



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

## THE MUSLIM LAW (SHARIAH) COUNCIL UK

20 – 22 Creffield Road, Ealing, London W5 3RP

Tel.: +44(0) 20 8992 6636 (Ex: 100) / Fax: +44(0) 20 8993 3946

Lines are open: Monday to Thursday, 11.00 am – 3.30 pm

Email: [info@shariahCouncil.org](mailto:info@shariahCouncil.org) / Web: [www.shariahCouncil.org](http://www.shariahCouncil.org)

(ESTABLISHED IN 1985)

Date \_\_\_\_\_

Dear Sister,

*Assalamu alaikum wa rahmatu Allah wa barakatuh*

I refer to your recent inquiry regarding our procedure to secure an Islamic Divorce Certificate (Talaq). In order to begin proceedings **please complete the enclosed divorce application form and send it to our correspondence address: 20-22 Creffield Road, Ealing, London W5 3RP**. We also require with your application the following:

1. A **copy** of your marriage certificate. If you do not have this document contact us to obtain a statutory declaration form which is accepted by the Council as a replacement for the marriage certificate.
2. A signed and dated personal statement outlining the reasons for seeking an Islamic Divorce (for further details see overleaf)

The Muslim Law (Shariah) Council UK charges **£325.00** for this service. There are no other additional charges or fees. Please make the payment prior to sending your application

**Bank transfer**

**Account name: 'The Muslim Law and (Shariah) Council UK**

**Bank name: Llyods**

**Bank Account: 31358568**

**Sort code: 30-90-89**

**Pay by cheque: Payable to 'The Muslim Law (Shariah) Council UK**

Please quote your full name for reference. Thank you

Yours sincerely,

**M. S. Raza**

**Executive Secretary**

On behalf of the Muslim Law (Shariah) Council UK



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### **IMPORTANT INFORMATION – PLEASE READ CAREFULLY BEFORE MAKING YOUR APPLICATION**

If your Islamic marriage (Nikah) was conducted outside the UK, e.g. Pakistan, Egypt etc. and was conducted in accordance with the law of that country, you will be asked by the Shariah Council to initiate Civil Divorce proceedings so that you can obtain a Decree Absolute (Civil Divorce) as well. This is a requirement of UK Law.

If your marriage was registered with the office of the Registrar of Marriages in the UK or in other European/Western countries you will require a Civil Divorce.

In both cases depending upon the nature of proceedings the Shariah Council may not issue an Islamic Divorce to you until the Civil Divorce is pronounced.

If you withhold or conceal any information regarding this case, or provide us with misleading information, the decisions taken by the Shariah Council will be null and void and any divorce certificate issued to you will no longer be valid.

### **PETITIONER'S SUBMISSION**

#### **(YOUR GRIEVANCES AGAINST YOUR SPOUSE/REASONS FOR DEMANDING A DIVORCE)**

Please use a separate sheet of paper for your petition.

Please bear in mind that the Muslim Law Shariah Council may ask you to provide evidence to support your submission/statement. To help us in your application and to help you through this process as quickly as possible, please consider the following advice:

1. Be precise and brief;
2. Type/print your statements IN ENGLISH;
3. Towards the end of your statements;
  - a. Print your names in full in BLOCK CAPITAL LETTERS;
  - b. Sign and Date them;
4. Send the original signed copy of your statement with your completed application
5. Keep a copy for your own records

**Note:** A copy of your statement will be forwarded to your spouse.



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### PROCEDURE FOR ISLAMIC DIVORCE

1. The applicant has to submit all the required information in full to the Shariah Council, by completing an application form and providing us with copies of the required documents and paying our charges in full.
2. All the completed forms and information received will be checked and processed confidentially at the office of the Council. If further information is required, the applicant will be asked for that.
3. Once all the information has been received, the applicant will be acknowledged with a reference number for the case and a receipt for the payment of the charges.
4. At the same time, the husband (respondent) will be issued with a notice and asked either to divorce the applicant or to show the Council reasons in writing for not so doing.
5. If he writes to the Council and wishes to defend his case or asks for reconciliation.
  - a. The applicant will be contacted again and instructed accordingly by the Council.
  - b. Reconciliation can take place only if both the couple agrees to it.
  - c. Normally at the request of the respondent (husband) the Council allows a reasonable period of time for reconciliation efforts to be made by the husband through his own resources and family contacts.
  - d. However, if the applicant does not agree to reunite, then such efforts for reconciliation, can only delay the process of an Islamic Divorce for a few months. Eventually the Council, under the rules of Islamic Law, will have to dissolve the Nikah and issue a Divorce Certificate to the applicant.
  - e. If the husband agrees to divorce the applicant with certain conditions e.g. demands some money by way of Khula or demands any jewellery given to the applicant at the time of the marriage be returned, such an offer will be adjudicated by the Council and a decision will be made accordingly.
  - f. Conditions like custody of the children, financial claims, or claims on property, cannot be adjudicated by the Council, because such matters are outside of our jurisdiction and must be settled in a court of Civil Law.
  - g. However in such matters the Council, on moral grounds, can impose some conditions with the divorce.
6. If the respondent does not reply to our first notice in time, then a second notice will be sent to them, giving them a repeated opportunity.
7. If we receive no reply to our second notice, a third and final notice will be sent to them.
8. If the Council does not receive a reply to its third and final notice within thirty days, the case will be presented to the full board of the Council at its first meeting after expiry of the thirty days' notice period, with a recommendation of dissolution of Nikah.
9. The board normally meets every three months. Occasionally, an emergency meeting may be called.



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10. Once the board has decided to dissolve the Nikah, an Islamic Divorce may be issued within one week of this decision and posted to the applicant.
11. A copy of this Divorce Certificate is also sent to the respondent.
12. In cases where a Civil Divorce (Decree Absolute) is also required, the Council will not issue an Islamic Divorce until the applicant has received their Decree Absolute in order to avoid any possible conflict between the Law of the land and Islamic Law (Shariah).
13. If the Council concludes its proceedings before the pronouncement of Civil Divorce a letter of entitlement of Islamic Divorce will be issued to the applicant.
14. The actual certificate of Islamic Divorce will be issued to the applicant when the Council has received a copy of their Decree Absolute.
15. If the respondent submits a written undertaking to the Council agreeing to an Islamic Divorce after the Civil Divorce and related matters has been concluded in court the Council will accept such a submission and will wait accordingly. However if the respondent fails to fulfil his promise the Council will exercise its power to issue an Islamic Divorce without the consent of the respondent.
16. In cases where respondents do not reply to our notices at all, the Council will ultimately decide the case in favour of the applicant.
17. The address of the applicant normally appears on the notices sent to the respondent; but if requested to keep it confidential, this is not released.
18. Normally, if both parties are resident in the United Kingdom, the case is decided in about three to six months' time. If one of the parties resides abroad, it takes about six months to one year.
19. If the applicant withholds or conceals any information regarding the case, or provides the Council with misleading information, the Islamic Divorce issued by the Council will become null and void.
20. After the issuance of an Islamic Divorce if the Council receives a complaint from the husband, within the period of Iddah (3 months), based on evidences that the Council's decision of divorce is not accurate. The Council may decide to suspend such a divorce in order to make fair investigations. Such an investigation will be concluded within a reasonable period of time and in the light of the findings the Divorce will be either confirmed or withdrawn.
21. Case files will be securely retained by the Shariah Council for a period of six years from the date of application, after which they will be safely destroyed.
22. The council will only contact the applicant on a need to basis. Please note the council does not provide updates. In exceptional cases, it will be considered, the applicant is required to make a written request either via post or email.
23. The Shariah council reserves the right to terminate the application and **no refund will be issued**, if any of the terms mentioned above are breached by the applicant.



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### ISLAMIC DIVORCE APPLICATION FORM FOR WOMEN

#### (TALAQ, KHULA'A OR FASKH)

#### 1. LETTER OF AUTHORITY & ACCEPTANCE

I (name of the Wife)

of (Address)

Email

Tel/ Mobile

Authorize the Muslim Law (Shariah) Council to investigate my case and then to consider my application to obtain an Islamic Divorce (Talaq) according to the rules and regulations of the Council.

1. I promise to accept the decision of the Council irrespective of my own personal interests in order to maintain the supremacy of the Shariah over all other considerations. However, I may withdraw my application before the Council's decision, but I understand that once the Council has initiated the proceedings **I will not be able to claim the refund of the fee paid.**

2. I confirm that I have not applied to any other Shariah Council/Court for my Islamic Divorce. Before I do so, I will inform the Council and withdraw this application.

3. I also promise not to enter into another marriage contract (Civil or Islamic) before the verdict of the Council.

4. I also solemnly swear that at the moment I am not violating any of the matrimonial laws of the Shariah.

5. I confirm that I have received a copy of two pages of information "ISLAMIC DIVORCE, OUR PROCEDURE" from the Shariah Council and I have read it carefully and I agree to it.

6. I understand and agree that the file for my case will be securely retained by the Shariah Council **for a period of six years** from the date of my application, after which it will be safely destroyed.

7. I understand and agree that the Shariah Council will treat all its customers with respect. In return the Shariah Council will not tolerate any abuse towards its staff. Any verbal abuse or threats will be treated as a strong offense and the Shariah Council will take the strongest possible action against such cases.

Signed

Name in BLOCK CAPITALS

Date



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### Witness 1:

Please note that the first witness **MUST** be a professional person or someone well-respected in your community ('of good standing') like a bank or building society official, councillor, GP, dentist, police officer, solicitor, Imam, teacher or lecturer. The person you ask shouldn't be related to you, living at the same address or in a relationship with you.

We confirm that \_\_\_\_\_ has signed in my presence.

Signed	_____
Name in BLOCK CAPITALS	_____
Date	_____

Organisation name	_____
Role	_____
Email	_____
Tel/Mobile	_____

If you are unable to find such a witness enclose photocopies of the following:

- Photo page of your Passport or your driving licence photocard
- A recent utility bill/bank statement showing your current name and address

### Witness 2:

Please note that the second witness **MUST** be a Muslim man/woman over the age of 18.

We confirm that \_\_\_\_\_ has signed in my presence.

Signed	_____
Name in BLOCK CAPITALS	_____
Address	_____
Email	_____
Tel/Mobile	_____



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### 2. PERSONAL DETAILS

#### About Yourself:

1. Full Name \_\_\_\_\_
2. Father's Name \_\_\_\_\_
3. Date of Birth \_\_\_\_\_
4. Country of Birth \_\_\_\_\_
5. Nationality \_\_\_\_\_
6. Occupation \_\_\_\_\_
7. Marital Status  First Marriage  Second Marriage  
 Third Marriage
8. If this is your second marriage, what was the reason for the dissolution of the first Marriage  Divorced  Widowed
9. Religious Status  Muslims by birth  Converted to Islam before marriage  
 Converted to Islam at the time of marriage

#### About Your Husband:

1. Full Name \_\_\_\_\_
2. Father's Name \_\_\_\_\_
3. Date of Birth \_\_\_\_\_
4. Country of Birth \_\_\_\_\_
5. Nationality \_\_\_\_\_
6. Occupation \_\_\_\_\_



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7. Marital Status  First Marriage  Second Marriage  
 Third Marriage
8. If this is his second marriage, what was the reason for the dissolution of the first Marriage  Divorced  Widowed
9. Religious Status  Muslims by birth  Converted to Islam before marriage  
 Converted to Islam at the time of marriage

### 3. PARTICULARS OF MARRIAGE

1. Date of Islamic Marriage (*Nikah*) \_\_\_\_\_
2. Place of Islamic Marriage (name of city/village) \_\_\_\_\_
3. Country of Islamic Marriage \_\_\_\_\_
4. Total amount of Dower (*Mahr*) agreed at the time of Islamic Marriage \_\_\_\_\_
5. How much has been paid? (Please specify currency as well) \_\_\_\_\_
6. How much has been deferred? (Please specify currency as well) \_\_\_\_\_
7. Date of Civil Marriage \_\_\_\_\_
8. Place ( City) of Civil Marriage \_\_\_\_\_
9. Did you live together after the marriage?  Yes  No
10. Was the Marriage consummated?  Yes  No





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11. Date of separation \_\_\_\_\_
12. Was your husband providing you with maintenance before separation?  Yes  No
13. Are you receiving any maintenance from your husband after separation?  Yes  No

### 4. PARTICULARS OF JEWELLERY & VALUABLES

1. Have you received items of jewelry /cash/valuables from your husband, his parents or relatives at the time of marriage or afterwards?  Yes  No

2. If the answer to Question 1 is 'Yes', please give details below:

- a. Cash/Money  Yes  No If 'Yes', how much? \_\_\_\_\_
- b. Property/Land  Yes  No If 'Yes', please give details? \_\_\_\_\_
- c. Jewelry/Valuables  Yes  No If 'Yes', please specify below: \_\_\_\_\_

	NAME OF THE ITEM (Ring, Bracelet, etc...)	HOW MANY?	COMPOSITION (gold, silver, diamonds, etc.)	ESTIMATED VALUE (£)
1.				
2.				
3.				
4.				
5.				
6.				
7.				
8.				
9.				
10.				



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### 5. DETAILS OF CHILDREN

1. Do you have children from this marriage?  Yes  No
2. If 'Yes', do the children live with you?  Yes  No
3. If 'Yes', will you be ready to agree to give Your spouse regular access to your children after the Islamic Divorce?  Yes  No

4. Please give details of all your children from this marriage:

	NAME OF CHILD	GENDER OF CHILD	CHILD'S DATE OF BIRTH
1.			
2.			
3.			
4.			
5.			
6.			
7.			
8.			



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### 6. PARTICULARS REGARDING CIVIL DIVORCE (DECREE ABSOLUTE)

1. If you were married in accordance to Islamic Law in a Muslim country (i.e. Egypt, Pakistan, Malaysia, etc...) your Islamic marriage is recognised in the United Kingdom as equal to civil/legal marriage. According to British Law, you are required to obtain a Civil Divorce.

2. If you registered your marriage in the United Kingdom or other countries (i.e. European Union, the United States of America, etc.) you are required to obtain a Civil Divorce.

- |   |                              |                             |
|---|------------------------------|-----------------------------|
| 1. Do you require a Civil Divorce?              | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. Have you applied for a Civil Divorce?        | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 3. Has your spouse applied for a Civil Divorce? | <input type="checkbox"/> Yes | <input type="checkbox"/> No |
| 4. Have you already obtained a Civil Divorce?   | <input type="checkbox"/> Yes | <input type="checkbox"/> No |

4. If your answer to Question 4 is 'Yes'

a. Date of Decree Nisi: \_\_\_\_\_

b. Date of Decree Absolute: \_\_\_\_\_

c. Name and address of the Court where the Civil Divorce was declared: \_\_\_\_\_

d. Who initiated the Divorce proceedings?  Me  My Spouse

5. If you initiated the Divorce proceedings, Please tell us if your spouse consented to this Divorce  Yes  No



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  - a. The applicant will be contacted again and instructed accordingly by the Council.
  - b. Reconciliation can take place only if both the couple agrees to it.
  - c. Normally at the request of the respondent (husband) the Council allows a reasonable period of time for reconciliation efforts to be made by the husband through his own resources and family contacts.
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  - e. If the husband agrees to divorce the applicant with certain conditions e.g. demands some money by way of Khula or demands any jewellery given to the applicant at the time of the marriage be returned, such an offer will be adjudicated by the Council and a decision will be made accordingly.
  - f. Conditions like custody of the children, financial claims, or claims on property, cannot be adjudicated by the Council, because such matters are outside of our jurisdiction and must be settled in a court of Civil Law.
  - g. However in such matters the Council, on moral grounds, can impose some conditions with the divorce.
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9. The board normally meets every three months. Occasionally, an emergency meeting may be called.
10. Once the board has decided to dissolve the Nikah, an Islamic Divorce may be issued within one week of this decision and posted to the applicant.
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15. If the respondent submits a written undertaking to the Council agreeing to an Islamic Divorce after the Civil Divorce and related matters has been concluded in court the Council will accept such a submission and will wait accordingly. However if the respondent fails to fulfil his promise the Council will exercise its power to issue an Islamic Divorce without the consent of the respondent.
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23. The Shariah council reserves the right to terminate the application and **no refund will be issued**, if any of the terms mentioned above are breached by the applicant.

I confirm that I have read the two pages of the information regarding Islamic Divorce procedure and I agree to it.

Signed

Name in BLOCK CAPITALS

Date

**Note:** For your information we have enclosed a copy of this document with our covering letter. Please keep these documents safe.



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(ESTABLISHED IN 1985)

### 8. CORRESPONDENCE INFORMATION

Case Ref N<sup>o</sup>:

(For office use only)

#### A. Your Address

This form will be used to print addresses on labels for correspondence. Please write clearly in BLOCK CAPITAL LETTERS.

Name:		
Address:		
	Postcode:	
Email:		

#### B. Confidentiality Agreement

Normally, your address will appear on our notices being sent to your spouse. Only in exceptionally legal and safety-related conditions, the Muslim Law Shariah Council UK may agree to keep your address confidential.

If such circumstances are applicable in your case, then please tick this box:

C. Your Husband's Address - **Please do not send your application without these details.** If this is not known, please insert the address of their Parents/Brother/Sister/Uncle/other close relatives living in the United Kingdom or abroad.

Name:		
Address:		
	Postcode:	
Email:		