

**A CRITICAL ANALYSIS ON THE JURISDICTION OF CIVIL COURTS  
IN HEARING ISLAMIC BANKING AND FINANCE CASES IN  
MALAYSIA**

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## **ABSTRACT**

According to the Ninth Schedule of Federal List in the Federal Constitution, disputes regarding to the banking and finance shall be tried in the civil courts including Islamic banking and finance matters. However, several issues have been arises due to the unsuitability of civil courts in hearing Islamic banking and finance cases. One of the issues is the judges made decisions which are not complied with Shariah principles. Besides, the comparisons had been made with the other countries such as Pakistan, Bahrain and Saudi Arabia relating to which court or bodies have the jurisdiction in hearing the cases of Islamic banking and finance. The aim of this study is to analyse on the jurisdiction of civil courts in hearing Islamic banking and finance disputes. In addition, we also give several suggestions to improve the jurisdiction of courts in hearing Islamic banking and finance cases.

## TABLE OF CONTENTS

Acknowledgement	ii
Abstract	iii
Contents	iv
List of Cases	vii

### CHAPTER ONE: INTRODUCTION

1.0 Introduction	1
1.1 Background	2
1.2 Problem Statement	4
1.3 Research Objectives	6
1.4 Research Methodology	6
1.5 Scope of the Research	7
1.6 Limitation of the Research	8
1.7 Significance of the Research	9
1.8 Conclusion	9

### CHAPTER TWO: LITERATURE REVIEW ON A CRITICAL ANALYSIS ON THE JURISDICTION OF CIVIL COURTS IN HEARING ISLAMIC BANKING AND FINANCE DISPUTES

2.0 Introduction	11
2.1 The Law that Governs the Court Jurisdiction in Hearing Islamic Banking and Finance Disputes	11

2.1.1 General Definition of Islamic Banking and Finance	11
2.1.2 The Nature of Islamic Banking and Finance	14
2.1.3 The Jurisdiction of the Court over Islamic Banking and Finance	
Disputes	15
2.1.4 The Establishment of Shariah Advisory Council (SAC)	19
2.1.5 A Comparative Study with Other Countries	22

**CHAPTER THREE: ISSUES ARISES AS TO THE JURISDICTION OF COURTS  
CONCERNING ON ISLAMIC BANKING AND FINANCE  
DISPUTES**

3.0 Introduction	28
3.1 Issues Related	28
3.1.1 Challenges and Obstacles for Shariah Court in Hearing Islamic Banking and Finance Cases	28
3.1.2 Limitations of Federal Constitution	31
3.1.3 Incompetency of Judges and Lawyers in Dealing with Islamic Banking and Finance Cases	35

**CHAPTER FOUR: FINDINGS**

4.0 Introduction	38
4.1 Questionnaires	38
4.2 Interviews	48