

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)

LETTER OF AUTHORITY & ACCEPTANCE

I (Name of Wife)

Of (Address)

Email

Contact Telephone

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

I promise to accept the decision of the council irrespective of my own personal interest in order to maintain the supremacy of the Sharia 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.**

I confirm that I have not applied to any other Sharia Council/Court for my Islamic Divorce.

Before I do so, I will inform the council and withdraw this application.

I also promise not to enter into another marriage contract before the verdict of the council and the end of the "IDDAT" period.

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

I confirm that I have read the procedure outline 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:
(Official Use Only)

Date:
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APPLICATION TO FILE AN ISLAMIC DIVORCE (KHULA)

Wife Details		Husband Details	
Name		Name	
Address		Address	
Tel (Home)		Tel (Home)	
Tel (Mobile)		Tel (Mobile)	
Email		Email	
Date & Place of Birth		Date & Place of Birth	
Nationality & Status		Nationality & Status	

Place of Nikah		Date of Nikah	
Place of Registration in UK		Date of registration	
Have you sponsored your spouse? Or has your spouse sponsored you?		If Yes, when did he/she enter the country?	
Amount of Dower (Mahr) Agreed?			
(a) How much has been paid?		(b) How much has been deferred?	
Have you given any Land, Jewellery or any other item by your husband? Please give details.			

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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?	
Main reason for asking for divorce	
Have you been married before?	YES NO
If yes, please provide proof of your previous Divorce Certificate	

Details of children from this marriage			
Name	Age	Name	Age

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

- *Note: Marriages which take place abroad, are recognised by the relevant law of the land, are also recognised by the 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 not registered*

DECLARATION: I have read and understood section A, B, C, and D 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 "ISC" full consent to deal with the matter stated above.

Signed:

Date:

Print Name:

34 Francis Road, Leyton, London, E10 6PW
0208558 0581 / 0208925 0673
[mailto: mycase@islamic-sharia.org](mailto:mycase@islamic-sharia.org)

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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 of your passport or Driving License
2. Your Nikah Nama and Civil - Marriage Certificate
3. Your Decree Nisi or Decree Absolute
4. Letter from Solicitor or Court
5. Payment to Islamic Sharia Council

A) Payment of **£200** pounds with your application form covering registration fees. If the husband agrees to the Khula and signs the form then no further cost applies.

B) Further fees will apply 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.

Do not make a full payment of £400 in one payment. Please only pay registration fees with the application form.

The Islamic Sharia Council
34 Francis Road, Leyton,
London E10 6PW

(Cheque / Postal order made payable to "The Islamic Sharia Council". For debit / credit 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. Once you have sent your application form to ISC, someone from the office will be in touch within 5 working days. If you do not receive a call or letter by then, please contact the office."

Amount Paid		Cheque No	
Cheque	Postal Order	Credit/Debit Card	Date of Cheque
If paying by card, please provide below your contact details to enable the accounts department to call you.			
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

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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 (like Pakistan, Bangladesh) in accordance to the law of that country. **It does not matter 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 registered in a civil registry.

2) Civil divorce is not required if your marriage took place in the UK but was never registered in a civil registry.

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 correspondences. 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 otherwise two months for those residing abroad.

(If the wife has obtained the Civil Divorce, evidence has to be provided that the husband did not defend it. In this case, the issuance of one letter may be enough provided that the address is verified).

4. If the husband failed to respond to the third letter, the Council will request the applicant to verify the respondent's address. However, if the husband responded 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.

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 representative in their area (if applicable). The representative will produce a report accordingly.

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

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8. A request is sent to the wife asking her 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 dependant on the individual case and the response from both parties

11. Once the Khula case has been finalised, the husband can order a original copy of the Khula certificate for a fee of £100.00. This can be paid either by cheque or by card by calling our office. This payment would be made separately by the husband and 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 legal matters.***

SECTION C: Payment Details

Method of payment (Cash – cheque payable to “Islamic Sharia Council – Postal order – Card payment by phone or in the office. Note: Any declined cheques will hold a £25 Admin fee

In order to register with Islamic Sharia Council, please fill in the enclosed application form and return it to us with your payment.

a) Payment of **£200** pounds with your application form covering registration fees. If the husband agrees to the Khula and signs the form then no further cost applies.

b) Further fees will apply 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.

Cheque and postal order are to be made payable to: The Islamic Sharia Council. Do not make a full payment of £400 in one payment. Please only pay registration fees with the application form.

Special Circumstances:

Accounts not paid within the terms and conditions policy of payment 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 to update the Islamic Sharia Council of date and time of expected payment with reason. This is subject to the Islamic Sharia Council agreeing to your reason.

Breaching the Policy:

Failure to make payment(s) according to the above policy will lead to the Islamic Sharia Council filling 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 i.e. No on and off contact took place.

Instructions for communication with ISC:

- 1) General enquiries: Please quote reference number when communication with Council.
- 2) For Change of Address: Written information is required.
- 3) Case closure / pause and reopen: the person who started the case should submit Written Notice.
- 4) If for any reason you decide to put your case on hold, you can do this. It may be you are trying to reconcile your marriage or taking counselling etc. 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 it would have to be a new application with new fees and procedures.
- 5) If a client tells us to put the case on hold but makes no contact hereafter then we will assume the case is closed.