

34 Francis Road, Leyton, London E10 6PW / Tel: 020-8558-0581/ 020-8925-0673 /Fax: 020-8558-7872

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

LETTER OF AUTHORITY & ACCEPTANCE

I (Name of Wife)

Of (Address)

Email Address

Contact Telephone

Authorize the Islamic Sharia Council to investigate my case and then to consider my application to obtain an Islamic Divorce according to the rules and regulations of the Council.

- I agree to accept the decision made by the Council. However, I am aware that I may withdraw my case before the Council's decision.
- I understand that once the Council has initiated the proceedings I will not be able to claim the refund of the fee paid.
- I confirm that I have not applied to any other Sharia Council for my Islamic Divorce.
- I also promise not to enter into another marriage contract before the verdict of the Council and the end of the *Iddah* period.
- I confirm that I have read the procedure outlined in this form explaining our procedure and I have read it carefully and agree to it.
- I understand that the file for my case will be securely retained by the Sharia Council for a period of 6 years from the date of my application, after which it will be safely destroyed.

Signed:

Name in
BLOCK CAPITALS:

Date:

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CB:

Date:

(Official Use Only)

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APPLICATION TO FILE AN ISLAMIC DIVORCE

Please fill this form in English only, using CAPITAL LETTERS

Section 1

Wife: Details		Husband: Details	
Name		Name	
Address		Address	
Tel (Home)		Tel (Home)	
Tel (Mobile)		Tel (Mobile)	
Email		Email	
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 in UK		Date of Civil marriage	
Have you sponsored your spouse? Or has your spouse sponsored you?		If Yes, when did he/you enter the country?	

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

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

Date since separation from Husband? (Please read section D for more information)			
Have you applied for Civil Divorce?	YES <input type="checkbox"/>	Date of Decree Absolute, if applicable	
	NO <input type="checkbox"/>	Please read section A and consult your solicitor	
Did your Husband defend the Divorce petition in court	YES <input type="checkbox"/>		
	NO <input type="checkbox"/>	Please Send copy of D10 form	

- **Note: Marriages which take place abroad and are recognised by the relevant law of the land are also recognised by English law as a legal marriage.**
- **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 are having difficulty in understanding any part of the form, please ring the office.**

DECLARATION: I have read and understood section A, B, C, D and E attached within this application before submitting this form. I testify In the name of Allah (SWT) that the information, which has been given, is true. By printing your name below you are giving the Islamic Sharia Council full consent to deal with the matter stated above.

Signed:

Print Name:

Date:

Once your application has been completed please post to: **34 Francis Road, Leyton, London, E10 6PW**, alternatively e-mail: mycase@Islamic-sharia.org

Please call the office after 5 days of sending to check on the status of your application

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Check List for 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 Khula application by way of evidence. **Please Do Not Send Originals.**

Please enclose copy of the following:

- | | |
|--|--------------------------|
| 1. ID: Copy of your Passport or Driving License | <input type="checkbox"/> |
| 2. Your Nikah Certificate | <input type="checkbox"/> |
| 3. Your Civil Marriage Certificate (if applicable) | <input type="checkbox"/> |
| 4. Your Decree Nisi or Decree Absolute (if applicable) | <input type="checkbox"/> |
| 5. Letter from Solicitor or Court (if applicable) | <input type="checkbox"/> |
| 6. Payment to Islamic Sharia Council | <input type="checkbox"/> |

Fees

A payment of **£200/-** pounds is required with your application form, this covers the registration fees. If the husband agrees to the request for Khula immediately and signs the Khula document without the need for sending further letters or meetings, then no further cost applies.

Further fees will be applied if the case requires more admin work. We have placed a CAP on the fee so regardless of how much work is required, the total fee (including registration fees) will never exceed £400/-.

Please do not make a full payment of £400/- in one payment. Please only pay registration fees with the application form, the final payment will need to be made at the end of the case.

Method of payment

A Cheque or Postal order can be made payable to "The Islamic Sharia Council". For debit card payment process please see below. **Please read Section C for further details.** Please call the office after 5 days of sending application to check status and make card payment (if required).

Amount Paid		Cheque No	
Cheque <input type="checkbox"/>	Postal Order <input type="checkbox"/>	Debit Card <input type="checkbox"/>	Cash (office only) <input type="checkbox"/>
		Date of Cheque	
If paying by card, please provide below your contact details to enable the accounts department to call you. Please call the office if you are not contacted within 10 working days			
Name of Card Holder		Contact Number	
Convenient time to contact you?			

Application Received by:

(Official Use Only)

Name:

Date:

Sign:

For enquiries telephone the office Monday to Thursday 10:00am to 6:00pm

E-Mail: info@islamic-sharia.org / website: www.islamic-sharia.org / Registered Charity No. 1003855 (02/16)

Page 5

34 Francis Road, Leyton, London E10 6PW / Tel: 020-8558-0581/ 020-8925-0673 /Fax: 020-8558-7872

PLEASE KEEP THIS SHEET FOR YOUR INFORMATION

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

1) You have to apply for civil divorce:

i) If your marriage took place in any country abroad (such as Pakistan, Bangladesh) in accordance to the law of that country. **It does not matter whether you have sponsored your spouse or not.** For details please see Foreign Marriage Act 1892.

ii) If your marriage took place in the UK and was registered in a Civil Registry office.

Note: The Islamic Sharia Council will not finalise a case until proof of application of Civil divorce has been received. This must be in form of a letter from the court.

2) Civil divorce is not required if your marriage took place in the UK but was never registered in a civil registration (i.e. only a Nikah ceremony was performed)

Please note: Before finalising your case, we will ask for proof that you have applied for the civil divorce before taking a final decision on your case.

SECTION B: Islamic Sharia Council (ISC) 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, on a separate sheet, with their application form.

2. Your application will be registered with the relevant details. It is imperative that you provide a contact address for the husband.

3. The Council will issue the first letter to the husband, informing him that his wife has approached the ISC for Khula / Marriage Dissolution. The applicant will receive a copy with a reference number for future correspondence. If the husband fails to reply within the allocated period, the ISC 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 UK is one month, two months for those residing abroad.

4. If the husband fails to respond to the third letter, the Council 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 ISC representative is an integral part of the proceedings to carry out fair and just meditation. Failure to attend this meeting by the applicant may delay the case or result in its closure.

Please note that the joint meeting is an integral part of mediation, but 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 as a current non-molestation order, please inform us of this and provide a copy.

5. The above procedure is subject to the nature of the contact details of the husband.

6. Once the Council 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 ISC representatives in their area (if applicable). The representative will produce a report accordingly.

34 Francis Road, Leyton, London E10 6PW / Tel: 020-8558-0581/ 020-8925-0673 /Fax: 020-8558-7872

7. If the husband does not attend the interview in given time, the Council will issue a final notice and copies of 1st, 2nd, 3rd letters will be sent to him via recorded delivery.

8. A request is sent to the wife asking her for confirmation to take the file to the next panel meeting, which is on last Wednesday of every month. However, before a case is presented to the panel meeting, all the above criteria must be met.

9. Once the case goes to the panel meeting, if the panel makes any conditional decision of dissolution then divorce certificate is issued subject to compliance of these conditions. If the wife breaches any conditions, which she agreed to, the Council may revoke the divorce certificate.

10. We cannot give an actual time frame for the process to complete as this is dependent on the individual case and the response from both parties

11. Once the Khula case has been finalised, the husband can order an original copy of the Khula certificate for a fee of £50/-. This can be paid either by cheque or by card by calling our office. This payment has to be made separately by the husband and is not included in the Khula fees.

****For Civil divorce, a solicitor must be consulted, as this is an Islamic Divorce. The Sharia Council does not deal with Civil law matters.***

SECTION C: Payment Policy

Methods of payment:

Payment can be made by:

1. Cheque or Postal order payable to "The Islamic Sharia Council". Card payment by phone or in the office. Note: Any declined cheques will incur a £25/- Admin fee
2. Card payment: A debit card payment can be made in the office or over the phone
3. Cash: We can only accept cash payments in the office
4. Final payment must be received within 30 days from the invoice date
5. Clients in receipt of Income Support, Job Seekers Allowance or Employment Support Allowance are eligible for a concessionary rate. Please ring the office if you are entitled to this. This concession will be applied to the final invoice. We will request proof dated within the previous three months (of final invoice). Further details will be provided at that time.

Special Circumstances:

Accounts not paid within the 30 day period specified are subject to an overcharge due to amount of time and resources used to chase payment. In some circumstances, the client has genuine reasons for late payment. In such cases the client is responsible for informing the Islamic Sharia Council of date and time of expected payment with reason for delay. This is subject to the management agreeing to your reason.

Breaching the Policy:

Failure to make payment(s) according to the above policy may lead to the Islamic Sharia Council filing a case with the small claims court; as a result the client will end up paying more due to time and resources allocated.

****Please Note Registration Fees are Non Refundable****

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SECTION D: Definition of Separation

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

SECTION E: Instructions for communication with ISC

- 1) General enquiries: Please quote your case reference number when communicating with the Council.
- 2) Case updates are provided in writing. Should you wish to check on the progress of your case you will need to call the office and quote your case reference number. We cannot give updates by email.
- 3) For Change of Address: You must inform us of this in writing (Letter or email).
- 4) 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.
- 5) 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 counselling 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 and the case will start from the beginning.
- 6) If a client leaves the case inactive for a period of one year (i.e. no contact with the Council), the case will automatically be closed and should the client wish to continue with the case a fresh application will need to be made after this.