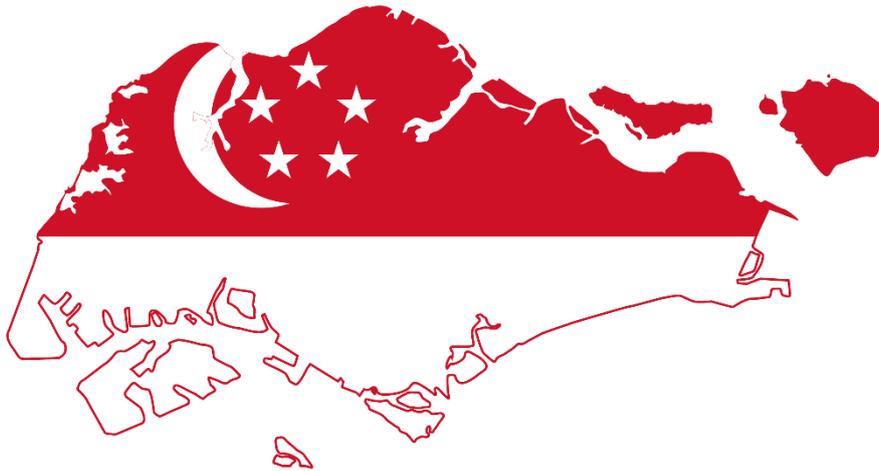


Singapore: The Muslim Act



In 1966 the Singaporean Parliament passed the [Administration of Muslim Law Act](#) (AMLA). The Act came into effect in 1968 and defined the powers and jurisdiction of following key Muslim institutions:

- 7° the Islamic Religious Council,
- 7° the Syariah (Shariah) Court,
- 7° the Registry of Muslim Marriages,
- 7° the Appeal Board,
- 7° the Fatwa Committee.

These institutions come under the purview of the Ministry of Community Development, Youth and Sports (MCYS) though the minister responsible for these institutions is the Minister-in-charge of Muslim Affairs.

1. Islamic Religious Council

The Majlis Ugama Islam Singapura also known as the Islamic Religious Council of Singapore, is a statutory board of Ministry of Culture, Community and Youth in Singapore. As a *majlis*¹, its role is to look after the administration and interests of Singapore's Muslim community and has a broad range of functions. The Majlis is headed by a Council, in which members are appointed by the President of Singapore.

¹ *Majlis, Mejlis* (Arabic) or *Majles* (Persian) is an Arabic and Persian term meaning "council". The Majlis can refer to a legislature as well and is used in the name of legislative councils or assemblies in some states.

2. Syariah Court

The Syariah Court has jurisdiction to hear and determine all actions and proceedings in which all the parties are Muslims (domiciled in Singapore at the time when the proceedings commenced or already habitually resident in Singapore for a minimum period of at least 3 years before the proceedings commenced) where the parties were married under the provisions of the Muslim law and which involve disputes relating to:

- 7** marriage;
- 7** divorces known in the Muslim law as *fasakh*, *cerai taklik*, *khuluk* and *talak*;
- 7** *betrothal*, nullity of marriage or judicial separation;
- 7** the disposition or division of property on divorce or nullification of marriage;
- 7** the payment of *emas kahwin*, marriage expenses (*hantaran belanja*), maintenance and consolatory gifts or *mutaah*.

3. Registry of Muslim Marriages (ROMM)

The matrimonial law of Singapore categorizes marriages contracted in Singapore into two categories: civil marriages and Muslim marriages. The Registry of Marriage (ROM) administers civil marriages in accordance to the Women's Charter, while the Registry of Muslim Marriages (ROMM) administers Muslim marriages in accordance to the Administration of Muslim Law Act (AMLA). All marriages performed in Singapore must be registered with the relevant registry in order to be legally valid.

4. Appeal Board

The Appeal Board is constituted under section 55(3) of the Administration of Muslim Law Act (AMLA) to hear appeals against decisions of the Syariah Court, the Kadi or the Naib Kadi of the Registry of Muslim Marriages. Section 55 of AMLA provides for the issues in which an appeal can be made against. These may include issues relating to custody of minor children, disposition or division of the matrimonial property on divorce.

5. Fatwa Committee

The word fatwa comes from the route fa-ta-ya which means "to explain". Semantically, fatwa also means informing a point of law from a question or an answer related to an unclear legal point.

In the Islamic tradition, Syariah (Shari'a) is a comprehensive law that is relevant to for all time and places: this implies a need for the Syariah to provide solutions for every contemporary issue. The development of science and technology and the realities of life in a dynamic society like Singapore has raised new questions which require solutions through fatwa.

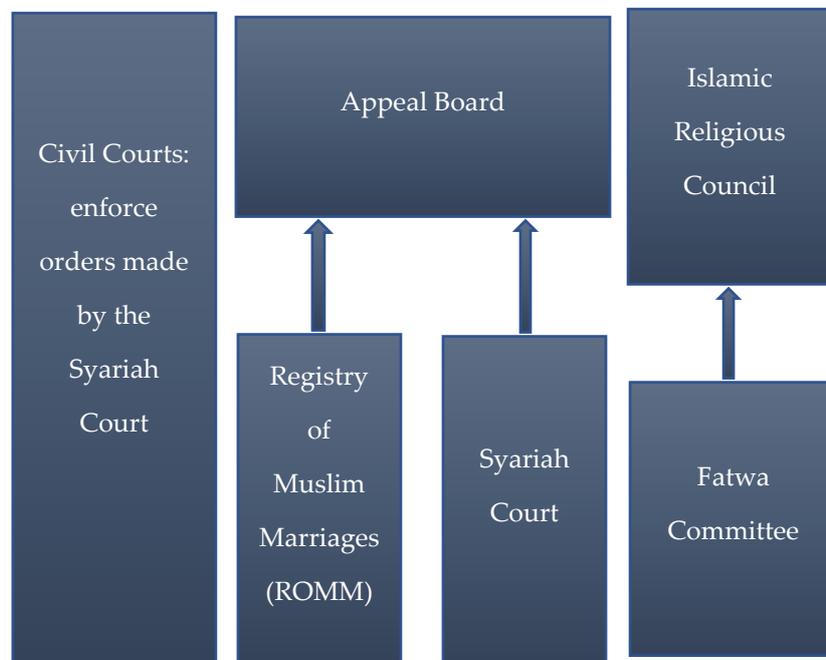
Many countries adopt the concept of *ifta jama'I* (collective fatwa) by forming a Fatwa Committee to assist the *Mufti*² so that rulings are deliberated upon comprehensively. Members of the Fatwa Committee and the Mufti complement one another in executing the task of issuing fatwas. In Singapore, this Committee consists of:

- 7^{*} *Mufti* as the Chairman;
- 7^{*} two qualified members, appointed from among the members of the Muis Council;
- 7^{*} two independent *ulama*³, who are not form the members of the Muis Council.

All members in the Committee are formally appointed by the President of the Republic of Singapore on the recommendation of Muis Council and the Minister-in-Charge of Muslim Affairs. Once formalised and approved, the appointment will be notified in the Government Gazette.

The Office of the Mufti of Muis (Majlis Ugama Islam Singapura) acts as the Secretariat of the Fatwa Committee and is responsible for handling the operational duties related to the issuance of fatwa.

The graphic below provides a brief overview of the framework for Islamic legal institutions in Singapore:



::*:*:*:*

We would like to remind you the contact details of our Singapore Desk:

Jalan Loyang Besar 161A, #02.04, 509409 Singapore

Tel: +65 911 94594

For further information, please email us to: milano@eptalex.com.

(Eptalex – Garzia Gasperi & Partners)

² A Muslim legal expert who is empowered to give rulings on religious matters.

³ Muslim scholars who are recognized as having specialist knowledge of Islamic sacred law and theology.