

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

MUSLIM MARRIAGE AND DIVORCE RULES

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[1st August 1999]

PART I

PRELIMINARY

Citation

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

Definitions

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

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

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

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

[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

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

MUSLIM MARRIAGE AND DIVORCE RULES

Rule 3

FIRST SCHEDULE — continued

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

ORIGINAL _____

قَرْمُوھْتَن اِسْتَوْق اَوْقَجَارَا قَرْمِكَاھِن
APPLICATION FOR SOLEMNISATION OF MARRIAGE

نام قَسْمُو FULL NAME كَلْبُون ALIAS ھِئِيئِي قَرْمِكَاھِن IDENTITY TYPE نوم قَرْمُوھْتَن اِسْتَوْق اَوْقَجَارَا NIC/PASSPORT NO. تَارِيح اَلْمَوْلِد DATE OF BIRTH ھَاھِم قَرْمُوھْتَن MARITAL STATUS نَسَبَا RACE قَرْمِكَاھِن اَلْمَوْلِد قَسْمُوھْتَن NATIONALITY رِسْوَدَانِي اِسْتَوْق RESIDENTIAL STATUS اَلْمَعْلَمِي اَلْمَعْلَمِي اَوْ اَلْمَعْلَمِي HIGHEST EDUCATIONAL QUALIFICATION اَلْمَعْلَمِي OCCUPATION عَلَمِي ADDRESS اَلْمَعْلَمِي CONTACT NUMBER اَلْمَعْلَمِي RELIGIOUS KNOWLEDGE	لَكِي MALE	قَرْمِكَاھِن FEMALE	APPLICATION DATE MARRIAGE CERTIFICATE NO. SOLEMNISATION DATE MARRIAGE PREFIX MARRIAGE TYPE POLYGAMY MARRIAGE COUNSELLING SOLEMNISATION PLACE SOLEMNISER
	اَلْمَعْلَمِي Name of Wali of female party and relationship	تَارِيح اَوْرَان حَمْد قَرْمِكَاھِن اَلْمَعْلَمِي Proposed date and hour of marriage	
حَمْد قَرْمِكَاھِن حَمْد اَوْرَان مَالِي مَسْتَوْق : اَلْمَعْلَمِي If female party is divorced or widowed, evidence of divorce or death	حَمْد لَكِي مَالِي مَسْتَوْق اَوْرَان قَرْمِه مَسْتَوْق اَوْرَان مَالِي مَسْتَوْق : اَلْمَعْلَمِي If male party is married, divorced or widowed, evidence of marriage, divorce or death		اَلْمَعْلَمِي Agreed marriage expenses

FIRST SCHEDULE — continued

Table with 4 columns: Malay text, English text, Malay text, English text. It contains legal provisions regarding marriage and divorce, including sections 1 through 5 and their corresponding English translations.

* فرج مطلق لڑی
Denise an acqumposite
† فرج (3) بہت فرج ہے۔ اس کے نتیجے میں کہ وہ ایک
Paragraph (3) may be deleted if the decedent is not a divorcee

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

FIRST SCHEDULE — continued

FORM 2

Rule 6(1)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
دَفْتَرِ فُرْكَهَوِیْنِ
REGISTER OF MARRIAGE

Entry No. 000000

_____	_____	_____
فُرْكَهَوِیْنِ لَاقِی Bridgroom	كَارِدِ فُرْكَهَوِیْنِ NRIC No.	تَمْدِیْلَاتُ فُرْكَهَوِیْنِ Signature
_____	_____	_____
فُرْكَهَوِیْنِ قُرْمُوْلَانِ Bride	كَارِدِ فُرْكَهَوِیْنِ NRIC No.	تَمْدِیْلَاتُ فُرْكَهَوِیْنِ Signature
فُرْكَهَوِیْنِ دِلَاكُوْنِ دَامَلْتِ This Marriage was solemnized at _____ ئوْهُ ئوْهُ on by _____ دَمْدِیْلَاتُ فُرْكَهَوِیْنِ in the presence of _____ فُرْكَهَوِیْنِ Witness فُرْكَهَوِیْنِ NRIC No. فُرْكَهَوِیْنِ Signature		
_____	_____	_____
فُرْكَهَوِیْنِ Maskahwin	مَدْفُرْكَهَوِیْنِ Registered by	فُرْكَهَوِیْنِ NRIC No. فُرْكَهَوِیْنِ Signature
_____	_____	_____
تَمْدِیْلَاتُ فُرْكَهَوِیْنِ دِلَاكُوْنِ Signature of Wali/Wali Hakim	ئوْهُ ئوْهُ on	كَارِدِ فُرْكَهَوِیْنِ Kadi or Nash Kadi

FIRST SCHEDULE — continued

(Reverse side)

تعليق

- لە تەبەقە کالی سایی.....
- (1) مەبەستەکانی استەری سایی.....
- دەخڵ سەھەج اتۆ تەبەق سەبا امەت بۆن اتۆ لێ، اتۆ
- (2) سایی اتۆ دۆکیل سایی تەبەق بۆی نەقە کەش سەبا ماس نۆسۆت سەبەن ای طاعت کەش سایی، اتۆ
- (3) سایی مەلاکۆکی سەبەق نۆ کەرا بۆ مەنچۆراکۆن نۆرە بەناش، اتۆ بۆرۆسەن هۆت بەناش، اتۆ
- مەنچۆرەکی کۆرەمەش، کەدەن مەنادۆ ای کەش مەحکە شۆرە سۆت دۆاقتی نەنادۆن ای تەبەق
- تەبەق نۆ نۆرە طلاق استەری ای تەبەق طلاق سایی.

Special Conditions

On every occasion that I _____

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

FIRST SCHEDULE — continued

FORM 3

Rule 6(2)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

دفتر فرجراين
REGISTER OF DIVORCE

MC

نام سواسي Name of Husband:	نمبر ڪو ڦٽائون NRIC No.:	هه ٿاڻي Signature:
نام امستوي Name of Wife:	نمبر ڪو ڦٽائون NRIC No.:	هه ٿاڻي Signature:
فرجراين ڏيکارڻ/ڏيکارڻ جو تاريخ: The Divorce was pronounced/decreeed on (date):	ڇو by:	
ٻيڙن جو انگ ۽ طبيعت Number & Nature of Talaq:	بلا ٿيڻ Nafrah Eddah:	مستحب Muta' ah:
ٻارن جي حڪومت Custody of Children:	سواسي To husband:	امستوي To wife:
شاهدي Witness:	نمبر ڪو ڦٽائون NRIC No.:	هه ٿاڻي Signature:
شاهدي Witness:	نمبر ڪو ڦٽائون NRIC No.:	هه ٿاڻي Signature:
تاريخ ۽ ڏڪاڻ Date of Marriage:	نمبر ڪو ڦٽائون ڏڪاڻ Marriage Certificate No.:	
ڊگھو ڪو: Registered at:		ڊگھو ڪو ڪو AND IS REGEDBY REGISTERED ON:
		اين ٿي BY ME:

(SBAL)

فرجراين ڪو ڪو
President, Shariah Court

FIRST SCHEDULE — continued
FORM 4

Rule 6(3)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ
فُنْدُقْفَرَانِ وَرُجُوعِ
REGISTER OF REVOCATION OF DIVORCE Entry No. 000000

Husband زوج اسمی	NRIC No. کارڈ نمبر	Signature تہدات نامہ
Wife اہلہ اسمی	NRIC No. کارڈ نمبر	Signature تہدات نامہ
رجوع از صیوت قلہ ہواات This Revocation of the Divorce was made at _____		
قہ cm	اہلہ by	_____
_____ in the presence of		
Witness شہسبی	NRIC No. کارڈ نمبر	Signature تہدات نامہ
Witness شہسبی	NRIC No. کارڈ نمبر	Signature تہدات نامہ
رجوع از صیوت قلہ ہواات Registered by _____		
تاریخ نکاح Marriage Date	نمبر صیوت Certificate No.	قہ cm
نمبر صیوت رجوع No. of Divorce	صیوت کی نمبر Certificate/Case No.	تاریخ Date
قاضی انو نائب قاضی Kadi/Muab Kadi		

FIRST SCHEDULE — continued

(Reverse side)

تعليق

قد تيقب؟ كالي ساي.....

(1) منيفككلكن استري ساي.....

دغن منيفهاج اتو تيدق سلها امنت بولن اتو له. اتو

(2) ساي اتو دكبل ساي تيدق بري نفعه كلفك سلها ماس ترسيرت سدكلكن اي طاعت كلف ساي. اتو

(3) ساي ملاكوكن سيارخ لركاراي ايج منجهدراكن توبه بدان. اتو مروسككن هرت ندان. اتو

منجارتوهكن كهر ماتن. كسدبن ملهاو اي كلف محككه شرعيه سرت ددائق قشاد وانن ايت بتول

نسجاي كركوره طلاق استري ايت دغن طلاق ساتو

Special Conditions

On every occasion that I _____

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

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

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

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

FORM 5

Rule 8

MAHKAMAH SYARIAH

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

Administration of Muslim Law Act
(Chapter 3)

Muslim Marriage and Divorce Rules

SAMAN KADI KEPADA SAKSI

SUMMONS TO A WITNESS BY KADI OR NAIB KADI

Form with fields: Kepada To, Dalam Penyiasatan IN THE INQUIRY, Dikehendaki hadir untuk Penyiasatan pada: Required to attend Inquiry on: Haribulan Masa Pagi/Petang Date Hour A.M./P.M., Surat-surat (dokumen) yang akan dibawa: Documents to be produced:

FIRST SCHEDULE — *continued*

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

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

Bertarikh Haribulan 20
Dated this day of 20

(Seal)

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

FIRST SCHEDULE — *continued*

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

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

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

To The Defendant/Kepada Defendan

Name>Nama :

Address/Alamat:

ACKNOWLEDGMENT OF RECEIPT OF ORIGINATING SUMMONS

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

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

Signed (Defendant)

Name :

NRIC No.:

Date :

MEMORANDUM OF SERVICE OF ORIGINATING SUMMONS, ETC.

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

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

FIRST SCHEDULE — *continued*

FORM 7

Rule 9(3)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

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

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons No.
No. Saman Permulaan

BETWEEN/*ANTARA*

[Plaintiff's Name/*Nama Plaintiff*]

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

AND/*DAN*

[Defendant's Name/*Nama Defendan*]

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

1. Particulars of Plaintiff

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

2. Date and Place of Marriage:

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

3. Ground of Divorce (*Delete where inapplicable)

*(a) I wish to divorce the Defendant.

The reason(s) for divorce is/are —

- (1) _____
- (2) _____
- (3) _____

FIRST SCHEDULE — continued

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

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

The words I said were:

4. Particulars of all children:

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

5. Particulars of adopted children:

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

6. Particulars of the matrimonial home:

(a) Address: _____

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

(i) _____

(ii) _____

(iii) _____

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

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

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

(f) Date of Purchase: _____

FIRST SCHEDULE — *continued*

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

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

(i) Amount of CPF Housing grant credited to:

Plaintiff's CPF Account : _____

Defendant's CPF Account: _____

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

CPF : _____

Bank: _____

Cash: _____

Indirect contributions: _____

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

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

(1) _____

(2) _____

(3) _____

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

(*Delete where inapplicable)

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

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

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

Details, if any _____

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

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

<i>SNo.</i>	<i>Name</i>	<i>Birth Cert/ NRIC No.</i>	<i>Date of Birth</i>	<i>Gender</i>
1				
2				

FIRST SCHEDULE — continued

3
4
5
6

with reasonable access to the Defendant.

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

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

*Option 1 — To be surrendered to HDB

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

*Option 3 — To be transferred to me

*Option 4 — To be transferred to the Defendant

*Option 5 — Others _____

12. Proposal on the disposal of other matrimonial assets:

13. Proposal on *Nafkah Iddah* and *Mutaah*

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

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

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

Affirmed at Singapore by the abovenamed

this day of _____ 20 .

}
} Before me,
}

A COMMISSIONER FOR OATHS

FIRST SCHEDULE — continued

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

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

The words the Defendant said were:

4. Particulars of all children:

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

5. Particulars of adopted children:

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

6. Particulars of the matrimonial home:

(a) Address: _____

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

(i) _____

(ii) _____

(iii) _____

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

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

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

(f) Date of Purchase: _____

FIRST SCHEDULE — *continued*

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

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

(i) Amount of CPF Housing grant credited to:

Plaintiff's CPF Account : _____

Defendant's CPF Account: _____

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

CPF : _____

Bank: _____

Cash: _____

Indirect contributions: _____

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

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

(1) _____

(2) _____

(3) _____

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

(*Delete where inapplicable)

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

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

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

Details, if any _____

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

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

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

FIRST SCHEDULE — continued

3
4
5
6

with reasonable access to the Defendant.

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

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

*Option 1 — To be surrendered to HDB

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

*Option 3 — To be transferred to me

*Option 4 — To be transferred to the Defendant

*Option 5 — Others _____

12. Proposal on the disposal of other matrimonial assets:

13. Proposal on Nafkah Iddah and Mutaah

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

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

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

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

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

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

Affirmed at Singapore by the abovenamed)
_____))
this day of _____ 20 .)

Before me,

A COMMISSIONER FOR OATHS”;

FIRST SCHEDULE — continued

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

- (1) _____
- (2) _____
- (3) _____
- (4) _____

with reasonable access to the Defendant as follows _____

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

- (1) _____
- (2) _____
- (3) _____
- (4) _____

with reasonable access to me as follows _____

9. The following are particulars of the matrimonial home:

(a) Address: _____

(b) Owners: (1) _____

(2) _____

(3) _____

(4) _____

(c) Mode of ownership: _____

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

- _____
- _____
- _____
- _____

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

FIRST SCHEDULE — *continued*

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

- (1) _____
- (2) _____
- (3) _____
- (4) _____
- (5) _____

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

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

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

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

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

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

A COMMISSIONER FOR OATHS

*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 14

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

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

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons No.
No. Saman Permulaan

BETWEEN/ANTARA

[Plaintiff's Name/*Nama Plaintiff*]

(NRIC No.)

... Plaintiff/*Plaintif*

AND/DAN

[Defendant's Name/*Nama Defendan*]

(NRIC No.)

... Defendant/*Defendan*

1. Particulars of Defendant

Age :

Citizenship :

Religion :

Educational Level:

Occupation :

Current Address :

2. Date and Place of Marriage:

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

3. Ground of Divorce

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

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

If no, give details _____

FIRST SCHEDULE — *continued*

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

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

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

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

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

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

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

(a) I counter-propose the following:

FIRST SCHEDULE — continued

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

CPF : _____

Bank: _____

Cash : _____

Indirect contributions : _____

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

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

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

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

If disagree, give details:

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

A COMMISSIONER FOR OATHS

*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 15

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

MEMORANDUM OF DEFENCE

(by Defendant Wife)

(*talak* and divorces)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

Originating Summons No.
No. Saman Permulaan

BETWEEN/ANTARA

[Plaintiff's Name/*Nama Plaintiff*]

(NRIC No.)

... Plaintiff/*Plaintif*

AND/DAN

[Defendant's Name/*Nama Defendan*]

(NRIC No.)

... Defendant/*Defendan*

1. Particulars of Defendant

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

2. Date and Place of Marriage:

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

3. Ground of Divorce

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

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

If no, give details _____

FIRST SCHEDULE — *continued*

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

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

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

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

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

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

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

(a) I counter-propose the following:

FIRST SCHEDULE — continued

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

CPF : _____

Bank: _____

Cash : _____

Indirect contributions : _____

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

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

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

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

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

Affirmed at Singapore by the abovenamed

this day of 20 .

}
} Before me,
}

A COMMISSIONER FOR OATHS

*Delete where inapplicable.; and

FIRST SCHEDULE — continued

FORM

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

FORM

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

FORM 18

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

(Nullity)

MEMORANDUM OF DEFENCE

1. Name of Defendant: _____
2. Address of Defendant: _____
3. Date and Place of Marriage: _____
4. I *agree/do not agree with paragraph 5 of the Plaintiff's Case Statement.
5. Paragraph 6 of the Case Statement is *correct/incorrect and the correct particulars of the children are as follows:

6. *(a) I *agree/disagree with the Plaintiff's claim of naskah iddah and mutaah.
*(b) I propose to pay naskah iddah in the sum of _____ and mutaah in the sum of _____.
*(c) I leave the issue of naskah iddah and mutaah to the Syariah Court.
7. *(a) I wish to have custody, care and control of the following children:
(1) _____
(2) _____
with reasonable access to the Plaintiff as follows: _____

*(b) I have no objections to the Plaintiff having custody, care and control of the following children:
(1) _____
(2) _____
with reasonable access to me as follows: _____

FIRST SCHEDULE — *continued*

FORM 19

Rule 12(2)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

(Breach of contract of betrothal)

MEMORANDUM OF DEFENCE

1. Name of Defendant: _____

2. Address of Defendant: _____

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

Details:

(a) Amount of mahr agreed: _____

(b) Amount/value of wedding expenses (hantaran): _____

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

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

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

Details:

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

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

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

Details:

7. I wish to counter-claim the amount of _____.

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

A COMMISSIONER FOR OATHS

*Delete where inapplicable.

FIRST SCHEDULE — *continued*

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

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

*Deleted where inapplicable.

FIRST SCHEDULE — *continued*
FORM 21

Rule 13(7)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

Application for list of documents/inspection of documents

(Title as in Action)

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

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

Entered No. of 20

Clerk:

Registrar

*Delete where inapplicable.

FIRST SCHEDULE — continued

FORM 23

Rule 15(2)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

Application for miscellaneous interim orders

(Title as in Action)

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

- *1. An order that the *Case Statement/Memorandum of Defence be amended.
- *2. An order that the affidavit of _____ or any part thereof be struck out or expunged.
- *3. An order that the time limited for _____ be extended to the ____ day of _____ 20__.
- *4. An order that the order made on the ____ day of _____ 20__ before the _____ be set aside.
- *5. An order that the clerical error in the document specified in the affidavit filed herein be corrected as follows: _____

- *6. Such other order as the president or registrar thinks fit.
- 7. The costs of this application be provided for.

Dated this ____ day of _____ 20__

Entered No. _____

Clerk: _____

Registrar

*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 25

Rule 16(3)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

Order for intervention

(Title as in Action)

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

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

Dated this _____ day of _____ 20__

(SEAL)

Registrar

*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 26

Rule 17(1)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

Application for leave under section 35A

(Title as in Action)

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

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

Entered No. _____ of 20

Clerk:

Registrar

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

To the Defendant.

*Delete where inapplicable.

FIRST SCHEDULE — *continued*

(Reverse)

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

(Title as in Action)

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

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

FIRST SCHEDULE — continued

FORM 31

Rule 20(2)

ADMINISTRATION OF MUSLIM LAW ACT (CHAPTER 3)

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

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

SAMAN KEPADA SAKSI SUMMONS TO A WITNESS

Kepada To

Dikehendaki hadir di Mahkamah pada: Required to attend in Court on:

Haribulan Masa Pagi/Petang Date Hour A.M./P.M.

Dan membawa surat-surat (dokumen) yang berikut: and to produce the following documents:

Dalam Perkara diantara IN THE CASE BETWEEN

Nama penuh yang mendakwa Full name of Plaintiff

Alamat of

dan AND

Nama penuh yang didakwa Full name of Defendant

Alamat of

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

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

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

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

Bertarikh Haribulan 20 Dated this day of20.....

(Seal)

Presiden Mahkamah Syariah, Singapura President, Syariah Court, Singapore

FIRST SCHEDULE — *continued*

(Reverse)

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

Received a copy of this Summons
Sudah terima Saman ini

.....
Haribulan.
Date.

.....
Tandatangan.
Signature.

MEMORANDUM OF SERVICE OF SUMMONS

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

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

*Delete where inapplicable.

FIRST SCHEDULE — *continued*

FORM 32

Rule 21

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

WARRANT OF ARREST

Summons Number _____

Name of Accused _____

Offence: Failure to attend before
on

Endorsement of bail allowed \$ _____
with surety/sureties _____

Clerk _____

Initials of President Syariah Court _____

Remarks _____

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

WARRANT OF ARREST

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

WHEREAS a summons has been duly issued and served on

(name, description and address)

to attend before
on the day of 20.....

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

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

Dated this day of 20.....

(SEAL)

*President, Syariah Court,
Singapore.*

(Reverse)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

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

Dated this day of 20.....

*President, Syariah Court,
Singapore.*

FIRST SCHEDULE — *continued*

FORM

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

FORM 40

Rule 32(1)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE

(Title as in Action)

ORDER OF COURT TO APPOINT HAKAM

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

in respect of the action.

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

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

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

Registrar

FIRST SCHEDULE — *continued*

FORM 41

Rule 36(1)

ADMINISTRATION OF MUSLIM LAW ACT
(CHAPTER 3)

Application for order for presumption of death

(Title as in Application)

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

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

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

Entered No. _____ of 20

Clerk:

(SEAL)

Registrar

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

FIRST SCHEDULE — *continued*

(2) _____

(3) _____

I intend to appeal against the following orders:

(1) _____

(2) _____

(3) _____

Dated this _____ day of _____ 20 .

Entered No: _____

Signed

To the *Plaintiff/Defendant

Address:

*Delete where inapplicable.

FORM 47

Rule 39(2)

IN THE APPEAL BOARD

ADMINISTRATION OF MUSLIM LAW ACT

Appeal No. _____) Between

... Appellant

And

... Respondent

In the matter of Syariah Summons No. _____ of 20

Between

FIRST SCHEDULE — *continued*

And

Notice of Appeal

TAKE NOTICE that the *Plaintiff/Defendant _____ being dissatisfied with the decision of the learned *President/Kadi/Naib Kadi given at _____ on the _____ day of _____ 20____ intends to appeal to the Appeal Board against

(

(the whole of the said decision

(

either/or

(such part only of the said decision

(

(as decides that

((set out details)

Dated this _____ day of _____ 20_____

Signature

(Appellant/Solicitors for Appellant)

To the Appeal Board,
through the Chief Executive, Majlis Ugama Islam, Singapura
and to:

The address for service of the appellant is:

The address for service of the respondent is:

*Delete where inapplicable.

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

FORM 48

Rule 39(7)

Petition of Appeal

(Title as in Appeal)

To the Honourable Members of the Appeal Board.

The Petition of the abovenamed appellant showeth as follows:

FIRST SCHEDULE — *continued*

1. The appeal arises from the *decision/order of the *President of the Syariah Court/Kadi/Naib Kadi.
2. By a *decision/order dated the _____ day of _____ 20__ a *decision/order was made as follows:

3. Your petitioner is dissatisfied with the said * decision/order on the following grounds:
(state the particular grounds of appeal on which the appellant relies)

4. Your petitioner prays that the appeal may be allowed.

Dated this _____ day of _____ 20__

Signature
(Appellant/Solicitors for Appellant)

*Delete where inapplicable.

FORM 49

Rule 39(12)(a)

Respondent’s Notice
(Title as in Appeal)

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

(set out in numbered paragraphs

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

Signature
(Respondent or Solicitors for the Respondent)

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

THIRD SCHEDULE — *continued*

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 RESPECT OF APPEALS TO
APPEAL BOARD

1. Appeal under rule 39:	
(a) on filing a notice of appeal	\$16
(b) for the hearing by the Appeal Board	\$630
(c) for the issue of a certified copy of the decision of the Appeal Board	\$18

THIRD SCHEDULE — *continued*

(d) for the issue of a certified copy of the grounds of decision of the Appeal Board	\$100
(e) deposit payable for the issue of the notes of evidence and other documents of the Syariah Court or the Registry of Muslim Marriages	\$500
2. Appeal on certain matters under rule 40:	
(a) on filing a notice of appeal	\$16
(b) for the hearing by the Appeal Board	\$630
(c) for the issue of a certified copy of the decision of the Appeal Board	\$18
(d) for the issue of a certified copy of the grounds of decision of the Appeal Board	\$100
(e) deposit payable for the issue of the notes of evidence and other documents of the Syariah Court	\$300
3. Application for leave to appeal under rule 39(17):	
(a) on filing a motion	\$16
(b) for the hearing by the Appeal Board	\$630
(c) for the issue of a certified copy of the decision of the Appeal Board	\$18
(d) for the issue of a certified copy of the grounds of decision of the Appeal Board	\$100

[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 1999

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