


MUSLIM MARRIAGE, DIVORCE AND
CUSTODY OF CHILDREN IN THE
STATE OF PERAK

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PREFACE

Questions pertaining to marriage, divorce and custody of children will be governed by the State Enactment coupled with any other existing law that applicable with. Prior to the solemnization of the marriage, the parties to the intended marriages are mandatory to follow all procedures under the Enactment. The increasing number of divorce in Perak has effect the great concern in our society. Statistic compiled from the Religious Department more or less shows the increasing or decreasing rate of divorce among Muslim. Steps should be taken by parties concern or new law should be introduced regarding the problem on family life, in order to reduce the rate of divorce in Perak.

PURPOSE

The main purpose of this study is to make clear how the Enactment practically practised and had properly exercised. Attempt also made as to the procedures, application and administration that should be complied with under the Enactment. The analysis of the statistic compiled from the Religious Department, show the rate of divorce in every year, and how the Syariah Court and Religious Department play a vital role in helping to enforce the law on marriage, divorce and custody effectively

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INTRODUCTION

The main purpose of this project paper will deal with discussion on marriage, divorce, custody of infant and matrimonial relief available to Muslim women. The law governing the Muslim marriage, divorce and custody of children in Perak which has been validated by constitution (Amendment) in September 1984, coupled with subsidiary legislation that is "Undang-undang Nikah Cerai Rujuk 11/1965 which laid down the various rules and procedures of marriage and divorce.

In Perak, unlike other states, it consists 16 district altogether which are subjected under the same Enactment. The districts are:-

1. Ipoh
2. Batu Gajah
3. Parit
4. Kampung Gajah
5. Teluk Intan
6. Lumut
7. Tapah
8. Slim River
9. Kuala Kangsar
10. Taiping
11. Bagan Serai