

Administration of Muslim Law (Amendment) Bill

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Bill No: 18/1998

Read the first time: 20th April 1998

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Administration of Muslim Law (Amendment) Bill

Bill No. 18/1998

Read the first time on 20th April 1998.

An Act to amend the Administration of Muslim Law Act (Chapter 3 of the 1985 Revised Edition) and to make related amendments to the Subordinate Courts Act (Chapter 321 of the 1985 Revised Edition) and the Supreme Court of Judicature Act (Chapter 322 of the 1985 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 1998 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

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

(a) by inserting, immediately after the definition of “Fund”, the following definitions:

“ “Haj” means a pilgrimage in accordance with the Muslim law;

“halal”, in relation to any product, service or activity, means the requirements of the Muslim law are complied with in the production, processing, marketing, display or carrying out, as the case may be, of that product, service or activity;

“halal certificate”, in relation to any product, service or activity, means a certificate to the effect that the requirements of the Muslim law are complied with in the production, processing, marketing, display or carrying out, as the case may be, of that product, service or activity;” and

(b) by inserting, immediately after the definition of “Registrar”, the following definition:

“ “specified halal certification mark” means any certification mark specified under section 88A(4);”.

Repeal and re-enactment of section 3

3. Section 3 of the principal Act is repealed and the following section substituted therefor:

“Establishment and functions of Majlis

3.—(1) As from the commencement of the Administration of Muslim Law (Amendment) Act 1998, the Majlis Ugama Islam, Singapura, shall continue in existence.

(2) It shall be the function and duty of the Majlis —

- (a) to advise the President of Singapore in matters relating to the Muslim religion in Singapore;
- (b) to administer matters relating to the Muslim religion and Muslims in Singapore including any matter relating to the Haj or halal certification;
- (c) to administer all Muslim endowments and funds vested in it under any written law or trust;
- (d) to administer the collection of zakat and fitrah and other charitable contributions for the support and promotion of the Muslim religion or for the benefit of Muslims in Singapore in accordance with this Act;
- (e) to administer all mosques and Muslim religious schools in Singapore; and
- (f) to carry out such other functions and duties as are conferred upon the Majlis by or under this Act or any other written law.”.

Amendment of section 5

4. Section 5 of the principal Act is amended by inserting, immediately after subsection (3), the following subsections:

“(4) The Majlis may, with the approval of the Minister, form or participate in the formation of any company, or enter into any joint venture or partnership, to carry out any of the purposes of this Act.

(5) The Majlis may do such other acts as appear to the Majlis to be incidental or necessary to the discharge of its functions and duties under this Act.”.

Amendment of section 7

5. Section 7 of the principal Act is amended by inserting, immediately after subsection (6), the following subsection:

“(7) If the President dies or has his appointment revoked or otherwise vacates his office before the expiry of the term for which he has been appointed, a temporary President may be appointed by the President of Singapore for such

period as the President of Singapore may determine to carry out the functions and duties of the President.”.

Repeal and re-enactment of section 26

6. Section 26 of the principal Act is repealed and the following section substituted therefor:

“Delegation of powers

26.—(1) The Majlis may, subject to such conditions and restrictions as the Majlis may impose, delegate to any member or committee of the Majlis or any person all or any of its functions and powers vested by or under this Act or any other written law, not being judicial or quasi-judicial powers.

(2) For the purposes of this section, the powers conferred on the Majlis by sections 32 and 33 shall be deemed to be quasi-judicial.

(3) Any function or power delegated under subsection (1) may be exercised or performed by such member, committee or person in the name and on behalf of the Majlis.

(4) It shall be the duty of every member, committee or person to whom any power of the Majlis has been delegated to inform the Majlis of all acts and things done by him or it in pursuance of the delegation.

(5) The Majlis may continue to exercise a power conferred on it or perform a function under this Act or any other written law notwithstanding the delegation of such power or function under this section.”.

Amendment of section 35

7. Section 35 of the principal Act is amended —

(a) by inserting, immediately after subsection (1), the following subsections:

“(1A) The President of Singapore may appoint one or more presidents of the Court.

(1B) All presidents of the Court shall have in all respects equal power, authority and jurisdiction.”; and

(b) by inserting, immediately after the word “shall” in the first line of subsection (2), the words “have jurisdiction to”.

New sections 35A and 35B