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## ADMINISTRATION OF ISLAMIC LAW (FEDERAL TERRITORIES) ACT 1993

### ACT 505

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#### PART I

#### PRELIMINARY

#### 2. Interpretation.

(1) In this **Act**, unless the context otherwise requires-

"**anak kariah**" means a person who is permanently or habitually resident in the *kariah masjid*;

"**Chairman**" means the Chairman of the Majlis;

"**Chief Religious Enforcement Officer**" and "Religious Enforcement Officer" mean the officers appointed as such under section 58(4);

"**Chief Syariah Judge**" means the Chief Syariah Judge appointed under section 41(1);

"**Chief Syariah Prosecutor**" means an officer appointed under section 58(1);

"**Court**" or "Syariah Court" means the Syariah Subordinate Court, the Syariah High Court, or the Syariah Appeal Court, as the case may be, constituted under section 40;

"**Enactment**" means the Administration of Muslim Law Enactment 1952 of the State of Selangor-

(a) in relation to the Federal Territory of Kuala Lumpur, as modified by the Federal Territory (Modification of Administration of Muslim Law

Enactment) Orders 1974, 1981 and 1988 [*P.U.(A) 44/74, 390/81, 163/88, 268/88*] made pursuant to section 6(4) of the Constitution (Amendment) (No.2) **Act** 1973 [**Act** A206] and in force in the Federal Territory of Kuala Lumpur by virtue of section 6(1) of that **Act** and Administration of Muslim Law (Amendment) **Act** 1984 [**Act** A576];

[*Am. PU(A) 250/2002*]

(b) in relation to the Federal Territory of Labuan, as modified and extended by the Federal Territory of Labuan (Modification and Extension of Administration of Muslim Law Enactment) Order 1985 made pursuant to section 7 of the Constitution (Amendment) (No.2) **Act** 1984; and

[*Am. PU(A) 250/2002*]

(c) in relation to the Federal Territory of Putrajaya, as modified and extended by the Federal Territory of Putrajaya (Extension and Modification of Administration of Islamic Law (Federal Territories) **Act** 1993) 2002 [*P.U. (A)250/2002*] made pursuant to section 7 of the Constitution (Amendment) **Act** 2001 [**Act** A1095];

[*Ins. PU(A) 250/2002*]

"Federal Territories" means the Federal Territories of Kuala Lumpur, Putrajaya and Labuan;

[*Am. PU(A) 249/2002 - prior text read - ""Federal Territories" means the Federal Territories of Kuala Lumpur and Labuan;"*]

"Fund" means the Fund known as *Baitulmal* established under section 60;

"Imam" means an *Imam* appointed under section 76(3);

"Imam Ratib" means an *Imam Ratib* appointed under section 76(4);

"Islamic Law" means Islamic Law according to any recognized *Mazhab*;

"Islamic Legal Consultative Committee" means Islamic Legal Consultative Committee established under section 37(1);

"jawatankuasa kariah" means a *jawatankuasa kariah* established under rules made

under section 81;

"**kariah masjid**" , in relation to a mosque, means the area, the boundaries of which are determined under section 75 in which the mosque is situated;

"**Majlis**" means the Majlis Agama Islam Wilayah Persekutuan established under section 4(1);

"**Minister**" means the Minister charged with responsibility for the administration of the religion of Islam in the Federal Territories;

"**mosque**" means a building used for holding Friday and other prayers and activities enjoined, recommended, or approved by the religion of Islam, and includes any mosque or *surau* or *madrasah* listed in the Third Schedule;

"**Mufti**" means the person appointed to be the Mufti for the Federal Territories under section 32, and includes the Deputy Mufti;

"**Muslim**" means-

(a) a person who professes the religion of Islam;

(b) a person either or both of whose parents were, at the time of the person's birth, Muslims;

(c) a person whose upbringing was conducted on the basis that he was a Muslim;

(d) a person who has converted to Islam in accordance with the requirements of section 85;

(e) a person who is commonly reputed to be a Muslim; or

(f) a person who is shown to have stated, in circumstances in which he was bound by law to state the truth, that he was a Muslim, whether the statement be verbal or written;

"**nazr**" means an expressed vow to do an **act** or to dedicate property for any purpose allowed by Islamic Law;

"**nazr 'am**" means a *nazr* intended wholly or in part for the benefit of the Muslim community generally or any section thereof, as opposed to an individual or individuals;

"**Pegawai Masjid**" means the *Naqib Masjid, Imam, Imam Ratib, Bilal* and *Pembantu Bilal* of a mosque;

"**Peguam Syarie**" means a person appointed a *Peguam Syarie* under section 59;

"**Pembantu Bilal**" means a *Pembantu Bilal* of a mosque appointed under section 76(4);

"**Secretary**" means the Secretary of the Majlis mentioned in section 14;

"**Syariah Judge**" or "Judge" means Judges of the Syariah High Court appointed under section 43(1) but does not include a Judge of the Syariah Subordinate Courts appointed under section 44(1);

"**Syariah Prosecutor**" means an officer appointed under section 58(3);

"**wakaf 'am**" means a dedication in perpetuity of the capital and income of property for religious or charitable purposes recognized by Islamic Law, and the property so dedicated;

"**wakaf khas**" means a dedication in perpetuity or for a limited period of the capital of property for religious or charitable purposes recognized by Islamic Law, and the property so dedicated, the income of the property being paid to persons or for purposes prescribed in the *wakaf*.

(2) All words and expressions used in this **Act** and not herein defined but defined in the Interpretation Acts 1948 and 1967 shall have the meaning thereby assigned to them respectively to the extent that such meanings do not conflict with Islamic Law.

(3) For the avoidance of doubt as to the identity or interpretation of the words and expressions used in this **Act** that are listed in the First Schedule, reference may be made to the Arabic script for those words and expressions as shown against them therein.

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