

Administration of Muslim Law (Amendment) Bill

Table of Contents

Bill No: 13/1990

Read the first time: 11th June 1990

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 2

3 Amendment of section 5

4 Amendment of section 7

5 Amendment of section 67

6 New section 73A

7 Amendment of section 78

8 Amendment of section 91

9 Amendment of section 99

10 Repeal and re-enactment of sections 100 and 101

11 Repeal and re-enactment of sections 143 and 144

12 New Schedule

13 Amendment of Schedule

14 Validation clause

Explanatory Statement

Expenditure of Public Money

Administration of Muslim Law (Amendment) Bill

Bill No. 13/1990

Read the first time on 11th June 1990.

An Act to amend the Administration of Muslim Law Act (Chapter 3 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 1990 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 deleting the definition of “General Register”;
- (b) by inserting, immediately after the definition of “President”, the following definitions:

“Register of Divorces” means the Register of Divorces kept by the Syariah Court under section 100;

“Register of Marriages” means the Register of Marriages kept by the Registrar under section 100;

“Register of Revocation of Divorces” means the Register of Revocation of Divorces kept by the Registrar under section 100;” and

- (c) by deleting the definition of “Yayasan Mendaki” and substituting the following definition:

“ “Yayasan Mendaki” means the company limited by guarantee which is incorporated under the Companies Act [Cap. 50, 1990 Ed.] under the name of Yayasan Mendaki.”.

Amendment of section 5

3. Section 5(2) of the principal Act is amended by inserting, immediately after the word “description” in the third line, the words “and may erect any building on any property vested in, belonging to or acquired by the Majlis”.

Amendment of section 7

4. Section 7 of the principal Act is amended —

- (a) by inserting, immediately after paragraph (a) of subsection (1), the following paragraph:

“(aa) a Vice-President, if one has been so appointed under subsection (6);” and

- (b) by inserting, immediately after subsection (5), the following subsection:

“(6) The President of Singapore may appoint a Vice-President of the Majlis to assist the President in the discharge of his functions and duties under this Act.”.

Amendment of section 67

5. Section 67 of the principal Act is amended —

- (a) by deleting the words “31st October” in the second line of subsection (1) and substituting the words “31st December”;
- (b) by deleting the words “31st March” in the third line of subsection (2) and substituting the words “30th June”; and
- (c) by inserting, immediately after the word “President” at the end of subsection (3), the words “, the Vice-President or by any member of the Majlis nominated by the President”.

New section 73A

6. The principal Act is amended by inserting, immediately after section 73, the following section:

“Financial provisions

73A. The financial provisions set out in the First Schedule shall apply to the Majlis.”.

Amendment of section 78

7. Section 78(1) of the principal Act is amended by inserting, immediately before the word “Schedule” in the last line, the word “Second”.

Amendment of section 91

8. Section 91(3) of the principal Act is amended —

- (a) by deleting the word “and” at the end of paragraph (b); and
- (b) by deleting the full-stop at the end of paragraph (c) and substituting the word “; and”, and by inserting immediately thereafter the following paragraph:

“(d) state the period the person named therein is appointed to be a Naib Kadi.”.

Amendment of section 99

9. Section 99 of the principal Act is amended —

- (a) by deleting subsection (1) and substituting the following subsection:

“(1) Every Kadi and Naib Kadi shall, within one week of the registration of a marriage or revocation of divorce, send a copy of the certificate of marriage or revocation of divorce, as the case may be, to the Registrar.”;
- (b) by deleting the word “General” in the last line of subsection (2);
- (c) by deleting the word “General” in the penultimate line of subsection (3); and
- (d) by inserting, immediately after subsection (3), the following subsection:

“(4) Every Kadi shall, within one week of the registration of a divorce, send a copy of the certificate of divorce to the President of

the Syariah Court.”.

Repeal and re-enactment of sections 100 and 101

10. Sections 100 and 101 of the principal Act are repealed and the following sections substituted therefor:

“Registers of Marriages, Divorces and Revocation of Divorces

100.—(1) The Registrar shall cause —

- (a) the copies of the certificates of marriage sent to him to be bound in a Register of Marriages; and
- (b) the copies of the certificates of revocation of divorce sent to him to be bound in a Register of Revocation of Divorces.

(2) The Registrar shall keep an index of each of the Registers of Marriages and Revocation of Divorces kept by him.

(3) The President of the Syariah Court shall cause the copies of the certificates of divorce sent to him to be bound together with the certificates of divorce issued by that Court in a Register of Divorces.

(4) The President of the Syariah Court shall keep an index of the Register of Divorces kept by him.

Cancellation or rectification of entries in registers or certificates

101.—(1) If it shall appear that any entry in any Register of Marriages or Register of Revocation of Divorces kept or a certificate of marriage or certificate of revocation of divorce issued under this Act has been made or issued in error or contains any error that might be corrected, the Registrar or any person affected by such error may apply to the Syariah Court for the cancellation of the certificate or rectification of such entry.

(2) If it shall appear that any entry in the Register of Divorces or a certificate of divorce issued under this Act has been made or issued in error or contains any error that might be corrected, any person affected by such error may apply to the Syariah Court for the cancellation of the certificate or rectification of such entry.

(3) The Syariah Court may, after such inquiry as it thinks proper, order the cancellation or rectification accordingly.

(4) Any person may be ordered to surrender any document to the Registrar or the President of the Syariah Court for cancellation or rectification in consequence of any such order.