					
	(3)					
Dated	this	day of		20 .		
Entere	d No:					
					Signed	
					Signed	
To the	*Plaintiff/D	efendant				
Addres	SS:					
		*De	elete where inapp	licable.		
			FORM 47	7		
						Rule 39(2)
			HE APPEAL		W A COT	
		ADMINISTRA	TION OF MU	JSLIM LAV	W ACT	
Appea	l No.	)	Between			
						Appellant
			And			
In the	matter of S	variah Summons	No	of 20		Respondent
m uic	111attor 01 Sy	arian Summons	Between	01 20		

#### And

Notice	of	Appeal
--------	----	--------

		rottee of ripped	
	CE that the *Pla		being being
			Taib Kadi given atads to appeal to the Appeal
Board against	_ day 01	20 Inter	ids to appear to the Appear
		(	
		( the whole of the	said decision
			suid decision
. 11 /		(	64
either/or		( such part only or	the said decision
		(	
		( as decides that	
		( (set out details)	
Dated this	day of	20	
			Signature
		(Appella	nt/Solicitors for Appellant)
To the Appeal Bo	oard,		
		s Ugama Islam, Singapura	1
and to:			
The address for s	arvice of the ann	llant is:	
The address for s	ervice of the resp	ondent is:	
	*I	elete where inapplicable.	
			[S 804/2017 wef 01/01/2018]
		FORM 48	
			Rule 39(7)
		Petition of Appeal	
		Title as in Appeal)	
		11 /	

To the Honourable Members of the Appeal Board.

The Petition of the abovenamed appellant showeth as follows:

FIRST	SCHEDUL	.Е —	continued
-------	---------	------	-----------

THOT SCHED	SEE commuca	
1. The appeal arises from the *decision Court/Kadi/Naib Kadi.	on/order of the *President of	the Syariah
2. By a *decision/order dated the *decision/order was made as follows:	day of	20 a
3. Your petitioner is dissatisfied with the s (state the particular grounds of a)		
4. Your petitioner prays that the appeal n	nay be allowed.	
Dated this day of	20	
		Signature
	(Appellant/Solicitors fo	or Appellant)
*Delete whe	ere inapplicable.	
FOR	RM 49	Rule 39(12)( <i>a</i> )
Responde	ent's Notice	
(Title as	in Appeal)	
TAKE NOTICE that, on the hearing of the vill contend that the order of the learned protection on the day	resident given	
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 1	Respondent)

Dated this	day of		20 .
To the Appeal Bo	oard		
Through: The Ch	ief Executive		
Majli	s Ugama Islam	, Singapura	
The address for s	ervice of the R	espondent is:	
			[S 804/2017 wef 01/01/2018
		FORM 50	
			Rules 39(17) and (22), 40(10) and 42(
		Notice of Motion	1
		(Title as in Action	1)
20_*Plaintiff/Defendar(1)(2)	at at the follo	a.m/p.m on the howing orders:	Board on the day of nearing of a motion on the part of the
Dated this	day of		20 .
			ppellant/respondent/solicitor for the ppellant/solicitor for the responden
To the Appeal Bo	oard		
Through: The Ch	ief Executive		
Majlis	Ugama Islam,	Singapura	
and to:			

address			

The address for service of the Respondent is:

\*Delete where inapplicable.

[S 804/2017 wef 01/01/2018]

### FORM 51

Rule 40(2)

#### IN THE APPEAL BOARD

## ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

)	Between
	Appellant
	And
	Respondent
iah Summons No.	of 20
В	etween
	Plaintiff
	And
	Defendant
Notic	e of Appeal
(Secon	nd Schedule)
ed president given at	*Plaintiff/Defendant being dissatisfied with the on the day of ppeal Board against
	(
	( the whole of the said decision
	(
	( such part only of the said decision
	(
	( as decides that
	( (set out details)
	Notice (Seconnat the abovenamed bed president given at

Dated this	day of	20 .	
	·		Signature
		(Appellant/Solicitor	_
To the Appeal 1	Board		
Through: The (	Chief Executive		
_	s Ugama Islam, Sing	apura	
-	service of the Appe		
The address for	service of the Respo	ondent is:	
	-		
	*Del	ete where inapplicable.	
		[S 804/201	7 wef 01/01/2018]
		FORM 52	P. 1. 44(0)
			Rule 41(6)
		E APPEAL BOARD	
		CION OF MUSLIM LAW ACT (CHAPTER 3)	
	ORDER	OF APPEAL BOARD	
	(T	itle as in Action)	
Before the Hon	ourable Members	I	n Open Hearing
1			
2			
3			
	APPEAL/MOTION		ON HEARING
Counsel for the	Appellant and Coun	isel for the Respondent it is ADJUl	DGED 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. Deleted by S 388/2001, wef 01/04/2001	
3. Application for registration of Marriage where both parties are not citizens of Singapore	\$128
3A. Application for registration of Marriage	\$120

where at least one party is below the age of 18 years

3B. Application for registration of Marriage where the wali refuses consent

\$100

[2001 Ed. p. 97

	<u> </u>
THIRD SCHEDULE —	continued
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. Deleted by S 51/2009, wef 01/03/2009.	
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

p.	98	2001	Ed.
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Rules

[CAP. 3, R 1

THIRD SCHEDULE — c	ontinued
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
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 CHIEF EXECUTIVE IN 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

[2001 Ed. p. 99

<u>Cm: 5, 1c 1</u>	Tuites		L <sup>2</sup> 001 Ed.	<u> P. , , , </u>
	ГНIRD SCHEDULE —	continued		
(d) for the issue of a grounds of decision o	a certified copy of the f the Appeal Board	\$100		
	the issue of the notes of cuments of the Syariah of Muslim Marriages	\$500		
2. Appeal on certain n	natters under rule 40:			
(a) on filing a notice of	of appeal	\$16		
(b) for the hearing by	the Appeal Board	\$630		
(c) for the issue of a decision of the Appea	a certified copy of the l Board	\$18		
(d) for the issue of a grounds of decision o	a certified copy of the f the Appeal Board	\$100		
	the issue of the notes of cuments of the Syariah	\$300		
3. Application for leaving 19(17):	eave to appeal under			
(a) on filing a motion		\$16		
(b) for the hearing by	the Appeal Board	\$630		
(c) for the issue of a decision of the Appea	a certified copy of the l Board	\$18		
(d) for the issue of a grounds of decision o	a certified copy of the f the Appeal Board	\$100		

[S 804/2017 wef 01/01/2018]

[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 9999

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

Date of commencement : 1 September 2011

16. G.N. No. S 804/2017 — Muslim Marriage and Divorce (Amendment) Rules 2017

Date of commencement : 1 January 2018