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Warta Kerajaan

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ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

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ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

PADA menjalankan kuasa yang diberikan oleh seksyen 48 dan perenggan 135(3)(i) Enakmen Undang-Undang Keluarga Islam 2005 [*Enakmen No. 3 tahun 2005*], Duli Yang Maha Mulia Sultan, atas nasihat Majlis, membuat kaedah-kaedah yang berikut:

BAHAGIAN I

PERMULAAN

Nama

1. Kaedah-kaedah ini bolehlah dinamakan **Kaedah-Kaedah Hakam (Pahang) 2019**.

Tafsiran

2. Dalam Kaedah-Kaedah ini, melainkan jika konteksnya menghendaki makna yang lain—

“Daftar Panel Hakam” ertinya suatu bentuk daftar bagi merekodkan senarai anggota Panel Hakam sebagaimana yang disebut di bawah kaedah 31;

“*darar syarie*” ertinya bahaya yang menyentuh isteri mengenai agama, nyawa, tubuh badan, akal fikiran, maruah atau harta benda mengikut kebiasaan yang diakui oleh Hukum Syarak;

“Enakmen Pentadbiran” ertinya Enakmen Pentadbiran Undang-Undang Islam 1991 [*Enakmen No. 3 tahun 1991*];

“Hakam” ertinya seseorang penimbang tara yang diberi kuasa oleh pihak-pihak atau oleh Mahkamah untuk menyelesaikan perkelahian (*shiqaq*) antara suami dan isteri;

“Hukum Syarak” ertinya Hukum Syarak mengikut Mazhab Shafie atau mengikut mana-mana satu Mazhab Maliki, Hanafi atau Hanbali;

“*iwadh*” ertinya apa-apa bayaran atau nilai yang digunakan sebagai tebus talaq oleh isteri kepada suami bagi perceraian secara khul’;

“Jawatankuasa” ertinya Jawatankuasa Hakam yang ditubuhkan di bawah kaedah 21;

“Ketua Pendaftar” ertinya Ketua Pendaftar Perkahwinan, Perceraian dan Rujuk Orang Islam yang dilantik di bawah seksyen 28 Enakmen Undang-Undang Keluarga Islam dan termasuklah Pendaftar dan Penolong Pendaftar;

“khul’” ertinya perceraian antara suami dan isteri dengan ‘*iwadh*’;

“Mahkamah” ertinya Mahkamah Rendah Syariah atau Mahkamah Tinggi Syariah, mengikut mana-mana yang berkenaan, yang ditubuhkan di bawah seksyen 42 Enakmen Pentadbiran;

“Majlis” ertinya Majlis Ugama Islam dan Adat Resam Melayu Pahang yang ditubuhkan di bawah subseksyen 4(1) Enakmen Pentadbiran;

“Majlis Tahkim” ertinya sesi timbang tara atau proses penyelesaian perkelahian (*shiqaq*) yang melibatkan pertemuan suami dan isteri bersama dengan Hakam untuk tujuan perdamaian atau perceraian dengan lafaz *talaaq* atau dengan *khul'*;

“Panel Hakam” ertinya suatu panel Hakam yang dilantik oleh Jawatankuasa di bawah kaedah 6;

“Peguam Syarie” ertinya seseorang yang diterima sebagai Peguam Syarie di bawah seksyen 66 Enakmen Pentadbiran;

“Pendaftar” ertinya Ketua Pendaftar, Pendaftar Kanan Perkahwinan, Perceraian dan Rujuk Orang Islam yang dilantik di bawah seksyen 28 Enakmen Undang-Undang Keluarga Islam dan termasuklah Penolong Pendaftar;

“Pengerusi” ertinya Pengerusi Jawatankuasa Hakam di bawah perenggan 22(1)(a);

“prinsipal” ertinya suami atau isteri yang melantik Hakam masing-masing di bawah Kaedah-Kaedah ini;

“Setiausaha” ertinya Setiausaha Jawatankuasa Hakam di bawah subkaedah 22(5);

“*shiqaq*” ertinya perkelahian antara suami dan isteri yang berlarutan yang menjejaskan kerukunan rumah tangga.

BAHAGIAN II

PELANTIKAN HAKAM

Kuasa Mahkamah

3. (1) Jika Mahkamah berpuas hati bahawa *shiqaq* sentiasa berlaku antara pihak-pihak kepada suatu perkahwinan, Mahkamah hendaklah dengan seberapa segera yang mungkin mengarahkan suami dan isteri melantik Hakam dari kalangan saudara karib masing-masing.

(2) Jika suami dan isteri atau salah satu pihak gagal mengemukakan Hakam masing-masing, Mahkamah hendaklah dengan seberapa segera yang mungkin melantik seorang Hakam dari kalangan anggota Panel Hakam atau mana-mana orang yang disebut dalam perenggan 4(1)(c) bagi pihak-pihak itu.

(3) Sebelum melantik Hakam, Mahkamah hendaklah memutuskan bahawa *shiqaq* telah berlaku antara suami dan isteri setelah Mahkamah menjalankan siasatan.

(4) Mahkamah hendaklah memutuskan bahawa *shiqaq* sentiasa berlaku dalam keadaan tertentu termasuklah—

- (a) perkelahian yang kerap antara suami dan isteri itu sama ada oleh sebab—
 - (i) *nusyuz* isteri;
 - (ii) kezaliman suami;
 - (iii) ketidaktentuan siapa yang benar antara kedua-duanya; atau
 - (iv) salah satu pihak atau kedua-dua pihak berdusta atau menuntut yang bukan hak;
- (b) perkelahian yang kerap antara suami dan isteri sehingga menimbulkan kesukaran menjalankan tanggungjawab masing-masing dan saling tuduh-menuduh tidak melaksanakan hak sebagai suami dan isteri;
- (c) suami atau isteri saling tuduh-menuduh antara keduanya mempunyai hubungan yang melampaui Hukum Syarak dengan perempuan atau lelaki lain;
- (d) perkelahian yang kerap hingga menyebabkan pukul-memukul;
- (e) salah seorang meninggalkan rumah kediaman, tidak tinggal bersama sedangkan punca sebenar tidak dapat dibuktikan oleh kedua-dua pihak di hadapan Mahkamah;
- (f) suami atau isteri saling tuduh-menuduh antara keduanya mengenai tanggungjawab masing-masing terhadap anak-anak sehingga berlaku pertikaian dan perkelahian yang kerap;
- (g) jika didapati bahawa sebarang tuntutan oleh isteri untuk mendapatkan pembubaran perkahwinan tidak sabit dan ditolak oleh Mahkamah atas alasan dia tidak dapat membuktikan kebenarannya dan Mahkamah mendapati pertikaian itu masih lagi berterusan atau berulang antara suami isteri tersebut; atau
- (h) apa-apa tindakan yang menyebabkan *darar syarie* ke atas isteri atau suami.

Pelantikan Hakam

4. (1) Hakam boleh dilantik dari kalangan—

- (a) saudara karib suami dan isteri yang memenuhi kelayakan di bawah subkaedah 8(1) dan (2);
- (b) anggota Panel Hakam yang dilantik di bawah kaedah 6; atau
- (c) mana-mana Pegawai Syariah atau Pegawai Hal Ehwal Islam dalam Perkhidmatan Awam Am Persekutuan atau Negeri atau mana-mana Pegawai Majlis yang mahir dalam bidang kekeluargaan dan Hukum Syarak.

(2) Bagi maksud perenggan (1)(a), ungkapan “saudara karib” ertinya mana-mana orang lelaki yang mempunyai pertalian nasab, persemendaan atau susuan yang tahu akan hal keadaan kes itu.

Tatacara pelantikan Hakam

5. (1) Bagi maksud subkaedah 3(1), Mahkamah hendaklah mengarahkan suami dan isteri melantik Hakam bagi pihak masing-masing dari kalangan saudara karib suami dan isteri sebagaimana yang diperuntukkan di bawah perenggan 4(1)(a) dalam tempoh empat belas hari dari tarikh *shiqaq* diputuskan oleh Mahkamah dengan menggunakan Borang 1 Jadual Pertama.

(2) Setelah suami dan isteri melantik Hakam masing-masing, Mahkamah hendaklah merekodkan dan mengisytiharkan pelantikan itu melalui suatu perintah.

(3) Bagi maksud subkaedah 3(2), pelantikan Hakam oleh Mahkamah menurut perenggan 4(1)(b) dan (c) hendaklah dibuat dengan menggunakan Borang 2 Jadual Pertama.

Pelantikan anggota Panel Hakam

6. (1) Tertakluk kepada syarat-syarat kelayakan di bawah subkaedah 8(3), Majlis boleh, atas cadangan Jawatankuasa, melantik mana-mana orang sebagai anggota Panel Hakam.

(2) Mana-mana orang yang dilantik sebagai anggota Panel Hakam hendaklah didaftarkan dalam Daftar Panel Hakam.

Penamatan pelantikan anggota Panel Hakam

7. Pelantikan seseorang anggota Panel Hakam hendaklah terhenti dan dikeluarkan daripada Daftar Panel Hakam jika dia—

- (a) mati;
- (b) meletakkan jawatan melalui surat yang dialamatkan kepada Pengerusi Majlis, melalui Pengerusi; atau
- (c) hilang upaya untuk melaksanakan tugasnya sebagai seorang Hakam.

Kelayakan seorang Hakam

8. (1) Tertakluk kepada subkaedah (2), mana-mana saudara karib suami dan isteri layak dilantik sebagai Hakam jika dia—

- (a) beragama Islam;
- (b) lelaki;
- (c) berakal dan baligh (mukalaf);
- (d) adil dan amanah; dan
- (e) mempunyai pengetahuan asas dalam hal kekeluargaan dan Hukum Syarak.

(2) Mana-mana Peguam Syarie yang mewakili suami atau isteri dalam sesuatu prosiding lain di Mahkamah tidak boleh dilantik sebagai Hakam bagi suami atau isteri itu kecuali diperintahkan oleh Mahkamah.

(3) Seseorang yang hendak dilantik dan didaftarkan sebagai anggota Panel Hakam hendaklah—

- (a) beragama Islam;
- (b) warganegara Malaysia;
- (c) lelaki;
- (d) berakal dan baligh (mukalaf);
- (e) adil dan amanah;
- (f) berkelakuan baik dan tidak pernah disabitkan atas apa-apa kesalahan jenayah sama ada di Malaysia atau di mana-mana tempat lain;
- (g) kompeten dalam hal-hal kekeluargaan dan Hukum Syarak;
- (h) tidak pernah dibatalkan pelantikannya di bawah kaedah 29;
- (i) bukan seorang yang bankrap;
- (j) memiliki kelulusan akademik sekurang-kurangnya di peringkat Sijil *Thanawi* atau yang setaraf dengannya atau yang lebih tinggi daripada mana-mana institusi pendidikan atau mana-mana institusi pengajian tinggi yang diiktiraf oleh Kerajaan Malaysia dalam bidang pengajian Islam; dan
- (k) lulus dalam apa-apa proses penilaian yang ditetapkan oleh Jawatankuasa.

BAHAGIAN III

FUNGSI HAKAM

Fungsi Hakam

9. Hakam hendaklah menamatkan *shiqaq* antara suami dan isteri dengan cara mendamaikan atau memisahkan kedua-duanya dengan talaq atau khul'.

Tanggungjawab Hakam

10. Semasa menjalankan Majlis Tahkim, Hakam hendaklah—

- (a) menerima dan melaksanakan arahan Mahkamah dari semasa ke semasa; dan
- (b) menjelaskan tentang peraturan umum yang perlu dipatuhi oleh semua pihak sepanjang Majlis Tahkim.

BAHAGIAN IV
TATACARA MAJLIS TAHKIM

Tatacara Majlis Tahkim

11. (1) Prosiding Majlis Tahkim hendaklah bermula selepas pelantikan Hakam dibuat.

(2) Sebelum sesuatu prosiding Majlis Tahkim bermula—

- (a) Mahkamah boleh memberi arahan mengenai tatacara perjalanan Majlis Tahkim kepada Hakam dan Hakam hendaklah mematuhi arahan itu dan Hukum Syarak; dan
- (b) tertakluk kepada subkaedah (3), Hakam hendaklah berusaha untuk mendapatkan kuasa penuh daripada prinsipal mereka masing-masing dengan menggunakan Borang 3 atau Borang 4 Jadual Pertama, mengikut mana-mana yang sesuai.

(3) Kuasa penuh daripada prinsipal kepada Hakam masing-masing adalah seperti yang berikut:

- (a) bagi suami, dia boleh membenarkan Hakamnya untuk melafazkan satu talaq atau khul' di hadapan Mahkamah; dan
- (b) bagi isteri, dia boleh membenarkan Hakamnya menerima lafaz khul' di hadapan Mahkamah.

(4) Jika—

- (a) Hakam berpendapat bahawa pihak-pihak itu patut bercerai tetapi tidak dapat memerintahkan perceraian oleh sebab Hakam tidak mendapat kuasa penuh daripada prinsipal atau sesuatu sebab yang lain;
- (b) Hakam tidak mencapai persetujuan dalam mana-mana peringkat Majlis Tahkim;
- (c) Mahkamah tidak berpuas hati dengan pengendalian Majlis Tahkim oleh Hakam; atau
- (d) mana-mana Hakam menarik diri atau enggan meneruskan tugasnya sebagai Hakam,

Mahkamah boleh membatalkan pelantikan mereka dengan menggunakan Borang 5 Jadual Pertama dan melantik Hakam lain dari kalangan anggota Panel Hakam atau mana-mana orang yang disebut dalam perenggan 4(1)(c) dan hendaklah memberikan kuasa penuh sebagaimana yang diperuntukkan di bawah subkaedah 11(2) 11(2)(b) kepada mereka dengan menggunakan Borang 6 atau Borang 7 Jadual Pertama, mengikut mana-mana yang sesuai.

Penentuan jenis-jenis perceraian oleh Hakam

12. (1) Dalam melaksanakan Majlis Tahkim di bawah Kaedah-Kaedah ini, jika kedua-dua Hakam berpuas hati bahawa perdamaian gagal dicapai oleh kedua-dua pihak, Hakam hendaklah menentukan pihak yang menjadi punca kepada berlakunya *shiqaq* itu.

(2) Jika *shiqaq* itu—

- (a) didapati berpunca daripada suami atau kedua-dua suami dan isteri, kedua-dua Hakam hendaklah mencadangkan perceraian secara talaq;
- (b) didapati berpunca daripada isteri, kedua-dua Hakam hendaklah mencadangkan perceraian secara khul' dan kadar '*iwadh*' hendaklah diputuskan oleh Hakam;
- (c) tidak dapat ditentukan puncanya dan tuntutan perceraian dibuat oleh suami, maka kedua-dua Hakam hendaklah mencadangkan perceraian secara talaq; atau
- (d) tidak dapat ditentukan puncanya dan tuntutan perceraian dibuat oleh isteri, maka kedua-dua Hakam hendaklah mencadangkan perceraian secara khul' dan kadar '*iwadh*' hendaklah diputuskan oleh Hakam.

Keengganan suami atau isteri hadir dalam prosiding Majlis Tahkim

13. Sekiranya suami atau isteri atau kedua-dua pihak itu enggan hadir dalam mana-mana prosiding Majlis Tahkim, keengganan itu tidaklah menyebabkan prosiding itu terhenti dan Hakam boleh membuat keputusannya.

Laporan Majlis Tahkim

14. Hakam hendaklah menyediakan laporan dengan menggunakan Borang 8 Jadual Pertama di akhir setiap Majlis Tahkim dan laporan itu hendaklah dibentangkan di hadapan Mahkamah.

Sighah talaq dan khul'

15. (1) Jika kedua-dua Hakam dalam Majlis Tahkim memutuskan supaya perkahwinan itu dibubarkan, maka talaq hendaklah dilafazkan oleh Hakam suami di hadapan dan dengan kebenaran Mahkamah sebagaimana yang dinyatakan dalam Jadual Kedua.

(2) Jika kedua-dua Hakam dalam Majlis Tahkim memutuskan supaya perkahwinan itu dibubarkan secara khul' dan '*iwadh*' telah disempurnakan oleh isteri dalam Majlis Tahkim, maka khul' hendaklah dilafazkan di hadapan dan dengan kebenaran Mahkamah.

(3) Lafaz ijab dan *qabul* bagi khul' adalah sebagaimana yang dinyatakan dalam Jadual Kedua.

(4) Lafaz talaq Hakam ialah talaq *ba-in*.

Tempoh Majlis Tahkim

16. (1) Tempoh Majlis Tahkim hendaklah tidak melebihi tiga puluh hari dari tarikh perintah pelantikan dan perisytiharan Hakam yang dikeluarkan oleh Mahkamah.

(2) Mahkamah boleh melanjutkan tempoh pelaksanaan Majlis Tahkim jika difikirkan patut, tetapi pelanjutan tersebut hendaklah tidak melebihi tempoh enam puluh hari dari tarikh pelanjutan diberi.

Pemberhentian prosiding Majlis Tahkim

17. Mana-mana prosiding Majlis Tahkim hendaklah terhenti, jika—
- (a) suami atau isteri itu mati;
 - (b) suami atau isteri tidak sempurna akal;
 - (c) Hakam menarik diri sebagai Hakam dengan menggunakan Borang 9 Jadual Pertama; atau
 - (d) wujud sebab lain yang diiktiraf oleh Hukum Syarak.

Keputusan Majlis Tahkim

18. Perceraian yang ditentukan dalam Majlis Tahkim adalah muktamad dan tiada rayuan dibenarkan.

Merekod lafaz talaq dan pendaftaran perceraian

19. Mahkamah setelah membenarkan satu talaq dilafazkan di hadapannya hendaklah merekodkan lafaz satu talaq itu, dan menghantar satu salinan rekod itu yang diperakui kepada Pendaftar yang berkenaan dan kepada Ketua Pendaftar untuk didaftarkan.

Kehadiran Peguam Syarie dan pihak lain

20. Melainkan jika dia adalah anggota keluarga terdekat pihak itu, maka tiada pihak lain atau Peguam Syarie boleh dibenarkan hadir atau mewakili mana-mana pihak di hadapan Hakam.

BAHAGIAN V**JAWATANKUASA HAKAM****Penubuhan Jawatankuasa**

21. Majlis hendaklah menubuhkan suatu jawatankuasa yang dikenali Jawatankuasa Hakam.

Keanggotaan Jawatankuasa

22. (1) Jawatankuasa hendaklah terdiri daripada—
- (a) Ketua Hakim Syarie, sebagai Pengerusi;
 - (b) seorang Hakim Mahkamah Tinggi Syariah, sebagai Timbalan Pengerusi;
 - (c) Penasihat Undang-Undang Negeri atau wakilnya;
 - (d) Timbalan Yang Dipertua, Majlis atau wakilnya;
 - (e) seorang Hakim Mahkamah Rendah Syariah;
 - (f) Ketua Pendaftar, Nikah, Cerai dan Rujuk Negeri atau wakilnya; dan
 - (g) tiga orang yang berkemahiran dalam Hukum Syarak yang dilantik oleh Majlis.
- (2) Anggota-anggota Jawatankuasa di bawah perenggan (1)(b) dan (e) hendaklah dilantik oleh Ketua Hakim Syarie.
- (3) Anggota yang dilantik di bawah perenggan 1(g) hendaklah memegang jawatan selama tempoh dua tahun dan layak dilantik semula.
- (4) Semua anggota Jawatankuasa yang disebut di bawah subkaedah (1) hendaklah beragama Islam.
- (5) Ketua Pendaftar Mahkamah Rayuan Syariah hendaklah menjadi Setiausaha Jawatankuasa.
- (6) Semua anggota Jawatankuasa boleh dibayar apa-apa elaun sebagaimana yang ditentukan oleh Pihak Berkuasa Negeri.

Mesyuarat Jawatankuasa

23. (1) Pengerusi Jawatankuasa hendaklah mempengerusikan mesyuarat Jawatankuasa dan jika Pengerusi tidak hadir, Timbalan Pengerusi hendaklah mempengerusikan mesyuarat itu.
- (2) Lima orang anggota Jawatankuasa hendaklah membentuk kuorum mesyuarat.
- (3) Keputusan mesyuarat Jawatankuasa hendaklah dibuat secara bermesyuarat dan hendaklah secara sebulat suara atau mengikut majoriti ahli yang hadir.
- (4) Tertakluk kepada Kaedah-Kaedah ini, Jawatankuasa boleh menetapkan tatacaranya sendiri.

Fungsi Jawatankuasa

24. Jawatankuasa hendaklah mempunyai fungsi-fungsi yang berikut:
- (a) mencadangkan kepada Majlis pelantikan mana-mana orang yang berkelayakan sebagai anggota Panel Hakim;

- (b) menyediakan dan menyelenggara Daftar Panel Hakim;
- (c) menyiasesat apa-apa aduan terhadap mana-mana anggota Panel Hakim;
- (d) menetapkan bentuk latihan yang perlu dihadiri oleh anggota Panel Hakim; dan
- (e) melaksanakan apa-apa perkara lain yang difikirkan sesuai dan perlu dari semasa ke semasa bagi maksud melaksanakan peruntukan Kaedah-Kaedah ini.

BAHAGIAN VI

ETIKA HAKAM

Etika Hakim

25. (1) Hakim hendaklah berusaha bersungguh-sungguh untuk menyelesaikan Majlis Tahkim dan tidak melengah-lengahkan tanpa alasan yang munasabah serta mematuhi tatacara dan tempoh penjalanan Majlis Tahkim.

(2) Hakim hendaklah dalam menjalankan tugasnya, melaksanakan keadilan sebagaimana yang dikehendaki oleh Hukum Syarak.

(3) Hakim yang mengendalikan Majlis Tahkim hendaklah—

- (a) tidak mengendalikan Majlis Tahkim apabila dia berada dalam keadaan tidak tenang, marah, lapar, haus, mengantuk, letih atau tidak sihat;
- (b) tidak boleh meninggalkan Majlis Tahkim tanpa alasan yang munasabah;
- (c) bertindak tegas, adil dan tidak dipengaruhi oleh keadaan atau orang yang hadir di hadapannya;
- (d) bersifat terbuka, mesra dan sabar semasa mengendalikan Majlis Tahkim;
- (e) menggalakkan pihak-pihak menyelesaikan pertelingkahan mereka dan mencapai persetujuan secara sukarela; dan
- (f) memberi layanan yang sama rata kepada pihak-pihak.

(4) Hakim hendaklah—

- (a) tidak bersifat berat sebelah;
- (b) sentiasa berkecuali;
- (c) merahsiakan segala perkara yang didedahkan dalam Majlis Tahkim kecuali apabila diarahkan oleh Mahkamah yang membicarakan kes tersebut;
- (d) mengelakkan berlaku konflik kepentingan;
- (e) memastikan bahawa dia mempunyai kemahiran atau kepakaran dalam perkara yang menjadi pertikaian; dan
- (f) menolak permohonan menjadi saksi atau penasihat kepada pihak-pihak dalam Majlis Tahkim yang pernah dikendalikannya.

- (5) Hakam tidak boleh—
- (a) berkelakuan dengan sedemikian cara yang mungkin menyebabkan syak yang munasabah bahawa dia telah—
 - (i) membiarkan kepentingan persendiriannya bercanggah dengan tugasnya sebagai Hakam;
 - (ii) menggunakan kedudukannya bagi faedahnya sendiri;
 - (b) berkelakuan dengan cara yang tidak jujur atau dengan sedemikian cara hingga memburukkan atau mencemarkan nama Mahkamah dan menjejaskan Majlis Tahkim yang dikendalikannya;
 - (c) membelakangkan tugas dan tanggungjawab demi kepentingan dirinya; dan
 - (d) melakukan apa-apa perbuatan yang boleh menimbulkan syak tentang keupayaannya untuk berlaku adil dalam menjalankan tugas.

BAHAGIAN VII

ADUAN DAN SIASATAN TERHADAP PANEL HAKAM

Kawalan Panel Hakam

26. Jawatankuasa hendaklah mempunyai kawalan terhadap Panel Hakam yang dilantik di bawah kaedah 6.

Aduan terhadap Panel Hakam

27. (1) Apa-apa aduan mengenai kelakuan mana-mana anggota Panel Hakam hendaklah dibuat secara bertulis kepada Pengerusi.

(2) Mahkamah boleh, pada bila-bila masa, merujuk kepada Pengerusi apa-apa maklumat yang menyentuh kelakuan seseorang Panel Hakam.

(3) Tiada apa-apa jua dalam Kaedah-Kaedah ini boleh dikira sebagai menghalang Jawatankuasa daripada membuat apa-apa aduan, atas usulnya sendiri, yang menyentuh kelakuan mana-mana anggota Panel Hakam.

Siasatan Jawatankuasa

28. (1) Setelah Pengerusi menerima sesuatu aduan, dia hendaklah mengarahkan Setiausaha untuk—

- (a) memastikan bahawa dokumen yang berikut disampaikan kepada anggota Panel Hakam yang berkenaan secara penyampaian ke diri:
 - (i) sesalinan aduan itu; dan
 - (ii) suatu notis yang meminta anggota Panel Hakam yang berkenaan, dalam tempoh empat belas hari dari tarikh penerimaan, memberi suatu penjelasan bertulis kepada Jawatankuasa; dan

(b) setelah tamat tempoh empat belas hari, memaklumkan kepada Jawatankuasa berhubung dengan status aduan itu.

(2) Setelah menerima aduan terhadap mana-mana Panel Hakim di bawah subkaedah 28(1) dan penjelasan bertulis, jika ada, di bawah subperenggan 28(1)(a)(ii), Jawatankuasa hendaklah menyiasat aduan itu.

(3) Jika—

- (a) aduan itu berasas dan benar, Jawatankuasa hendaklah membuat syor mengenai pembatalan pelantikan kepada Majlis sebagaimana yang diperuntukkan di bawah kaedah 29; atau
- (b) aduan itu didapati tidak berasas, Jawatankuasa boleh menolak aduan itu.

Pembatalan pelantikan

29. Majlis, atas syor Jawatankuasa, boleh membatalkan pelantikan mana-mana anggota Panel Hakim dan mengeluarkan nama Hakim tersebut daripada Daftar Panel Hakim di bawah kaedah 31 jika—

- (a) kelakuan anggota Panel Hakim tersebut, sama ada yang berkaitan dengan tugas-tugasnya sebagai anggota atau selainnya, merupakan kelakuan yang memburukkan nama Majlis atau Mahkamah;
- (b) dia telah menjadi tidak berupaya untuk menjalankan tugas-tugasnya dengan sempurna sebagai anggota;
- (c) pada pendapat Jawatankuasa, dia tidak menghadiri tiga Majlis Tahkim yang dijadualkan secara berturut-turut tanpa apa-apa alasan yang munasabah;
- (d) dia bertindak bertentangan dengan etika Hakim; atau
- (e) dia seorang bankrap.

BAHAGIAN VIII AM

Tempat Majlis Tahkim

30. (1) Majlis Tahkim hendaklah dilaksanakan di Mahkamah.

(2) Majlis Tahkim boleh dibuat di tempat lain sebagaimana yang difikirkan sesuai oleh Hakim.

Daftar Panel Hakim

31. Setiausaha hendaklah menyenggarakan suatu rekod pendaftaran anggota Panel Hakim yang dilantik oleh Majlis dalam Daftar Panel Hakim.

Bayaran elaun Panel Hakam

32. Pihak Berkuasa Negeri boleh membayar elaun kepada Panel Hakam yang dilantik di bawah kaedah 6 dan perenggan 4(1)(c) mengikut kadar sebagaimana yang ditetapkan dalam Jadual Ketiga.

Rujukan kepada Hukum Syarak

33. (1) Mana-mana peruntukan atau tafsiran mana-mana peruntukan di bawah Kaedah-Kaedah ini yang berlawanan dengan Hukum Syarak adalah terbatal setakat yang ia berlawanan.

(2) Jika terdapat lakuna atau jika apa-apa perkara yang berkaitan dengan pelaksanaan Majlis Tahkim dan Hakam tidak diperuntukkan dengan nyata oleh Kaedah-Kaedah ini, Mahkamah hendaklah mengikut Hukum Syarak.

Sekatan

34. Mana-mana Peguam Syarie yang bertindak sebagai Hakam bagi mana-mana pihak suami atau isteri yang terlibat dalam Majlis Tahkim, tidak boleh mewakili pihak suami atau isteri itu dalam kes-kes lain yang bersangkutan dengannya di mana-mana Mahkamah.

JADUAL PERTAMA**ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005****KAEDAH-KAEDAH HAKAM (PAHANG) 2019****BORANG 1**

(Subkaedah 5(1))

WAKALAH DAN PENERIMAAN HAKAM*(Tajuk Am)*

Saya (nama, No. Kad Pengenalan suami atau isteri) dengan ini melantik dan mewakilkan kepada (nama, No. Kad Pengenalan Hakam) sebagai Hakam bagi pihak saya dalam Saman No. di Mahkamah mulai (tarikh) hingga dibatalkan oleh saya atau Mahkamah.

Bertarikh pada hari bulan 20

.....
Suami atau isteri

Saya (nama, No. Kad Pengenalan Hakam) dengan ini menerima pelantikan yang tersebut di atas.

Bertarikh pada hari bulan 20

.....
Hakam

Di hadapan saya,

(Meterai)

.....
Hakim

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 2
(Subkaedah 5(3))

PELANTIKAN HAKAM SUAMI/ISTERI OLEH HAKIM

(Tajuk Am)

Ambil perhatian bahawa Mahkamah dengan ini melantik (nama, No. Kad Pengenalan Hakam) sebagai Hakam bagi pihak suami/isteri (nama suami/Isteri, No. Kad Pengenalan) dalam Saman No. di Mahkamah mulai (tarikh) hingga dibatalkan oleh Mahkamah kemudiannya.

Bertarikh pada hari bulan 20

(Meterai)

.....
Hakim

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 3
(Perenggan 11(2)(b))

NOTIS PEWAKILAN KUASA PENUH OLEH SUAMI

(Tajuk Am)

Saya (nama, No. Kad Pengenalan suami) dengan ini mewakilkan dengan kuasa penuh kepada (nama, No. Kad Pengenalan Hakam) sebagai Hakam bagi pihak saya dalam Saman No. untuk melafazkan satu talaq atau khul' terhadap isteri saya (nama, No. Kad Pengenalan isteri) di hadapan Mahkamah mulai (tarikh) hingga dibatalkan oleh saya atau Mahkamah.

Bertarikh pada hari bulan 20

.....
Suami

Saya (nama, No. Kad Pengenalan Hakam) dengan ini menerima perwakilan kuasa penuh oleh suami yang tersebut di atas.

Bertarikh pada hari bulan 20

.....
Hakam

Di hadapan saya,

(Meterai)

.....
Hakim

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 4

(Perenggan 11(2)(b))

NOTIS PEWAKILAN KUASA PENUH OLEH ISTERI

(*Tajuk Am*)

Saya (nama, No. Kad Pengenalan isteri) dengan ini mewakilkan dengan kuasa penuh kepada (nama, No. Kad Pengenalan Hakam) sebagai Hakam bagi pihak saya dalam Saman No. untuk menerima lafaz khul' daripada Hakam suami saya (nama, No. Kad Pengenalan Hakam suami) di hadapan Mahkamah mulai (tarikh) hingga dibatalkan oleh saya atau Mahkamah.

Bertarikh pada hari bulan 20

.....
Isteri

Saya (nama, No. Kad Pengenalan Hakam) dengan ini menerima perwakilan kuasa penuh oleh isteri yang tersebut di atas.

Bertarikh pada hari bulan 20

.....
Hakam

Di hadapan saya,

(Meterai)

.....
Hakim

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 5

(Subkaedah 11(4))

NOTIS PEMECATAN HAKAM

(Tajuk Am)

Ambil perhatian bahawa Mahkamah dengan ini memecat dan membatalkan pelantikan Hakam seperti yang berikut:

- | | | |
|-----|--|----------------|
| (1) |
(nama, No. Kad Pengenalan Hakam suami) | (Hakam suami) |
| (2) |
(nama, No. Kad Pengenalan Hakam isteri) | (Hakam isteri) |

Bertarikh pada hari bulan 20

(Meterai)

.....
Hakim

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 6

(Subkaedah 11(4))

PELANTIKAN HAKAM SUAMI OLEH HAKIM DENGAN KUASA PENUH

(Tajuk Am)

Ambil perhatian bahawa Mahkamah dengan ini melantik.....
..... (nama, No. Kad Pengenalan Hakam) sebagai Hakam bagi pihak suami
..... (nama suami, No. Kad Pengenalan) dalam Saman No.
..... di Mahkamah mulai (tarikh)
..... hingga dibatalkan oleh Mahkamah kemudiannya, dengan kuasa yang penuh
untuk mendamaikan dan melafazkan satu talaq/khul' di hadapan Mahkamah.

Bertarikh pada hari bulan 20

(Meterai)

.....
Hakim

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 7

(Subkaedah 11(4))

PELANTIKAN HAKAM ISTERI OLEH HAKIM DENGAN KUASA PENUH

(Tajuk Am)

Ambil perhatian bahawa Mahkamah dengan ini melantik (nama, No. Kad Pengenalan Hakam) sebagai Hakam bagi pihak isteri..... (nama Isteri, No. Kad Pengenalan) dalam Saman No. di Mahkamah mulai (tarikh) hingga dibatalkan oleh Mahkamah kemudiannya, dengan kuasa yang penuh untuk mendamaikan dan menerima lafaz khul' di hadapan Mahkamah.

Bertarikh pada hari bulan 20

(Meterai)

..... Hakim

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 8

(Kaedah 14)

LAPORAN MAJLIS TAHKIM

(Tajuk Am)

Bahawa kami (nama Hakam suami) dan (nama Hakam isteri) pada akhir Majlis Tahkim yang diadakan pada (tarikh) di (nama tempat) dengan ini melaporkan kepada Mahkamah seperti yang berikut:

- (1)
(2)
(3)
(4) Kami—

(a) *dapat/tidak dapat mencapai persetujuan dalam Majlis Tahkim ini.

- (b) berpendapat punca shiqaq adalah daripada *suami/isteri/suami isteri/tidak dapat ditentukan;
 (c) berpendapat suami isteri patut *berdamai/bercerai secara *talaq/khul'.

.....
 Hakam suami

.....
 Hakam isteri

Bertarikh pada hari bulan 20

*Potong mana yang tidak berkenaan

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

BORANG 9
 (Perenggan 17(c))

NOTIS PENARIKAN DIRI HAKAM

(Tajuk Am)

Kepada Hakim,

Ambil perhatian bahawa saya (nama, No. Kad Pengenalan Hakam) dengan ini menarik diri dan terhenti menjadi Hakam yang mewakili *suami/isteri (nama, No. Kad Pengenalan suami atau isteri) yang tersebut dalam prosiding yang tersebut di atas, berkuat kuasa pada tarikh notis ini.

Bertarikh pada hari bulan 20

.....
 Hakam

Di hadapan saya,

(Meterai)

.....
 Hakim

*Potong jika tidak berkenaan

JADUAL KEDUA

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH HAKAM (PAHANG) 2019

SIGHAH TALAQ DAN KHUL'
 (Kaedah 15)

- (1) Sighah talaq bagi Hakam yang mendapat kuasa penuh daripada prinsipal.

Lafaz Hakam suami:

“Saya dengan kuasa yang diberi oleh (nama suami), menceraikan (nama isteri) dengan talaq satu”.

- (2) Sighah talaq bagi Hakam yang diberi kuasa penuh oleh Mahkamah.

Lafaz Hakam suami:

“Saya dengan kuasa penuh yang diberi oleh Mahkamah, bagi pihak suami
..... (nama suami), menceraikan (nama isteri) dengan talaq satu”.

- (3) Sighah khul’ bagi Hakam yang mendapat kuasa penuh daripada prinsipal.

(a) Lafaz ijab Hakam suami:

“Saya dengan kuasa yang diberi oleh (nama suami),
menceraikan (nama isteri) dengan khul’ sebanyak
Ringgit Malaysia (jumlah) atau (harta lain atau
manfaat yang bernilai) yang tersebut”.

(b) Lafaz tersebut hendaklah diterima (*qabul*) dengan serta-merta oleh Hakam isteri seperti yang berikut:

“Saya terima khul’ bagi pihak (nama isteri) atas
persetujuannya sebanyak Ringgit Malaysia (jumlah) atau
..... (harta lain atau manfaat yang bernilai) yang tersebut”.

- (4) Sighah khul’ bagi Hakam yang diberi kuasa penuh oleh Mahkamah.

(a) Lafaz Hakam bagi pihak suami:

“Saya dengan kuasa penuh yang diberi oleh Mahkamah, bagi pihak
..... (nama suami) menceraikan (nama isteri)
dengan khul’ sebanyak Ringgit Malaysia..... (nilai ringgit) atau harta
lain atau manfaat yang bernilai yang tersebut”.

(b) Lafaz Hakam bagi pihak isteri:

“Saya sebagai Hakam bagi pihak (nama isteri),
menerima khul’ sebanyak Ringgit Malaysia (jumlah) atau
..... (harta lain atau manfaat yang bernilai) yang tersebut”.

JADUAL KETIGA
ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005
KAEDAH-KAEDAH HAKAM (PAHANG) 2019

SKALA ELAUN
(Kaedah 22 & 32)

Bil.	Butiran	Kadar Elaun (RM)
(a)	Elaun kehadiran mesyuarat sebagai ahli Jawatankuasa Hakam	100.00
(b)	Elaun kehadiran dan pengendalian setiap Majlis Tahkim sebagai Panel Hakam	100.00

Dibuat 22 April 2019
[JKSP.100-6/4/1 (01)S/ PUN.PHG.D/100/27/10]

Dengan Titah Perintah Kebawah Duli Yang Maha Mulia Sultan Pahang,

DATO' SRI WAN HAJI ABDUL WAHID BIN WAN HASSAN
Timbalan Yang Dipertua,
Majlis Ugama Islam dan Adat Resam Melayu Pahang

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

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ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

IN exercise of the powers conferred by section 48 and paragraph 135(3)(i) of the Islamic Family Law Enactment 2005 [*Enactment No. 3 of 2005*], His Royal Highness the Sultan, on the advice of the Majlis, makes the following rules:

PART I

PRELIMINARY

Citation

1. These rules may be cited as the ***Hakam (Pahang) Rules 2019***.

Interpretation

2. In these Rules, unless the context otherwise requires –

“Register of *Panel Hakam*” means a form of register to record the list of members of *Panel Hakam* as referred to under rule 31;

“darar syarie” means harm, according to what is normally recognized by *Hukum Syarak*, affecting a wife in respect of religion, life, body, mind, dignity or property;

“Administration Enactment” means the Administration of Islamic Law Enactment 1991 [*Enactment No. 3 of 1991*];

“*Hakam*” means an arbitrator authorized by the parties or by the Court to resolve quarrels (*shiqaq*) between husband and wife;

“*Hukum Syarak*” means Islamic Law according to Mazhab Shafie or according to one of the Mazhab Maliki, Hanafi or Hanbali;

“*iwadh*” means any payment or value used as *tebus talaq* by the wife to the husband for divorce by *khul*’;

“Committee” means the Committee of *Hakam* established under rule 21;

“Chief Registrar” means the Chief Registrar of Muslim Marriages, Divorces and *Ruju*’ appointed under section 28 of the Islamic Family Law Enactment and includes the Registrar and Assistant Registrar;

“*khul*” means the divorce between husband and wife by *iwadh*;

“Court” means the Syariah Subordinate Court or Syariah High Court, as the case may be, established under subsection 42 of the Administration Enactment;

“Majlis” means the Majlis Ugama Islam dan Adat Resam Melayu Pahang established under subsection 4(1) of the Administration Enactment;

“*Majlis Tahkim*” means the arbitration session or the process to resolve quarrels (*shiqaq*) involving meeting between husband and wife and the *Hakam* for the purpose of reconciliation or divorce by pronouncement of *talaq* or by *khul'*;

“*Panel Hakam*” means a *Panel* of *Hakam* appointed by the Committee under rule 6;

“Peguam Syarie” means a person admitted as a Peguam Syarie under section 66 of the Administration Enactment;

“Registrar” means the Chief Registrar, Senior Registrar of Muslim Marriages, Divorces and *Ruju'* appointed under section 28 of the Islamic Family Law Enactment and includes the Assistant Registrar;

“Chairman” means the Chairman for the Committee of *Hakam* under paragraph 22(1)(a);

“principal” means husband or wife who appoints *Hakam* respectively under these Rules;

“Secretary” means the Secretary for the Committee of *Hakam* under subrule 22(5);

“*shiqaq*” means constant quarrels between husband and wife which affect the marital harmony.

PART II

APPOINTMENT OF *HAKAM*

Power of the Court

3. (1) If the Court is satisfied that there are constant *shiqaq* between the parties to a marriage, the Court shall as soon as possible direct the husband and wife to appoint *Hakam* from amongst their respective close relatives.

(2) If the husband and wife or either one of the parties fails to produce their respective *Hakam*, the Court shall as soon as possible appoint a *Hakam* from amongst the members of *Panel Hakam* or any person referred to in paragraph 4(1)(c) for the parties.

(3) Before appointing a *Hakam*, the Court shall decide that *shiqaq* has occurred between husband and wife upon investigation conducted by the Court.

(4) The Court shall decide that there are constant *shiqaq* in certain situation including—

(a) constant quarrels between husband and wife whether by reason of—

(i) *nusyuz* by wife;

- (ii) cruelty of husband;
 - (iii) uncertainty of who is telling the truth between both of them;
or
 - (iv) one of the parties is or both parties are not telling the truth or making claim on matters in which he or she has no right;
- (b) constant quarrels between husband and wife to the extent of causing difficulties in carrying out their respective responsibilities and accusing each other of not performing the rights as a husband and wife;
- (c) husband or wife accuses each other of having a relationship beyond the *Hukum Syarak* with another woman or man;
- (d) constant quarrels resulting to beating;
- (e) one of them leaves the dwelling house, ceases to cohabit although both parties fail to prove the actual reason before the Court;
- (f) husband or wife accuses each other of their respective responsibilities towards the children to the extent of causing constant dispute and quarrels;
- (g) if it appears that any claim made by the wife to dissolve the marriage is not granted and dismissed by the Court on the ground that she fails to prove the truth and the Court finds that such dispute still continues or recurs between the said husband and wife; or
- (h) any action which causes *darar syarie* on the wife or husband.

Appointment of *Hakam*

4. (1) *Hakam* may be appointed from amongst—
- (a) close relatives of husband and wife who fulfil the qualifications under subrules 8(1) and (2);
 - (b) members of *Panel Hakam* appointed under rule 6; or
 - (c) any Syariah Officer or Islamic Affairs Officer in the General Public Service of the Federation or State or any Majlis Officer who is proficient in family matters and *Hukum Syarak*.

(2) For the purpose of paragraph (1)(a), the expression “close relatives” means any man who is related by consanguinity, affinity or fosterage and having knowledge of the circumstances of the case.

Procedure on appointment of *Hakam*

5. (1) For the purpose of subrule 3(1), the Court shall direct the husband and wife to appoint *Hakam* on their behalf from amongst close relatives of the husband and wife as provided under paragraph 4(1)(a) within fourteen days from the date on which *shiqaq* is decided by the Court by using Form 1 of the First Schedule.

(2) After the husband and wife have appointed their *Hakam*, the Court shall record and declare such appointment by an order.

(3) For the purpose of subrule 3(2), the appointment of *Hakam* by the Court pursuant to paragraphs 4(1)(b) and (c) shall be made by using Form 2 of the First Schedule.

Appointment of the member of *Panel Hakam*

6. (1) Subject to the qualifications under subrule 8(3), the Majlis may, on the proposal of the Committee, appoint any person as a member of the *Panel Hakam*.

(2) Any person appointed as a member of the *Panel Hakam* shall be registered in the Register of *Panel Hakam*.

Termination of appointment of member of *Panel Hakam*

7. The appointment of a member of *Panel Hakam* shall cease and be removed from the Register of *Panel Hakam* if he—

- (a) dies;
- (b) resigns by a letter addressed to the Chairman of the Majlis, through the Chairman; or
- (c) becomes incapable of performing his duty as a *Hakam*.

Qualifications of a *Hakam*

8. (1) Subject to subrule (2), any close relatives of husband and wife is qualified to be appointed as *Hakam* if he—

- (a) is a Muslim;
- (b) is a male;
- (c) is of sound mind and baligh (*mukalaf*);
- (d) is fair and honest; and
- (e) has basic knowledge in family matters and *Hukum Syarak*.

(2) Any Peguam Syarie who represents the husband or wife in other proceedings in Court shall not be appointed as *Hakam* for that husband or wife unless ordered by the Court.

(3) A person to be appointed and registered as a member of the *Panel Hakam* shall be—

- (a) Muslim;
- (b) Malaysian citizen;
- (c) male;

- (d) of sound mind and *baligh* (*mukalaf*);
- (e) fair and honest;
- (f) of good behaviour and has not been convicted on any criminal offence whether in Malaysia or in any other places;
- (g) competent in family matters and *Hukum Syarak*;
- (h) a person whose appointment has not been revoked under rule 29;
- (i) a person who is not a bankrupt;
- (j) a person who possesses academic qualification at least at a Thanawi Certificate level or equivalent thereto or higher from any educational institution or any institution of higher learning recognised by the Government of Malaysia in the area of Islamic studies; and
- (k) a person who passed in any evaluation process prescribed by the Committee.

PART III
FUNCTIONS OF *HAKAM*

Functions of *Hakam*

9. *Hakam* shall terminate the *shiqaq* between a husband and wife by way of reconciliation or by separating both of them by *talaq* or *khul'*.

Responsibilities of *Hakam*

10. During the conduct of *Majlis Tahkim*, a *Hakam* shall—
- (a) accept and perform directions of the Court from time to time; and
 - (b) explain the general regulations to be complied with by all parties during *Majlis Tahkim*.

PART IV
PROCEDURE OF *MAJLIS TAHKIM*

Procedure of *Majlis Tahkim*

11. (1) The proceeding of *Majlis Tahkim* shall commence after the appointment of *Hakam* is made.

- (2) Before the proceeding of *Majlis Tahkim* commences—
- (a) the Court may give directions on the procedure to conduct *Majlis Tahkim* to the *Hakam* and the *Hakam* shall comply with the directions and *Hukum Syarak*; and

- (b) subject to subrule (3), *Hakam* shall endeavour to obtain full authority from their respective principals by using Form 3 or Form 4 of the First Schedule, as may be appropriate.

(3) The full authority from principals to their respective *Hakam* is as follows:

- (a) for the husband, he may allow his *Hakam* to pronounce one *talaq* or *khul'* before the Court; and
- (b) for the wife, she may allow her *Hakam* to accept the pronouncement of *khul'* before the Court.

(4) If—

- (a) the *Hakam* are of the opinion that the parties should be divorced but are unable to order a divorce due to the failure of *Hakam* to obtain full authority from the principals or due to other reasons;
- (b) the *Hakam* fail to reach an agreement at any stage of the *Majlis Tahkim*;
- (c) the Court is not satisfied with the conduct of *Majlis Tahkim* by the *Hakam*; or
- (d) any *Hakam* withdraws himself or refuses to proceed with his duty as a *Hakam*,

the Court may revoke their appointment by using Form 5 of the First Schedule and appoint other *Hakam* from amongst members of the *Panel Hakam* or any person referred to in paragraph 4(1)(c) and shall give full authority as provided under subrule 11(2) to them by using Form 6 or Form 7 of the First Schedule, as may be appropriate.

Determination on types of divorce by *Hakam*

12. (1) In conducting *Majlis Tahkim* under these Rules, if both *Hakam* are satisfied that both parties fail to reach reconciliation, *Hakam* shall determine the party who causes the *shiqaq*.

(2) If the *shiqaq*—

- (a) appears to be caused by the husband or both husband and wife, both *Hakam* shall propose divorce by *talaq*;
- (b) appears to be caused by the wife, both *Hakam* shall propose divorce by *khul'* and the rate of '*iwadh* shall be determined by *Hakam*;
- (c) cannot be determined in terms of its cause and the husband claims divorce, both *Hakam* shall propose divorce by *talaq*; or
- (d) cannot be determined in terms of its cause and the wife claims divorce, both *Hakam* shall propose divorce by *khul'* and the rate of '*iwadh* shall be determined by *Hakam*.

Refusal of husband or wife to attend proceeding of *Majlis Tahkim*

13. If the husband or wife or both parties refuses to attend any proceeding of *Majlis Tahkim*, such refusal shall not cause the proceeding to cease and the *Hakam* may make his decision.

Report of *Majlis Tahkim*

14. The *Hakam* shall prepare a report by using Form 8 of the First Schedule at the end of each *Majlis Tahkim* and the report shall be laid before the Court.

Sighah *talaq* and *khul'*

15. (1) If both *Hakam* in *Majlis Tahkim* decide that the marriage is to be dissolved, the *talaq* shall be pronounced by the *Hakam* for husband before and with the permission of the Court as specified in the Second Schedule.

(2) If both *Hakam* in *Majlis Tahkim* decide that marriage is to be dissolved by *khul'* and '*iwadh* has been made by the wife in *Majlis Tahkim*, the *khul'* shall be pronounced before and with the permission of the Court.

(3) The pronouncement of *ijab* and *qabul* for *khul'* is as specified in the Second Schedule.

(4) The pronouncement of *talaq Hakam* is *talaq ba-in*.

Duration of *Majlis Tahkim*

16. (1) The duration of *Majlis Tahkim* shall not exceed thirty days from the date of the order of appointment and declaration of *Hakam* issued by the Court.

(2) The Court may extend the duration of *Majlis Tahkim* if it thinks proper, but such extension shall not exceed the period of sixty days from the date the extension is granted.

Cessation of proceeding of *Majlis Tahkim*

17. Any proceeding of *Majlis Tahkim* shall cease, if—

- (a) the husband or wife dies;
- (b) the husband or wife is of unsound mind;
- (c) the *Hakam* withdraws himself as a *Hakam* by using Form 9 of the First Schedule; or
- (d) there exists other reasons recognised by *Hukum Syarak*.

Decision of *Majlis Tahkim*

18. The divorce determined in *Majlis Tahkim* is final and no appeal is allowed.

Recording of pronouncement of *talaq* and registration of divorce

19. The Court upon allowing pronouncement of one *talaq* before it shall record the pronouncement of one *talaq*, and send a copy of the certified record to the relevant Registrar and to the Chief Registrar for registration.

Attendance of Peguam Syarie and other parties

20. Unless a person is the immediate family member of the party, no other parties or Peguam Syarie shall be allowed to appear or represent any party before the *Hakam*.

PART V

COMMITTEE OF *HAKAM*

Establishment of Committee

21. The *Majlis* shall establish a committee known as Committee of *Hakam*.

Membership of Committee

22. (1) The Committee shall consist of—

- (a) Chief Syarie Judge, as Chairman;
- (b) a Syariah High Court Judge, as Deputy Chairman;
- (c) State Legal Adviser or his representative;
- (d) Timbalan Yang Dipertua of the *Majlis* or his representative;
- (e) a Syariah Subordinate Court Judge;
- (f) State Chief Registrar, Marriages, Divorces and *Ruju'* or his representative;
and
- (g) three persons who are proficient in *Hukum Syarak* appointed by the *Majlis*.

(2) The members of the Committee under paragraphs (1)(b) and (e) shall be appointed by the Chief Syarie Judge.

(3) The members appointed under paragraph 1(g) shall hold office for a period of two years and shall be eligible for reappointment.

(4) All members of the Committee referred to under subrule (1) shall be Muslim.

(5) The Chief Registrar of Syariah Appeal Court shall be the Secretary to the Committee.

(6) All members of the Committee may be paid with any allowance as the State Authority may determine.

Meetings of Committee

23. (1) The Chairman of the Committee shall preside at a meeting of the Committee and if the Chairman is absent, the Deputy Chairman shall preside at the meeting.

(2) Five members of the Committee shall constitute a quorum of the meeting.

(3) The decision of the meeting of Committee shall be made by way of meeting and shall be unanimous or according to the majority members who present.

(4) Subject to these Rules, the Committee may determine its own procedure.

Functions of Committee

24. The Committee shall have the following functions:

- (a) to propose to the Majlis the appointment of any qualified person as a member of the *Panel Hakam*;
- (b) to prepare and maintain the Register of *Panel Hakam*;
- (c) to investigate any complaint against any member of the *Panel Hakam*;
- (d) to prescribe the forms of training to be attended by member of the *Panel Hakam*; and
- (e) to perform any other matters as may be proper and necessary from time to time for the purpose of enforcing the provisions of these Rules.

PART VI

ETHICS OF *HAKAM*

Ethics of *Hakam*

25. (1) The *Hakam* shall make every effort to complete the *Majlis Tahkim* and shall not delay without reasonable ground and shall comply with the procedure and duration of the *Majlis Tahkim*.

(2) The *Hakam* shall in carrying out his duty, exercise fairness as required by *Hukum Syarak*.

- (3) The *Hakam* who conducts *Majlis Tahkim* shall –
- (a) not conduct *Majlis Tahkim* when he is not calm, angry, hungry, thirsty, sleepy, tired or not well;
 - (b) not leave the *Majlis Tahkim* without reasonable ground;
 - (c) be strict, be fair and not be influenced by surroundings or person who is present before him;
 - (d) open, friendly and patient when conducting *Majlis Tahkim*;
 - (e) encourage the parties to settle their disputes and reach an agreement voluntarily; and
 - (f) provide equal treatment to parties.
- (4) The *Hakam* shall—
- (a) not be arbitrary;
 - (b) remain neutral;
 - (c) maintain the secrecy of all matters disclosed in *Majlis Tahkim* unless when directed by the Court which hears the said case.
 - (d) avoid conflict of interest;
 - (e) make sure that he possesses skills or expertise on matters in dispute; and
 - (f) reject the application to become witness or adviser to parties in the *Majlis Tahkim* which has been conducted by him.
- (5) The *Hakam* shall not—
- (a) behave in such a way which may cause reasonable suspicion that he—
 - (i) allows his personal interest to contradict with his duty as a *Hakam*;
 - (ii) uses his position for his own benefit;
 - (b) behave in a dishonest manner or in such a way that caused damage or tarnished the name of the Court and is detrimental to the *Majlis Tahkim* conducted by him;
 - (c) ignore the duty and responsibility for his own interest; and
 - (d) commit any act which may cause suspicion on his ability to act fairly in carrying out duty.

PART VII

COMPLAINT AND INVESTIGATION ON *PANEL HAKAM*

Control of *Panel Hakam*

26. The Committee shall have control on the *Panel Hakam* appointed under rule 6.

Complaint against *Panel Hakam*

27. (1) Any complaint on the behaviour of any member of the *Panel Hakam* shall be made in writing to the Chairman.

(2) The Court may, at any time, refer to the Chairman any information affecting the behaviour of the *Panel Hakam*.

(3) Nothing in these Rules may be taken as preventing the Committee from making any complaint, on its own motion, affecting the behaviour of any member of the *Panel Hakam*.

Investigation by Committee

28. (1) Upon receipt of a complaint by the Chairman, he shall direct the Secretary to—

(a) ensure that the following documents are delivered to the relevant member of the *Panel Hakam* by way of personal service:

(i) a copy of the complaint; and

(ii) a notice requiring the relevant member of the *Panel Hakam*, within the period of fourteen days from the date of receipt, to provide a written explanation to the Committee; and

(b) upon expiry of the fourteen day period, inform the Committee on the status of such complaint.

(2) Upon receipt of the complaint against any *Panel Hakam* under subrule 28(1) and written explanation, if any, under subparagraph 28(1)(a)(ii), the Committee shall investigate such complaint.

(3) If—

(a) the complaint is justified and true, the Committee shall make recommendation on revocation of appointment to the *Majlis* as provided under rule 29; or

(b) the complaint appears to be groundless, the Committee may reject the complaint.

Revocation of appointment

29. The *Majlis*, on recommendation of the Committee, may revoke the appointment of any member of the *Panel Hakam* and remove the name of the said *Hakam* from the Register of *Panel Hakam* under rule 31 if—

(a) the behaviour of the said member of the *Panel Hakam*, whether in connection with his duties as a member or otherwise, is a behaviour that caused damage to the name of the *Majlis* or Court;

(b) he becomes incapable to carry out his duties properly as a member;

- (c) in the opinion of the Committee, he fails to attend three scheduled *Majlis Tahkim* consecutively without any reasonable ground;
- (d) his action is inconsistent with the ethics of *Hakam*; or
- (e) he is a bankrupt.

PART VIII

GENERAL

Venue of *Majlis Tahkim*

30. (1) The *Majlis Tahkim* shall be conducted in the Court.

(2) The *Majlis Tahkim* may be conducted in other places as the *Hakam* thinks fit.

Register of *Panel Hakam*

31. The Secretary shall maintain a record on registration of member of the *Panel Hakam* appointed by the *Majlis* in the Register of *Panel Hakam*.

Payment of allowance to *Panel Hakam*

32. The State Authority may pay allowance to the *Panel Hakam* appointed under rule 6 and paragraph 4(1)(c) according to the rate as prescribed in the Third Schedule.

Reference to *Hukum Syarak*

33. (1) Any provision or interpretation of any provision under these Rules which is inconsistent with *Hukum Syarak* shall be void to the extent of its inconsistency.

(2) If there is lacuna or if any matter in respect of the conduct of *Majlis Tahkim* and *Hakam* is not expressly provided in these Rules, the Court shall follow *Hukum Syarak*.

Restriction

34. Any Peguam Syarie who acts as *Hakam* for any husband or wife who is involved in *Majlis Tahkim*, shall not represent the husband or wife in other cases in connection therewith in any Court.

FIRST SCHEDULE
 ISLAMIC FAMILY LAW ENACTMENT 2005
 HAKAM (PAHANG) RULES 2019

FORM 1
 (Subrule 5(1))

WAKALAH AND ACCEPTANCE BY HAKAM
 (General Title)

I (name, Identity Card No. of husband or wife) hereby appoint and authorize (name, Identity Card No. of *Hakam*) as *Hakam* on my behalf in the Summons No. in the Court from (date) until being revoked by myself or the Court.

Dated day of 20

.....
 Husband or wife

I (name, Identity Card No. of *Hakam*) hereby accept the appointment as stated above.

Dated day of 20

.....
Hakam

In my presence,

(Seal)

.....
 Judge

ISLAMIC FAMILY LAW ENACTMENT 2005
 HAKAM (PAHANG) RULES 2019

FORM 2
 (Subrule 5(3))

APPOINTMENT OF HAKAM FOR HUSBAND/WIFE BY JUDGE
 (General Title)

Take note that the Court hereby appoints (name, Identity Card No. of *Hakam*) as *Hakam* on behalf of the husband / wife (name of husband/wife, Identity Card No.) in the Summons No. in the Court from (date)..... until being revoked by the Court later.

Dated day of 20

(Seal)

.....
 Judge

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

FORM 3

(Paragraph 11(2)(b))

NOTICE OF FULL AUTHORIZATION BY HUSBAND

(General Title)

I (name, Identity Card No. of husband) hereby give full authority to (name, Identity Card No. of Hakam) as Hakam on my behalf in the Summons No. to pronounce one talaq or khul' against my wife (name, Identity Card No. of wife) before the Court from (date)..... until being revoked by myself or the Court..

Dated day of 20

.....
Husband

I (name, Identity Card No. of Hakam) hereby accept the full authorization by husband as stated above.

Dated day of 20

.....
Hakam

In my presence,

(Seal)

.....
Judge

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

FORM 4

(Paragraph 11(2)(b))

NOTICE OF FULL AUTHORIZATION BY WIFE

(General Title)

I (name, Identity Card No. of wife) hereby give full authority to (name, Identity Card No. of Hakam) as Hakam on my behalf in the Summons No. to accept the pronouncement of khul' from Hakam for

husband (name, Identity Card No. of *Hakam* for husband) before the
..... Court from (date) until being revoked by myself or the Court.

Dated day of 20

.....
Wife

I (name, Identity Card No. of *Hakam*) hereby accept the
full authorization by wife as stated above.

Dated day of 20

.....
Hakam

In my presence,

(Seal)

.....
Judge

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

FORM 5

(Subrule 11(4))

NOTICE OF REMOVAL OF *HAKAM*

(*General Title*)

Take note that the Court hereby revokes the appointment of *Hakam* as follows:

- (1) *Hakam* for husband
(name, Identity Card No. of *Hakam* for husband)
- (2) *Hakam* for wife
(name, Identity Card No. of *Hakam* for wife)

Dated day of 20

(Seal)

.....
Judge

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

FORM 6

(Subrule 11(4))

APPOINTMENT OF HAKAM FOR HUSBAND BY JUDGE WITH FULL AUTHORITY

(General Title)

Take note that the Court hereby appoints (name, Identity Card No. of *Hakam*) as *Hakam* on behalf of the husband (name of husband, Identity Card No.) in the Summons No. in the Court from (date) until being revoked by the Court later, having full authority for reconciliation and pronouncement of one *talaq / khul'* before the Court.

Dated day of 20

(Seal)

.....
Judge

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

FORM 7

(Subrule 11(4))

APPOINTMENT OF HAKAM FOR WIFE BY JUDGE WITH FULL AUTHORITY

(General Title)

Take note that the Court hereby appoints (name, Identity Card No. of *Hakam*) as *Hakam* on behalf of the wife (name of wife, Identity Card No.) in the Summons No. in the Court from (date) until being revoked by the Court later, having full authority for reconciliation and acceptance of one *khul'* before the Court.

Dated day of 20

(Seal)

.....
Judge

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

FORM 8

(Rule 14)

REPORT OF MAJLIS TAHKIM

(General Title)

Whereas we..... (name of Hakam for husband) and (name of Hakam for wife) at the end of the Majlis Tahkim conducted on (date) in (name of place) hereby report to the Court as follows:

- (1) (2) (3) (4) We are—

- (a) *able/not able to reach an agreement in this Majlis Tahkim; (b) of the opinion that the shiqaq is caused by the *husband/wife/husband and wife/ cannot be determined; (c) of the opinion that the husband and wife should *reconciliate/be divorced by *talaq/khul'.

..... Hakam for husband Hakam for wife

Dated day of 20

*Delete where appropriate

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

FORM 9

(Paragraph 17(c))

NOTICE OF WITHDRAWAL AS HAKAM

(General Title)

To the Judge,

Take note that I (name, Identity Card No. of Hakam) hereby withdraw myself and cease from being Hakam who represents the said *husband/wife

..... (name, Identity Card No. of husband or wife) in the proceeding stated above, effective on the date of this notice.

Dated day of 20

.....
Hakam

In my presence,

(Seal)

.....
Judge

*Delete where appropriate

SECOND SCHEDULE

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

SIGHAH TALAQ AND KHUL'

(Rule 15)

- (1) The *Sighah talaq* for *Hakam* who obtains full authority from the principal.

Pronouncement by *Hakam* for husband:

"I having authorized by (name of husband), divorce (name of wife) with one *talaq*".

- (2) The *Sighah talaq* for *Hakam* who is granted full authority by the Court.

Pronouncement by *Hakam* for husband:

"I having the full authority granted by the Court, on behalf of the husband (name of husband), divorce (name of wife) with one *talaq*".

- (3) The *Sighah khul'* for *Hakam* who obtains full authority from the principal.

(a) Pronouncement of *ijab* by *Hakam* for husband:

"I having the authority granted by..... (name of husband), divorce(name of wife) by *khul'* of the said Ringgit Malaysia (amount) or (other property or benefit with value)".

(b) The said pronouncement shall be accepted (*qabul*) immediately by *Hakam* for the wife as follows:

"I accept the *khul'* on behalf of (name of wife) upon her agreement of the said Ringgit Malaysia (amount) or (other property or benefit with value)".

(4) The *Sighah khul'* for *Hakam* who is granted full authority by the Court.

(a) Pronouncement by *Hakam* for Husband:

“I having the full authority granted by the Court, on behalf of
 (name of husband) divorce (name of wife) by *khul'*
 of the said Ringgit Malaysia (ringgit value) or other property or
 benefit with value”.

(b) Pronouncement by *Hakam* for wife:

“I being the *Hakam* on behalf of (name of wife), accept
 the *khul'* of the said Ringgit Malaysia (amount) or
 (other property or benefit with value)”.

THIRD SCHEDULE

ISLAMIC FAMILY LAW ENACTMENT 2005

HAKAM (PAHANG) RULES 2019

SCALE FOR ALLOWANCE

(Rules 22 & 32)

No.	Item	Rate of Allowance (RM)
(a)	Allowance for attending meeting as a member of Committee of <i>Hakam</i>	100.00
(b)	Allowance for appearing in and conducting each <i>Majlis Tahkim as a Panel Hakam</i>	100.00

Made 22 April 2019

[JKSP.100-6/4/1 (01)S/ PUN.PHG.D/100/27/10]

By Command of His Royal Highness the Sultan of Pahang,

DATO' SRI WAN HAJI ABDUL WAHID BIN WAN HASSAN
Timbalan Yang Dipertua,
Majlis Ugama Islam dan Adat Resam Melayu Pahang

Phg. P.U. 20.**ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005****KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
(BORANG DAN FI) (PAHANG) 2019**

SUSUNAN KAEDAH-KAEDAH

1. Nama dan permulaan kuat kuasa
2. Borang
3. Fi
4. Ketidapatuhan
5. Pemansuhan
6. Kecualian

JADUAL PERTAMA

JADUAL KEDUA

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
(BORANG DAN FI) (PAHANG) 2019

PADA menjalankan kuasa yang diberikan oleh seksyen 135 Enakmen Undang-Undang Keluarga Islam 2005 [*Enakmen No. 3 tahun 2005*], Kebawah Duli Yang Maha Mulia Sultan atas nasihat Majlis Ugama Islam dan Adat Resam Melayu Pahang membuat kaedah-kaedah yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Kaedah-Kaedah ini bolehlah dinamakan **Kaedah-Kaedah Undang-Undang Keluarga Islam (Borang dan Fi) (Pahang) 2019**.

(2) Kaedah-Kaedah ini hendaklah mula berkuat kuasa pada 1 September 2019.

Borang

2. Borang yang ditetapkan dalam Jadual Pertama kepada Kaedah-kaedah ini hendaklah digunakan bagi segala urusan rasmi berkenaan dengan perkahwinan, perceraian dan ruju' di bawah Enakmen.

Fi

3. Fi yang ditetapkan dalam Jadual Kedua kepada Kaedah-kaedah ini hendaklah dikenakan bagi semua urusan yang ditentukan di dalamnya.

Ketidakpatuhan

4. Ketidakpatuhan dengan mana-mana borang yang ditetapkan tidak menyebabkan permohonan, prosiding atau pembicaraan batal tetapi Pendaftar, Hakim Syariah atau Mahkamah Syariah, boleh mengarahkan pihak berkenaan meminda atau membetulkan borang itu mengikut apa-apa bentuk dan menurut apa-apa terma dan syarat.

Pemansuhan

5. Kaedah-kaedah Undang-Undang Keluarga Islam (Borang dan Fee) 1988 [*Phg. P.U. 8/88*] dimansuhkan.

Kecualian

6. Semua kaedah, perisytiharan, perintah, pemberitahuan, notis, borang, surat kebenaran dan pelantikan yang dikeluarkan atau dibuat di bawah atau menurut kuasa mana-mana peruntukan undang-undang bertulis yang mansuh

menurut kuasa oleh Kaedah-Kaedah ini hendaklah terus berkuat kuasa, setakat yang tidak bertentangan dengan kaedah-kaedah ini, sehingga dibatalkan atau digantikan oleh peraturan-peraturan, kaedah-kaedah, perisytiharan, perintah, pemberitahuan, notis, borang, surat kebenaran, atau pelantikan yang dikeluarkan atau dibuat di bawah Kaedah-Kaedah ini.

JADUAL PERTAMA

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005



KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM (BORANG DAN Fi) (PAHANG) 2019

BORANG 1

[Seksyen 4]

AKUAN PEMASTAUTINAN

A. TERMA DAN SYARAT

1. Pemohon mestilah tinggal sekurang-kurangnya 3 bulan atau lebih di dalam Kariah di mana permohonan didaftarkan.
2. Satu salinan Kad Pengenalan/Pasport pemohon dilampirkan.
3. Pengesahan hendaklah dilakukan oleh: Penghulu/Ketua Kampung/Pengurus Felda/Pengerusi Jawatankuasa Penduduk/Pengerusi Taman Perumahan/Tok Batin.

B. MAKLUMAT PEMOHON

1. Nama:
2. No. Kad Pengenalan/Pasport:.....
3. Alamat dalam Kad Pengenalan/Pasport:
4. Alamat tempat tinggal semasa:
5. No. telefon: (rumah)
..... (tempat kerja)
..... (telefon bimbit)
6. Tempoh menetap di Negeri Pahang: tahun bulan

C. PERAKUAN PEMOHON

Saya mengaku bahawa segala maklumat yang terkandung dalam borang ini adalah benar.

Tarikh :

.....
Tandatangan pemohon

D. PENGESAHAN PEMASTAUTINAN

Saya telah meneliti maklumat yang dikemukakan oleh pemohon, maka dengan ini saya mengesahkan bahawa pemohon adalah pemastautin di alamat di atas selama tempoh yang dinyatakan.

Tarikh:
(Tandatangan dan cap rasmi jawatan)



ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
(BORANG DAN Fi) (PAHANG) 2019

BORANG 2

[SEKSYEN 16]

PERMOHONAN UNTUK KEBENARAN BERKAHWIN

No. Permohonan: tahun

ARAHAN

Sila lengkapkan borang dengan “HURUF BESAR”

A. BUTIRAN PEMOHON (LELAKI/PEREMPUAN)*

1. Nama:
2. No. Kad Pengenalan/Pasport:
3. No. pengenalan diri yang lain:
4. No. Tentera/Polis:
5. Tarikh lahir:
6. Umur:
7. Bangsa:
8. Warganegara:
9. Taraf pendidikan:
10. Pekerjaan:
11. Pendapatan: RM
12. Alamat dalam Kad Pengenalan/Pasport:
13. Alamat tempat tinggal semasa:
14. No. telefon (bimbit/rumah):
15. Alamat tempat kerja:
16. No. telefon tempat kerja:
17. Tarikh memeluk Islam (*jika berkenaan*) :
18. E-mel:

B. BUTIRAN PASANGAN (LELAKI/PEREMPUAN)*

1. Nama:
2. No. Kad Pengenalan/Pasport:
3. No. pengenalan diri yang lain:
4. No. Tentera/Polis:
5. Tarikh lahir:
6. Umur:
7. Bangsa:
8. Warganegara:
9. Taraf pendidikan:
10. Pekerjaan:
11. Pendapatan: RM
12. Alamat dalam Kad Pengenalan/Pasport:
13. Alamat tempat tinggal semasa:
14. No. telefon (bimbit/rumah):
15. Alamat tempat kerja:
16. No. telefon tempat kerja:
17. Tarikh memeluk Islam (*jika berkenaan*):
18. E-mel:

C. BUTIRAN CADANGAN MAJLIS AKAD NIKAH

1. Tarikh akad nikah:
2. Alamat tempat akad nikah:
3. Mas kahwin:
4. Hantaran:
5. Pemberian lain:

D. BUTIRAN WALI (Diisi Oleh Pemohon Perempuan Sahaja)

1. Nama:
2. No. Kad Pengenalan/Pasport:
3. Tarikh lahir:
4. Umur:
5. Alamat tempat tinggal semasa:
6. No. telefon:
7. Hubungan wali dengan pemohon:
8. Tarikh nikah ibu bapa:
9. Persetujuan dan pengakuan wali:

Saya dengan ini sesungguhnya bersetuju terhadap perkahwinan yang dicadangkan ini dan saya sesungguhnya mengaku bahawa segala maklumat yang terkandung di **Bahagian D** adalah benar dan sekiranya maklumat ini palsu, maka saya telah melakukan suatu kesalahan dan boleh disabitkan di bawah seksyen 38 Enakmen Undang-Undang Keluarga Islam 2005.

Tarikh:

.....
(Tandatangan wali)

E. BUTIRAN SAKSI

1. Nama saksi (1):
2. No. Kad Pengenalan/Pasport:
3. Alamat tempat tinggal semasa:
4. No. telefon:
5. Nama saksi (2):
6. No. Kad Pengenalan/Pasport:
7. Alamat tempat tinggal semasa:
8. No. telefon:
9. Pengakuan saksi:

Kami sesungguhnya mengaku bahawa segala maklumat yang dinyatakan dalam borang ini adalah benar dan sekiranya maklumat ini palsu, maka kami telah melakukan suatu kesalahan dan boleh disabitkan di bawah seksyen 38 Enakmen Undang-Undang Keluarga Islam 2005.

Tarikh:
(Tandatangan saksi(1))

Tarikh:
(Tandatangan saksi (2))

F. PENGAKUAN PEMOHON

1. Saya dengan ini sesungguhnya mengaku bahawa saya adalah seorang *teruna/ duda/beristeri/ dara/janda/balu/thayyib.
2. Nombor Surat Perakuan Cerai (*jika duda/janda*):
Tarikh cerai:
No. Sijil Kematian (*jika duda/balu*):
Tarikh kematian:
3. Saya mengaku bahawa segala maklumat yang dinyatakan dalam borang ini adalah benar dan sekiranya maklumat ini palsu, maka saya telah melakukan suatu kesalahan dan boleh disabitkan di bawah seksyen 38 Enakmen Undang-Undang Keluarga Islam 2005.

Tarikh:
(Tandatangan pemohon)

Di hadapan saya,

.....
(Tandatangan Pendaftar/Penolong Pendaftar/Jurunikah,
dan cap rasmi)

UNTUK KEGUNAAN PEJABAT

Permohonan ini: *DILULUSKAN/TIDAK DILULUSKAN

Catatan:

Tarikh:

.....
(Tandatangan Ketua Pendaftar/Pendaftar dan cap rasmi)

*Potong mana yang tidak berkenaan.



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BORANG 3A

[Seksyen 17]

KEBENARAN BERKAHWIN DALAM NEGERI PAHANG

No. Kebenaran:..... tahun.....

Pendaftar,
Perkahwinan, Perceraian dan Ruju',
Daerah.....

Saya
(*Nama Pendaftar*)

Jawatan: Daerah:

memberi kebenaran kepada.....
(*Nama pemohon*)

No. Kad Pengenalan/Pasport.....untuk berkahwin

dengan..... No. Kad Pengenalan/
(*Nama pasangan*)

Pasport di
(*Alamat tempat akad nikah*)

Sehubungan dengan itu, perkara ini dirujuk kepada pihak tuan untuk tindakan selanjutnya.

Tarikh:
(Tandatangan Pendaftar dan cap rasmi)

PERHATIAN:

Kebenaran ini hanya sah dalam tempoh 90 hari dari tarikh dikeluarkan.



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BORANG 3B

[Seksyen 17 dan 20]

KEBENARAN BERKAHWIN LUAR NEGERI PAHANG

No. Kebenaran:..... tahun.....

Pendaftar,
Perkahwinan, Perceraian dan Ruju',
Pegawai Kedutaan/Pegawai Konsulat/Pegawai Yang Berkenaan
.....

Saya
(*Nama Pendaftar*)

Jawatan: Daerah:

memberi kebenaran kepada
(Nama pemohon)

No. Kad Pengenalan/Pasport
untuk berkahwin dengan
(Nama pasangan)

No. Kad Pengenalan/Pasport
di
(Alamat tempat akad nikah)

Sehubungan itu, perkara ini dirujuk kepada pihak tuan untuk tindakan selanjutnya.

Tarikh:
(Tandatangan Pendaftar dan cap rasmi)

PERHATIAN:

Kebeneran ini hanya sah dalam tempoh 90 hari dari tarikh dikeluarkan.



ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
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BORANG 4
[Seksyen 13]

PERSETUJUAN DAN WAKALAH WALI

PERSETUJUAN WALI

SayaNo. Kad Pengenalan/Pasport
(Nama wali)

adalah kepada
(Hubungan) (Nama pengantin perempuan)

dengan ini membuat pengakuan bahawa saya bersetuju dengan perkahwinan di antara
.....dengan
(Nama pengantin perempuan) (Nama pengantin lelaki)

..... dengan mas kahwinnya RM *tunai/hutang.

Saya akan mengakad nikahkan sendiri perkahwinan ini.

Tarikh:
(Tandatangan wali)

WAKALAH WALI

Saya No. Kad Pengenalan/Pasport.....
(Nama wali)

adalah kepada.....
(Hubungan) *(Nama pengantin perempuan)*

dengan ini mewakilkan kepada..... No. Kad Pengenalan/Pasport:
(Nama wakil)

sebagaiuntuk mengakadnikahkan..... saya dengan
(Jawatan) *(Hubungan)*

..... dengan mas kahwinnya RM.....*tunai/hutang
(Nama pengantin lelaki)

Tarikh:
 (Tandatangan wali)

Saya dengan ini menerima wakalah wali di atas.
 (Tandatangan penerima wakalah)

SAKSI WAKALAH WALI

Nama:	Nama:
No. Kad Pengenalan/Pasport:	No. Kad Pengenalan/Pasport:
Alamat:	Alamat:
Tarikh:	Tarikh:
..... (Tandatangan saksi (1)) (Tandatangan saksi (2))

PENGESAHAN WAKALAH WALI

Saya mengesahkan bahawa Wakalah
(Pendaftar)

Wali di atas adalah dibuat di hadapan saya di
 dan ia mengikut kehendak Hukum Syarak. *(Alamat tempat wakalah wali dibuat)*

Tarikh:
 (Tandatangan Pendaftar dan cap rasmi)

*Potong mana yang tidak berkenaan.



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BORANG 5

[Seksyen 26]

CATATAN AKAD NIKAH

BUTIRAN PASANGAN

Nama pengantin lelaki:

No. Kad Pengenalan/Pasport:

Umur:

Status:

Alamat:

Nama pengantin perempuan:

No. Kad Pengenalan/Pasport:

Umur:

Status:

Alamat:

Kami mengaku bahawa segala maklumat yang dinyatakan dalam borang ini adalah benar dan sekiranya maklumat ini palsu, maka kami telah melakukan suatu kesalahan dan boleh disabitkan di bawah seksyen 38 Enakmen Undang-Undang Keluarga Islam 2005.

.....

(Tandatangan pengantin lelaki)

.....

(Tandatangan pengantin perempuan)

BUTIRAN WALI

Nama wali:

No. Kad Pengenalan/Pasport:

Umur:

Alamat:

Hubungan wali dengan pengantin perempuan:

.....

(Tandatangan wali)

BUTIRAN PERKAHWINAN

No. Kebenaran:

Tarikh akad nikah:

Tempat akad nikah:

Masa:

Nama juru nikah *wali/wakil wali:

No. Kad Pengenalan/Pasport:

Mas kahwin:

*tunai/hutang

Hantaran:

Pemberian lain (jika ada):

BUTIRAN SAKSI

Nama saksi (1):

No. Kad Pengenalan/Pasport:

Umur:

Alamat:

Nama saksi (2):

No. Kad Pengenalan/Pasport:

Umur:

Alamat:

.....
(Tandatangan saksi (1))

.....
(Tandatangan saksi (2))

Pengantin lelaki telah berta'liq seperti yang berikut:

.....
(Tandatangan suami)

.....
(Tandatangan isteri)

PENGESAHAN OLEH PENDAFTAR/PENOLONG PENDAFTAR
--

Saya memperakui dan mengesahkan pernikahan pasangan di atas adalah sempurna dijalankan mengikut Hukum Syarak serta segala maklumat yang diberikan di atas adalah benar.

Tarikh:

.....
(Tandatangan Pendaftar/Penolong Pendaftar dan cap rasmi)

**Potong yang tidak berkenaan.*

PERINGATAN:

Tuan/Puan dikehendaki mengemukakan dokumen ini bagi tujuan mendaftarkan pernikahan dalam tempoh 30 hari dari tarikh akad nikah dijalankan. Surat Perakuan Nikah dan Kad Perakuan Nikah hanya akan dikeluarkan setelah pendaftaran pernikahan dilakukan.



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[Seksyen 26]سورت فراکوان نکاح
SURAT PERAKUAN NIKAH

نومبور دفتر نکاح نومبور کبنران برکھوین
Nombor daftar nikah: Nombor kebenaran berkahwin:

تاریخ عقد نکاح ماس
Tarikh akad nikah Hijriah: Masa:
Masihi:

تاریخ دفتر
Tarikh daftar

نام فغننن للاکي
Nama pengantin lelaki:

نومبور کد فغنالن/فسفورٹ عمور
No. Kad Pengenalan/Pasport: Umur:

علامة
Alamat:

نام فغننن فرمفوان
Nama pengantin perempuan:

نومبور کد فغنالن/فسفورٹ عمور
No. Kad Pengenalan/Pasport: Umur:

علامة
Alamat:

نام والي
Nama wali:

نومبور کد فغنالن/فسفورٹ عمور
No. Kad Pengenalan/Pasport: Umur:

علامة
Alamat:

فرهوبوغن
Perhubungan:

نام سقسسي
Nama saksi akad nikah (1):

نومبور کد فغنالن/فسفورٹ عمور
No. Kad Pengenalan/Pasport: Umur:

علامة
Alamat:

نام سقسسي
Nama saksi akad nikah (2):

نومبور كد قغنانلن/قسفورت
No. Kad Pengenalan/Pasport:.....

عمور

Umur:

علامة
Alamat:

مس كهوين
Mas kahwin:

هونغ/توني

*tunai/hutang

هنتران
Hantaran:

قمبرين لاین (جك اد)
Pemberian lain (jika ada):

Tarikh dikeluarkan:

.....
(Tandatangan Pendaftar dan
cap rasmi)

* Potong yang tidak berkenaan.

لفظ تعليق

LAFAZ TA'LIQ

Adalah disahkan bahawa pengantin lelaki telah berta'liq seperti yang berikut:

Tarikh:

.....
(Tandatangan Pendaftar dan
cap rasmi)



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BORANG 7

[Seksyen 26]

KAD PERAKUAN NIKAH



جابتن اكام اسلام فهغ

JABATAN AGAMA ISLAM PAHANG
ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005
KAD PERAKUAN NIKAH

[Seksyen 26]

Gambar
Suami

Gambar
Isteri

Nama suami: No. Siri: No. Kad Pengenalan/Pasport: Nama isteri: No. Kad Pengenalan/Pasport: No. Daftar: Tarikh Akad Nikah: Tarikh Dikeluarkan: Pejabat Pengeluar:	
PERINGATAN: 1. Kad ini hendaklah dibawa pada setiap masa. Kad ini mestilah diserahkan kembali kepada Pejabat Agama Islam Daerah sekiranya berlaku perceraian. 2. Sesiapa yang menjumpai kad ini hendaklah menyerahkannya kepada Pejabat Agama Islam Daerah yang berhampiran. <i>Ketua Pendaftar Perkahwinan, Perceraian dan Ruju' Orang Islam Negeri Pahang</i>



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 BORANG 8
 [Seksyen 31/33]

**PERMOHONAN PENDAFTARAN PERKAHWINAN LUAR NEGERI

**PERMOHONAN PENDAFTARAN SUKARELA

No. Permohonan: tahun

 Pendaftar,
 Perkahwinan, Perceraian dan Ruju',
 Daerah.....

Saya.....

No. Kad Pengenalan/Pasport:

beralamat.....

yang telah berkahwin mengikut Hukum Syarak dengan.....

..... No. Kad Pengenalan/Pasport

..... beralamat

..... pada.....

 bertempat di.....
 memohon untuk mendaftarkan perkahwinan.

BUTIRAN SUAMI

- | | |
|-----------------------------------|----------------------|
| 1. Nama: | |
| 2. No. Kad Pengenalan/Pasport: | 3. Tarikh lahir: |
| 4. Umur: | 5. Bangsa: |
| 6. Warganegara: | 7. Pekerjaan: |
| 8. Pendapatan: MR | 9. Taraf pendidikan: |
| 10. Status sebelum perkahwinan: | |
| 11. No. telefon: | |
| 12. Alamat dalam Kad Pengenalan: | |
| 13. Alamat tempat tinggal semasa: | |

BUTIRAN ISTERI

- | | |
|-----------------------------------|----------------------|
| 1. Nama: | |
| 2. No. Kad Pengenalan/Pasport: | 3. Tarikh lahir: |
| 4. Umur: | 5. Bangsa: |
| 6. Warganegara: | 7. Pekerjaan: |
| 8. Pendapatan: RM | 9. Taraf Pendidikan: |
| 10. Status sebelum perkahwinan: | |
| 11. No. telefon: | |
| 12. Alamat dalam Kad Pengenalan: | |
| 13. Alamat tempat tinggal semasa: | |

BUTIRAN WALI

- | | |
|----------------------------------|------------------------------------|
| 1. Nama: | |
| 2. No. Kad Pengenalan/Pasport: | 3. Tarikh lahir: |
| 4. Umur: | 5. Hubungan wali dengan perempuan: |
| 6. Alamat tempat tinggal semasa: | |
| 7. No. telefon: | |

BUTIRAN SAKSI

- | | |
|----------------------------------|----------|
| 1. Nama saksi (1): | |
| 2. No. Kad Pengenalan/Pasport: | 3. Umur: |
| 4. Alamat tempat tinggal semasa: | |
| 5. No. telefon: | |
| 1. Nama saksi (2): | |
| 2. No. Kad Pengenalan/Pasport: | 3. Umur: |
| 4. Alamat tempat tinggal semasa: | |
| 5. No. telefon: | |

BUTIRAN PERKAHWINAN

- | | |
|---|-------------------------|
| 1. Tarikh akad nikah: | 2. Masa akad nikah: |
| 3. Tempat akad nikah: | |
| 4. Nama juru nikah: | |
| 5. Mas kahwin: *tunai/hutang | 6. Hantaran: |
| 7. Pemberian lain (<i>jika ada</i>): | |
| 8. No. Surat Perakuan Nikah: | |
| 9. No. Pendaftaran: | 10. Tarikh pendaftaran: |
| 11. Tempat pendaftaran: | |
| 12. Daerah: | 13. Negeri: |
| 14. Tarikh balik ke Malaysia setelah berkahwin: | |

15. Lafaz ta'liq (jika Suami berlafaz ta'liq) seperti yang berikut:-

PENGAKUAN PASANGAN

- (i) Bahawa *saya/kami mengaku bahawa segala maklumat dan keterangan yang diberi di atas adalah benar.
- (ii) Bahawa *saya/kami telah berkahwin mengikut Hukum Syarak.

Tarikh:

Tarikh:

.....
(Tandatangan suami)

.....
(Tandatangan isteri)

PENGESAHAN KELUARGA TERDEKAT

- | | |
|----------------------------------|--------------|
| 1. Nama keluarga terdekat (1): | |
| 2. No. Kad Pengenalan/Pasport: | 3. Hubungan: |
| 4. Alamat tempat tinggal semasa: | |
| | |
| 1. Nama keluarga terdekat (2): | |
| 2. No. Kad Pengenalan/Pasport: | 3. Hubungan: |
| 4. Alamat tempat tinggal semasa: | |

Bahawa kami mengesahkan perkahwinan pasangan di atas telah berlaku.

Tarikh:

.....
(Tandatangan keluarga terdekat (1))

.....
(Tandatangan keluarga terdekat (2))

KELULUSAN

Permohonan ini: ***DILULUSKAN/TIDAK DILULUSKAN**

Tarikh:

.....
(Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.

** Tandakan \checkmark pada yang berkenaan.



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BORANG 9
[Seksyen 31]

SALINAN DIAKUI SAH CATATAN DAFTAR PERKAHWINAN LUAR NEGERI

No. daftar nikah:

Tarikh akad nikah:

No. daftar nikah terdahulu:

Masa akad nikah:

BUTIRAN SUAMI

Nama suami:

No. Kad Pengenal/Pasport:

Tarikh lahir:

Alamat:

Status perkahwinan:

BUTIRAN ISTERI

Nama isteri:

No. Kad Pengenal/Pasport:

Tarikh lahir:

Alamat:

Status perkahwinan:

BUTIRAN WALI

Nama wali: No. Kad Pengenalan/Pasport:
 Alamat: Pertalian:

BUTIRAN SAKSI

Nama saksi (1): No. Kad Pengenalan/Pasport:
 Alamat:
 Nama saksi (2): No. Kad Pengenalan/Pasport:
 Alamat:

BUTIRAN PERKAHWINAN

Mas kahwin: *tunai/hutang Tempat akad nikah:
 Lafaz ta'liq (*jika ada*):
 Tarikh dikeluarkan:
 (Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.



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Borang 10
 [Seksyen 33]

SALINAN DIAKUI SAH CATATAN DAFTAR PERKAHWINAN SUKARELA

No. daftar nikah: Tarikh akad nikah:
 No. daftar nikah terdahulu : Masa akad nikah:

BUTIRAN SUAMI

Nama suami: No. Kad Pengenalan/Pasport:
 Tarikh lahir: Alamat:
 Status perkahwinan:

BUTIRAN ISTERI

Nama isteri: No. Kad Pengenalan/Pasport:
 Tarikh lahir: Alamat:
 Status perkahwinan:

BUTIRAN WALI

Nama: No. Kad Pengenalan/Pasport:
 Alamat: Pertalian:

BUTIRAN SAKSI

Nama saksi (1): _____ No. Kad Pengenalan/Pasport: _____
 Alamat: _____
 Nama saksi (2): _____ No. Kad Pengenalan/Pasport: _____
 Alamat: _____

BUTIRAN PERKAHWINAN

Mas kahwin: *tunai/hutang _____ Tempat akad nikah: _____
 Lafaz ta'liq (*jika ada*): _____

Tarikh dikeluarkan: _____
 (Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.



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KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
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Borang 11
 [Seksyen 55]

PERMOHONAN UNTUK MENDAFTARKAN PERCERAIAN

No. Permohonan:..... tahun

Pendaftar,
 Perkahwinan, Perceraian dan Ruju',
 Daerah.....

Saya.....

No. Kad Pengenalan/Pasport:..... beralamat:

.....
 telah bercerai mengikut Hukum Syarak dengan:

Nama:

No. Kad Pengenalan/Pasport: beralamat:

Tarikh bercerai: Tempat bercerai:

Bersama-sama ini disertakan Arahan Daftar dari Mahkamah Syariah yang mengesahkan perceraian itu.

No. Kes:

Sehubungan dengan itu, saya memohon untuk mendaftarkan perceraian tersebut.

Tarikh:
(Tandatangan pemohon)

UNTUK KEGUNAAN PEJABAT

Permohonan ini: ***DILULUSKAN/TIDAK DILULUSKAN**

Tarikh
(Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.



ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

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BORANG 12
[Seksyen 55]

SURAT PERAKUAN PERCERAIAN

No. daftar cerai:

No. daftar Surat Perakuan Nikah:

No. daftar Surat Perakuan Ruju':

No. kes mal:

Tarikh akad nikah: Hijriah: Tarikh ruju': Hijriah:

Masihi: Masihi:

Tempat pernikahan: Daerah: Negeri/Negara:

Nama suami:

No. Kad Pengenalan/Pasport: Bangsa:

Tarikh lahir: Warganegara:

Alamat:

Pekerjaan:

Nama isteri:

No. Kad Pengenalan/Pasport: Bangsa:

Tarikh lahir: Warganegara:

Alamat:

Pekerjaan:

Jenis perceraian:.....

Talaq kali ke: Jumlah talaq:

Bayaran tebus talaq (*jika ada*):

Cara bercerai: *dengan kebenaran Mahkamah/tanpa kebenaran Mahkamah

Tempat bercerai:

Tarikh bercerai: Hijriah:

Masihi:

Cerai dalam *suci/haid/mengandung/lain-lain.....

Maklumat lain:

.....

Tarikh dikeluarkan:
(Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.



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KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
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Borang 13
[Seksyen 52]

PERMOHONAN UNTUK MENDAFTARKAN RUJU'

No. Permohonan :..... tahun

Pendaftar,
Perkahwinan, Perceraian dan Ruju',
Daerah.....

BUTIRAN SUAMI

- | | | | |
|--------------------------------|--|------------------|--|
| 1. Nama: | | 3. Tarikh lahir: | |
| 2. No. Kad Pengenalan/Pasport: | | 5. Bangsa: | |
| 4. Umur: | | | |
| 6. Alamat semasa: | | | |
| 7. No. telefon: | | | |
| 8. Pekerjaan: | | 9. Jawatan: | |
| 10. Pendapatan: RM | | | |

BUTIRAN ISTERI

1. Nama:
2. No. Kad Pengenalan/Pasport:
3. Tarikh lahir:
4. Umur:
5. Bangsa:
6. Alamat semasa:
7. No. telefon:
8. Pekerjaan:
9. Jawatan:
10. Pendapatan: RM

BUTIRAN PERCERAIAN

1. Cara bercerai: *dengan kebenaran Mahkamah/tanpa kebenaran Mahkamah
2. Tarikh pengesahan perceraian (*jika berkenaan*):
3. Tarikh bercerai:
4. Jenis perceraian**
5. Keadaan isteri semasa bercerai *suci/haid/mengandung/lain-lain:
6. Talaq**
- Kali ke**
7. Tempat bercerai:

	Talaq		Khulu'		Fasakh		Li'an
		1		2		3	
	Pertama		Kedua		Ketiga		

BUTIRAN PERKAHWINAN

1. Tarikh nikah:
2. No. Surat Perakuan Nikah:
3. Tarikh ruju' (*jika ada*):
4. No. Surat Perakuan Ruju':

PENGAKUAN SUAMI

Saya dengan sesungguhnya mengaku bahawa saya telah *bercerai/telah disahkan bercerai oleh Mahkamah *Rendah/Tinggi Syariah pada

**Saya dengan ini memohon untuk meruju' isteri saya kepada nikah yang terdahulu.

**Saya dengan ini mengaku telah meruju' isteri saya pada dan memohon untuk didaftarkan.

PENGAKUAN ISTERI

**Saya dengan sesungguhnya mengaku bahawa saya bersetuju dengan permohonan suami saya untuk ruju' semula kepada nikah kami yang terdahulu dan saya mengaku saya masih dalam iddah.

**Saya dengan sesungguhnya mengaku bahawa suami saya telah meruju' saya pada..... dan saya mengaku saya masih dalam iddah.

Tarikh:.....

.....
(Tandatangan suami)

.....
(Tandatangan isteri)

UNTUK KEGUNAAN PEJABAT

Permohonan ini: ***DILULUSKAN/TIDAK DILULUSKAN**

Tarikh:

.....
(Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.

** Tandakan \checkmark pada yang berkenaan.



ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
(BORANG DAN Fi) (PAHANG) 2019

Borang 14
[Seksyen 52]

SURAT PERAKUAN RUJU'

No. daftar ruju': Tarikh ruju':

Nama suami:

No. Kad Pengenalan/Pasport: Umur:

Pekerjaan:

Alamat:

Nama isteri:

No. Kad Pengenalan/Pasport :.....Umur:

Pekerjaan:

Alamat:

Saya memperakukan bahawa
(Nama Pendaftar) (Nama suami)

telah meruju' isterinyadengan lafaz "Saya ruju' akan isteri
(Nama isteri)

saya..... kepada nikah saya yang terdahulu".
(Nama isteri)

Maklumat pernikahan, perceraian dan ruju' terdahulu:

1. No. Daftar Nikah:

Tarikh nikah:

2. No. Daftar Cerai:
 Tarikh Cerai:
 Bilangan talaq:
 Baki talaq:
3. Tarikh ruju':
- Maklumat lain:.....

Tarikh dikeluarkan:

.....
 (Tandatangan Pendaftar dan cap rasmi)



ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
 (BORANG DAN Fi) (PAHANG) 2019

Borang 15
 [Seksyen 42]

PERMOHONAN UNTUK MEMBETULKAN KESILAPAN MAKLUMAT DALAM
 SURAT PERAKUAN NIKAH/KAD PERAKUAN NIKAH/SURAT PERAKUAN CERAI/
 SURAT PERAKUAN RUJU'

No. Permohonan: tahun

Pendaftar,
 Perkahwinan, Perceraian dan Ruju',
 Daerah.....

Saya No. Kad Pengenalan/
 Pasport:..... beralamat

.....memohon untuk membetulkan kesilapan maklumat dalam *Surat Perakuan Nikah/Kad Perakuan Nikah/Surat Perakuan Cerai/Surat Perakuan Ruju' seperti yang berikut:

BUTIRAN SUAMI

- | | |
|--------------------------------------|---------------------|
| 1. Nama: | 5. Bangsa: |
| 2. No. Kad Pengenalan/Pasport: | 6. Alamat: |
| 3. Tarikh lahir:..... | |
| 4. Umur: | 7. Pekerjaan: |

BUTIRAN ISTERI

- | | |
|--------------------------------------|---------------------|
| 1. Nama: | 5. Bangsa: |
| 2. No. Kad Pengenalan/Pasport: | 6. Alamat: |
| 3. Tarikh lahir: | |
| 4. Umur: | 7. Pekerjaan: |

Maklumat lain:.....

Tarikh:
(Tandatangan pemohon)

UNTUK KEGUNAAN PEJABAT

Permohonan ini: ***DILULUSKAN/TIDAK DILULUSKAN**
*Bayaran dikenakan/tidak dikenakan.

Tarikh:
(Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.



ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
(BORANG DAN FI) (PAHANG) 2019

Borang 16
[Seksyen 43]

PERMOHONAN UNTUK PEMERIKSAAN DAFTAR PERKAHWINAN DAN INDEKS/
MENDAPATKAN SALINAN SURAT PERAKUAN NIKAH/KAD PERAKUAN NIKAH/
SURAT PERAKUAN CERAI/SURAT PERAKUAN RUJU'

No. Permohonan: tahun

Pendaftar,
Perkahwinan, Perceraian dan Ruju',
Daerah.....

1. **KATEGORI PEMERIKSAAN/CARIAN			
	Surat Perakuan Nikah		Kad Perakuan Nikah
	Surat Perakuan Cerai		Surat Perakuan Ruju'

2. BUTIRAN PEMOHON

Nama: No. Kad Pengenalan/Pasport:
Alamat:
Tujuan/Alasan permohonan:

3. BUTIRAN CARIAN

Nama suami: No. Kad Pengenalan/Pasport:
Alamat:
Nama isteri: No. Kad Pengenalan/Pasport:
Alamat:

No. Daftar *nikah/cerai/ruju':

Tarikh *nikah/cerai/ruju':

Tempat *nikah/cerai/ruju':

(Sila lampirkan akuan berkanun, laporan polis dan dokumen lain yang berkaitan)

Tarikh:
(Tandatangan pemohon)

UNTUK KEGUNAAN PEJABAT

Permohonan ini: ***DILULUSKAN/TIDAK DILULUSKAN**

Tarikh:
(Tandatangan Pendaftar dan cap rasmi)

* Potong yang tidak berkenaan.

** Tandakan \checkmark pada yang berkenaan.

JADUAL KEDUA

ENAKMEN UNDANG-UNDANG KELUARGA ISLAM 2005

KAEDAH-KAEDAH UNDANG-UNDANG KELUARGA ISLAM
(BORANG DAN FI) (PAHANG) 2019

FI

[Kaedah 3]

Bil.	Perkara	Seksyen	Kadar (RM)
1.	Borang Akuan Pemastautinan	4	1.00
2.	Sijil Kursus Pra Perkahwinan		5.00
3.	Persetujuan dan Wakalah Wali	13	1.00
4.	Borang permohonan untuk Kebenaran Berkahwin	16	1.00
5.	Kebenaran untuk berkahwin dalam/luar Negeri Pahang	17	15.00
6.	Rujukan ke Mahkamah	18	10.00
7.	Surat Perakuan Nikah	26	15.00
8.	Kad Perakuan Nikah (sepasang)	26	30.00
9.	Borang permohonan daftar perkahwinan luar negeri/daftar perkahwinan sukarela	31/33	1.00
10.	Salinan diperakui sah catatan perkahwinan luar negeri	31	15.00
11.	Salinan diperakui sah catatan dalam daftar perkahwinan bagi perkahwinan sukarela	33	15.00

Bil.	Perkara	Seksyen	Kadar (RM)
12.	Borang permohonan untuk mendaftarkan perceraian	55	1.00
13.	Surat Perakuan Cerai	55	10.00
14.	Borang permohonan untuk mendaftarkan ruju'	52	1.00
15.	Surat Perakuan Ruju'	52	10.00
16.	Fi untuk Pendaftar/Penolong Pendaftar/Juru Nikah		120.00
17.	Fi untuk saksi akad nikah (2 orang X RM20.00)		40.00
18.	Pengendorsan		10.00
19.	Borang Permohonan untuk membetulkan kesilapan pada Surat Perakuan Nikah/Kad Perakuan Nikah/Surat Perakuan Cerai/Surat Perakuan Ruju'	42	1.00
20.	Borang permohonan untuk pemeriksaan Daftar Perkahwinan dan Indeks (tanpa salinan dibekalkan)/mendapatkan salinan Surat Perakuan Nikah/Kad Perakuan Nikah/Surat Perakuan Cerai/Surat Perakuan Ruju'	43	10.00 1.00
21.	Salinan Catatan Diperakui Sah:		
	Surat Perakuan Nikah	26	20.00
	Kad Perakuan Nikah	26	30.00
	Surat Perakuan Cerai	55	20.00
	Surat Perakuan Ruju'	52	20.00

Dibuat 22 April 2019
[JAI.Phg.U.K.I.6/0010; PUN.Phg.D/100/27/7]

Dengan Titah Perintah Kebawah Duli Yang Maha Mulia,

.....
DATO' SRI WAN HAJI ABDUL WAHID BIN WAN HASSAN
Timbalan Yang Dipertua,
Majlis Ugama Islam dan Adat Resam Melayu Pahang

ISLAMIC FAMILY LAW ENACTMENT 2005

ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

ARRANGEMENT OF THE RULES

1. Citation and commencement
2. Forms
3. Fees
4. Non-compliance
5. Repeal
6. Saving

FIRST SCHEDULE

SECOND SCHEDULE

ISLAMIC FAMILY LAW ENACTMENT 2005

ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

IN exercise of the powers conferred by section 135 of the Islamic Family Law Enactment 2005 [*Enactment No. 3 of 2005*], His Royal Highness the Sultan on the advice of the Majlis Ugama Islam dan Adat Resam Melayu Pahang, makes the following rules:

Citation and commencement

1. (1) These Rules may be cited as the **Islamic Family Law (Forms and Fees) (Pahang) Rules 2019**.

(2) These Rules shall come into operation on 1 September 2019.

Forms

2. The forms as prescribed in the First Schedule to these Rules shall be used for all official dealings in connection with marriage, divorce and *ruju'* under the Enactment.

Fees

3. The fees prescribed in the Second Schedule to these Rules shall be charged for all matters specified therein.

Non-compliance

4. Non-compliance any of the forms prescribed shall not render an application, proceeding or hearing void but the Registrar, Syariah Judge or Syariah Court may direct the party to amend or rectify the forms in such manner and upon such terms and conditions.

Repeal

5. The Islamic Family Law (Forms and Fees) Rules 1988 [*Phg. P.U. 8/88*] is repealed.

Saving

6. All rules, proclamations, orders, notifications, notices, forms, authorizations letters and appointment issued or made under or by virtue of any written law repealed by virtue of these Rules shall remain in force, in so far as they are not inconsistent with these Rules, until revoked or replaced by regulations,

rules, proclamations, orders, notifications, notices, forms, authorization letter, or appointment issued or made under these Rules.

FIRST SCHEDULE

ISLAMIC FAMILY LAW ENACTMENT 2005

ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 1
[Section 4]

DECLARATION OF RESIDENTIAL

A. TERMS AND CONDITIONS

1. Applicant must stay at least 3 months or more in the *Kariah* where the application is registered.
2. A copy of applicant's Identity Card/Passport is attached.
3. Certification must be done by: Head of Village/Village Chief/Felda Manager/ Chairman of Residential Association/Chairman of Residential Area/*Tok Batin*.

B. PARTICULARS OF APPLICANT

1. Name:
2. Identity Card/Passport No.:
3. Address as in Identity Card/Passport:.....
4. Address of current resident:
5. Telephone No.:(home)
.....(office)
..... (mobile)
6. Duration of stay in the State of Pahang:year(s)..... month(s)

C. DECLARATION OF APPLICANT

I declare that the all particulars in this form is true.

Date:
(Signature of applicant)

D. RESIDENTIAL CONFIRMATION

I have perused the particulars provided by the applicant, I hereby confirm that the applicant is a resident of the above address for the specified period.

Date:
(Signature and official stamp
of designation)



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 2
[Section 16]

APPLICATION FOR PERMISSION TO MARRY

Application No.: of

INSTRUCTIONS

Please complete the form with "CAPITAL LETTERS"

A. PARTICULARS OF APPLICANT (MALE/FEMALE)*

1. Name:
2. Identity Card/Passport No.:
3. Other identification No.:
4. Army/Police No.:
5. Date of birth:
6. Age:
7. Race:
8. Nationality:
9. Education level:
10. Occupation:
11. Income: RM
12. Address in Identity Card/Passport:
13. Current residential address:
14. Telephone No. (mobile/home):
15. Office address:
16. Office telephone No.:
17. Date of conversion to Islam (*if applicable*) :
18. E-mel:

B. PARTICULARS OF SPOUSE (MALE/FEMALE)*

1. Name:
2. Identity Card/Passport No.:
3. Other identification No.:
4. Army/Police No.:
5. Date of birth:
6. Age:
7. Race:
8. Nationality:
9. Education level:
10. Occupation:
11. Income: RM
12. Address in Identity Card/Passport:
13. Current residential address:
14. Telephone No. (mobile/home):
15. Office address:

16. Office telephone No.:

17. Date of conversion to Islam (*if applicable*):

18. E-mel:

C. PARTICULARS OF PROPOSAL OF SOLEMNIZATION

1. Date of solemnization:
2. Place of solemnization:
3. *Mas kahwin*:
4. Gift :
5. Other gifts:

D. PARTICULARS OF WALI (to be filled by the Female Applicant Only)

1. Name:
2. Identity Card/Passport No.:
3. Date of birth:
4. Age:
5. Residential address:
6. Telephone No.:
7. Relationship of *wali* with applicant:
8. Date of parents marriage:
9. Consent and affirmation of *wali*:

I hereby consent to this proposed marriage and I hereby declare that all the particulars stated in **Part D** is true and if this particulars is false, then I may be prosecuted and convicted under section 38 of the Islamic Family Law Enactment 2005.

Date:

.....

(Signature of *wali*)

E. PARTICULARS OF WITNESSES

1. Name of witness (1):
2. Identity Card/Passport No.:
3. Correspondent address:
4. Telephone no.:
5. Name of witness (2):
6. Identity Card/Passport No.:
7. Correspondent address:
8. Telephone No.:
9. Declaration of witnesses:

We declare that all particulars stated in this form is true and if any particulars is false, then we may be prosecuted and convicted under section 38 of the Islamic Family Law Enactment 2005.

Date:

.....
(Signature of witness (1))

Date:

.....
(Signature of second witness (2))

F. DECLARATION OF APPLICANT

1. I hereby declare that I am a *bachelor/widower/married/*anak dara*/widow/*thayyib*.
2. Divorce Certificate No. (if widower/*janda*):
Date of divorce :
Death Certificate No. (if widower/widow):

Date of death :

3. I declare that all particulars stated in this form is true and if any particulars is false, then I have committed an offence and may be convicted under section 38 of the Islamic Family Law Enactment 2005.

Date:
Signature of applicant

Before me,

.....
(Signature of Registrar/Assistant Registrar/*Juru nikah* and official stamp)

FOR OFFICE USE

This application: ***APPROVED/ NOT APPROVED**

Notes:

Date:

.....
(Signature of Chief Registrar/
Registrar and official stamp)

**Delete whichever is inapplicable.*



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 3A
[Section 17]

PERMISSION TO MARRY WITHIN THE STATE OF PAHANG

Permission No.: of

Registrar,
Marriages, Divorces and *Ruju'*,
District.....

I.....
(Name of Registrar)

Designation: District:

grant permission to
(Name of applicant)

Identity Card/Passport No.

to marry with.....
(Name of spouse)

Identity Card/Passport No.

at
(Address of solemnization of marriage)

Therefore, this matter is referred to you for further action.

Date:

.....
(Signature of Registrar and official stamp)

ATTENTION:

This permission is only valid within 90 days from the date of issuance.



ISLAMIC FAMILY LAW ENACTMENT 2005

ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 3B

[Sections 17 and 20]

PERMISSION FOR MARRIAGE OUT OF THE STATE OF PAHANG

Permission No.: of.....

Chief Registrar,
Marriages, Divorces and *Ruju'*,
Embassy Officer/Consulate Officer/Officer in Concern,
.....

I
(Name of Registrar)

Designation: District:

grant permission to
(Name of applicant)

Identity Card/Passport No.

to marry with
(Name of spouse)

Identity Card/Passport No.

at.....
(Address of solemnization)

Therefore, this matter is referred to you for further action.

Date:
(Signature of Registrar and official stamp)

ATTENTION :

This permission is only valid within 90 days from the date of issuance.



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 4
[Section 13]

CONSENT AND DELEGATION OF *WALI*

CONSENT OF THE *WALI*

I Identity Card/Passport No.
(Name of wali)
is to
(Relationship) (Name of bride)
declare that I agree with the marriage between with
(Name of bride)
..... with the mas kahwin of RM *cash/credit.
(Name of groom)

I will solemnize the marriage personally.

Date:
(Signature of wali)

DELEGATION OF *WALI*

I Identity Card/Passport No.
(Name of wali)
is to hereby delegate
(Relationship) (Name of bride)
to Identity Card/Passport No.
(Name of representative)
as to solemnize my with
(Designation) (Relationship)
..... with the mas kahwin of RM *cash/credit.
(Name of groom)

Date:

.....
(Signature of wali)

I hereby accept the above delegation of wali.

.....
(Signature of the recipient of the delegation)

WITNESSES FOR THE DELEGATION OF WALI

Name:

Name:

Identity Card/Passport No.:

Identity Card/Passport No.:

Address:

Address:

Date:

Date:

.....
(Signature of witness (1))

.....
(Signature of witness (2))

CONFIRMATION OF DELEGATION OF WALI

I verify that the Delegation of
(Registrar)

Wali stated above is made in my presence at.....
(Address of place where the delegation wali has been done)
and it is in accordance to the requirements of the *Hukum Syarak*.

Date:

.....
(Signature Registrar and official stamp)

**Delete whichever is inapplicable.*



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 5
[Section 26]

ENTRY OF THE SOLEMNIZATION

PARTICULARS OF SPOUSE

Name of groom:
Identity Card/Passport No.:
Status:
Address:

Age:

Name of bride:
Identity Card/Passport No.:
Status:
Address:

Age:

We declare that all particulars stated in this form is true and if any particulars is false, then we have committed an offence and maybe convicted under section 38 of the Islamic Family Law Enactment 2005.

.....
(Signature of groom)

.....
(Signature of bride)

PARTICULARS OF *WALI*

Name of *wali* :
Identity Card/Passport No.:
Address:

Age:

Relationship of *wali* with the Bride:

.....
(Signature of *wali*)

PARTICULARS OF MARRIAGE

Permission No.:

Date of solemnization:

Place of solemnization:

Time:

Name of *juru nikah* **wali*/delegated *wali*:

Identity Card/Passport No.:

Mas kahwin:

*cash/credit

Gifts:

Other gifts (*if any*):

PARTICULARS OF WITNESSES

Name of witness (1):
Identity Card/Passport No.:
Address:
Age:

Name of witness (2):
Identity Card/Passport No.:
Address:
Age:

(Signature of the witness (1))

(Signature of the witness (2))

The groom has stated ta'liq as follows:

(Signature of groom)

(Signature of bride)

AFFIRMATION BY THE REGISTRAR / ASSISTANT REGISTRAR

I acknowledge and confirm the solemnization of the above couple is perfectly carried out in accordance with Hukum Syarak and all the particulars given above is true.

Date:

(Signature of Registrar/ Assistant Registrar and official stamp)

*Delete whichever is inapplicable.

REMINDER:

You are required to submit this document for the purpose of registering a marriage within 30 days from the date of the solemnization. The Marriage Certificate and the Marriage Card will only be issued after the registration of the solemnization.



ISLAMIC FAMILY LAW ENACTMENT 2005
 ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 6
 [Section 26]

MARRIAGE CERTIFICATE

Marriage registration No.: Marriage permission No.:

Date of solemnization Hijriah:..... Time:.....

Masihi:.....

Date of registration:

Name of groom:

Identity Card/Passport No.:Age:

Address:

Name of bride:

Identity Card/Passport No.:Age:

Address:

Name of *Wali*:

Identity Card/Passport No.:Age:

Address:

Relationship:

Name of witness of solemnization (1):

Identity Card/ Passport No. :Age:

Address:

Name witness of solemnization (2):

Identity Card/Passport No. :Age:

Address:

Mas kahwin :*cash/credit

Gifts :

Other gifts (*if any*):

Date of issue:

.....
 (Signature of Registrar
 and official stamp)

*Delete whichever is inapplicable.

DECLARATION OF *TA'LIQ*

This is to certify that the Groom has stated *ta'liq* as follows:

Date:

.....
(Signature of Registrar
and official stamp)



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 7
[Section 26]

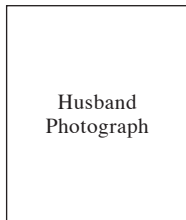
MARRIAGE CARD



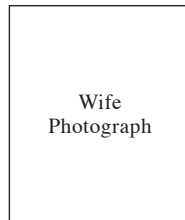
جابتن اڪام اسلام فہق
PAHANG ISLAMIC RELIGIOUS DEPARTMENT

ISLAMIC FAMILY LAW ENACTMENT 2005

MARRIAGE CARD
[Seksyen 26]



Husband
Photograph



Wife
Photograph

Name of husband:
Identity Card/Passport No.:
Name of Wife:
Identity Card/Passport No.:
Registration No.:
Date of solemnization:
Date of issue:
Issuing Office:

Serial No.:

QR CODE

<p>REMINDER:</p> <ol style="list-style-type: none"> 1. This card shall be carried at all times. This card shall be returned to the nearest District of the Pahang Islamic Religious Department in the event of a divorce. 2. Any person who found this card shall return it to the nearest District of the Pahang Islamic Religious Department. 	<p>TT</p> <p>.....</p> <p><i>Chief Registrar of Muslim Marriages, Divorces and Ruju' State of Pahang</i></p>
---	--



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 8
[Section 31/33]

**APPLICATION FOR REGISTRATION OF FOREIGN MARRIAGE

**APPLICATION FOR VOLUNTARY REGISTRATION

Application No.: of

Registrar,
Marriages, Divorces and *Ruju'*,
District

I.....Identity Card/Passport No.....
address.....
was married in accordance with *Hukum Syarak* to.....
Identity Card/Passport No.....
address.....
on..... at.....
.....apply for the registration of the marriage.

PARTICULARS OF HUSBAND

- | | |
|--------------------------------|---------------------|
| 1. Name: | 3. Date of birth: |
| 2. Identity Card/Passport No.: | 5. Race: |
| 4. Age: | 7. Occupation: |
| 6. Nationality: | 9. Education level: |
| 8. Income: RM | |
| 10. Status before marriage: | |

11. Telephone no.:
12. Address as in Identity Card:
13. Current residential address:

PARTICULARS OF WIFE

1. Name:
2. Identity Card/Passport No.:
3. Date of birth:
4. Age:
5. Race:
6. Nationality:
7. Occupation:
8. Income: RM
9. Education level:
10. Status before marriage:
11. Telephone no.:
12. Address as in Identity Card:
13. Current residential address:

PARTICULARS OF WALI

1. Name:
2. Identity Card/Passport No.:
3. Date of birth:
4. Age:
5. Relationship *wali* with bride:
6. Current residential address:
7. Telephone No.:

PARTICULARS OF WITNESSES

1. Name of witness (1):
2. Identity Card/Passport No.:
3. Age:
4. Current residential address:
5. Telephone No.:
1. Name of witness (2):
2. Identity Card/Passport No.:
3. Age:
4. Current residential address:
5. Telephone No.:

PARTICULARS OF MARRIAGE

1. Date of solemnization:
2. Time of solemnization:
3. Place of solemnization:
4. Name of '*uru nikah*':
5. *Mas kahwin*:
- *cash/credit 6. Gifts:
6. Other gifts (*if any*):

- 7. Certificate of Marriage No.:
- 8. Registration No.:
- 11. Place of registration:
- 12. District:
- 14. Return to Malaysia after marriage:
- 15. Declaration of *ta'liq* (if Husband has declared the *ta'liq*) as follows:
- 10. Date of registration:
- 13. State:

DECLARATION OF SPOUSE

- (i) That *I/we hereby solemnly affirm that all the particulars provided above are true.
- (ii) That *I/we have been married according to *Hukum Syarak*.

Date: _____ Date: _____

 (Signature of husband) (Signature of wife)

DECLARATION OF NEXT OF KIN

- 1. Name of next of kin (1):
- 2. Identity Card/Passport No.:
- 4. Current residential address:
- 3. Relationship:
- 1. Name of next of kin (2):
- 2. Identity Card/Passport No.:
- 4. Current residential address:
- 3. Relationship:

That we confirm the marriage of the above spouse has taken place.
 Date: _____ Date: _____

 (Signature of next of kin (1)) (Signature of next of kin (2))

APPROVAL

THIS APPLICATION: ***APPROVED/NOT APPROVED**
 Date: _____

 (Signature of Registrar and Official stamp)

*Delete whichever is inapplicable.
 ** Tick ✓ at applicable .



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 9
[Section 31]

CERTIFIED COPY OF ENTRY IN THE MARRIAGE
REGISTRATION FOR FOREIGN MARRIAGE

Solemnization registration No.: Date of solemnization:

Previous solemnization registration No.: Time of solemnization:

PARTICULARS OF HUSBAND

Name of husband: Identity Card/Passport No.:

Date of birth: Address:

Marriage status:

PARTICULARS OF WIFE

Name of wife: Identity Card/Passport No.:

Date of birth: Address:

Marriage status:

PARTICULARS OF WALI

Name of wali: Identity Card/Passport No.:

Address: Relationship:

PARTICULARS OF WITNESSES

Name of witness (1): Identity Card/Passport No.:

Address:

Name of witness (1): Identity Card/Passport No.:

Address:

PARTICULARS OF MARRIAGE

Mas kahwin: *cash/credit Place of solemnization:

Declaration of *ta'liq*(if any):

Date of issue:

.....
(Signature of Registrar and official stamp)

*Delete whichever is inapplicable.



ISLAMIC FAMILY LAW ENACTMENT 2005

ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 10
[Section 33]CERTIFIED COPY OF ENTRY IN THE MARRIAGE
REGISTRATION FOR VOLUNTARY MARRIAGE

Solemnization registration No.:

Date of solemnization:

Previous solemnization registration No.:

Time of solemnization:

PARTICULARS OF HUSBAND

Name of husband:

Identity Card/Passport No.:

Date of birth:

Address:

Marriage status:

PARTICULARS OF WIFE

Name of wife:

Identity Card/Passport No.:

Date of birth:

Address:

Marriage status:

PARTICULARS OF WALI

Name:

Identity Card/Passport No.:

Address:

Relationship :

PARTICULARS OF WITNESSES

Name of witness (1):

Identity Card/Passport No.:

Address:

Name of witness (1):

Identity Card/Passport No.:

Address:

PARTICULARS OF MARRIAGE

Mas kahwin:

*cash/credit Place of solemnization:

Declaration of *Ta'liq* (if any):

Date of issue:

.....
(Signature of Registrar and official stamp)

*Delete whichever is inapplicable.



ISLAMIC FAMILY LAW ENACTMENT 2005
 ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 11
 [Section 55]

APPLICATION FOR REGISTRATION OF DIVORCE

Application No.: of

Registrar,
 Marriage, Divorce and *Ruju'*,
 District.....

I.....

Identity Card/Passport No.: address:

.....

has been divorced in according *Hukum Syarak* with:

Name:

Identity Card/Passport No.: address:

.....

Date of divorce: Place of divorce:

Herewith enclosed the Registration Order from the Syariah Court confirming the divorce.

Case No. :

Hereby I apply to register the divorce.

Date:

.....
 (Signature of applicant)

FOR OFFICE USE

This application: ***APPROVED/NOT APPROVED**

Date:

.....
 (Signature of Registrar and official stamp)

**Delete whichever is inapplicable.*



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 13
[Section 52]

APPLICATION FOR REGISTRATION OF *RUJU*'

Application No.: of

Registrar,
Marriage, Divorce and *Ruju*'

District

PARTICULAR OF HUSBAND

1. Name:
2. Identity Card/Passport No.:
3. Date of birth:
4. Age:
5. Race:
6. Current address:
7. Telephone No.:
8. Occupation:
9. Designation:
10. Income: RM

PARTICULARS OF WIFE

1. Name:
2. Identity Card/ Passport No.:
3. Date of birth:
4. Age:
5. Race:
6. Current address:
7. Telephone No.:
8. Occupation:
9. Designation:
10. Income: RM

PARTICULARS OF DIVORCE

1. Manner of divorce: *with permission of the Court/without permission of the Court
2. Confirmation date of divorce (if any):
3. Date of divorce:

4. Type of divorce**:

<i>Talaq</i>		<i>Khulu'</i>		<i>Fasakh</i>		<i>Li'an</i>
--------------	--	---------------	--	---------------	--	--------------

5. Status of wife during the divorce *non-menstrual period/menstrual/pregnancy, other:
.....

6. *Talaq***

1		2		3
First		Second		Third

- No. of *talaq***

7. Place of divorce:

PARTICULARS OF SOLEMNIZATION

1. Date of solemnization:
2. Marriage Certificate No.:
3. Date of *ruju*' (if any):
4. *Ruju*' Certificate No.:

DECLARATION OF HUSBAND

I solemnly declare that I have *divorced/have been divorced by the Syariah *Subordinate / High Court on

[] **I hereby apply to ruju' my wife to my previous marriage.

[] **I hereby confess that I ruju' my wife on and apply to register the ruju'.

DECLARATION OF WIFE

[] **I hereby confess that I consent to the ruju' application of my husband to our previous marriage and I am still in 'iddah.

[] **I hereby confess that my husband has ruju' to me on and I am still in 'iddah.

Date:

..... (Signature of husband)

..... (Signature of wife)

FOR OFFICE USE

This application: *APPROVED / NOT APPROVED

Date: (Signature of Registrar and official stamp)

*Delete whichever is inapplicable.

** Tick ✓ at applicable [] .



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 14
[Section 52]

CERTIFICATE OF RUJU'

Ruju' registration No.: Date of ruju':.....

Name of husband :

Identity Card/Passport No.: Age :

Occupation:

Address:

Name of wife :

Identity Card/Passport No.: Age :

Occupation:

Address:

I..... certify that..... has
 (Name of Registrar) (Name of husband)
ruju' his wife with a declaration "I *ruju'* my wife
 (Name of wife)
 of my previous marriage".
 (Name of wife)

Information of marriage, divorce and previous *ruju'*:

1. Solemnization Registration No.:.....
 Date of solemnization:
2. Divorce Registration No.:
 Date of divorce:
 No. of *talaq*:
 Balance of *talaq*:
3. Date of *ruju'*:

Other information:

Date of issue:

.....
 (Signature of Registrar and official stamp)



ISLAMIC FAMILY LAW ENACTMENT 2005

ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

FORM 15
 [Section 42]

APPLICATION TO CORRECT INFORMATION ERRORS IN
 MARRIAGE CERTIFICATE/MARRIAGE CARD/
 DIVORCE CERTIFICATE/*RUJU'* CERTIFICATE

Application No.: of

Registrar,
 Marriage, Divorce and *Ruju'*,

District

I..... Identity Card/Passport No.:
 address.....apply
 to correct information errors in the *Marriage Certificate/Marriage Card/Divorce Certificate/
Ruju' Certificate as follows:

PARTICULARS OF HUSBAND

- 1. Name: 5. Race:
2. Identity Card/Passport No.: 6. Address:
3. Date of birth:
4. Age: 7. Occupation:

PARTICULARS OF WIFE

- 1. Name: 5. Race:
2. Identity Card/Passport No.: 6. Address:
3. Date of birth:
4. Age:..... 7. Occupation:

Other information:.....

Date:

(Signature of applicant)

FOR OFFICE USE

This application: *APPROVED/NOT APPROVED
*Payment is charged/not charged.

Date:

(Signature of Registrar and official stamp)

*Delete whichever is inapplicable.



ISLAMIC FAMILY LAW ENACTMENT 2005
ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2018

FORM 16
[Section 43]

APPLICATION FOR INSPECTION OF MARRIAGE REGISTER
AND INDEX/PROCURE A COPY OF MARRIAGE
CERTIFICATE/MARRIAGE CARD/DIVORCE
CERTIFICATE/RUJU' CERTIFICATE

Application No.: of

Registrar,
Marriage, Divorce and Ruju',

District

1. **INSPECTION/PROCURE CATEGORY			
	Marriage Certificate		Marriage Card
	Divorce Certificate		<i>Ruju'</i> Certificate
2. PARTICULARS OF APPLICANT			

Name: _____ Identity Card/Passport No.: _____
 Address: _____
 Purpose/Ground of application: _____

3. PARTICULARS OF SEARCH

Name of husband: _____ Identity Card/Passport No.: _____
 Address: _____
 Name of wife: _____ Identity Card/Passport No.: _____
 Address: _____
 Registration no. of *marriage/divorce/*ruju'*: _____
 Date of *marriage/divorce/*ruju'*: _____
 Place of *marriage/divorce/*ruju'*: _____

(Please enclose statutory declaration, police report and other relevant documents)

Date: _____

.....
 (Signature of applicant)

FOR OFFICE USE

This application: ***APPROVED/NOT APPROVED**

Date: _____

*Delete whichever is inapplicable.

** Tick at applicable.

.....
 (Signature of Registrar and official stamp)

SECOND SCHEDULE

ISLAMIC FAMILY LAW ENACTMENT 2005

ISLAMIC FAMILY LAW (FORMS AND FEES) (PAHANG) RULES 2019

(FEE)

[Rule 3]

No.	Subject	Section	Rate (RM)
1.	Form for Declaration of Residential	4	1.00
2.	Certificate of Pre Marriage Course		5.00

No.	Subject	Section	Rate (RM)
3.	Consent and Delegation of <i>Wali</i>	13	1.00
4.	Application form for Permission to Marry	16	1.00
5.	Permission to marry within/out of the State of Pahang	17	15.00
6.	Reference to the Court	18	10.00
7.	Marriage Certificate	26	15.00
8.	Marriage Card (a pair)	26	30.00
9.	Application form for registration of foreign marriage/ voluntary marriage	31/33	1.00
10.	Certified copy of entry in the marriage registration for foreign marriage	31	15.00
11.	Certified copy of entry in the marriage registration for voluntary marriage	33	15.00
12.	Application form for registration of divorce	55	1.00
13.	Divorce Certificate	55	10.00
14.	Application form for registration of <i>ruju'</i>	52	1.00
15.	<i>Ruju'</i> Certificate	52	10.00
16.	Fee For Registrar/Assistant Registrar/ <i>Juru Nikah</i>		120.00
17.	Fee for witness of solemnization (2 pax X RM20.00)		40.00
18.	Endorsement		10.00
19.	Application form to correct information errors Marriage Certificate/Marriage Card/Divorce Certificate/ <i>Ruju'</i> Certificate	42	1.00
20.	Application form for Inspection of Marriage Register and Index (without supplied copy)/Procure a copy of Marriage Certificate/Marriage Card/Divorce Certificate/ <i>Ruju'</i> Certificate	43	10.00 1.00
21.	Certified Copy of: Marriage Certificate Marriage Card Divorce Certificate <i>Ruju'</i> Certificate	26 26 55 52	20.00 30.00 20.00 20.00

Made: 22 April 2019

[JAIP.Phg.U.K.I.6/0010; PUN.Phg.D/100/27/7]

By Command of His Royal Highness,

DATO' SRI WAN HAJI ABDUL WAHID BIN WAN HASSAN
Timbalan Yang Dipertua,
Majlis Ugama Islam dan Adat Resam Melayu Pahang

Hakcipta Pencetak (H)

PERCETAKAN NASIONAL MALAYSIA BERHAD

Semua Hak Terpelihara. Tiada mana-mana bahagian jua daripada penerbitan ini boleh diterbitkan semula atau disimpan di dalam bentuk yang boleh diperolehi semula atau disiarkan dalam sebarang bentuk dengan apa jua cara elektronik, mekanikal, fotokopi, rakaman dan/atau sebaliknya tanpa mendapat izin daripada Percetakan Nasional Malaysia Berhad (Pencetak kepada Kerajaan Malaysia yang dilantik).



DICETAK OLEH
PERCETAKAN NASIONAL MALAYSIA BERHAD,
KUALA LUMPUR
BAGI PIHAK DAN DENGAN PERINTAH KERAJAAN MALAYSIA