

**IN THE SYARIAH COURT OF THE REPUBLIC OF SINGAPORE**

**REGISTRAR'S CIRCULAR NO. 6 of 2024**

**REQUEST FOR EXECUTION OF DOCUMENTS UNDER SECTION 53A OF THE  
ADMINISTRATION OF MUSLIM LAW ACT**

Filing of Praeceptum (Request) through E-Services

1. A solicitor acting on behalf of a party, or a party who acts in person in any matter in which he or she is a party (provided that the party files a Notice of Intention to Act In Person if previously represented by a solicitor and the solicitor had remained on record), may file a Praeceptum (Request) in E-Services for execution of documents under section 53A of the Administration of Muslim Law Act 1966 (Rev. Ed. 2020).
2. The Praeceptum (Request) must be filed with the accompanying documents set out in paragraphs 7 and 8 below. A separate Praeceptum (Request) must be filed for each document to be executed.
3. On receiving approval of the Praeceptum (Request) in the SYC Portal, the solicitor or party who filed the Praeceptum (Request) must attend before the Duty Registrar within 3 working days during the prevailing duty hours to tender the original document for signature, which must be the same document as that for which the Praeceptum (Request) was made.

Guidelines for Execution of Documents

4. A Request is categorised as Category A or Category B depending on the contents of the Court Order.
5. A Request falls under **Category A** if the Court Order empowers the registrar or President to sign relevant documents without any notice to the party for whom the registrar or President is signing on behalf of.

Example of a Category A Order:

- (a) *The parties shall execute, sign or indorse all necessary documents to effect the [sale/ transfer/ surrender] of the matrimonial [flat/property] at [address].*
- (b) *The President or registrar of the Syariah Court under section 53A of the Administration of Muslim Law Act 1966 (2020 Rev Ed) is empowered to execute, sign or indorse all necessary documents relating to the [sale/transfer/surrender] of the matrimonial [flat/property] on behalf of either party.*

6. A Request falls under **Category B** if the Court Order empowers the registrar or President to sign relevant documents only in the event of a default by a party in signing those documents despite written notice to him/her to sign the relevant documents.

Example of a Category B Order:

*(a) The parties shall execute, sign or indorse all necessary documents to effect the [sale/transfer/surrender] of the matrimonial [flat/property] at [address].*

*(b) The President or registrar of the Syariah Court under section 53A of the Administration of Muslim Law Act 1966 (2020 Rev Ed) is empowered to execute, sign or indorse all necessary documents relating to the [sale/transfer/surrender] of the matrimonial [flat/property] on behalf of either party should either party fail to do so within [14 days] of written request being made to the party.*

7. For **Category A** Request, the applicant must submit the following accompanying documents:

(a) Certified copy (issued by the Court) of the Order of Court empowering the President or registrar of the Syariah Court to sign the relevant document; and

(b) Copy of the document to be executed.

8. For **Category B** Request, the applicant must submit the following accompanying documents:

(a) As per documents for Category A request; and

(b) An affidavit-in-support with relevant exhibits (affidavit showing, amongst others, the other party's receipt of applicant's written request to sign the relevant documents and his/her failure and/or refusal to sign those documents). A sample of the affidavit-in-support can be found on the website.

9. A Praecipe (Request) will not be approved if the documents submitted are incomplete or the affidavit-in-support (for Category B Request) is not adequate. In such cases, the Court will require the applicant to provide more information or take some further action, including filing a supplementary affidavit.

10. The applicant for **Category B** Request must take note that the requirement for the written request applies in relation to every document in respect of which an execution of the document by the Court via proxy powers is requested.

11. The applicant should also note that for the sale of a property, the Order of Court should have given the applicant the sole conduct of the sale of the property; or determined the sale price of the property before the registrar/President will exercise the proxy power to sign. Where the Order of Court is silent, the presumption is that both parties have joint conduct of sale.

12. For HDB's "Option to Purchase" document (OTP), the Option Date must be left blank as the OTP must be signed by all sellers (including via proxy powers) on page 8 of the OTP before the Option is granted to the buyers. Please refer to paragraph 9 of HDB's "Important Notes on Option to Purchase". Accordingly, the OTP submitted to the Court must not be signed by the buyer(s) as the Option has not yet been granted to him/them. The Option date should be inserted on or after the date of signing of the OTP by the President or registrar of the Syariah Court via proxy powers.

### General

13. Court users and members of the public who wish to seek clarification on this matter may call 63548371 or email [MCCY\\_Syariah@mccy.gov.sg](mailto:MCCY_Syariah@mccy.gov.sg). For general information on court processes and procedures, they may visit our website at [www.syariahcourt.gov.sg](http://www.syariahcourt.gov.sg).

Dated this 30<sup>th</sup> day of September 2024



MASAYU NORASHIKIN BINTE MOHAMAD AMIN  
REGISTRAR  
SYARIAH COURT