



FIJI MUSLIM LEAGUE- COUNSELLING COMMITTEE

fijimuslim@connect.com.fj

171 Ratu Mara Road, Samabula, Suva, Fiji. Tel: 00679-3384566/ 9908566 /Fax: 00679-3370204

APPLICATION TO FILE AN ISLAMIC DIVORCE (Khula/Dissolution/Talaq)

LETTER OF AUTHORITY & ACCEPTANCE

I (Applicant name)

Of (Address)

Email Address

Contact Telephone

Authorize the **FIJI MUSLIM LEAGUE - COUNSELLING COMMITTEE** to investigate my case and consider my application to obtain an Islamic Divorce according to the rules and regulations of the committee.

- I agree to accept the decision made by the committee. However, I am aware that I may withdraw my case before the committee's decision.
- I confirm that I have not applied to any other Sharia Council for my Islamic Divorce.
- I promise not to enter into another marriage and even if the application is successful, I understand that I will not be able to remarry (have Nikah) until the end of the *Iddah* period.
- I confirm that I have read the procedure outlined in this form and agree to it.

Signed:

Date:



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Date: _____ (Official Use Only)

APPLICATION TO FILE AN ISLAMIC DIVORCE

Please fill this form in English only, using CAPITAL LETTERS

Section

Wife: Details		Husband: Details	
Name		Name	
Current Address		Current Address	
Tel (Home)		Tel (Home)	
Tel (Mobile)		Tel (Mobile)	
E-mail		E-mail	
Date of Birth		Date of Birth	
Place of Birth		Place of Birth	
Nationality & Status		Nationality & Status	

Section 2

Place of Nikah		Date of Nikah	
Place of Civil marriage		Date of Civil marriage	
Name of the Aalim who performed the Nikah			



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Section 3

Amount of Dower (Mahr) Agreed?			
(a) How much has been paid?		(b) How much has been deferred?	
Have you been given any Land, Jewellery or any other item by your husband? Please give details of weight or value and who is currently in possession of them.			
Please give any details of any Jewellery or household items which were given by your parents to you, which are still in the possession of your husband.			

Section 4

Main reason for seeking for Islamic Divorce			
Have you been married before?	NO <input type="checkbox"/>		
	YES <input type="checkbox"/>	please provide proof of your previous Divorce Certificate	



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Details of children from this marriage			
Name	Date of Birth	Name	Date of Birth

Date of separation from Husband? (Please read section C for more information)			
Have you received a Civil Divorce?	YES <input type="checkbox"/>	Date of Decree Absolute, if applicable	
	NO <input type="checkbox"/>		
Did your Husband defend the Divorce petition in court?	YES <input type="checkbox"/>		
	NO <input type="checkbox"/>		

Please ensure you fill out all relevant sections of the form. Any incomplete form will either be returned to the applicant or will not be registered. If you have any difficulty in understanding any part of this form, please contact the Fiji Muslim league Head office.

DECLARATION: I have read and understood section A, B, C and D attached within this application. I testify In the name of Allah (SWT) that the information, which has been given, is true. I understand that by signing this form I am giving the Fiji Muslim League-COUNSELLING COMMITTEE full consent to deal with the matter stated above.

Signed:

Print Name:

Date:



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Check List for Islamic Divorce Application

You must answer all the questions in the application form otherwise it may cause a delay in your case being processed. To help us process this application quickly, we would like you to provide as much information as possible to support your application by way of evidence. **Please Do Not Send Originals.**

Please enclose certified copy of the following:

1. Photo ID: Passport, Voters Registration Card or Driving License
 2. Nikah Certificate (if applicable)
 3. Civil Marriage Certificate (if applicable)
 4. Decree Absolute (if applicable)
 5. Letter from Solicitor or Court (if applicable)
 6. Any other supporting documents
-

Application Received by:

(Official Use Only)

Name:

Date:

Sign:





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PLEASE KEEP THIS SHEET FOR YOUR INFORMATION

SECTION A: Important information for Fiji citizens regarding civil divorce:

- 1) In case that a civil marriage and Nikah took place, you have to apply for civil divorce first. Once completed (This must be in form of a letter/ judgment from the court) only then will **FIJI MUSLIM LEAGUE- COUNSELLING COMMITTEE** consider your application.
- 2) Civil divorce is not required if your marriage took place and was never registered in a civil registration (i.e. only a Nikah ceremony was performed).

SECTION B: FIJI MUSLIM LEAGUE- COUNSELLING COMMITTEE procedure for Khula / Marriage Dissolution

(When wife is the petitioner)

1. All new and prospective applicants must attach the main reasons for seeking a Khula / Marriage Dissolution with their application form, you may use a separate sheet if more space is required.
2. Your application will be registered with the relevant details. It is imperative that you provide a contact address for your husband.
3. The **Fiji Muslim league counseling committee** will issue the first letter to the husband, informing him that his wife has approached the Fiji Muslim league counseling committee for Khula / Marriage Dissolution. If the husband fails to reply within the allocated period, the Fiji Muslim league counseling committee will issue a second letter which will be followed by a third letter if no reply was received within the allocated time. The allocated period for husbands residing in the Fiji is one month, two months for those residing abroad.
4. If the husband fails to respond to the third letter, the committee will request the applicant to verify the respondent's address. However, if the husband responds at any point, a joint meeting between both parties and the **Fiji Muslim league counseling committee** representative is an integral part of the proceedings to carry out fair and just mediation. Failure to attend this meeting by the applicant may delay the case or result in its closure.
Please note that while the joint meeting is an integral part of mediation, this does not mean we are forcing the couple to reconcile. A joint meeting can help both parties achieve final closure. If there are any legal impediments, such Domestic Violence Restrain Order please inform us of this and provide a copy.
5. The above procedure depends on the provision of correct and current contact details.
6. Once the **Fiji Muslim league counseling committee** has received verification of the husband's address, it will issue an interview request letter to the wife and the husband (provided he is legally able to do so) to see one of the **Fiji Muslim league counseling committee** representatives in their area. The representative will produce a report accordingly.



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7. If the husband does not attend the interview at the given time, the **Fiji Muslim league counseling committee** will issue a final notice and copies of 1st, 2nd, 3rd letters will be sent to him via recorded delivery.

8. If the **Fiji Muslim league counseling committee** makes any conditional decision of dissolution then Islamic divorce certificate will be issued subject to compliance of these conditions. If the wife breaches any conditions, which she agreed to, the **Fiji Muslim league counseling committee** will not issue an Islamic divorce certificate.

10. Due to the nature of the process, a definite time frame cannot be set for its completion.

***For Civil divorce, a solicitor must be consulted, as this is an Islamic Divorce. The FIJI MUSLIM LEAGUE- COUNSELLING COMMITTEE does not deal with Civil law matters.**

SECTION C: Definition of Separation

Separation is counted from the day when matrimonial relationships were halted completely and the couple stopped living together.

SECTION D: Instructions for communication with FML-CC

- J General enquiries and Case updates: call 3384566/9908566
- J For Change of Address: You must inform us of this in writing (Letter or email).
- J Case closure, pause or re-open: the applicant must inform us of this in writing. The letter should be signed or if an email is sent, you must also scan a copy of your photo ID.
- J You are welcome to put your case on hold if you wish to do so. It may be you are trying to reconcile your marriage or seeking counseling or mediation. The case can only be kept on hold for a maximum period of 1 year from the date the case was placed on hold. If you were to come back to us after the 1 year period, then you will need to submit a fresh application.

GROUND FOR DIVORCE

There is no restriction on the grounds for divorce. The most common of these are:

1. Where the wife suffers physical, financial or emotional harm from the husband. Any form of violence in the marriage is condemned by Islam.
2. Where the husband suffers certain physical defects, such as impotency.
3. Adultery or infidelity etc.