

Administration of Muslim Law (Amendment) Bill

Bill No. 22/2005.

Read the first time on 15th August 2005.

A BILL

intituled

An Act to amend the Administration of Muslim Law Act (Chapter 3 of the 1999 Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Administration of Muslim Law (Amendment) Act 2005 and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

5 **Amendment of section 2**

2. Section 2 of the Administration of Muslim Law Act (referred to in this Act as the principal Act) is amended by inserting, immediately after the definition of “Appeal Board”, the following definition:

10 “ “Chief Executive” means the Chief Executive of the Majlis appointed under section 7A, and includes any person acting in that capacity;”.

Amendment of section 7

3. Section 7 of the principal Act is amended —

15 (a) by deleting paragraph (b) of subsection (1) and substituting the following paragraph:

“(b) the Chief Executive, if he has been appointed to be a member under subsection (6);”;

(b) by deleting the words “5 members” in subsection (1)(d) and substituting the words “7 members”; and

20 (c) by deleting subsection (6) and substituting the following subsection:

“(6) The President of Singapore may appoint the Chief Executive to be a member of the Majlis.”.

New section 7A

25 4. The principal Act is amended by inserting, immediately after section 7, the following section:

“Chief Executive

7A.—(1) The Minister may appoint a Chief Executive on such terms and conditions as the Minister may determine.

30 (2) The Chief Executive shall —

(a) be known by such designation as the Majlis may determine;

(b) be responsible to the Majlis for the proper administration and management of the functions and affairs of the Majlis in accordance with the policies laid down by the Majlis; and

(c) not be removed from office without the consent of the Minister.

(3) In the event of the temporary absence or incapacity of the Chief Executive, the Minister may appoint a person to act temporarily on his behalf.”.

Amendment of section 8

5. Section 8 of the principal Act is amended by inserting, immediately after subsection (2), the following subsection:

“(3) In the event of the temporary absence or incapacity of the Secretary, the Minister may appoint a person to act temporarily on his behalf.”.

Amendment of section 11

6. Section 11(1) of the principal Act is amended by deleting the words “or the Secretary”.

Amendment of section 19

7. Section 19 of the principal Act is amended —

(a) by deleting the words “14 consecutive days” in subsection (2) and substituting the words “the specified days”; and

(b) by inserting, immediately after subsection (2), the following subsection:

“(3) In subsection (2), “specified days” means such number of days as the Minister may, by notification in the *Gazette*, specify.”.

Amendment of section 25

8. Section 25 of the principal Act is amended —

(a) by inserting, immediately after the word “Mufti” in subsection (1), the words “, the Chief Executive”; and

(b) by deleting the words “President of Singapore” in subsection (2) and substituting the word “Minister”.

Amendment of section 65

9. Section 65(5) of the principal Act is amended by deleting the words “, the Vice-President”.

Repeal of section 136

5 **10.** Section 136 of the principal Act is repealed.

Amendment of section 146

11. Section 146 of the principal Act is amended by inserting, immediately after the word “to”, the words “the Minister or”.

Amendment of First Schedule

10 **12.** Paragraph 11 of the First Schedule to the principal Act is amended by deleting the word “Vice-President” and substituting the words “Chief Executive”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Administration of Muslim Law Act (Cap. 3).

Clause 1 relates to the short title and commencement.

Clause 2 amends section 2 by inserting a definition of the term “Chief Executive”, by virtue of the insertion of a new section 7A (by clause 4) for the appointment of a Chief Executive of the Majlis Ugama Islam, Singapura (the Majlis).

Clause 3 amends section 7 —

- (a) to delete the provisions relating to the appointment of a Vice-President of the Majlis;
- (b) to increase the maximum number of members of the Majlis who may be appointed by the President of Singapore on the recommendation of the Minister, from 5 members to 7 members; and
- (c) to provide that the President of Singapore may appoint the Chief Executive to be a member of the Majlis.

Clause 4 inserts a new section 7A to provide for the appointment of a Chief Executive of the Majlis, who will be responsible for the proper administration and management of the functions and affairs of the Majlis.

Clause 5 amends section 8 to empower the Minister to appoint a person to act on behalf of the Secretary of the Majlis during his temporary absence or incapacity.

Clause 6 amends section 11(1) to delete the reference to the appointment of a temporary Secretary of the Majlis, which is to be provided for under section 8 (as amended by clause 5).

Clause 7 amends section 19 to provide for the maximum period that the President of the Majlis may be absent from Singapore without the Minister's permission to be notified in the *Gazette*.

Clause 8 amends section 25 —

- (a) to provide for the President of the Majlis to consult the Chief Executive as well, before doing or directing anything to be done in cases of emergency; and
- (b) to devolve the President of Singapore's power to give directions in certain cases of emergency to the Minister.

Clause 9 amends section 65(5) as a consequence of the deletion of the provisions relating to the appointment of a Vice-President of the Majlis (by clause 3).

Clause 10 repeals section 136 which is redundant.

Clause 11 amends section 146 to empower the President of Singapore to delegate any of his powers under the Act to the Minister or the President of the Majlis.

Clause 12 amends paragraph 11 of the First Schedule to substitute the term "Vice-President" with "Chief Executive" as a consequence of the deletion of the provisions relating to the appointment of a Vice-President of the Majlis (by clause 3).

EXPENDITURE OF PUBLIC MONEY

This Bill will not involve the Government in any extra financial expenditure.
