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**A STUDY ON THE PROCEDURES AND CONDITIONS OF POLYGAMY  
APPLICATION IN FEDERAL TERRITORIES**

**By**

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## **ABSTRACT**

This research focuses on two main issues in Federal Territories namely the procedure which requires consent of the existing wife in polygamous marriage and the other one is concerning conditions in section 23(4) and how the courts interpret each condition. The wording of this section shows that the consent of the existing wife is not mandatory because the section does not say that the husband must get the consent from the existing wife; instead he only needs to state whether he has obtained the consent or views or not. A big question arises as to why the consent of the existing wife is not required in the polygamy procedures. Thus, this research is conducted in order to study the necessity of the procedure which requires consent of the existing wife in an application for polygamy. The opinions from those who have the experience in handling polygamy cases are sought and decided cases that are relevant for the topic have also been included in this research. Other than the issue of consent, there is also detail discussions on how the courts determine whether the husband fulfills all the conditions stated in Section 23(4)(a) until (d). This issue is chosen because there is still no detail information as to how the courts interpret each condition in Section 23(4). For instance there is no suffice information what does the words “just and necessary” mean. So, this research is basically a study on the procedures and conditions of polygamy applications

## TABLE OF CONTENTS

Acknowledgement	ii
Abstract	iii
Contents	iv
List of Cases	vii

### CHAPTER 1 : INTRODUCTION

1.1 Introduction	1
1.1.1 Definition of polygamy	1
1.1.2 Historical aspect of polygamy	2
1.1.3 Authority on polygamy in Islam	4
1.1.4 Incorporation of matters concerning polygamy in the Islamic Law in Malaysia	6
1.2 Problem Statement	7
1.3 Objectives of Study	9
1.4 Literature Review	9
1.5 Methodology	13
1.6 Limitation	14
1.7 Significance of Study	14
1.8 Provisional Plan of Research	15

**CHAPTER 2 : THE PROCEDURES FOR POLYGAMY APPLICATION UNDER  
SECTIONS 23(1),(2) AND (3) OF ISLAMIC FAMILY LAW  
(FEDERAL TERRITORIES) ACT 1984 (ACT 303)**

2.1	Introduction	16
2.2	The Interpretation of Section 23(1) of Islamic Family Law (Federal Territories) Act 1984 (Act 303)	16
2.2.1	The requirement of Court's permission	16
2.2.2	Punishment for polygamy without Court's permission	17
2.2.3	The basic documents required for the application	18
2.3	The Interpretation of Section 23(2) of Islamic Family Law (Federal Territories) Act 1984 (Act 303)	19
2.3.1	Polygamous marriage in the Federal Territory	19
2.3.2	Polygamous marriage in other states in Malaysia	19
2.4	The Interpretation of Section 23(2) of Islamic Family Law (Federal Territories) Act 1984 (Act 303)	20
2.4.1	The requirement of statutory declaration	20
2.4.2	Just and necessary marriage	20
2.4.3	Present income, financial obligations and liabilities of the applicant	22
2.4.4	Number of dependants	23
2.4.5	Consent from the existing wife or wives	23
2.5	Conclusion	25