



MUSLIM WOMEN'S ADVISORY COUNCIL

IMPORTANT INFORMATION – PLEASE READ CAREFULLY BEFORE MAKING YOUR APPLICATION

If your Islamic marriage (Nikah) was conducted outside the UK, e.g. Pakistan, Egypt etc. and was conducted in accordance with the law of that country, you will be advised by Muslim Women's Advisory Council to initiate Civil Divorce proceedings so that you can obtain a Decree Absolute (Civil Divorce). Also if your marriage was registered within UK you will require a Civil Divorce before being granted a Islamic divorce. This is a requirement of UK Law.

In both cases depending upon the nature of proceedings Mwac will not issue an Islamic Divorce to you until the Civil Divorce is pronounced.

MWAC PROCESS OF ISLAMIC DIVORCE

1. The applicant has to submit all the required information in full to Mwac by completing an application form and providing us with copies of the required documents(list of documents required is at the end of this document), and paying the cost depending on your circumstance and affordability.
2. All the completed forms and information received will be checked and processed confidentially at the office of Mwac. If further information is required, the applicant will be asked for that.
3. Once all the information has been received, the application will be acknowledged with a reference number for the case and a receipt for the payment of the charges.
4. At the same time, the husband (respondent) will be informed in writing through email and letter
5. Conditions like custody of the children, financial claims, or claims on property, cannot be adjudicated by Mwac, because such matters are outside of our jurisdiction and must be settled in a court of Civil Law.
6. If the respondent does not reply to our first notice within 30 days, then a second notice will be sent to them, giving them another 30 days from the date of the letter.

7. If Mwach does not receive a reply to its second and final notice within thirty days, the case will be presented to Mwach's Expert Panel board at its first meeting after expiry of the thirty days' notice period, with a recommendation of dissolution of Nikah.
8. The Expert Panel board normally meets every three months. Occasionally, an emergency meeting may be called.
9. Once the Expert Panel board has decided to dissolve the Nikah, an Islamic Divorce may be issued within one week of this decision..
10. A copy of this Divorce certificate is also sent to the respondent.
11. In cases where a Civil Divorce (Decree Absolute) is also required, Mwach will not issue an Islamic Divorce until the applicant has received their Decree Absolute in order to avoid any possible conflict between the Law of the land and Islamic Law.
12. The actual certificate of Islamic Divorce will be issued to the applicant when the Council has received a copy of their Decree Absolute.
13. If the respondent submits a written undertaking to the Council agreeing to an Islamic Divorce after the Civil Divorce and related matters has been concluded in court Mwach will accept such a submission and will wait accordingly. However if the respondent fails to fulfil his promise the Expert Panel at Mwach will exercise its power to issue an Islamic Divorce without the consent of the respondent.
14. In cases where respondents do not reply to our notices at all, the Expert Panel at Mwach will ultimately decide the case in favour of the applicant.
15. The address of the applicant normally appears on the notices sent to the respondent; but if requested to keep it confidential, this is not released.
16. Normally, if both parties are resident in the United Kingdom, the case is decided in about two to three month time. If one of the parties resides abroad, it takes about six months.
17. If the applicant withholds or conceals any information regarding the case, or provides Mwach with misleading information, the Islamic Divorce issued by Mwach will become null and void.
