

SYARIE LAWYER IN PAHANG;
ITS CHALLENGES, PROBLEMS AND REMEDIES

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KOLEJ UNIVERSITI ISLAM MALAYSIA

**SYARIE LAWYER IN PAHANG;
ITS CHALLENGES, PROBLEMS AND REMEDIES**

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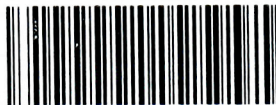
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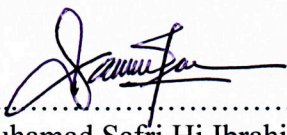
March 2004

AUTHOR DECLARATION

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

I hereby declare that the work in this academic project report is my own except for my quotation and summaries, which have been duly acknowledged.

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ACKNOWLEDGEMENT

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Allah says;

if you give thanks, I will give you more, but if you are thankless, so My punishment is dire. (Ibrahim 13:7)

Prophet Muhammad S.A.W said;

Who did not thanks to people, they do not thanks to Allah

Primarily, I wish to express my utmost gratitude to Allah SWT for bestowing upon us my grace and guidance to me to complete my project paper in partial fulfillment for the Bachelor of Shariah and Judiciary.

First, I would like to say thank you very much to my supervisor Tn Sheikh Salim b Sheikh Salleh for his efforts and instructions and advices until my project paper has been completed. Because of that, I ask Allah to give His blessing to my supervisor. I hope that Tn. Sheikh Salim and his family will have peace in this world and hereafter. Not forgotten also to the all lecturers from Faculty of Shariah and law who were be my lecturers.

The highest appreciation is to my parents, Tn Hj. Ibrahim b Hj Hamat and Puan Hj Hapsah bt Hj Mat Zain for their sacrifices and efforts to educate and train myself until I am able to know about this world. They are also good parents and a nice couple, which who give the best responsibilities for their children. May Allah bless them in this world and the world hereafter.

This special appreciation gives to the Miss Zuraidah bt Mohd Zaid who has become my inspiration to realize my dreams and success in my life. Without her motivation, I am not having my strength to fulfill my dream.

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Finally, to all friends and those who play an important role to me in the process of completing this project paper especially for those from Faculty of Shariah and Law.

In conclusion, I want to express regret for every mistake that have made and hopefully this project paper will help the other students in doing their research work.

Thank you very much.

Wassalam.

ABSTRAK

Peguam Syarie di Pahang ; Cabaran, Permasalahan dan Penyelesaian, adalah tajuk utama yang dibincangkan oleh penulis dalam kajian ilmiah ini. Kombinasi bentuk kajian yang melibatkan kajian lapangan dan kajian perpustakaan membuatkan hasilnya bertambah menarik. Pelbagai isu-isu terkini yang diketengahkan oleh penulis di dalam kajiannya, yang mana antara yang menarik seperti latarbelakang kewujudan Peguam Syarie di dunia ini, disusuli oleh kelayakan untuk menjadi Peguam Syarie di Malaysia amnya dan di negeri Pahang khususnya. Peranan-peranan dan tanggungjawab Peguam Syarie juga ada dibincangkan bersama. Disana ada beberapa permasalahan dan cabaran yang dihadapi oleh Peguam Syarie di Pahang. Namun begitu penulis telahpun mengemukakan beberapa idea dan pandangan peribadi di dalam buku ini setelah membuat penelitian terhadap cadangan-cadangan dan pendapat-pendapat yang telah dicanangkan oleh ahli cendekiawan Malaysia yang pakar di dalam bidang masing-masing.

ABSTRACT

Syarie Lawyer in Pahang; Its Challenges, Problems and Remedies is a title of this academic project. There are two types of method used in this project paper. There are field research and library research. There are many interesting topics and issues, which had been discussed by the author in his academic project, such as the background of the Syarie Lawyer existence in the world. It is also focused in qualifications to become a Syarie Lawyer in Malaysia and in Pahang specifically. The author also discussed about the functions and responsibilities of Syarie Lawyer. Besides, there are several problems and challenges faced by the Syarie Lawyer in Pahang nowadays and author had found a few solutions and remedies in this project paper. It is taken from variety of ideas, views and opinions of the great academicians in Malaysia who have specialized in their own field.

ملخص البحث

محامي شرعي في بهنج؛ تحدياته، مشاكل وعلاج هو عنوان هذا المشروع الأكاديمي. هناك نوعان من صيغ المجموعة في هذا البحث. هناك بحثٌ ومكتبةٌ حقلٌ يَبْحَثَانِ. تنويعه المواضيع والقضايا المُهْتَمَّةِ نَاقِشَا مِنْ قَبْلِ الْمُؤَلِّفِ فِي أَكَادِمِيهِ يُسَلِّطَانِ مِثْلَ خَلْفِيَّةِ وَجُودِ الْمُحَامِيِ شَرْعِي فِي هَذَا الْعَالَمِ تَلَى بِالْمُؤَهَّلَاتِ الْعَامَّةِ أَنْ تَكُونَ مُحَامِيِ شَرْعِي فِي مَالِيْزِيَا وَمَحَدَّة فِي بَاهَانَج. الْمُؤَلِّفُ نَاقِشَ أَيْضَا حَوْلَ الْوِظَائِفِ وَمَسْئُولِيَّاتِ الْمُحَامِيِ شَرْعِي. عِلَاوَةً عَلَى ذَلِكَ، هُنَاكَ بَضْعُ مَشَاكِلُ وَتَحْدِيَّاتُ وَأَجْهَتَا مِنْ قَبْلِ مُحَامِيِ شَرْعِي فِي بَهْنَج فِي الْوَقْتِ الْحَاضِرِ. بِالتَّأَكِيدِ الْمُؤَلِّفُ صَرَّحَ وَاقْتَرَحَ بَضْعَةَ حُلُولٍ وَعِلَاجٍ فِي هَذِهِ وَرَقَةِ الْمَشْرُوعِ أَخَذَتْ مِنَ الْأَفْكَارِ وَآرَاءِ تَنْوِيْعَةِ الْأَكَادِمِيِ الرَّائِعِ فِي مَالِيْزِيَا تَخْصِّصُوا فِي حَقْلِهِمُ الْخَاصِ.

CONTENTS

CONTENTS	PAGE NO.
TITLE PAGE	i
AUTHOR DECLARATION	ii
ACKNOWLEDGEMENT	iii
ABSTRAK	v
ABSTRACT	vi
MULAKKHAS AL-BAHTH	vii
CONTENT PAGE	vii
GLOSSARY	ix
TRANSLITERATION	x
ABBREVIATION	xiii

CHAPTER 1: INTRODUCTION

✓ Definition of Syarie Lawyer by Islamic perception;	
1.1 Al-Quran	1
1.2 Hadith	2
1.3 Ijma' ulama	3
Definition by Law:	
1.4 Administration of Islamic Law Enactment 1991 (Pahang)	6
✓ 1.5 Historical of Syarie Lawyer	7

CHAPTER 2: APPOINTMENT OF SYARIE LAWYER IN PAHANG

Qualifications to be Admitted as Syarie Lawyer in Pahang	
2.1 Bachelor of Syariah or Law	9
2.2 Entrance Examination	11
2.3 General Qualifications	12
2.4 Syarie Lawyer Rules 1995 (Pahang)	13
2.5 Syarie Lawyer Rules 1991 (Selangor)	14
2.6 Interviewer	16

CHAPTER 3: THE FUNCTIONS AND RESPONSIBLE OF SYARIE LAWYER IN PAHANG

3.1 General Functions and duties	17
3.2 Duties of Syarie Lawyer	18
3.3 The Function and Responsible Of Syarie Lawyer In Court	19

3.4 Ethic and Discipline of Syarie Lawyer	21
3.5 List of Syarie Lawyer Practiced in Pahang	23

CHAPTER 4: CHALLENGES AND PROBLEMS

✓4.1 Qualifications Of Syarie Lawyer	29
4.2 There are many Advocates and Solicitors Become a Syarie Lawyer	30
4.3 There Are Many Cases Still Pending In Syariah Court	30
4.4 Fresh Graduated Disqualified In Examination / Interview	31
4.5 There Is No Organization of Syarie Lawyer Established In Pahang	31
✓4.6 Is It True That Syarie Lawyer Is a Second Class Group Than Advocate and Solicitor?	32

CHAPTER 5: REMEDIES, SOLUTIONS AND CONCLUSION

5.1 The Ideal Law Degree Curriculum	33
5.2 Standardize The Qualification Of Syarie Lawyers	34
5.3 Continues Further Study in Islamic Legal Education	35
5.4 The Responsibilities Of The Syarie Lawyer Committee	36
5.5 The Need of Establishment The Syarie Lawyers Council	40
5.6 The Establishment Of Syarie Lawyers Qualifying Board	42
5.7 Providing Shariah Legal Aid	43
5.8 Period Of Chambering / Pupilage	44
CONCLUSION	46
BIBLIOGRAPHY	47
APPENDICES	49

GLOSSARY

Al-Quran	The Holy Book Revealed By Allah S.W.T
Al-Mudharabah	An agreement between two person in Islamic Banking
Al-Wadiah	A type of contract in Islamic banking
Akhlak	Moral Values
Al-Nisa'	A woman
Al-Kahfi	Cave
Al-Maidah	Meal
Fuqaha'	A group of person expert in Islamic Law
Takaful	Insurance
Syariah	Law
Hadith	the Tradition of Prophet Muhammad S.A.W
Hukum Syara'	Islamic Law
Haji	al-Hajj
Islam	Muslim Religion
Fasakh	Nullity of Marriage
Khulu'	Divorce Expiate (Divorce where the wife won't ask for the marriage payment that have took before).
Pahang	A state in Malaysia
Peguam Syarie	Syarie lawyer
Sulh	Peace
Ta'liq	Is not an agreement in marriage
Umrah	Visit
Usuliyyun	A group of person expert in Islamic study
Wakalah	Representative

ARABIC WORDS TRANSLITERATION SYSTEM

TRANSLITERATION TABLE

1. ALPHABET

<u>Arabic</u>	<u>Latin</u>	<u>Example</u>	<u>Transliteration</u>
أ	a	فأر	fa'r
ب	b	برد	burd
ت	t	تال	tall
ث	t	تعليق	ta'liq
ج	th	ثوب	thawb
ح	j	جدار	jidar
خ	h	حليب	halib
د	kh	خادم	khadim
ذ	kh	خلع	khulu'
ر	d	ديك	dik
ز	dh	ذهب	dhahab
س	r	رفيق	rafiq
ش	z	زميل	zamil
ص	s	سلام	salam
ض	sh	شعب	sha ^o b
ط	sy	شريعة	syariah
ظ	s	صخر	sakhr
ع	d	ضيق	dayq
ف	t	طالب	talib
ق	t	طلاق	talaq
ك	z	ظالم	zalim
ل	c	عقل	^o aqI
م	gh	غلام	ghulam
ن	f	فيل	fil
ه	f	فسخ	fasakh
و	q	قلب	qalb
ي	k	كلام	kalam
	l	لب	lubb
	m	مال	mal
	m	مسلم	muslim
	m	محرم	mahram
	n	نجم	najm
	h	هول	hawl
	w	ورق	waraq
	y	يم	yam

2. Short Vowel

<u>Arabic</u>	<u>Latin</u>	<u>Example</u>	<u>Transliteration</u>
_____	a	كتب	kataba
_____	i	علم	°alima
_____	u	غلب	ghuliba

3. Long Vowel

<u>Arabic</u>	<u>Latin</u>	<u>Example</u>	<u>Transliteration</u>
ا , ي	a	عالم , فتى	°alim, fata
ي	i	علم , داعي	°alim, da°i
و	u	علوم , أدعو	°ulum, ad°u

4. Diphthong

<u>Arabic</u>	<u>Latin</u>	<u>Example</u>	<u>Transliteration</u>
و	aw	نوم	nawm
ي	ay	ليل	layl
ي	iyy	شافعي	shafi°iyy (ending)
و	uww	علو	°uluww (ending)

5. Exemptions

- 5.1 Arabic letter ء (hamzah) found at the beginning of a word is transliterated to the letter “a” and not to’.

Example: أكبر transliterated to: akbar (not ‘akbar)

- 5.2 Arabic letter ة (ta' marbutah) found in a word without ال (al), which is coupled with another word that contains ال (al) at the beginning of it is transliterated to the letter "t".

Example: مكتبة الإمام transliterated to: maktabat al-imam

However if the Arabic letter ة (ta' marbutah) found in a word with ال (al), in a single word or in the last word in a sentence, it is transliterated to the letter "h".

Example: المكتبة الأهلية transliterated to: al-maktabah al-ahliyyah
قلعة qal'ah
دار وهبة dar wahbah

ABBREVIATION

DAIJ	Diploma in Administration Islamic Judiciary
DR.	Doctor
DSLPP	Diploma in Shariah Law and Practice
HJ	Haji
IIUM	International Islamic University of Malaysia
MAIP	Majlis Agama Islam Pahang
PROF	Professor
SAW	Salla Allāh ʿ Alayh Wa Sallam
SWT	Subhanahu Wataala
TN	Tuan
UKM	National University of Malaysia

CHAPTER 1

INTRODUCTION

Definition of Syarie Lawyer by Islamic Perception

1.1 Al-Quran

As we know, that Al-Quran is a primary source for Muslim. There are much information in Al-quran such as guides, knowledge's, laws, histories and anything. We have found in Holy Qur'an about this profession but there is no a specific word or authority on the practice of this career in Holy Quran except on the general concept of *wakalah* (general representation). For example, Allah said in the Quran about the right to appoint a representative for the arbitration in settling family matters (Surah An-Nisa; 4:35)

And if you fear a breach between them twain (the husband and wife), appoint an arbiter from his folk an arbiter from her folk. If they desire amendment, Allah will make them of one mind. Lo! Allah is ever knower, Aware.¹

Beside that Allah were allowed the representation in matter of transactions (Surah al-Kahfi 18:19)

And in like manner we awakened them that they might question one and other. A speaker from among them said: how long have you tarried? They said: we have tarried a day or some part of a day, (other) said: Your Lord best knower what you have tarried. Now send one of you with this your silver coin unto the city, and let

¹ Al-Qur'an. An-Nisa' 4: 35

*him see what food is purest there and bring you a supply thereof. Let him be courteous and let know of you.*²

In other verses showed the right to appoint a representative in giving testimonies in the law of evidence (Surah an-Nisa' 4:105)

*Lo! We reveal unto thee the Scripture with the truth that thou may judge between humankind by that which Allah showed thee. And be not thou a pleader for the treacherous.*³

From the above verses clearly showed to us that Allah give us the right to appoint the representative in any matters especially when the disputation between the two parties. So the relationship between the verses and Syarie Lawyer are the God not clearly said in the Quran by the term of Syarie Lawyer but there is a concept of the *wakalah* mean the representative can be practice in our society.

1.2 Hadith ✓

In the administration of justice during the period of Prophet Muhammad SAW, the practice of *wakalah* can be seen when he sent his representatives, Saidina Ali ibn Abi Talib and Muaz ibn Jabal, to Yemen as Qadi's.

Ali r.a said: "The Prophet Muhammad SAW had sent me to Yemen as a judge. I said to the Prophet SAW, "O Prophet. Why do you send me while I'm still young and ignorant on matters of the judiciary?" The Prophet SAW said: "Verily Allah will grant you His guidance on your heart and will strengthen your tongue. If two men came arguing before you, do not give judgement until you have heard the argument of the second man as you have heard the argument of the first, this is more fitting for you so that the matter would be clear to you when you give your

² Al-Qur'an. Al-Kahfi. 18:19

³ Al-Qur'an. Al-Nisa'. 4:105

judgement.” ‘Ali r.a said: “Since then I have never had any doubts while giving judgement⁴.

1.3 Ijma’Ulama ✓

According to the Ijma’Ulama there are many cases in companions time showed to us that profession of Syarie Lawyer were practiced since long time ago. That means the earlier person which plays these rules come from the companions. For example:

It is related that in the year of the famine in Arabia, a woman who had been married informed the Caliph Sayyidina Omar that she was pregnant because of zina (adultery) and asked him to impose the punishment of stoning on her. Sayyidina Ali looked into the case to find the reasons, which caused the woman to commit the offence. He found that the woman had sexual intercourse not willingly but because she was in a state of extreme hungry and thirst. At that time when she was in that state she met a man who had milk with him and she asked him to give her a little of the milk. The man at first refused to give the milk but after her entreaties, he agreed to give her some milk if she agreed to have sexual intercourse with him. She had to agree. After hearing the plea of the woman Sayyidina Ali relied on the verse of the Holy Quran to the effect;

But if one is forced by necessity without willful disobedience nor transgressing the limits than he is guiltless. For Allah is oft Forgiving, Most merciful.

Sayyidina Omar accepted the view of Sayyidina Ali and freed the woman as she had committed the offence because of duress and her state of extreme hunger and thirst⁵.

On another occasion, a woman came to see Sayyidina Omar and at that time, Ka’ab was with the Caliph. She said “O Commander of the faithful, I have not seen a man better than my husband. He keeps awake the whole night in prayer and devotion, he fasts

⁴ Abu Dawud, Sunan Abu Daud:Kitab al-Aqdiyah,1984, Sh Muhammad Ashraf Publishers, Lahore, P 1016.

⁵ Ibn Qayyim al-Jauriah, al-Turuq al-Hukmiah; p 79.

the whole day, and even though the weather is hot, he does not break his fasts. Omar when he heard this gave thanks to Allah (SWT) as he thought that the woman was lucky to have such a husband. Ka'ab however pointed out that in fact the woman was making a complaint against her husband and alleging that her husband had never slept with her. Omar was surprised and asked the woman if this was true and he told her she should not be shy but she should relate truly, what happened.

The woman then said 'I am still young and I have desires like other women.' Sayyidina Omar then sent for the husband. He then asked Ka'ab to judge the case. Ka'ab at first refused saying that Omar was more competent to do so. Sayyidina Omar however insisted and so Ka'ab gives his judgement as follows: "I am of the opinion that we should take the analogy of a man has for wives and the woman who complained is his fourth wife. The man is then entitled to perform his religious observances for three days and nights and one day and night will then be for the woman." Sayyidina Omar was well pleased with the judgement and later appointed Ka'ab as Qadi in Basrah⁶.

It is related that there was a young woman who feel deeply in love with a young man but it appeared that the young man rejected her advances. This made the young woman very angry and she thought of a device to harm him. She broke an egg, threw away the yolk and poured the white over her dress and her upper legs. She then cried out and presented her self to the Caliph Omar and accused the young man of molesting her and she said that were traces of his semen on her dress and upper legs. The young man denied her accusation. Sayyidina Ali who was present was asked his opinion. Sayyidina Ali was asked some boiling water and he poured it on the dress. The liquid solidified and became white and when Sayyidina Ali tasted it, he found it tasted like egg. He therefore said it was not semen and as a result, the young woman acknowledged her plan and the young man was released.⁷

⁶ Dr Ahmad Abdul Muniem al-Bahal, *Tarikh al-Qada fil Islam*. P 110.

⁷ Ibn Qayyim al-Jauriah, *al-Turuq al-Hukmiah*; p 70

In other cases, in the time of Sayyidina Ali, a man was brought before him. A group of persons in a building caught him and his hand was a knife covered with blood. Near him was a corpse of a person who appeared to have been stabbed and was covered with blood. Sayyidina Ali was questioned a man and he admitted that it was he who killed the man.

Sayyidina was sentenced the man to death but when the sentence was about to be carried out, another man came forward and said “do not kill him”. In fact it was I who killed the man. On hearing, this Sayyidina Ali asked the first man and asked him what made him confess to the crime. The man said, I could not say, that I kill the man as clearly I would not be believed. I was at the scene and in my hand a knife covered with blood. If I had denied the accusation I certainly would not be believed and so I decided to leave the matter to Allah’. Sayyidina Ali asked the man to relate what happened.

He said ‘I work as a butcher and was slaughtering a cow. I then felt the call of nature and went out to ease myself. I then saw the corpse of the man covered with blood. I was stunned and stood still with the bloodstained knife in my hand. When the people came, they caught me and accused me of killing the man. I could not bring anyone to support me and I decided to say I killed the man, although I did not do so’. Sayyidina Ali then asked the second man, and he said he did kill the man for greed of his money.

When he heard the people coming, he ran away and himself. He saw what happened when the people came and the first man was caught and acknowledge that he had killed the man. Sayyidina Ali then asked his son, Sayyidina Hassan, for his opinion on the matter. Sayyidina Hassan said both of the persons should be released, the first because clearly he did not kill the man, and the second although he had killed a man he had also saved the life of a man. He quoted the Holy Qur’an to the effect:

If anyone saved a life, it would be as if he saved the of a whole people’ (Surah al-Maidah. 5:35)⁸

⁸ AL-Quran. Al-Maidah 5:35

Sayyidina Ali agreed and he released both the men and ordered the compensation for the death to be paid from the Bait al-Mal⁹.

So that according to majority jurists, the roles played by the companions in defending the accused in the above examples indicate the admissibility of this profession. Furthermore, there is no report on the objection of any *mazhab* on this practice as long as it is done within the ambit of Shariah. Therefore, the *Syarie Lawyer* is permissible in Islam based on Ijma' of companions and of later jurists.

There is no adequate record on the existence of this profession in Malaysia before the promulgation of the respective states' Syarie Lawyer Rules. However, inference may be made that this profession has been in existence during that time based on the fact that the Qadi's Court had been established and administered even before our independence from British colonization.

1.4 Definition by Law

Administration of Islamic Law Enactment 1991 (Pahang)

Actually there is no specific enactment define about the Syarie Lawyer. It just stated that a qualified person who can enter as Syarie Lawyer under the rule 12. Meanwhile according to the Administration of Islamic Law Enactment 1991 (Pahang) stated that Syarie Lawyer means a person appointed under section 66;

The Majlis may appoint any Muslim Federal Government legal officer and any Muslim advocates and solicitors holding a valid certificate issued under

⁹ Ibn Qayyim al-Jauziyyah, al-Turuq al-Hukmiyyah: p 83-84

the Legal Profession Act 1976, or any qualified person to be a Syarie Lawyer to appear and represent any party in any Syariah Court¹⁰.

Sharifah Zubaidah Syed Abd. Kadir in her article defines it as follows;

A Syarie Lawyer is a person who is given the right by rules enacted by any state (or the Federal Government in respect of the Federal territories) to appear and represent his client in every Syariah Court case within the confines of such state or Federal Territories, respectively.

1.5 Historical of Syarie Lawyer.

Practicing of a lawyer profession nowadays is not same with the government of the Prophet Muhammad's time. Its also real different during the Jahilliah time. The history showed that the judgement during that time is not suitable and inconsistent. For that time the judgement will be judge by a person called "*Kahin*" or known as *Arbitrator*. The *both parties will choose the Kahin*. When both parties have clash between them, and the *Kahin* will judge and make decision. The both parties will accept the decision. However, it is not mean the represent of the case by other person is foreign during the epoch of Prophet Muhammad and His companions.

The most famous case in the al- Quran is about the accusing of the commits rape. The famous case here between the Prophet Yusof and Siti Zulaikha. When the Prophet Yusof accused try to rape Siti Zulaikha, Allah says in the Quran (Surah Yusof) shows the way to solve that case through suggestion given by the members of Siti Zulaikha family's;

Joseph said: she it was who asked of me an evil act. And a witness of her own folk testified; if his shirt is torn from front, then she speak truth and he is of the liars .And if his shirt is torn from behind, then she had lied and he is of the

¹⁰ Administrztion of Islamic Law Enactment (Pahang).1991.p 102

*truthful. So when he saw his shirt from behind, he said: lo! This is of the guile of you women. Lo! The guile of you is very great.*¹¹

Therefore, the members of Zulaikha's family played the function as a lawyer and this case accepted by the Judge during the time and established by Islam.

After that during the growth of Islamic Law epoch, the lawyer profession also has been developed. The members of Islamic Law profession were known by variety names such as; *Usuliyyun*, *Fuqaha'*, and so on. Members of lawyer profession work with government called as Mufti and Qadi. Between the epoch of Islamic development and modern time, the Empire of Othmaniah was created the '*Vakil*' as professional members of Islamic law. The duties of this group are represent any party in the trial. This is a type of profession, which really closed with Syarie Lawyer, advocate and solicitor in this time.

¹¹ Al-Qur'an. Yusuf. 12:26

CHAPTER 2:

APPOINTMENT OF SYARIE LAWYER IN PAHANG

Qualifications to be Admitted as Syarie Lawyer in Pahang

2.1 Bachelor of Shariah or Bachelor of Law

The education background of the present Syarie Lawyer can be categorized as follows:

- a) Those received their legal education and training from Universities and Inns of Courts in United Kingdom.
- b) Those received their legal education and training from local Universities.
- c) Those received their legal education and training on Islamic and Civil laws from local Universities.
- d) Those received their legal education and training but received limited Islamic laws knowledge from local Universities
- e) Those received their Shariah laws education and training comprehensively without being exposed to civil legal education from Middle Eastern Universities

At present, all categories can apply to be admitted as Syarie Lawyer in Shariah Courts.

However, there is a statutory limitation imposed on Syarie Lawyer as regards to their jurisdiction. Section 66(5) of the Laws of Administration of Islamic Religion State of Pahang Vol: 3/1991- provides that no Syarie Lawyer is allowed to take part in a court for any party in a proceeding where it contradicts with the religion of Islam. This provision clearly indicates that the appearance of Syarie Lawyer in Shariah

courts must not against the Islamic law. Thus, the function and role of Syarie Lawyer are subject to Shariah.

As regards to their appointment, section 66(1) of the Laws of Administration of Islamic Religion State of Pahang Vol: 3/1991 states that;

"The Majlis (Board) may appoint any Muslim Federal government legal officer and any Muslim advocates and solicitor holding a valid certificate issued under the legal profession Act 1976 or any qualified person to be a Syarie Lawyer to appear and represent any party in any Shariah court"¹²

From the above it is clear there appears to four categories⁸ of Syarie Lawyers who can appear before Shariah courts:

- 1) Any legal officer of federal government
- 2) Any advocate & Solicitor who possess the valid certificate of practice produced under the legal profession Act 1976
- 3) Any person deemed to be qualified (for e.g.; an academician)
- 4) Any person qualified to be a Syarie Lawyer

The variety of categories above mirrors the lack of uniformity in procedures for admittance as Syarie Lawyer. Category for number 3 especially, causes the conflict of interest in the sense that an academician (Shariah law) also can admitted as Syarie Lawyer. This should strictly prevent to avoid the conflict of interest. The Rules of Syarie Lawyers therefore is recommended to provide a provisions that no qualified person shall, without the special leave in writing of the proposed Syarie Lawyers council, hold any office or engage in any employment of any kind, whether full-time or otherwise. Moreover, different state requires different criteria for the admittance of Syarie Lawyer and on top of that, there is no common final examination for all

¹² Administration of Islamic Law Enactment (Pahang) 1991. p 102

graduates in order to become a Syarie Lawyer. Other states for instance Negeri Sembilan, Penang and Perak require an applicant to undergo a special interview only. As much concern has been expressed about the entry standards of the Syarie Lawyers, there should be standard guidelines by every state in Malaysia on the appointment of Syarie Lawyers. At least other states should follow the state of Selangor and Federal Territory where these states require a diploma holder in Shariah and Legal Practice.

2.2 Entrance Examination

It proposed that the qualifications for admission as Syarie Lawyer would be:

a) Has passed the final examination for the degree of Bachelor of Laws (Honors) of a recognized university.

OR

b) Has passed the final examination leading to the degree of Shariah laws (honors) of a recognized university

AND all the followings;

a) Has attained the age of 21 years

b) Is of good character

c) has not been convicted in Malaysia or elsewhere of a criminal offences as would render him unfit to be a member of his profession, and in particular, but not limited to, an offence involving fraud or dishonesty

ii) Has not been, or is not liable to be, disbarred, disqualified or suspended in his capacity as a legal practitioner in any other country;

- iii) Has not been adjudicated bankrupt;
- iv) Has not done any act, which prohibited in Islamic law, if being an advocate & Solicitor in civil courts that would render him liable to be barred, disqualified or suspended from practice as Syarie Lawyer;
- d) A citizen of Malaysia or a permanent resident of Malaysia
- e) Has satisfactorily passed or exempted from the Bahasa Malaysia and basic.

2.3 General Qualifications

Ahmad Ibrahim and Mahmud Saedon Awang Othman in the following extract outline the general qualifications of a Syarie Lawyer under Islamic Law.¹³

It would seem that under the Islamic Law, Syarie Lawyer should;

1. Have a good character. The Holy Al-Quran says to the effect, ‘you have indeed in the Prophet of Allah a beautiful pattern of conduct for any one whose hope is in Allah and the Last Day and who engages much in the praise of Allah. (Surah al-Ahzab)
2. Be trustworthy. As stated in the Holy Al-Quran to the effect ‘Allah commands you to render back your trusts to those to whom they are due. (Surah an-Nisa’)
3. Should perform his duties with sincerity, honesty and with the intention to serve Allah (SWT) for he is performing a worthwhile duty in the eyes of Allah (SWT).

¹³ Ahmad Ibrahim & Mahmud Saedon. 1993. Judges and Lawyers Under the Shariah, in Aidit Ghazali (ed) Islam and Justice. Kuala Lumpur. IKIM. P 143

4. Should have good knowledges of the law both substantive and procedural.
5. Should continue to improve his knowledge and make him more competent to perform his duties.

2.4 Syarie Lawyer Rules 1995 (Pahang)

A person may be admitted to be a Syarie Lawyer if he:

- a) (i) Is a Muslim and has passed the final examinations which leads to the certificate of a bachelor's degree in Shariah from Al-Azhar University or any Islamic educational institution recognized by the government of Malaysia; or
 - (ii) Is a Muslim advocate and solicitor enrolled under the Legal Profession Act 1976; or
 - (iii) Has served as a Shariah Judge or as a Kathi with any state Government in Malaysia for a period of not less than seven years;
- b) Has attained the age of twenty-one years;
- c) Is of good behavior and;
 - (i) Has never been convicted in Malaysia or in any other place of any criminal offences;
 - (ii) Has never been adjudged a bankrupt;
- d) Is a Malaysian citizen; and
- e) As an advocate and solicitor, has passed the Sijil Syarie Lawyer examination.¹⁴

¹⁴ Syarie Lawyer Rules. 1995. Pahang. p 69.

2.5 Syarie Lawyer Rules 1991 (Selangor)

However, reference should also be made to Syarie Lawyer Rules 1991 (Selangor) that requires additional academic qualification. Rule 8(1)(b) requires the applicant to complete a professional training recognized by the Majlis in the field of Islamic Judiciary or is knowledgeable in Islamic Law. There is no such requirement in other states Syarie Lawyer Rules.

Rule 8

(1) Subject to sub rule (2), any person who fulfills the following requirements is eligible to be appointed as a Syarie Lawyer:

(a) (i) A person who holds a Bachelor Degree in Shariah which is recognized by the Majlis and conferred by an institute of higher learning recognized by the federal Government, or

(ii) An advocate or solicitor registered under the Legal Profession Act 1976; and

(b) (i) Has completed a professional training recognized by the Majlis in the field of Islamic Judiciary; or

(ii) Is knowledgeable in Islamic Law; and

(c) Is of good character and:

(i) Has not been convicted in Malaysia or elsewhere of a criminal offence (under any written law) as would render him unfit to be a Syarie Lawyer, and in particular, but not limited an offence involving fraud or dishonesty; or

(ii) Has not been adjudicated bankrupt; or

(iii) Has not been found guilty of any of the acts or omission mentioned in paragraph above, and

- (c) Is a federal citizen or a permanent resident of Malaysia.¹⁵
- (2) The State Legal Adviser of Selangor and every Federal Counsel are deemed to have been appointed by the *Majlis* under these Rules as Syarie Lawyer and may, if their official duties so require, represent any party in any court.

¹⁵ Syarie Lawyer Rules.1991. Selangor.

2.6 Interviewer

Syarie Lawyer Panel of Interviewer in Pahang Darul Makmur.

1. YH. Dato' Dr. Abdul Monir Bin Haji Yaakob, DIMP, KMN,
(Chairman, Syarie Lawyer Committee State of Pahang)
2. Dato' Wan Haji Abdul Wahid Bin Wan Hassan, SIMP, DSAP, SAP, JSM, AMP.
YDH. Orang Kaya Indera Pahlawan Pahang,
(Deputy President of Majlis Ugama Islam Pahang)
3. Dato' Abdul Rahman B Sebli, DIMP, PPB
Legal Adviser of Pahang State
4. Tuan Hj. Md.Fazi B Ismaon
Ketua Penolong Pegarah Pendakwaan dan Penguatkuasaan Jabatan Agama Islam
Pahang
5. Ustazah Hajjah Salehah Bt Haji Osman, AMP, PKC
6. Mohd. Najid B Hussain
(Advocate and Solicitor)
7. Mokhtar B Hj. Osman, AMP
Secretary of Majlis Ugama Islam dan Adat Resam Melayu Pahang

CHAPTER 3

FUNCTIONS OF SYARIE LAWYER IN PAHANG

3.1 General Functions and Duties

In all aspects of life, Islam emphasizes that justice should be served to all regardless of religion, race, relationship and status. In verse 58 of Surah an-Nisa', Allah reminds Muslims to fulfill their amanah and judge between people justly. Then in verse 135 of surah an-Nisa', Allah stresses that, in any situation, justice should be the first priority even though it might be against our interest.

The same attitude can also be seen in as-Sunnah of Prophet Muhammad SAW, to the effect:

Ummu Salamah reported the Prophet Muhammad SAW as saying; I am only a human being, and you bring your disputes to me, some perhaps being more eloquent in their plea than others, so that I give judgement on their behalf according to what I hear from them. Therefore, whatever I decide for anyone who by right belongs to his brother, he must not take anything, for I am granting him only a portion of Hell. (Abu Daud, Sunan Abu Daud, Kitab al-Aqdiah, p 1016)¹⁶

Referring to the above verses and as-Sunnah, the duty of a Syarie Lawyer as a court officer. He is not only to present and argue a case for the interest of his client but more importantly, to assist the court to arrive at a justly and fair decision even if the decision of the court may not be in favor of his client.

In the Islamic Law, a person who wants to be a Syarie Lawyer should be qualified the criteria as follows;

¹⁶ Abu Dawud.1984. Sunan Abu Daud:Kitab al-Aqdiyah. p 1016

1. A Syarie Lawyer should have a good attitude as well as claimed by Islam.
2. a Syarie Lawyer should have a good knowledge in Islamic Law and Syariah before apply to be Syarie Lawyer .
3. A Syarie Lawyer should be understand well about Law of Evidence and procedure in Syariah Court.
4. A Syarie Lawyer should also present a good performance, advices, duties, faithful, and trustworthiness to his clients.
5. Lastly, a Syarie Lawyer is encourages to gain more knowledge in all aspects in his field and able to fulfill his client satisfaction.

3.2 Duties of Syarie Lawyer

- i. He has an obligation that in every court action he has the duty not mislead the court such as concealing a document he is supposed to produce in court.
- ii. He must not make false representation. Example, he says that his witness is not available.
- iii. He must present his case honestly and truthfully.
- iv. He must not catch his opponent by surprise. Example, by producing a copy without prior warning to his opponent.
- v. He has a duty to disclose any information he knows the document will assist the court in making decision.
- vi. He must comply with the rules of procedure.
- vii. He must not take the case if he is not able to do it.
- viii. He has to study the case before he goes to the court.
- ix. He must dress well in court.
- x. He must show respect to the authority of the court.
- xi. He must be punctual.
- xii. He has the duty to represent his client to the best of his ability.
- xiii. He has the duty to preserve the confidentiality of communication.

3.3 The Function And Responsible Of Syarie Lawyer In Court

The function and responsible of Syarie Lawyer is to perform the duty of the both parties whether on behalf of the plaintiff or defendant in proceeding. The lawyer for defendant and plaintiff must do their own responsible such as to bring the case behind the court or to defend his client.

For these responsibilities, the lawyers must prove an evidence of the argument until the client proven true. In a statement represent, he must always be sincerely in handling the cases and should not forget whatever principles have decided in Islam.

A Syarie Lawyer has an important role and responsible especially to assist a court in decision-making. Besides, he is also a second important person after the judge. It means the Syarie Lawyer should make a little investigation the case before proceeding. After that, he should present that case according what he found from investigation. Syarie Lawyer has three functions and responsible before and during the case and after decision was existed.

Before the proceeding, the Syarie Lawyer must act as a counselor or advisor to his client. He must give some advice about the Syariah Law, Civil law and the actions that the client occurred. In other hand, he is also a consultant for his client and would be able to accomplish case in peace (*Sulh*), to become a *Hakam* (a judge) to solve their problems that relate with marriage matter. Lastly, he must show that he able to be an expert person in guidance from personal and important client.

During the case, the Syarie Lawyer as an assistant to the judge, he should understand the process thoroughly before handling a case, and most importantly, he must be well prepared in terms of facts and evidences. In that time, he should present the facts and clear evidence with bring a suitable allotment which stated in the act before the judge.

Syarie Lawyer has the function and responsible that his obligation to ensure that his clients or both parties (Plaintiff and Defendant) are complying the decision that has been made by the court. He has to make sure the decision that makes by Shariah Court must complied by his client, to prepare the draft that decided by the court during the case or after the case. He also play important part after decision made by the court that he should help his client to manage the terms that related with maintained, *iddah* maintenance, maintenance of children, *mut'ah*, divorce or others. If the client not satisfied with decision that making by court, he may represent the appeal petisyen in 14 days, if the decision already made, the lawyer must make the appeal notice for his client.

As a conclusion, Syarie Lawyer has an important roles and responsible for his client and for the court and officers of court. The duties has been made make sure not contradict and beyond from the Al-Quran and Sunnah. Basic of justice principal and trustworthy shall used in duties. Syarie Lawyer also must show a good intention when handling the case or proceeding. He should follow all of procedures specially the procedures in Shariah Court that appropriate in law.

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3.4 Ethic And Discipline Of Syarie Lawyer

Every profession has its ethic in presenting and performing his responsibility. Generally, there are two types of ethics that practiced by Syarie Lawyer. There are Islamic law principle and Syarie lawyer Rules from each states.

According to Islamic law principle, Syarie lawyer must have a good behavior and responsible base on Shariah ethics. By referring to Rasulullah as their role model, the Principe of being honest, pleasant personality, are the best attitudes, which they should have most. He was not only subjected to the court regulations besides as a muslim there is another thing which he must takes into consideration. On the other hand, he should have a good reputation towards his clients.

Beside that, trustworthiness and honest are the most important things in their life as the Syarie Lawyer.

Indeed, Syarie Lawyer prohibited involving in any corruption, as it will affect the proceeding. Islam forbidden in corruption because it will spoil the justice principle that Islam need. Syarie lawyer who involved in corruption whether they gave or received from anybody it is same like doing brutalities.

The "*Wakalah*" in proceeding not allowed any lawyer to do whatever acceptance that relevance with materials. However, in the other circumstances, Syarie Lawyer must take the responsible to be the trustful person if the command from the clients or the court. This situation maybe makes a chance for Syarie Lawyer become a fraud about that materials belongs to his clients.

Perpustakaan
Kolej Universiti Islam Malaysia

Allotment about Syarie lawyer is included in the Syarie Lawyer Rules. It is almost same in any states that have Syarie Lawyer Rules. This allotment not specifically pointed to ethics of a Syarie lawyer but only as guidance to the committee to inveigh, or reject a

Syarie lawyer from registered. This rules included in the part IV of Syarie Lawyer Rules (Pahang) 1995. Section 16 (1) (2) listed several things which allowed to take a legal action onto Syarie Lawyer if, as follow;

- a) If convicted in any crimes
- b) Commit dishonesty or fraud or commit an act that a Syarie lawyer should not.
- c) Received or giving the corruption in intention to get occupation for himself or other people
- d) Try to have occupation for himself or other person by illegal way.
- e) Receives any occupation in legal business from a customer
- f) Has allowed his clerk or other people without any permission to represent himself without his or her coordinate
- g) Making a business that for committee its not suitable in their position as Syarie lawyer
- h) Commit something that against allotment in rules or in any act.

In Melaka, a person is not qualified as Syarie lawyer if:

- a) Commits crime in Malaysia or any place that included a bad behaviour that make himself not qualified as Syarie lawyer or
- b) Insult any court under Syarie court Enactment 1985, or
- c) Making an incorrect boldness in any court under Syarie court Enactment 1985, or
- d) Someone who faced bankruptcy but not yet releases.

The conclusion is, a lawyer which given responsibility to advocate an innocent should do their work with dedication and honesty. This is because, their duties as a 'wakalah' to defend the rights of his client is very important to ensure the name of Islamic law can be trusted and respect by society.

3.4 List Of Syarie Lawyer Practiced In Pahang 2003

Name and Address

1. Encik Mustafa Kamal Bin Haji Mat Hassan
Tetuan Mustafa & Rosniza.
Lot 1753-A, Tingkat 1,
Jalan Sultan Yahya Petra,
15150 Kota Bharu,
Kelantan Darul Naim.
2. Puan Shahaniza Binti Haji Shamsudin,
Tetuan Raja Azhar & Hussain Safri,
207, Tingkat 2, Blok A, Kuantan Centre
Point,
25000 Kuantan,
Pahang Darul Makmur.
3. Tuan Haji Abdullah Bin Sidek
Tetuan Radzi & Abdullah,
77(2), Bangunan LKNP,
Jalan Ahmad Shah,
28000 Temerloh,
Pahang Darul Makmur.
4. Encik Mohd Najid Bin Hussain,
(Ajk Syarie Lawyer)
Tetuan Mohd. Najid & Partners,
Suite 4&5, Tingkat 18, Menara Teruntum,
Jalan Mahkota, P.O Box 400,
25000 Kuantan,
Pahang Darul Makmur.
5. Tuan Syed Nasarudin Bin Syed Abd. Hadi,
Tetuan Radzi & Abdullah,
No 207 & 307, Tingkat 2 & 3, Blok C,
Kuantan Centre Point, P.O Box 312,
Jalan Haji Abdul Rahman,
25000 Kuantan,
Pahang Darul Makmur.
6. YH. Dato' Haji Haranay Bin Md. Noor,
Tetuan Haranay, Hisham, Anikh &
Associates,
Tingkat 1, Bangunan PERKIM,
Jalan Gambut,
25000 Kuantan,
Pahang Darul Makmur.
7. Cik Julita Ilhani Binti Dato Haji Abdul
Jabbar,
Tetuan Rosnah Julita Ilhani & Associates,
A29, Tingkat 1, Lorong Tn Ismail 10,
Sri Dagangan,
25000 Kuantan,
Pahang Darul Makmur.
8. Tuan Dr.Haji Mohd Radzuan Ibrahim & Co,
Suite B9- 3a, 4th. Floor, Dataran Palma,
Jalan Senaman 1,
68000 Ampang,
Selangor Darul Ehsan.
9. Tuan Haji Yusof Bin Haji Rahmat,
Tetuan Yusof Rahmat & Co,
No. 136/4 Tingkat 3,
Kompleks Munshi Abdullah,
Jalan Munshi Abdullah,
75100 Melaka.
10. Encik Ikmal Hisam Bin Idris,
Tetuan Ikmal Dan Rakan-Rakan,
No 27-A, Jalan Bunga Tanjung,
28400 Mentakab,
Pahang Darul Makmur.
11. Tuan Dr. Mohd Rafie Bin Mohd. Shafie,
Tetuan Rafie Mohd Shafie & Associates,
Suite 11 – 01, 11th. Floor,
Semua House (Peti Surat),
Jalan Bunus Enam, Off Jalan Masjid India,
50100 Kuala Lumpur.
12. Puan Nor Azian Binti Abdul Wahab,
Tetuan Mohd Sofian & Co,
No. 237, 1st Floor,
Lorong Tun Ismail, Udarul Aman Complex,
25000 Kuantan,
Pahang Darul Makmur.

13. Encik Rozilan Bin Abdul Rahman,
Tetuan Tan Kong Hai & Tui,
No. 6, Tingkat Atas, Jalan Semantan 2,
Lurah Semantan,
28000 Temerloh,
Pahang Darul Makmur.
14. Encik Mohamad Sazali Bin Haji Abdul
Aziz,
Tetuan Sazali & Lim,
19a, Jalan Temerloh,
28300 Triang,
Pahang Darul Makmur.
15. Encik Md. Radzi Bin Mustaffa,
Tetuan Radzi & Abdullah,
No.3, Bangunan LKNP, Jalan Diwangsa,
27000 Jerantut,
Pahang Darul Makmur.
16. Encik Ahmad Zaharuddin Bin Mohd Alias,
Masjid Negeri Sultan Ahmad 1,
Jalan Masjid,
25000 Kuantan,
Pahang Darul Makmur.
17. Encik Anandzachery Bin Mohamad,
Tetuan Zachery & Azman,
207, Tingkat 2, Blok A,
Kuantan Centre Point,
25000 Kuantan,
Pahang Darul Makmur.
18. Encik Salamon Ali Rizal Haji Abdul
Rahman,
Tetuan Salamon, Zuraida & Partners,
No. 201, Tingkat 2, Block C,
Kuantan Centre Point,
Jalan Haji Abdul Rahman,
25000 Kuantan,
Pahang Darul Makmur.
19. Encik Othman Bin Talib,
Tetuan Balendran Chong Bodi & Norhuda,
Tingkat 3, Bangunan Hongkong Bank,
25000 Kuantan,
Pahang Darul Makmur.
20. Tuan Haji Ishak Bin Haji Abdullah, PKT,
Syarie Lawyer Dan Pesuruhjaya Sumpah
(C004),
No.123B, Tingkat 2, Bangunan MUIP,
25000 Kuantan,
Pahang Darul Makmur.
21. Puan Norhuda Binti Haji Alias,
Tetuan Balendran Chong Bodi & Norhuda,
Tingkat 3, Bangunan Hongkong Bank,
25000 Kuantan,
Pahang Darul Makmur.
22. Encik Abdul Khaidir Bin Zainal,
Tetuan Zul & Co,
No. 11 Jalan Tun Razak,
27600 Raub,
Pahang Darul Makmur.
23. Puan Suzana Binti Pattani Ali Kutty,
Tetuan Suzana, Iqbal Hamdy & Co,
No. 9, Tingkat 1, Jalan Haji Abdul Aziz,
25000 Kuantan,
Pahang Darul Makmur.
24. Encik Tun Ahmad Fadzil Bin Tun Abdul
Razak,
Tetuan T.A Fadzil & Co,
Lot 102, Tingkat 2, Wisma Rangkaian,
Jalan Teluk Sisek,
25200 Kuantan,
Pahang Darul Makmur.

25. Encik Abdul Rashid Bin Asari,
Tetuan Rashid Asari & Co,
No. 11, (2nd . Floor) Jalan Taman,
41400 Klang,
Selangor Darul Ehsan.
26. Encik Sharil Bin Salleh,
Tetuan Nazrin & Suguman,
No. 17-1B, Tingkat 1, Jalan Pandan 3/9,
Pandan Jaya,
55100 Kuala Lumpur.
27. Encik Ismail Bin Mohamed Said,
Tetuan Bahari, Choy & Nongchik,
No. 1, Tingkat 1, Jalan Semantan 2,
28000 Temerloh,
Pahang Darul Makmur.
28. Encik Fakhrul Azman Bin Abu Hassan,
Tetuan Azaine & Fakhrul,
No. 7-1A, Jalan Pandan Indah 4/34,
Pandan Indah,
55100 Kuala Lumpur.
29. Puan Kamar Ainiah Binti Kamaruzaman,
Tetuan Kamar Ainiah, Raziff & Rashidi,
Blok E 3A-3A, 4th, Floor, Jalan
Semantan1/2,
Dataran Palma, Off Jalan Ampang,
68000 Ampang,
Selangor Darul Ehsan.
30. Encik Muhamad Hisham Bin Abdul Rahim,
Tetuan Haranay, Hisham, Anikah &
Associates,
Tingkat 1, Bangunan PERKIM, Jalan
Gambut,
25000 Kuantan,
Pahang Darul Makmur.
31. Encik Abdullah Johari Bin Hamzah,
D/A Lin Associates,
Lot 1809, Tingkat Bawah,
Jalan Engku Muda Mansor,
26600 Pekan,
Pahang Darul Makmur.
32. Encik Ahmad Kamil Bin Noh,
Tetuan Hamidah, Rosmawati & Associates,
No.93, Tingkat 1, Jalan Tun Ismail,
25000 Kuantan,
Pahang Darul Makmur.
33. Encik Iqbal Hamdy Bin Mohd Rusdi,
Tetuan Suzana, Iqbal Hamdy & Co,
No. 9, Tingkat 1, Jalan Haji Abdul Aziz,
25000 Kuantan,
Pahang Darul Makmur.
34. Encik Mohd Zaidi Bin Haji Mohd Zain,
Tetuan Zaidi Zain & Associates,
Suite 8-9-2, Menara Mutiara Bangsar,
Jalan Liku Off Jalan Riong, Bangsar,
59100 Kuala Lumpur.
35. Puan Hajjah Nor Azmi Binti Baharom,
Tetuan Nor Azmi & Co,
108 Jalan Pakis 4, Taman Cuepacs,
43200 Cheras,
Selangor Darul Ehsan.
36. Puan Sharifah Noorin Alhabshi,
Tetuan Noorhuda & Partners,
B2, 1st. Floor, Lorong Tun Ismail 6,
Sri Dagangan Centre,
25000 Kuantan,
Pahang Darul Makmur.

37. Puan Siti Aribah Binti Ahmad,
Tetuan Sazali and Lim,
No. 77(II), First Floor, Bangunan LKNP,
Jalan Ahmad Shah,
28000 Temerloh,
Pahang Darul Makmur.
38. Puan Maslina Binti Omar @ Arshad,
Tetuan Suhaimi, Tan, Zamani & Rozilan,
F-61, Jalan Tok Muda Awing Ngah,
28000 Temerloh ,
Pahang Darul Makmur.
39. Lt. Kol (B) Ahmad Bin Daud,
Tetuan Ahmad Daud & Associates,
No. 35 Jalan E1, Taman Melawati,
53100 Kuala Lumpur.
40. Puan Mahiera Binti Mustapha,
D/A Tetuan Suzana, Iqbal Hamdy & Co,
No. 9, Tingkat 1, Jalan Haji Abdul Aziz,
25000 Kuantan ,
Pahang Darul Makmur.
41. Encik Mohamad Isa Bin Abd Ralip,
Tetuan Mohamad Isa & Associates,
Tingkat 2, Wisma Komax, Jalan Semenyih,
43000 Kajang,
Selangor Darul Ehsan.
42. Encik Zaidi Bin Abdul Hamid,
No. 61, Tingkat 1, Jalan Haji Abdul Aziz,
25000 Kuantan,
Pahang Darul Makmur.
43. Cik Rohaidah Binti Ali,
Tetuan Haranay, Hisyam, Anikah &
Associates,
Tingkat 1, Bangunan PERKIM, Jalan
Gambut,
25000 Kuantan,
Pahang Darul Makmur.
44. Encik Mohamad Sharif Bin Othman @
Ariffin,
Tetuan Haranay, Hisyam Anikah &
Associates,
Tingkat 1, Bangunan PERKIM,
Jalan Gambut, 25000 Kuantan,
Pahang Darul Makmur.
45. Cik Amalia Binti Mohamad Said,
Tetuan Wong, Law & Ti,
A7, Mezzanine & First Floor,
Jalan Stadium, P.O Box 171,
25720 Kuantan,
Pahang Darul Makmur.
46. Cik Nor Anizah Binti Mukhtar,
Tetuan Suhaimi, Tan, Zamani & Rozilan,
Tingkat 3, Bangunan Majlis Ugama Islam,
27000 Jerantut,
Pahang Darul Makmur.
47. Encik Muhamad Hamizey Bin Mat Taib,
Tetuan Sahadin & Co,
Suite 7 & 8, 6th. Floor,
Menara Teruntum,
25000 Kuantan,
Pahang Darul Makmur.
48. Encik Azmi Bin Dato' Dr Mohd Rais,
Tetuan Zulkifli Yong Azmi & Co,
Lot 3.15. 2nd. Floor, Medan Mara Complex,
No. 21, Jalan Raja Laut,
50350 Kuala Lumpur.

49. Encik Mohd Zuki Bin Che Mat Ghani,
Tetuan Zul Kamri & Co,
No. 54, Tingkat 3, Wisma Amal Assurance,
Jalan Gambut,
25000 Kuantan ,
Pahang Darul Makmur.
50. Puan Hajjah Shamsuriah Binti Sulaiman,
Tetuan Shamsuriah & Associates,
No. 13a, Medan Istana 7, Bandar Ipoh Raya,
30000 Ipoh,
Perak Darul Ridzuan.
51. Encik Mohd Rosli Bin Yusoff,
Tetuan Mohd Najid & Partners,
Suite 4 & 5, Tingkat 18, Menara Teruntum,
Jalan Mahkota, P.O Box 400,
25000 Kuantan,
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CHAPTER 4

CHALLENGES AND PROBLEMS

4.1 Qualifications Of Syarie Lawyer

According to the advocates and solicitors in Peninsular of Malaysia, all lawyers are governed under the allotment of Legal Profession Act 1976. In Malaysia, those who are have Bachelor of Law and practiced as advocates and solicitors are allowed to become a Syarie Lawyer if their have some knowledgement about the Shariah Law. They may apply in each state in Malaysia except for Selangor and Kelantan only.

As we know that all civil lawyers are registered under Bar Council, but in fact all Syarie Lawyers never have any legal body to organize, guard and advice them as stated in Legal Profession Act 1976. Syarie Lawyers also have no one specific allotment in practice among their career. This problem will be bringing difficulties to sue him before the court when a lawyer commits any mistakes. Beside that, for the Civil Lawyers that are holders a Diploma in Shariah Law and Practice (DSLPP) from International Islamic University of Malaysia (IIUM) allowed to become a Syarie Lawyer in Malaysia. Furthermore, in the some states, without any specific qualifications of advocates and solicitors whether he knows Shariah Law or not, they allowed to practice as Syarie Lawyer through an interview and examination. For those who are practice as Syarie Lawyer they will get a certificate as a license to practice and must be renewing every years.

Beside that, its different with the Syarie Lawyer, they cannot practice as advocate and solicitor in Civil Court. That means the Civil Lawyer has more advantages and benefits then Syarie Lawyer. They have two courts to practice (Civil and Shariah Court). Although Syarie Lawyer works under Legal Firm with an advocate and solicitor, his name prohibited to list on the head of letter. This is because Syarie Lawyer did not registered under Bar Council. Syarie Lawyer also cannot practice in Civil Court because of the same reason.

4.2 There are many Advocates and Solicitors Become a Syarie lawyers

Pahang is a big state in peninsular of Malaysia where there are 10 districts with high population. In average, for a legal firm there were only 3 to 4 lawyers each. From this number only 1 or two lawyers from advocate and solicitor who have certificate of Syarie lawyer in Pahang. Its mean the total of advocate and solicitor who have this certificate are many in Pahang. Beside that, there a few groups of lawyers from advocate and solicitor who had address outside of Pahang and practicing their profession in this state. We can imagine this will resulted to Syariah graduates or fulltime of Syarie Lawyer to represent the cases at Shariah Court in Pahang. This is because the advocates and solicitors have their personal rights to handle the same case. This is not fair because Syarie lawyer who graduated in Syariah only can handle the case related to the family matters in Shariah Court but there are not allowed to take over the Civil Cases. However, it is different to advocates and solicitors because they may handle two of them that is Civil and Shariah. That means advocates and solicitors are more profitable than the full time of Syarie lawyer.

4.3 There Are Many Cases Still Pending In Syariah Court

Through the researcher observation, there are many cases in Shariah Courts, which have been pending since few years ago. This is because of the lack of the Syarie Judge or other causes that related to the court. For example, the Syarie Judge in Shariah Lower Court in Temerloh is also a Judge in other place as in Shariah Lower Court in Chenor. Let us imagine, if the judge makes '*Haji*' or '*Umrah*', or the Judge is not well for a few days, how many Shariah cases will be on pending in both of the courts? These are the problems and challenges that must be faced by the Syarie lawyer in Pahang on doing their work every day.

4.4 Fresh Graduated Disqualified In Examination / Interview

Every year, Majlis Agama Islam Pahang (MAIP) through Syarie Lawyer Committee will find schedule a few interview sessions for new candidates or makes a selection session for Syarie lawyer in Pahang. For every times of the interview, the entire applicant will be questioned and interviewed in attempt of qualify them habitually as a Syarie lawyer in Pahang. The problems here was fresh graduates were unable to fulfill the requirement during the interview sessions due to many reasons, such as lack of general knowledge and inexperienced. It was obvious that the applicant from present lawyer in other states have more potential to success in the interview and most of them success deserve a certificate to practice and to be become a Syarie lawyer in Pahang.

The question is, to whom should they fresh graduates refer or lie and when they want to involve in this field.

4.5 There Is No Organization of Syarie Lawyer Established In Pahang

There were 71 of Syarie lawyers in Pahang were registered with '*Majlis*' until at the end 2003. Accumulatively, this is a big number. Its mean here that is not easy to involve in this profession. This is because the person must have specific qualifications and some experiences to practice as Syarie Lawyer. Therefore, they must establish a formal society with discipline and its own ethics. By established of the formal society in state level, they can actively move in a lot of activities and programs like community activities, seminar, courses and workshop, out door activities, counseling and so on. This society can give an obstreperous ion to community that the Syarie Lawyer is not only involved in Syariah matters but also make the community keep the life in harmony, enjoy and happy.

4.6 Is It True That Syarie Lawyer Is a Second Class Group Than Advocate and Solicitor?

The law in Malaysia was from British Law that modified with culture, religion and custom in Malaysia. The reality about this law also stated in federal constitution in 'article 4'. The right of this situation never denied. This not directly taken from the western country but it is already creating by formal by our Parliament. It is also loaded with an amendment of the article 121 that brings to Shariah Court jurisdiction legally. Starting from there, one more history had recorded in the national law system.

Some peoples held that procedures discussion used in Shariah Court already taken from Civil Court procedures. In fact, Syarie lawyer nowadays use more what been served to them. For every disabilities and different that happened from the real concepts in the proceeding it might be not professional. Its not surprise if some peoples say that Syarie lawyer is a second class level if compare with advocate and solicitor.

CHAPTER 5

REMEDIES, SOLUTIONS AND CONCLUSION

Qualifications of Syarie Lawyers

When discussing qualifications of Syarie Lawyers, the legal education background received should first be examined. However, what sort of curriculum do we need? Do we need curriculums that comprise of Islamic law subjects only?

5.1 The Ideal Law Degree Curriculum

A legal education is primary to train legal practitioners. The knowledge and skills acquired for this practice are no doubt also useful in many other areas; business leadership, teaching, journalism, politics, social work, police and so on. To be a Syarie Lawyer, law students need an appreciation of general nature of both Islamic and civil laws and legal theory, of both law historical and social context.

The law faculty of International Islamic University Malaysia (IIUM), Islamic University College of Malaysia (IUCM), University of Malaya (UM) for example stresses academic knowledge and legal analysis and inculcates both legal skills. This includes oral advocacy in Shariah and civil courts, communication and dispute resolution, legal writing, legal research, professional management and computer for law. This kind of curriculum offers a successful blending of knowledge, analysis and skills training of both Islamic and civil laws. Even though in other institutions in Malaysia law students are not destined for Shariah courtroom, the basic knowledge of Islamic Law principles is valuable.¹⁷

¹⁷ Farid Sufian Shuaib. 2001. *Administration Of Islamic Law In Malaysia*. Kuala Lumpur. Malayan Law Jurnal. p 308

Moreover these would help inculcate general skills and prepare the law students for their specific academic discipline. Definitely, these skills are paramount especially in the age where there is tremendous growth of the practices of Islamic principles of insurance (*takaful*), Islamic banking interest free, the system of *al-mudarabah* and *al-wadiah* by most of the finance institutions and banking sectors throughout the country. In the meantime, students should be taught of the type of education that will enable them to serve a society, which will change more quickly and more extensively than any previous society. Accordingly, Syariah Lawyers must also be able to participate in shaping those changes. Only through computers, students are able to acquire a greater knowledge of the laws.¹⁸

5.2 Standardize The Qualification Of Syariah Lawyers

It is proposed that the qualifications for admission as Syariah Lawyer will be:

- a) Has passed the final examination leading to the degree of Bachelor of Laws (Honours) of a recognized university; or
- b) Has passed the final examination leading to the degree of Shariah Laws (Honours) of a recognized university; and all the following:
 - a) A diploma holder in Shariah and legal practice;
 - b) Has attained the age 21 years;
 - c) Is of good character, that is:
 - i) Has not been convicted in Malaysia or elsewhere of a criminal offences as would render him unfit to be a member of his profession, and in particular but not limited to, an offence involving fraud or dishonestly;

¹⁸ Ibid. p 309

- ii) Has not been, or is not liable to be, disbarred, disqualified or suspended in his capacity as a legal practitioner in any other country;
 - iii) Has not been adjudicated bankrupt;
 - iv) Has not done any act which prohibited in Islamic law, if being an advocate & solicitor in civil courts that would render him liable to be barred, disqualified or suspended from practice as Syarie Lawyer;
- c) A citizen of Malaysia or a permanent resident of Malaysia;
- d) Has satisfactorily passed or is exempted from the Bahasa Malaysia and basic Arabic language qualifying examination.

5.3 Continues Further Study in Islamic Legal Education

As had been pointed earlier, some of the present Syarie Lawyers do not receive the comprehensive Islamic Laws education. Thus, there is a need up to date in the latest development of Islamic law. Programs such as continuing Islamic legal education, which consists of lectures, seminars, workshops on Islamic judiciary and Administration, designed for practicing Syarie Lawyers, legal officers of the government should be established. It is submitted that the proposed Syarie Lawyers Council will be the body best positioned to initiate and sustain such program.¹⁹

¹⁹ Ibid. p 311

5.4 The Responsibilities Of The Syarie Lawyer Committee

Complaints against Syarie Lawyers are due in part to the very nature of the work that the legal profession is involved in. The improved levels of education among the public also invite the increase in the number of complaints against them. Other complaints against Syarie Lawyers each year are also due to an increased number of new admissions as Syarie Lawyers. It is also necessary to record some important factors that contribute to there being a large number of complaints against individual Shariah lawyers and criticism of the legal profession.²⁰

However, it is indeed strange that the rules of the Syarie Lawyer Rules 1995 (Pahang) being an instrument to consolidate the law relating to Syarie Lawyers profession do not comprehensively provide provisions pertaining to the conduct and etiquette of Syarie Lawyers. There ceased to exist special provisions relating to the disciplinary committee, conduct and etiquette, remuneration of Syarie Lawyers, Shariah qualifying board and the most important, a special body corporate like the Malaysian bar Council to uphold the cause of justice without regard to its own interests or that of its members, uninfluenced by fear or favor.

It is imperative that every Syarie Lawyer in the Shariah court maintains at all times the highest standard of integrity in court. It was clearly professional misconduct for an advocate and solicitor as well as Syarie Lawyers to engage in any sort of deception of the court. However, as has been said earlier, there is no mention about the special body such as the Bar Council in the rules of Syarie Lawyers 1995 (Pahang) to have a control on all Syarie Lawyers. Furthermore, the functions of the Syarie Lawyer committee are very limited as provided by order 7. This order merely empowers the committee to:

- i) Certify to the majlis regarding the qualifications of a person to be admitted as a Syarie Lawyer;

²⁰ Ibid, p 303

- ii) Certify to the majlis concerning striking off the roll the name of disqualified Syarie Lawyer or suspend from practice the Syarie Lawyer.

The functions and powers of the committee should be extended to include more powers that are specific at least:

- a) to examine and if it considers fit to report upon current or proposed legislation and any other Shariah matters;
- b) to represent members of the Syarie Lawyers Committee or any section thereof or any particular member in any matter which may be necessary or expedient;
- c) to appoint officers, clerks, agents and servants for permanent, temporary or special services as it may from time consider fair and reasonable and to determine their duties and term of service;
- d) to communicate from time to time with other similar bodies and with members of the profession in other places for the purpose of obtaining and communicating information on all matters likely to be beneficial or of interest to members;
- e) to institute, conduct, defend, compound or abandon any legal against proceedings by any against the Syarie Lawyers committee or its officers or otherwise concerning the affairs of the committee.

Order 4 of the Rules of Syarie Lawyers 1995 provides that members of the Syarie Lawyers committee should consist of:

- a) A member of the council as chairman;
- b) Head registrar of Shariah Court of Appeal as a secretary;

- c) Head of Syarie prosecutor commencing from 1 June 1992, as a Syarie Lawyer representing Syarie Lawyers; and
- d) Not more than expert in Shariah law.

In addition, this order must be read together with Order 17 rule 2 which provides that any complaints to Syarie Lawyers must be in writing and shall be lodged to the chairman of the Syarie Lawyers committee.

At this point, it is worth noting that, as there is no specific and expressive provisions relating to who shall sit as disciplinary committee members and consequently such order should be impliedly construed to empower the Syarie Lawyers committee to function as a body responsible for all disciplinary matters.

Another strange point is that the absence of the membership from laypersons in the said committee indicates the unwillingness of the profession of Syarie Lawyers to permit the participation of laypersons in its investigating and disciplinary proceeding. Order 4 of the Rules of Syarie Lawyers 1995 should therefore include a participation of lay persons of members. Consequently, the public undoubtedly has greater confidence that their complaints will be more sympathetically handle and not glosses over and rejected by fellow professionals unwilling to expose their colleagues.

In addition to that, the disciplinary procedure as provided by Order 16 of the Rules should permit a more systematic and thorough analysis as to whom, and, in particular, which category of Syarie Lawyers is causing the most problems in the legal profession. It about of training and years of practice, and the kind of problems that are commonly complaint about. This will be greatly assisted if order 16 was amended to require the disciplinary committee to also record in the complaints register all findings of the disciplinary committee, and the reason for their findings inclusive of any dissenting opinions. This information will enable the *Majlis* in Order 4 to act appropriately to address in a systematic manner the underlying causes for the complaints. As each complaint against individual Syarie Lawyers must be investigated thoroughly and errant

lawyers disciplined, the proposed disciplinary proceedings, which permits lay representation, will no doubt achieve this.

Nevertheless, the committee after receiving and investigating such complaints could not take the disciplinary action in the absence of any specific regulation on the conduct and etiquette of Syariah Lawyers, for instance Shariah Lawyers (Practice and Etiquette) Rules.

Therefore, it is highly recommended that there should include Shariah lawyers (Practice and Etiquette) Rules prepared by the Syariah Lawyers committee at least to provide the following matters:

- a) A Syariah Lawyer to undertake defense fairly and honorably;
- b) A Syariah Lawyer not to conduct cases intended to delay proceedings;
- c) A Syariah Lawyer to uphold interest of client, justice and dignity of the profession;
- d) A Syariah Lawyer to conduct with candor, courtesy, and fairness;
A Syariah Lawyer not to mislead;
- e) A Syariah Lawyer to uphold dignity of the profession;
- f) A Syariah Lawyer to be ready for the day fixed for trial;
- g) A Syariah Lawyer not to actively carry on any trade;
- h) Respect to court; and
- i) A Syariah Lawyer not to stir up strife and litigation.

5.5 The Need of Establishment The Syarie Lawyers Council

The role of Syarie Lawyers and the proposed 'Syarie Lawyers Council' in society is to ensure competence and discipline in the layering process and to contribute to society by serving the public interest. Two areas on which the proposed Syarie Lawyers Council can usefully focus to meet this moral and statutory obligation are:

- a) providing legal aid; and
- b) improving the legal system

The first and foremost step to be taken is that the Rules of Syarie Lawyers 1991 should therefore be amended to include the establishment of a body corporate such as the Bar Council to be known as Syarie Lawyers Council with the following purpose:

- a) to uphold the cause of justice without regard to its own interests or that of its members uninfluenced by fear or favor;
- b) to maintain and improve the standards of conduct and learning of the legal profession of Syarie Lawyers in Malaysia;
- c) to facilitate the acquisition of legal knowledge by members of the legal profession and others;
- d) to express its view on matters affecting legislation and the administration and practice of Shariah law in Malaysia;

- e) to represent, protect and assist members or of the legal profession of Syarie Lawyers in Malaysia and to promote in any proper manner the interest of the legal profession of Syarie Lawyers in Malaysia;
- f) to protect and assist the public in all matters touching ancillary or incidental to the law;
- g) to promote good relations and social intercourse amongst members and between members and other persons concerned in the administration of law and justice in Malaysia;
- h) to encourage, establish and maintain good relations with professional bodies of the legal profession of Syarie Lawyers in other Islamic countries and to participate in the activities of any local or international association and become a member thereof.

It is cogent now to examine some of the inadequacies in our lawmaking process especially those concerning Shariah matters. The majority of our legislators who are in the position to develop the application of Islamic Law do not maintain staffers who can research into problem areas that concern Shariah matters and prepare questions and talking points for discussion in parliament. It is not a frequent practice for parliament to appoint select committees for Shariah law reform, which can make comprehensive reports on the state of the Islamic Law in particular areas.

By focusing on reform, for instance, Shariah lawyers and the Shariah Lawyers Council will not be usurping the functions of the legislature or the Rules Committee who is responsible for any legislation relating to Islamic matters. In fact an essential complementary effort and will go a long way towards making the application of Islamic Law into reality.

The foregoing discussions on functions of the proposed Shariah Lawyers Council and Syarie Lawyers would greatly lessen the queues and the delays, which are both getting

longer and unacceptably so in civil courts. All matters, which fall within the jurisdiction of Syariah Courts, should be sent to Shariah courts. Questions on whether Shariah courts are competent to hear those matters do not longer arise since there are more legislation on Islamic law comes into force. Moreover, the interference from civil courts over Shariah matters can be avoided. It is believe that it is the time to allow the exclusive jurisdiction and powers of Shariah courts because civil courts are being asked to resolve conflicts for which they are not familiar with.

5.6 The Establishment Of Syarie Lawyers Qualifying Board

There is no special board monitoring the qualifications required for the entry of any person as a Syarie Lawyer in Malaysia. It is therefore strongly proposed that to maintain the standards of Syarie Lawyers in Malaysia there should provide a body such as qualifying board, which shall have the following functions:

- a) to prescribe the qualifications required for the entry of any person with a view to his admission as Syarie Lawyer;
- b) to provide courses of instruction for, and to regulate the training and instruction Syarie Lawyer;
- c) to decide on the qualifications, if any, other than those set out in paragraphs (a) & (b) of the Syarie Lawyer so as to entitle a person to become a qualified Syarie Lawyer;
- d) to provide for the management and conduct of both basic Arabic language and of Bahasa Malaysia qualifying examination.

Members of the proposed Shariah qualifying board shall consist of:

- a) Two judges of Shariah courts appointed by the chief justice of the Shariah court;

- b) Two judges from civil court appointed by Lord President;
- c) The Chairman of the Syarie Lawyers Council;
- d) A Dean from a faculty of law nominated by the Minister of Education.

In addition to the above functions, the proposed Shariah lawyers qualifying board needs to look into the law degree curriculum, course and examination. The ideal would be to require all law graduates to sit for a common Shariah law qualifying examination so that the professional ability of all law graduates in Malaysian context may be assessed before their admission as Syarie Lawyers. The curriculum of the law programmed in the various Malaysian Universities will then have to be reviewed and adjusted so as to accommodate this.

5.7 Providing Shariah Legal Aid

Legal aid may have been thought adequate in the past to merely provide legal advice and representation to people who could not afford these services from the private profession. Shariah legal aid however, is aiming to address the problem of access to justice. To achieve this, providers of Shariah legal aid must focus on the vast unmet need for legal services that the underprivileged have. Shariah legal aid in the Malaysian context, therefore must involve a comprehensive programs of Islamic Law of Education, legal advice on Shariah law, legal representation and legal research on Shariah.

Obviously, this cannot be the sole responsibility of the proposed Syarie Lawyers Council. But the Council must provide the leadership and bear a substantial portion of the burden to make the plan a reality. The government, the existing Bar Council, and a number of other non-governmental organizations (NGOs), including the consumer associations, women associations and trade unions already offer legal aid. It is advisable that the Shariah legal aid must be charted not only by the Syarie Lawyers Council but by other interested and competent parties and by all the current providers. In order to achieve

an effective national Shariah legal aid programs, the Syarie Lawyers Council should be prepared to join with government in running a national Shariah legal aid system, which will meet the needs of legal services. The number of Syarie Lawyers actually volunteering to do legal aid work, too, needs to be increased.

5.8 Period Of Chambering / Pupilage

Before being called to the bar, all graduates, whether local or overseas are required to undergo a period of pupilage in a private law firm for a period of nine months under a master of not less than 7 years' standing. It is also necessary to those who wish to be admitted as Syarie Lawyer to complete at least 9 month to undergo the same training in the private Shariah firms. Such persons are required to undergo a period of pupilage in private law firms, which deal with Shariah matters for a period of nine months under a master of not less than 7 years' standing.

It provides a professional qualification and exposures where graduates have been trained to apply the law in practice. As a wise counselor with a wide and deep knowledge of human nature and modern society to all types of clients, skilled advocate and trained in the art of prosecuting and defending the legal right of men and women both in trial courts and on appeal. However, not many lawyers are prepared to accommodate pupils. Masters of the private firms, which deal with Shariah matters especially, are highly recommended to guide the pupils so as not to receive practical training in very limited fields.

Another vital aspect is that no qualified person shall without the special leave in writing of the Syarie Lawyer committee or the proposed Syarie Lawyers Council, hold any office or engage in any employment of any kind, whether full-time or otherwise, during the period of pupilage.

There are, however, a few potential problems with this suggestion. The advocates & solicitors of the civil courts who have served more than 7 years might argue that they should be exempted from serving any period of pupillage before being admitted as Syarie Lawyers. Other qualified persons who have served in the Judicial and Legal Service for seven years for example, may also feel reluctant to serve any period of pupillage.

With this regards, it suggested that these qualified persons shall be exempted from serving any period of pupillage. It has provided a certificate from the majlis to the effect that they are fit and proper persons to be admitted as Syarie Lawyers plus a diploma holder of Shariah Law Practice from IIUM or UKM supports their application for admission as Syarie Lawyers.

CONCLUSION

From the research we had discussed above, we can conclude as below that;

- i) A Syarie Lawyer is a professional job which recognized by Islam. In fact, it was discussed in al-Quran (Surah Yusuf), but it is not stated clearly about this profession. However, the Companions started perform the function of this profession. Actually, for that time he is not as Syarie Lawyer because there is no specific name to known. He just defends a person who was true but need some proven.
- ii) Generally, all Muslim can be a Syarie Lawyer if there are qualified with specific qualification. As we know that Syarie Lawyer is governed under Islamic Law and Muslims matters, so only a Muslim shall become a Syarie Lawyer.
- iii) A Syarie Lawyer has a responsible to perform his duty on his client in court. Some time him as Syarie Lawyer but in certain circumstances, he becomes a truthful person on his client. In other hand, he is not just legal practitioner but also as supporter and assistant to the judge in the proceeding time and judgement.
- iv) In this profession nowadays, there are few challenges and problems faced by each Syarie Lawyer. These problems are, which related about enactments, society, educations, ethics and disciplines, government and Judge.
- v) Every person should play important role and make a little sacrifice together to upgrade the administration of Syarie Lawyer in Malaysia. A lawyer, society, court, states and government must sitting together to discuss about this matter.

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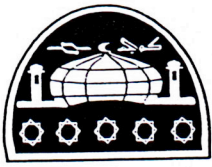
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APPENDICES



KEPADA SESIAPA YANG BERKENAAN

Tuan/Puan,

PENGESAHAN SEBAGAI MAHASISWA / MAHASISWI KOLEJ UNIVERSITI ISLAM MALAYSIA (KUIM)

Dengan segala hormatnya pihak saya ingin memaklumkan bahawa mahasiswa/mahasiswi berikut adalah pelajar daripada Universiti kami. Sehubungan itu kami memohon kerjasama daripada pihak tuan/puan untuk membantu pelajar berkenaan bagi mendapatkan maklumat akademik yang diperlukan oleh mereka.

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MATRIK : P010687
TAHUN : AKHIR
**PROJEK ILMIAH : PEGUAM SYARIE IN PAHANG:-
ITS CHALLENGES, PROBLEMS AND
REMEDIES**

Segala kerjasama dan perhatian daripada pihak tuan/puan di dahului dengan ucapan ribuan terima kasih.

Sekian, terima kasih.

“BERILMU, BERDISIPLIN DAN BERTAKWA”

Yang benar,


WAN FAURIAH BT. WAN SAMAD

Penolong Pendaftar

b.p: Dekan

Fakulti Syariah dan Undang-undang

Penasihat Undang-Undang
Negeri, Pahang.



NEGERI PAHANG

Warta Kerajaan

DITERBITKAN DENGAN KUASA

GOVERNMENT OF PAHANG GAZETTE

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ENAKMEN PENTADBIRAN UNDANG-UNDANG ISLAM 1991

PERATURAN-PERATURAN PEGUAM SYARIE 1995

SUSUNAN PERATURAN-PERATURAN

BAHAGIAN I

PERMULAAN

1. Nama dan mula berkuatkuasa.
2. Tafsiran.

BAHAGIAN II

PENUBUHAN JAWATANKUASA PEGUAM SYARIE

3. Penubuhan Jawatankuasa.
4. Keanggotaan Jawatankuasa.
5. Menamatkan perlantikan dan perletakan jawatan.
6. Mesyuarat Jawatankuasa.
7. Fungsi Jawatankuasa.
8. Saraan dan elaan.

BAHAGIAN III
PEGUAM SYARIE

9. Kelayakan Peguam Syarie.
10. Permohonan.
11. Bantahan.
12. Keputusan.
13. Daftar Peguam Syarie.
14. Rayuan terhadap keputusan Jawatankuasa.
15. Hak-hak Peguam Syarie.

BAHAGIAN IV
TATATERTIB

16. Semua Peguam Syarie di bawah kawalan Jawatankuasa.
17. Aduan terhadap Peguam Syarie.
18. Kuasa Jawatankuasa untuk mengeluarkan perintah.
19. Rayuan terhadap perintah Jawatankuasa kepada Majlis.
20. Perintah Jawatankuasa hendaklah mengandungi pernyataan tentang kesimpulannya, dsb.
21. Peguam Syarie boleh memohon untuk dikeluarkan namanya daripada Daftar.
22. Jawatankuasa boleh memasukkan semula Peguam Syarie.

BAHAGIAN V
PERUNTUKAN AM

23. Mengemukakan Sijil Peguam Syarie dan Sijil Amalan Tahunan.
24. Tempoh dan pembaharuan Sijil Amalan Tahunan.
25. Sekatan.
26. Pemansuhan dan kecualian.

JADUAL

BORANG A

BORANG B

BORANG C

BORANG D

ENAKMEN PENTADBIRAN UNDANG-UNDANG ISLAM 1991

PERATURAN-PERATURAN PEGUAM SYARIE 1995

PADA menjalankan kuasa yang diberikan oleh subseksyen 66(2) Enakmen Pentadbiran Undang-Undang Islam 1991, Majlis Ugama Islam dan Adat Resam Melayu Pahang membuat peraturan-peraturan berikut: Enak. 3191.

BAHAGIAN I

PERMULAAN

1. Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Peguam Syarie 1995** dan hendaklah disifatkan telah mula berkuatkuasa pada 1 haribulan Januari 1992. Nama dan mula berkuatkuasa.

2. Dalam Peraturan-Peraturan ini, melainkan jika konteksnya menghendaki makna yang lain— Tafsiran.

“Daftar” ertinya Daftar Peguam Syarie yang disebut dalam peraturan 13;

“Enakmen” ertinya Enakmen Pentadbiran Undang-Undang Islam 1991; Enak. 3191.

“Jawatankuasa” ertinya Jawatankuasa Peguam Syarie yang ditubuhkan di bawah peraturan 3;

“Ketua Pendakwa Syarie” ertinya pegawai yang dilantik di bawah seksyen 65 Enakmen;

“Mahkamah Syariah” mempunyai erti yang sama dengan yang diberi kepadanya dalam seksyen 2 Enakmen;

“Majlis” ertinya Majlis Ugama Islam dan Adat Resam Melayu Pahang;

“peguambela dan peguamcara” mempunyai erti yang sama dengan yang diberi kepadanya dalam Akta Profesion Undang-Undang 1976; Akta 166.

“Peguam Syarie” ertinya orang berkelayakan yang diterima masuk sebagai Peguam Syarie di bawah peraturan 12;

“peperiksaan Sijil Peguam Syarie” ertinya peperiksaan yang dikelolakan oleh Jawatankuasa di bawah peraturan 7.

BAHAGIAN II

PENUBUHAN JAWATANKUASA PEGUAM SYARIE

3. Maka hendaklah ditubuhkan suatu Jawatankuasa yang diberi nama Jawatankuasa Peguam Syarie yang akan mengendalikannya hal-hal berhubung dengan Peguam Syarie di Negeri Pahang. Penubuhan Jawatankuasa

Keanggotaan
Jawatankuasa.

4. (1) Majlis hendaklah melantik ahli-ahli Jawatankuasa yang hendaklah terdiri daripada—

- (a) Pengerusi;
- (b) Penasihat Undang-Undang Negeri;
- (c) Ketua Pendakwa Syarie;
- (d) dua orang lain yang dilantik oleh Majlis; dan
- (e) Setiausaha Majlis sebagai Setiausaha.

(2) Ahli-Ahli Jawatankuasa yang dilantik di bawah perenggan 4(1)(d) hendaklah memegang jawatan selama tempoh tiga tahun dan mereka adalah layak dilantik semula.

Menamatkan
perluhan dan
perletakan
jawatan.

5. (1) Perlantikan ahli-ahli Jawatankuasa di bawah perenggan 4(1)(d) boleh pada bila-bila masa ditamatkan oleh Majlis tanpa memberi sebab mengenainya.

(2) Seseorang ahli Jawatankuasa yang dilantik di bawah perenggan 4(1)(d) boleh meletakkan jawatan pada bila-bila masa dengan menghantar notis kepada Pengerusi Jawatankuasa.

Mesyuarat
Jawatankuasa.

6. (1) Pengerusi hendaklah mempengerusikan mana-mana mesyuarat Jawatankuasa dan jika Pengerusi tidak hadir ahli-ahli yang hadir bolehlah melantik seorang daripada mereka untuk mempengerusikan mesyuarat itu.

(2) Tiga ahli yang hadir hendaklah menjadi kuorum sesuatu mesyuarat.

(3) Keputusan mesyuarat Jawatankuasa hendaklah dibuat secara syura.

(4) Tertakluk kepada Peraturan-Peraturan ini dan apa-apa arahan Majlis, Jawatankuasa boleh membuat prosedurnya sendiri.

Fungsi
Jawatankuasa.

7. Jawatankuasa hendaklah—

(a) mengelolakan temuduga atau peperiksaan Sijil Peguam Syarie, mengikut mana yang difikirkan wajar oleh Jawatankuasa, dan semua perkara lain yang perlu atau bersampingan dengan temuduga atau peperiksaan itu, termasuklah—

- (i) menyediakan soalan-soalan untuk temuduga dan menyediakan serta menerbitkan sukatan-sukatan pelajaran peperiksaan;
- (ii) menetapkan tarikh temuduga atau peperiksaan;
- (iii) menyediakan atau menilai soalan dan memeriksa jawapan peperiksaan;

- (iv) menganugerahkan Sijil Peguam Syarie;
- (b) menerima masuk Peguam Syarie; dan
- (c) menjalankan apa-apa fungsi atau tugas lain yang diarahkan oleh Majlis.

8. Maka hendaklah dibayar kepada ahli-ahli Jawatankuasa apa-apa saraan atau elaun sebagaimana ditetapkan oleh Majlis. Saraan dan
elaun.

BAHAGIAN III

PEGUAM SYARIE

9. Seseorang yang memohon untuk menjadi Peguam Syarie hendaklah mempunyai kelayakan seperti berikut— Kelayakan
Peguam Syarie.

- (a) (i) beragama Islam dan telah lulus peperiksaan akhir yang membawa kepada Ijazah Sarjana Muda Syariah dari Universiti Al-Azhar atau mana-mana institusi pengajian Islam yang diiktiraf oleh Kerajaan Malaysia atau Kerajaan Negeri; atau
- (ii) adalah seseorang peguambela dan peguamcara beragama Islam yang didaftarkan di bawah Akta Profesion Akta 166. Undang-Undang 1976; atau
- (iii) telah berkhidmat sebagai Kadi dengan mana-mana Kerajaan Negeri di dalam Malaysia selama tempoh tidak kurang daripada tujuh tahun;
- (b) telah mencapai umur dua puluh satu tahun;
- (c) berkelakuan baik dan—
 - (i) tidak pernah disabitkan di Malaysia atau di mana-mana tempat lain atas apa-apa kesalahan jenayah;
 - (ii) bukan seorang bankrap;
- (d) warganegara atau pemastautin tetap Malaysia; dan
- (e) sebagai peguambela dan peguamcara, telah lulus peperiksaan Sijil Peguam Syarie.

10. (1) Seseorang yang hendak diterima masuk sebagai Peguam Syarie hendaklah membuat permohonan dengan menggunakan Borang A yang ditetapkan dalam Jadual. Permohonan.

(2) Setiap permohonan hendaklah dialamatkan kepada Pengerusi Jawatankuasa dengan menyertakan salinan dokumen yang perlu dan hendaklah disertakan fee permohonan sebanyak sepuluh ringgit.

(3) Pemohon hendaklah menampalkan satu salinan permohonannya di setiap Mahkamah Syariah di Negeri Pahang selama satu bulan selepas permohonannya diserahkan kepada Pengerusi Jawatankuasa.

Bantahan.

11. (1) Sesuatu permohonan atau penerimaan masuk seseorang sebagai Peguam Syarie boleh dibantah oleh Jabatan Agama Islam Pahang atau oleh mana-mana orang melalui Jabatan tersebut atau oleh Jawatankuasa Peguam Pahang.

(2) Sesuatu bantahan yang disebut dalam subperaturan (1) hendaklah dikemukakan secara bertulis kepada Pengerusi Jawatankuasa beserta alasan-alasan bantahan itu.

Keputusan.

12. (1) Jawatankuasa hendaklah menyampaikan keputusannya dalam tempoh tujuh hari selepas keputusan dibuat kepada pemohon dan semua Mahkamah Syariah di Negeri Pahang.

(2) Jawatankuasa hendaklah memaklumkan kepada pemohon mengenai adanya bantahan dan memberikan butir-butir bantahan.

(3) Pemohon boleh mengemukakan rayuan kepada Jawatankuasa dalam tempoh satu bulan selepas Jawatankuasa menyampaikan keputusannya.

(4) Sijil Peguam Syarie mengikut Borang B yang ditetapkan dalam Jadual hendaklah dikeluarkan oleh Jawatankuasa kepada pemohon setelah ia, dalam tempoh empat belas hari dari tarikh keputusan Jawatankuasa diterimanya, menyerahkan atau menyebabkan supaya diserahkan kepada Jawatankuasa—

(a) nama di bawah mana ia akan menjalankan amalan atau nama firma;

(b) alamat surat-menyurat;

(c) fee pendaftaran sebanyak satu ratus ringgit; dan

(d) bagi maksud perenggan 9(a)(iii), perakuan daripada Jabatan Agama Islam Pahang yang mengesahkan bahawa pemohon adalah seorang yang telah berkhidmat sebagai Kadi selama tempoh tidak kurang daripada tujuh tahun dan berkelayakan diterima masuk sebagai seorang Peguam Syarie.

(5) Sijil Amalan Tahunan mengikut Borang C yang ditetapkan dalam Jadual hendaklah dikeluarkan oleh Jawatankuasa kepada pemohon setelah dijelaskan fee sebanyak lima puluh ringgit.

Daftar Peguam Syarie.

13. (1) Setiausaha Jawatankuasa hendaklah menyimpan Daftar Peguam Syarie.

(2) Daftar Peguam Syarie hendaklah dicatatkan—

(a) nama Peguam Syarie;

(b) nama di bawah mana ia menjalankan amalan atau nama firma;

(c) alamat surat-menyurat; dan

(d) tarikh diterima masuk.

(3) Jika ada apa-apa perubahan mengenai butir-butir Peguam Syarie seperti disebutkan dalam subperaturan (2), Peguam Syarie itu hendaklah dalam tempoh empat belas hari dari tarikh perubahan itu memberitahu Jawatankuasa dan perubahan itu hendaklah dicatatkan dalam Daftar.

(4) Mana-mana orang boleh memeriksa Daftar dalam waktu pejabat tanpa bayaran.

14. (1) Seseorang yang tidak puashati dengan keputusan Jawatankuasa berhubung dengan penerimaan masuk sebagai Peguam Syarie boleh merayu kepada Majlis bagi mengulangkaji keputusan itu dan keputusan Majlis adalah muktamad. Rayuan terhadap keputusan Jawatankuasa.

(2) Ahli Jawatankuasa yang menjadi ahli Majlis tidak boleh menyertai Majlis semasa Majlis mengulangkaji keputusan Jawatankuasa.

15. Tertakluk kepada Peraturan-Peraturan ini dan mana-mana undang-undang bertulis lain, setiap Peguam Syarie adalah berhak untuk hadir dan bertindak bagi pihak klien mereka dalam semua Mahkamah Syariah di Negeri Pahang. Hak-hak Peguam Syarie.

BAHAGIAN IV

TATATERTIB

16. (1) Peguam Syarie hendaklah tertakluk kepada kawalan Jawatankuasa dan boleh, apabila sebab yang wajar ditunjukkan, dikeluarkan daripada Daftar atau digantung daripada menjalankan amalan atau dicela. Semua Peguam Syarie di bawah kawalan Jawatankuasa.

(2) Sebab yang wajar itu boleh ditunjukkan dengan bukti bahawa Peguam Syarie itu—

- (a) telah disabitkan atas sesuatu kesalahan jenayah yang menjadikan ia tidak layak menjadi seorang Peguam Syarie;
- (b) telah bersalah atas pecah amanah pada menjalankan kewajipan profesionalnya atau atas kelakuan fraud atau kelakuan yang tidak sesuai dengan seorang Peguam Syarie;
- (c) telah menawarkan atau memberi atau bersetuju memberikan rasuah kepada mana-mana orang kerana mendapatkan pekerjaan bagi dirinya atau bagi mana-mana Peguam Syarie lain dalam apa-apa urusan undang-undang;
- (d) telah secara langsung atau tidak langsung mendapatkan atau cuba mendapatkan pekerjaan bagi dirinya atau bagi seseorang Peguam Syarie lain melalui atau dengan arahan seseorang yang kepadanya sesuatu saraan kerana mendapatkan pekerjaan itu telah diberi olehnya atau dipersetujui atau dijanjikan untuk diberi sedemikian;
- (e) telah menerima pekerjaan dalam apa-apa urusan undang-undang melalui seorang penarik langganan;

- (f) membenarkan mana-mana kerani atau mana-mana orang lain yang tidak berkuasa mengusaha atau menjalankan urusan undang-undang atas namanya, manakala kerani atau orang lain yang tidak berkuasa itu tidak berada di bawah kawalan majikannya yang dapat memastikan supaya ia tidak bertindak tanpa pengawasan yang wajar;
- (g) menjalankan dengan sendiri atau melalui mana-mana orang yang diguna khidmat olehnya apa-apa tred, perniagaan atau pekerjaan yang pada pendapat Jawatankuasa adalah tidak sesuai dengan kedudukannya sebagai Peguam Syarie;
- (h) telah melanggar atau mungkir mematuhi mana-mana peruntukan Peraturan-Peraturan ini atau mana-mana kaedah yang dibuat di bawah Enakmen jika pada pendapat Jawatankuasa pelanggaran atau kemungkiran itu memerlukan tindakan tatatertib.

(3) Dalam apa-apa prosiding di bawah peraturan ini, Jawatankuasa boleh selain daripada fakta-fakta kes itu mengambil kira kelakuan dan keperibadian orang yang berkenaan itu pada masa yang lalu untuk menentukan apakah perintah yang perlu dibuat.

Aduan terhadap
Peguam Syarie.

17. (1) Apa-apa aduan mengenai kelakuan seseorang Peguam Syarie atas sifat profesionalnya hendaklah dibuat kepada Jawatankuasa.

(2) Mahkamah Syariah atau Ketua Pendakwa Syarie boleh pada bila-bila masa merujuk kepada Jawatankuasa apa-apa maklumat yang menyentuh kelakuan seseorang Peguam Syarie atas sifat profesionalnya.

Kuasa
Jawatankuasa
untuk
mengeluarkan
perintah.

18. Selain daripada kuasa yang diberi oleh Peraturan-Peraturan ini, Jawatankuasa, apabila mendengar sesuatu permohonan atau aduan yang dibuat kepadanya di bawah Peraturan-Peraturan ini, hendaklah berkuasa membuat apa-apa perintah yang difikirkan patut dan munasabah, dan sesuatu perintah itu boleh khususnya termasuk peruntukan bagi mana-mana daripada perkara-perkara yang berikut—

- (a) memotong daripada Daftar nama Peguam Syarie yang dimaksudkan oleh permohonan atau aduan itu;
- (b) menggantung Peguam Syarie itu daripada menjalankan amalan;
- (c) mencela Peguam Syarie itu.

Rayuan
terhadap
perintah
Jawatankuasa
kepada Majlis.

19. Rayuan terhadap sesuatu perintah yang dibuat oleh Jawatankuasa mengenai sesuatu permohonan atau aduan di bawah Peraturan-Peraturan ini hendaklah dibuat kepada Majlis sama ada atas kehendak pemohon atau Peguam Syarie terhadap sesiapa aduan itu dibuat dan keputusan Majlis adalah muktamad.

Perintah
Jawatankuasa
hendaklah
mengandung
pernyataan
tentang kesim-
pulannya, dsb.

20. Taip-tiap perintah yang dibuat oleh Jawatankuasa atas permohonan atau aduan yang dibuat kepadanya di bawah Peraturan-Peraturan ini hendaklah didahului dengan kesimpulan fakta berhubung dengan kes itu dan hendaklah ditandatangani oleh Pengerusi Jawatankuasa atau oleh seorang ahli Jawatankuasa lain yang diberi kuasa oleh Jawatankuasa.

21. (1) Seseorang Peguam Syarie boleh, tertakluk kepada peraturan ini, memohon kepada Jawatankuasa supaya namanya dikeluarkan daripada Daftar.

Peguam Syarie boleh memohon untuk dikeluarkan namanya daripada Daftar.

(2) Tiap-tiap permohonan itu hendaklah disokong dengan afidavit yang hendaklah disampaikan kepada Jawatankuasa tidak kurang daripada dua bulan sebelum permohonan itu didengar.

(3) Jawatankuasa boleh atas sebab yang baik menghendaki pemohon itu mengiklankan tujuannya hendak membuat permohonan itu mengikut apa-apa cara yang diarahkan oleh Jawatankuasa.

22. (1) Jawatankuasa boleh, jika difikirkan patut dan munasabah, pada bila-bila masa memasukkan semula dalam Daftar nama seseorang Peguam Syarie yang namanya telah dikeluarkan atau dipotong daripada Daftar.

Jawatankuasa boleh memasukkan semula Peguam Syarie.

(2) Sesuatu permohonan supaya nama seseorang Peguam Syarie dimasukkan semula dalam Daftar hendaklah disokong dengan afidavit.

BAGIAN V

PERUNTUKAN AM

23. Setiap Peguam Syarie hendaklah mengemukakan Sijil Peguam Syarie dan Sijil Amalan Tahunan jika dikehendaki oleh mana-mana Mahkamah Syariah.

Mengemukakan Sijil Peguam Syarie dan Sijil Amalan Tahunan.

24. (1) Sesuatu Sijil Amalan Tahunan hendaklah sah selama tempoh satu tahun dari tarikh ia dikeluarkan.

Tempoh dan pembaharuan Sijil Amalan Tahunan.

(2) Sesuatu Sijil Amalan Tahunan boleh diperbaharui apabila Jawatankuasa berpuashati bahawa pemohon telah menjelaskan fee lima puluh ringgit dan mematuhi kehendak-kehendak Peraturan-Peraturan ini.

(3) Sesuatu permohonan untuk memperbaharui Sijil Amalan Tahunan hendaklah dibuat dengan menggunakan Borang D yang ditetapkan dalam Jadual.

25. Tiada seorang pun boleh menjalankan amalan sebagai Peguam Syarie atau melakukan apa-apa perbuatan sebagai Peguam Syarie melainkan namanya ada di dalam Daftar dan ia memiliki Sijil Peguam Syarie dan Sijil Amalan Tahunan yang dikeluarkan di bawah Peraturan-Peraturan ini.

Sekatan.

26. Peraturan-Peraturan Peguam Syariah 1990 adalah dimansuhkan:

Pemansuhan dan kecualian.

Dengan syarat bahawa apa-apa penerimaan masuk seseorang sebagai Peguam Syarie yang dibuat di bawah Peraturan-Peraturan yang dimansuhkan itu hendaklah disifatkan sebagai telah dibuat di bawah Peraturan-Peraturan ini.

Phg. P.U. 1190.

JADUAL
ENAKMEN PENTADBIRAN UNDANG-UNDANG ISLAM 1991
PERATURAN-PERATURAN PEGUAM SYARIE 1995

Borang A
(Peraturan 10)

PERMOHONAN UNTUK DITERIMA MASUK SEBAGAI
PEGUAM SYARIE

Kepada:

Pengerusi Jawatankuasa Peguam Syarie.

Dengan hormatnya saya memohon diterima masuk sebagai Peguam Syarie dan di bawah ini diperturunkan butir-butir mengenai diri saya.

(Hendaklah diisi oleh Pemohon dalam HURUF BESAR)

1. Nama:
2. Nama-nama lain (jika ada):
3. Jantina:
4. Tarikh Lahir:
5. Tempat Lahir:
6. Bujang/Beristeri/Bersuami:
7. Kewarganegaraan:
8. Bangsa:
9. Nombor Kad Pengenalan:
10. Tempat dan Tarikh Pengeluaran:
11. Alamat Urusan Biasa:
12. Nombor Telefon:
13. Alamat Kediaman:
14. Mazhab:
15. Kelayakan/Kelulusan:
16. Pengalaman:

Saya dengan ini mengaku bahawa segala keterangan yang tersebut di atas adalah benar.

Tarikh:

.....
Tandatangan Pemohon

PERINGATAN

Pemohon hendaklah mengemukakan salinan-salinan yang diperakui sah bagi siji surat-surat akuan, perakuan-perakuan dan dokumen-dokumen lain yang berkaitan bagi menyokong permohonannya.

UNTUK KEGUNAAN JAWATANKUASA SAHAJA

Tarikh diterima:

Keputusan Jawatankuasa:

Diluluskan/Ditolak/
Ditangguhkan

Sebab-sebab penangguhan:

Tarikh Pemohon Diberitahu:

Tarikh Fee Pendaftaran Diterima:

Nombor Resit:

Dihantar pada:

Dicatatkan dalam Daftar:

Nombor Siri:

Borang B

(Subperaturan 12(4))

SIJIL PEGUAM SYARIE

Dengan ini diperakui bahawa

Nama:

Nombor Siri Pendaftaran:

Alamat:

yang telah mematuhi kehendak-kehendak Peraturan-Peraturan Peguam Syarie 1995 telah didaftarkan sebagai seorang Peguam Syarie di bawah Enakmen Pentadbiran Undang-Undang Islam 1991 mulai dari.....haribulan.....19.....

METERAI

Tarikh dikeluarkan H
M

.....
YANG DIPERTUA
MAJLIS UGAMA ISLAM DAN ADAT
RESAM MELAYU PAHANG

Borang C
(Subperaturan 12(5))
SIJIL AMALAN TAHUNAN

No.

Dengan ini diperakui bahawa..... seorang Peguam Syarie telah, menurut Peraturan-Peraturan Peguam Syarie 1995, membayar fee sebanyak lima puluh ringgit bagi Sijil ini, dan menurut Sijil ini adalah bebas menjalankan amalan sebagai seorang Peguam Syarie dalam Mahkamah Syariah di seluruh Negeri Pahang mulai dari tarikh Sijil ini sehingga..... haribulan 19..... termasuk kedua-dua tarikh tersebut.

Bertarikh:

H

M

.....
YANG DIPERTUA
MAJLIS UGAMA ISLAM DAN ADAT
RESAM MELAYU PAHANG

Borang D
(Subperaturan 24(3))

PERMOHONAN MEMPERBAHARUI SIJIL AMALAN TAHUNAN

Kepada:

Pengerusi Jawatankuasa Peguam Syarie.

Dengan hormatnya saya memohon untuk membaharui Sijil Amalan Tahunan yang telah tamat tempoh kuatkuasanya pada haribulan 19.....

2. Kenyataan yang berkaitan adalah seperti berikut:
 - (a) Nama:
 - (b) Nombor Kad Pengenalan:
 - (c) Alamat:
 - (d) Nombor Siri Pendaftaran Sijil Peguam Syarie:
 - (e) Nombor Sijil Amalan Tahunan yang telah tamat tempoh:
3. Dengan ini saya mengaku bahawa saya belum pernah dikenakan apa-apa tindakan berkaitan dengan profesion saya sebagai Peguam Syarie.
4. Bersama-sama ini disertai fee sebanyak RM50.00.

Tarikh:

.....
Tandatangan Pemohon

Diperbuat pada 15 haribulan Julai 1993.
[M.U.I. Phg. 18/13.]

DATO' HAJI ABDUL MUTTALIB BIN HAJI MOHD. ALI AL FAKWIE,
Timbalan Yang Dipertua,
Majlis Ugama Islam dan Adat
Resam Melayu Pahang

**JAWATANKUASA TEMUDUGA PEGUAM SYARIE
NEGERI PAHANG DARUL MAKMUR BIL. 01/2004**

Tarikh: 21 Januari, 2004 (Rabu)
Masa: 10.00 pagi
Tempat: Bilik Mesyuarat,
Pejabat Saham Wakaf Pahang,
Kuantan.

<u>BIL.</u>	<u>NAMA AHLI</u>	<u>TANDATANGAN</u>
1.	YH. Dato' Dr. Abdul Monir Bin Haji Yaacob, DIMP., KMN. (Pengerusi Jawatankuasa Peguam Syarie Negeri Pahang)
2.	Timbalan Yang Dipertua Majlis Ugama Islam Pahang, (YDH. Orang Kaya Indera Pahlawan Pahang, Dato' Wan Haji Abdul Wahid bin Wan Hassan, SIMP., DSAP., SAP., JSM., AMP)
3.	YB. Penasihat Undang-Undang Negeri Pahang, (Dato' Abdul Rahman Bin Sebli, DIMP., PPB)
4.	Ketua Penolong Pengarah Pendakwaan dan Penguatkuasaan JAIP (Tuan Haji Md. Fazi Bin Ismaon)
5.	Y. Bhg. Ustazah Hajjah Salehah Binti Haji Osman, AMP., PKC.
6.	Y. Bhg. Encik Mohd. Najid Bin Husain, (Peguambela dan Peguamcara)
7.	Setiausaha Majlis Ugama Islam dan Adat Resam Melayu Pahang, (Encik Md. Mokhtar bin Haji Osman, AMP)

ENAKMEN PENTADBIRAN UNDANG-UNDANG ISLAM PAHANG 1991

PERATURAN-PERATURAN PEGUAM SYARIE 1995

BORANG A
(Peraturan 10)

**PERMOHONAN UNTUK DITERIMA MASUK SEBAGAI
PEGUAM SYARIE**

Kepada:
Pengerusi Jawatankuasa Peguam Syarie,
d/a Pejabat Majlis Ugama Islam Pahang,
26600 PEKAN.

Dengan hormatnya saya memohon diterima masuk sebagai Peguam Syarie dan di bawah ini diperturunkan butir-butir mengenai diri saya.

(Hendaklah diisi oleh Pemohon dalam HURUF BESAR)

1. Nama:
2. Nama-nama lain (jika ada):
3. Jantina:
4. Tarikh Lahir:
5. Tempat Lahir:
6. Bujang/Beristeri/Bersuami:
7. Kewarganegaraan:
8. Bangsa:
9. Nombor Kad Pengenalan:
10. Tempat dan Tarikh Pengeluaran:
11. Alamat Urusan Biasa:
.....
12. Nombor Telefon:
13. Alamat Kediaman:
.....
14. Mazhab:
15. Kelayakan/Kelulusan:
.....
16. Pengalaman:

Saya dengan ini mengaku bahawa segala keterangan yang tersebut di atas adalah benar.

Tarikh:

.....
Tandatangan Pemohon

PERINGATAN

Pemohon hendaklah mengemukakan salinan-salinan yang diperakui sah bagi sijil, surat-surat akuan, perakuan-perakuan dan dokumen-dokumen lain yang berkaitan bagi menyokong permohonannya.

UNTUK KEGUNAAN JAWATANKUASA SAHAJA

Tarikh diterima:

Keputusan Jawatankuasa:

Diluluskan/Ditolak/
Ditangguhkan

Sebab-sebab penangguhan:

Tarikh Pemohon Diberitahu:

Tarikh Fee Pendaftaran Diterima:

Nombor Resit:

Dihantar pada:

Dicatat dalam Daftar:

Nombor Siri:

WJW

019 - 9674433 .

**SENARAI PEGUAM SYARIE NEGERI PAHANG DARUL
MAKMUR 2003**

SENARAI PEGUAM SYARIE YANG BERAMAL DI NEGERI PAHANG BAGI TAHUN 2002/2003

BIL.	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
1.	Encik Mustafa Kamal bin Haji Mat Hassan. Tetuan Mustafa & Rosniza, Lot 1753-A, Tingkat 1, Jalan Sultan Yahya Petra, 15150 Kota Bharu, <u>Kelantan Darul Naim.</u>	15.05.1996	0001	telah bayar	Telah diresitkan pada 19.12.2002 (59967)
2.	Puan Shahaniza binti Haji Shamsuddin, Tetuan Raja Azhar & Hussain Safri, 207, Tingkat 2, Blok A, Kuantan Centre Point, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	15.05.1996	0002	telah bayar	Telah diresitkan pada 04.02.2003 (61382)
3.	Tuan Haji Abdullah bin Sidek Tetuan Radzi & Abdullah, 77(2)A, Bangunan LKNP, Jalan Ahmad Shah, 28000 Temerloh, <u>Pahang Darul Makmur.</u>	16.10.1991	0003	telah bayar	Telah diresitkan pada 28.04.2003 (61582)
4.	Encik Mohd. Najid bin Husain, (AJK Peguam Syarie) Tetuan Mohd. Najid & Partners, Suite 4 & 5, Tingkat 18, Menara Teruntum, Jalan Mahkota, P.O. Box 400, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	10.05.1994	0018	telah bayar	Telah diresitkan pada 18.03.2003 (61498) (Dilantik sebagai Ahli Jawatakuasa Peguam Syarie N. Pahang untuk tempoh 2003 - 2006)
5.	Tuan Syed Nasarudin bin Syed Abd. Hadi, Tetuan Radzi & Abdullah, No. 207 & 307, Tingkat 2 & 3, Blok C, Kuantan Centre Point, P.O. Box 312, Jalan Haji Abdul Rahman, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	27.11.1991	0004	telah bayar	Telah diresitkan pada 15.01.2003 (61337)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
6.	<p>YH. Dato' Haji Haranay bin Md. Noor, Tetuan Haranay, Hisham, Anikah & Associates, Tingkat 1, Bangunan PERKIM, Jalan Gambut, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	16.10.1992	0005	telah bayar	Telah diresitikan pada 30.1.2003 (61375)
7.	<p>Cik Julita Ilhani binti Dato Haji Abdul Jabbar, Tetuan Rosnah Julita Ilhani & Associates, A 29, Tingkat 1, Lorong Tun Ismail 10, Sri Dagangan, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	17.05.1994	0006	telah bayar	Telah diresitikan pada 10.2.2003 (61400)
8.	<p>Tuan Dr. Haji Mohd Radzuan bin Haji Ibrahim, Tetuan Radzuan Ibrahim & Co, Suite B9-3A, 4th Floor, Dataran Palma, Jalan Selaman 1, 68000 Ampang, <u>Selangor Darul Ehsan.</u></p>	20.07.1992	0007	telah bayar	Telah diresitikan pada 18.12.2002 (59965)
9.	<p>Tuan Haji Yusof bin Haji Rahmat, Tetuan Yusof Rahmat & Co, No. 136/4, Tingkat 3, Kompleks Munshi Abdullah, Jalan Munshi Abdullah, <u>75100 Melaka.</u></p>	20.07.1993	0008	telah bayar	Telah diresitikan pada 5.2.2003 (61392)
10.	<p>Encik Ikmal Hisam bin Idris, Tetuan Ikmal dan Rakan-Rakan, No. 27-A, Jalan Bunga Tanjung, 28400 Mentakab, <u>Pahang Darul Makmur.</u></p>	25.07.1992	0009	telah bayar	telah diresitikan pada 20.1.2003 (61356)

BIL.	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
16.	Encik Ahmad Zaharuddin bin Mohd. Alias, Masjid Negeri Sultan Ahmad I, Jalan Masjid, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	30.05.1996	0015	Telah bayar	Telah diresitikan pada 21.07.2003 (61744)
17.	Encik Anandzachery bin Mohamad, Tetuan Zachery & Azman, 207, Tingkat 2, Blok A, Kuantan Centre Point, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	30.06.1996	0016	telah bayar	Telah diresitikan pada 4.2.2003 (61383)
18.	Encik Salamon Ali Rizal bin Haji Abdul Rahman, Tetuan Salamon, Zuraida & Partners, No. 201, Tingkat 2, Block C, Kuantan Centre Point, Jalan Haji Abdul Rahman, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	16.10.1993	0017	telah bayar	Telah diresitikan pada 6.2.2003 (61395)
19.	Encik Othman bin Talib, Tetuan Balendran Chong Bodi & Norhuda, Tingkat 3, Bangunan Hongkong Bank, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	03.07.1996	0019	tidak bayar	
20.	Tuan Haji Ishak bin Haji Abdullah, PKT., Pegau Syarie dan Pesuruhjaya Sumpah (C004), No. 123B, Tingkat 2, Bangunan MUIP, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	06.07.1993	0020	telah bayar	Telah diresitikan pada 12.12.2002 (59744)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
21.	Puan Norhuda binti Haji Alias, Tetuan Balendran Chong Bodi & Norhuda, Tingkat 3, Bangunan Hongkong Bank, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	17.05.1994	0021	tidak bayar	
22.	Encik Abdul Khaidir bin Zainal, Tetuan Zul & Co, No. 11, Jalan Tun Razak, 27600 Raub, <u>Pahang Darul Makmur.</u>	11.01.1993	0022	telah bayar	Telah diresitkan pada 3.1.2003 (61313)
23.	Puan Suzana binti Pattani Ali Kutty, Tetuan Suzana, Iqbal Hamdy & Co, No. 9, Tingkat 1, Jalan Haji Abdul Aziz, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	20.06.1996	0023	telah bayar	Telah diresitkan pada 19.12.2002 (59968)
24.	Encik Tun Ahmad Fadzil bin Tun Abdul Razak, Tetuan T.A. Fadzil & Co, Lot 102, Tingkat 2, Wisma Rangkaian, Jalan Teluk Sisek, 25200 Kuantan, <u>Pahang Darul Makmur.</u>	16.10.1992	0024	tidak bayar	
25.	Encik Abdul Rashid bin Asari, Tetuan Rashid Asari & Co, No. 11, (2 nd Floor) Jalan Taman, 41400 Klang, <u>Selangor Darul Ehsan.</u>	02.06.1994	0025	tidak bayar	

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
26.	Encik Sharil bin Salleh, Tetuan Nazrin & Suguman, No. 17-1B, Tingkat 1, Jalan Pandan 3/9, Pandan Jaya, <u>55100 Kuala Lumpur.</u>	17.06.1995	0026	tidak bayar	
27.	Encik Ismail bin Mohamed Said, Tetuan Bahari, Choy & Nongchik, No. 1, Tingkat 1, Jalan Semantan 2, 28000 Temerloh, <u>Pahang Darul Makmur.</u>	20.09.1991	0027	tidak bayar	
28.	Encik Fakhru Azman bin Abu Hassan, Tetuan Azaine & Fakhru, No. 7-1A, Jalan Pandan Indah 4/34, Pandan Indah, <u>55100 Kuala Lumpur.</u>	15.05.1996	0028	telah bayar	telah direstikan pada 20.1.2003 (61357)
29.	Puan Kamar Ainiah binti Kamaruzaman, Tetuan Kamar Ainiah, Raziff & Rashidi, Blok E 3A-3A, 4 th Floor, Jalan Semantan 1/2, Dataran Palma, Off Jalan Ampang, 68000 Ampang, <u>Selangor Darul Ehsan.</u>	16.10.1992	0029	tidak bayar	
30.	Encik Muhammad Hisham bin Abdul Rahim, Tetuan Haranay, Hisham, Anikah & Associates, Tingkat 1, Bangunan PERKIM, Jalan Gambut, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	02.01.1998	0030	telah bayar	telah direstikan pada 30.1.2003 (61376)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/TIDAK BAYAR	CATATAN
31.	Encik Abdullah Johari bin Hamzah, d/a Lin Associates, Lot 1809, Tingkat Bawah, Jalan Ingku Muda Mansor, 26600 Pekan, <u>Pahang Darul Makmur.</u>	02.01.1998	0031	telah bayar	Telah diresitikan pada 17.3.2003 (61489)
32.	Encik Ahmad Kamil bin Noh, Tetuan Hamidah, Rosmawati & Associates, No. 93, Tingkat 1, Jalan Tun Ismail, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	02.10.1998	0032	telah bayar	Telah diresitikan pada 15.1.2003 (61336)
33.	Encik Iqbal Hamdy bin Mohd. Rusdi, Tetuan Suzana, Iqbal Hamdy & Co, No. 9, Tingkat 1, Jalan Haji Abdul Aziz, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	02.01.1999	0033	tidak bayar	
34.	Encik Mohd. Zaidi bin Haji Mohd. Zain, Tetuan Zaidi Zain & Associates, Suite 8-9-2, Menara Mutiara Bangsar, Jalan Liku Off Jalan Riong, Bangsar, 59100 Kuala Lumpur.	25.03.1999	0034	telah bayar	Telah diresitikan pada 28.2.2003 (61449)
35.	Puan Hajjah Nor Azmi binti Baharom, Tetuan Nor Azmi & Co, 108 Jalan Pakis 4, Taman Cuepacs, 43200 Cheras, <u>Selangor Darul Ehsan.</u>	26.03.1999	0035	telah bayar	Telah diresitikan pada 18.12.2002 (59963)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
36.	<p>Puan Sharifah Noorin Alhabshi. Tetuan Noorhuda & Partners, B2, 1st. Floor, Lorong Tun Ismail 6, Sri Dagangan Centre, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	16.04.1999	0036	tidak bayar	
37.	<p>Puan Siti Aribah binti Ahmad, Tetuan Sazali & Lim, No. 77(II), First Floor, Bangunan LKNP, Jalan Ahmad Shah, 28000 Temerloh, <u>Pahang Darul Makmur.</u></p>	01.08.2001	0039	tidak bayar	
38.	<p>Puan Maslina binti Omar @ Arshad, Tetuan Suhaimi, Tan, Zamani & Rozilan, F-61, Jalan Tok Muda Awang Ngah, 28000 Temerloh, <u>Pahang Darul Makmur.</u></p>	16.05.2000	0042	telah bayar	Telah diresitikan pada 15.04.2003 (61558)
39.	<p>Lt. Kol (B) Ahmad bin Daud, Tetuan Ahmad Daud & Associates, No. 35 Jalan EI, Taman Melawati, 53100 Kuala Lumpur.</p>	16.05.2000	0045	telah bayar	Telah diresitikan pada 18.12.2002 (59966)
40.	<p>Puan Mahiera binti Mustapha, D/a Tetuan Suzana, Iqbal Hamdy & Co, No. 9, Tingkat 1, Jalan Haji Abdul Aziz, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	28.06.2000	0049	Telah bayar	Telah diresitikan pada 20.08.2003 (62067)
41.	<p>Encik Mohamad Isa bin Abd. Railip, Tetuan Mohamad Isa & Associates, Tingkat 2, Wisma KOMAS, Jalan Semenyih, 43000 Kajang, Selangor Darul Ehsan.</p>	21.08.2001	0064	telah bayar	Telah diresitikan pada 02.07.2003 (61713)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
42.	Encik Zaidi bin Abdul Hamid, No. 61, Tingkat 1, Jalan Haji Abdul Aziz, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	13.08.2001	0065	tidak bayar	
43.	Cik Rohaidah binti Ali, Tetuan Haranay, Hisham, Anikah & Associates, Tingkat 1, Bangunan PERKIM, Jalan Gambut, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	01.08.2001	0066	telah bayar	Telah diresitikan pada 30.1.2003 (61379)
44.	Encik Mohamad Sharif bin Othman @ Ariffin, Tetuan Haranay, Hisham Anikah & Associates, Tingkat 1, Bangunan PERKIM, Jalan Gambut, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	01.08.2001	0067	telah bayar	Telah diresitikan pada 30.1.2003 (61378)
45.	Cik Amalia binti Mohamad Said, Tetuan Wong, Law & Ti, A7, Mezzanine & First Floor, Jalan Stadium, P.O. Box 171, 25720 Kuantan, <u>Pahang Darul Makmur.</u>	01.08.2001	0068	telah bayar	Telah diresitikan pada 09.4.2003 (61543)
46.	Cik Nor Anizah binti Mukhtar, Tetuan Subaimi, Tan, Zamani & Rozilan, Tingkat 3, Bangunan Majlis Ugama Islam, 27000 Jerantut, <u>Pahang Darul Makmur.</u>	01.08.2001	0069	tidak bayar	

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
47.	Encik Muhamad Hamizey bin Mat Taib, Tetuan Sahadin & Co, Suite 7 & 8, 6 th . Floor, Menara Teruntum, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	01.08.2001	0071	telah bayar	Telah diresitikan pada 11.3.2003 (61482)
48.	Encik Azmi bin Dato' Dr. Mohd. Rais, Tetuan Zulkifli Yong Azmi & Co, Lot 3.15, 2 nd . Floor, Medan Mara Complex, No. 21, Jalan Raja Laut, <u>50350 Kuala Lumpur.</u>	01.08.2001	0040	telah bayar	Telah diresitikan pada 5.2.2003 (61394)
49.	Encik Mohd. Zuki bin Che Mat Ghani, Tetuan Zul Kamri & Co, No. 54, Tingkat 3, Wisma Amal Assurance, Jalan Gambut, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	01.08.2001	0046	telah bayar	Telah diresitikan pada 14.04.2003 (61548)
50.	Puan Hajjah Shamsuriah binti Sulaiman, Tetuan Shamsuriah & Associates, No. 13A, Medan Istana 7, Bandar Ipoh Raya, 30000 Ipoh, <u>Perak Darul Ridzuan.</u>	01.08.2001	0037	telah bayar	Telah diresitikan 9.1.2003 (61325)
51.	Encik Mohd. Rosli bin Yusoff, Tetuan Mohd. Najid & Partners, Suite 4 & 5, Tingkat 18, Menara Teruntum Jalan Mahkota, P.O. Box 400, 25000 Kuantan, <u>Pahang Darul Makmur.</u>	01.08.2001		telah bayar	Telah diresitikan pada 18.3.2003 (61499)

B/I.	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/TIDAK BAYAR	CATATAN
52.	<p>Puan Nor Hidayah binti Mustaffa. No. 75, Felda Bukit Sagu 1, 26130 Kuantan, <u>Pahang Darul Makmur.</u></p>	20.12.2002	0072	telah bayar	telah diresitkan pada 20.12.2002 (59976)
53.	<p>Cik Mastuni binti Muhammad, Tetuan Zul Kamri & Co, No. 54, Tingkat 3, Wisma Assurance, Jalan Gambut, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	07.11.2002	0074	telah bayar	Telah diresitkan pada 14.04.2003 (61547)
54.	<p>Cik Norazita binti Mohd. Ali, Tetuan Mohd. Najid & Partners, Suite 4 & 5, Tingkat 18, Menara Teruntum, Jalan Mahkota, P.O. Box 400, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	07.11.2002	0075	telah bayar	Telah diresitkan pada 18.3.2003 (61500)
55.	<p>Encik Musa bin Awang, Tetuan Musa Awang & Associates, G-6, Tingkat 3, Bangunan Khas, Lorong 8/1E, Off Jalan Barat, 46050 Petaling Jaya, <u>Selangor Darul Ehsan.</u></p>	15.01.2003	0076	telah bayar	Telah diresitkan pada 15.1.2003 (61335)
56.	<p>Encik Zulkifli bin Che Yong, Tetuan Zulkifli Yong Azmi & Co, Lot 3.15, 2nd Floor, Medan Mara Complex, No. 21, Jalan Raja Laut, 50350 Kuala Lumpur.</p>	03.04.2000	0040	telah bayar	Telah diresitkan pada 5.2.2003 (61393)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
57.	<p>Puan Marlina binti Amir Hamzah, Tetuan Hisham, Sobri & Kadir, 6th. Floor, Pertama Complex, Jalan Tuanku Abdul Rahman, <u>50100 Kuala Lumpur.</u></p>	30.12.2000	0043	tidak bayar	
58.	<p>Encik Ibrahim bin Kamaruddin, Tetuan Ibrahim, Suzana & Nadiyah, A 169, Tingkat 1, Sri Dagangan, Jalan Tun Ismail, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	27.06.2000	0047	tidak bayar	
59.	<p>Puan Nadiyah binti Man, Tetuan Ibrahim, Suzana & Nadiyah, K 278, Tingkat 1, Jalan Kg. Tengah (Hadapan Mahkamah), 24000 Chukai, Kemaman, <u>Terengganu Darul Iman.</u></p>	27.06.2000	0048	telah bayar	Telah diresitikan pada 3.12.2002 (61310)
60.	<p>Tuan Haji Zainal Ariffin bin Darus, 123B, Tingkat 2, Bangunan MUIP, Jalan Mahkota, 25000 Kuantan, <u>Pahang Darul Makmur.</u></p>	09.01.2003	0077	telah bayar	Telah diresitikan pada 9.1.2003 (61326)
61.	<p>Mej.(B) Abdul Kadir bin Haji Abdul Ghani, 13 Jalan Selasih Dua, Taman Selasih Satu, 68100 Batu Caves, <u>Selangor Darul Ehsan.</u></p>	15.11.2002	0073	telah bayar	Telah diresitikan pada 15.11.2002 (59713)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
62.	Puan Anilawati binti Md. Alwi, Tetuan Loke, Chew & Zainal, 103A, Jalan Loke Yew, 28700 Bentong, <u>Pahang Darul Makmur.</u>	09.04.2003	0078	telah bayar	Telah diresitikan pada 09.4.2003 (61542)
63.	Puan Soosani binti Mohd. Zain, Tetuan Syarikat Kam Woon Wah, No. 63, (Tingkat 1), Jalan Loke Yew, 28700 Bentong, <u>Pahang Darul Makmur.</u>	04.2003	0079	telah bayar	Telah diresitikan pada 15.04.2003 (61559)
64.	Encik Mohamed Zamri bin Ibrahim, d/a Tetuan Ikmal & Rakan-Rakan, No. 27-A, Jalan Bunga Tanjung, 28400 Mentakab, <u>Pahang Darul Makmur.</u>	05.08.2003		Telah bayar	Telah diresitikan pada 05.08.2003 (62026)
65.	Puan Noraini binti Muda, d/a Tetuan Ikmal & Rakan-Rakan, No. 10, Tingkat 1, Wisma Pemuda, Jalan Perpustakaan, 26500 Maran, <u>Pahang Darul Makmur.</u>	05.08.2003		Telah bayar	Telah diresitikan pada 05.08.2003 (62027)
66.	Puan Saliza binti Salleh, d/a Tetuan Saliza & Co, No. 4, 2nd. Floor, Jalan Station, 86000 Kluang, <u>Johor Darul Takzim.</u>	06.08.2003		Telah bayar	Telah diresitikan pada 06.08.2003 (62037)

BIL	NAMA DAN ALAMAT GUAMAN	TARIKH LANTIKAN	NO. SIJIL PEGUAM SYARIE	BAYAR/ TIDAK BAYAR	CATATAN
67.	Cik Norsalua binti Omar, No. 15, Tingkat Atas, Pusat Komersial Temerloh, Jalan Dato' Bahaman 3, 28000 Temerloh, <u>Pahang Darul Makmur.</u>	21.07.2003		Telah bayar	Telah diresitikan pada 21.07.2003 (61740)
68.	Encik Azharizal bin Arshad, D/a Tetuan Zulkifli Yong Azmi & Co, Lot 3.15, Tingkat 2, Bangunan Medan MARA, No. 21, Jalan Raja Laut, <u>50350 Kuala Lumpur.</u>	20.08.2003		Telah bayar	Telah diresitikan pada 20.08.2003 (62068)
69.	Encik Mohamed Zamri bin Ibrahim, D/a Tetuan Ikmal & Rakan-Rakan, No. 27-A, Jalan Bunga Tanjung, 28400 Mentakab, <u>Pahang Darul Makmur.</u>	05.08.2003		Telah bayar	Telah diresitikan pada 05.08.2003 (62026)
70.	Puan Saliza binti Salleh, D/a Tetuan Saliza & Co, No. 4, 2nd. Floor, Jalan Station, 86000 Kluang, Johor Darul Takzim.	06.08.2003		Telah bayar	Telah diresitikan pada 06.08.2003 (62037)
71.	Cik Noraini binti Muda, D/a Ikmal & Rakan-Rakan, No. 27-A, Jalan Bunga Tanjung, 28400 Mentakab, <u>Pahang Darul Makmur.</u>	05.08.2003		Telah bayar	Telah diresitikan pada 05.08.2003 (62027)