

Administration of Muslim Law (Amendment) Bill

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Bill No: 24/2008

Read the first time: 15th September 2008

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Explanatory Statement

Expenditure of Public Money

Administration of Muslim Law (Amendment) Bill

Bill No. 24/2008

Read the first time on 15th September 2008.

An Act to amend the Administration of Muslim Law Act (Chapter 3 of the 1999 Revised Edition) and to make a related amendment to the Supreme Court of Judicature Act (Chapter 322 of the 2007 Revised Edition).

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

Short title and commencement

1. This Act may be cited as the Administration of Muslim Law (Amendment) Act 2008 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 5

2. Section 5(2) of the Administration of Muslim Law Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the word “and” at the end of paragraph (c); and
- (b) by deleting the full-stop at the end of paragraph (d) and substituting a semi-colon, and by inserting immediately thereafter the following paragraphs:
 - “(e) whether by itself or in association with any other person or organisation, provide to any person or organisation in Singapore or elsewhere consultancy, technical, managerial or other services or products in any area in which the Majlis has skill or

- experience; and
- (f) charge fees or commissions for any service or product provided by the Majlis.”.

Amendment of section 24

3. Section 24 of the principal Act is amended —

- (a) by renumbering the section as subsection (1) of that section, and by inserting immediately thereafter the following subsection:

“(2) Notwithstanding any written law to the contrary, where the Mufti has been summoned to attend before any court to give an opinion or evidence relating to Muslim law, the Mufti may, if he considers that the circumstances of the case do not require him to appear in court in person, certify his opinion to the court or appoint any person to appear in the court on his behalf, unless the court subsequently directs otherwise.”; and

- (b) by inserting, immediately after the word “Majlis” in the section heading, the word “, etc.”.

Amendment of section 31

4. Section 31(5) of the principal Act is amended by inserting, immediately after the word “Mufti”, the words “or if the Mufti is unable to act for any reason”.

Amendment of section 34B

5. Section 34B of the principal Act is amended —

- (a) by inserting, immediately after the word “registrar” in subsection (1), the words “and a deputy registrar”;

- (b) by inserting, immediately after subsection (2), the following subsection:

“(3) Subject to this Act and the rules made thereunder, the powers and duties of the registrar of the Court may be exercised by the deputy registrar of the Court.”; and

- (c) by inserting, immediately after the word “registrar” in the section heading, the words “and deputy registrar”.

Amendment of section 35

6. Section 35 of the principal Act is amended —

- (a) by inserting, immediately after the words “emas kahwin,” in subsection (2)(e), the words “marriage expenses (hantaran belanja),”; and
- (b) by inserting, immediately after the words “emas kahwin” in subsection (3), the words “, marriage expenses (hantaran belanja)”.

Amendment of section 35A

7. Section 35A of the principal Act is amended by inserting, immediately after subsection (7), the following subsection:

“(8) For the purposes of this section, any reference to the registration of a divorce, or to a divorce that is registered, under section 102 shall be construed as a reference to the registration of a divorce or to a divorce that is registered under that section before the date of commencement of section 24 of the Administration of Muslim Law (Amendment) Act 2008.”.

Amendment of section 47

8. Section 47(5) of the principal Act is amended by inserting, immediately after the word “Court”, the words “or the registrar of the Court”.

Amendment of section 50

9. Section 50 of the principal Act is amended —

- (a) by deleting the word “making” in subsection (1) and substituting the words “the making of”;
- (b) by inserting, immediately after the word “Court” in subsections (1), (3) and (7) (2nd line), the words “or the registrar of the Court”;
- (c) by inserting, immediately after the word “Court” in subsection (2), the words “or the registrar of the Court, as the case may be,”; and
- (d) by deleting subsection (4) and substituting the following subsection:

“(4) If the hakam are unable to agree, or if the Court or the registrar of the Court is not satisfied with the conduct of the arbitration, the Court or the registrar may remove the hakam and appoint other hakam in their place.”.

Amendment of section 51

10. Section 51(4) of the principal Act is amended by inserting, immediately after the word “circumstances”, the words “, or for other good cause being shown to the satisfaction of the Court”.