

Logo of the
Jamaat

MARRIAGE CONTRACT



KHOJA SHIA ITHNA ASHERI JAMAAT _____ (CITY/TOWN, COUNTRY)

In His name, the Beneficent, the Merciful

“And Among His signs is that He created mates for you from among yourselves so that you may find tranquility in them; and He placed between you love and compassion. In these are signs for people who reflect.”

(The Holy Qur’an 30:21)

I. This CONTRACT made on the ____ day of _____ in the year _____ CE corresponding to the ____ day of _____ in the year _____ Hijra between the Bride and Bridegroom named herein. Both parties enter into this CONTRACT on their free will and accord having read and agreed to the conditions specified therein

II A. BRIDEGROOM:

First Name: _____

Father’s Name: _____

Mother’s Name: _____

Family Name: _____

Date of Birth: _____

Place of Birth: _____

Citizen of: _____

Marital status: Single/Divorcee/Widower

Address: _____

Telephone: (+ _____) _____

Email: _____

The information I have stated hereinabove is true to the best of my knowledge

Signature of Bridegroom:

II B. BRIDE:

First Name: _____

Father’s Name: _____

Mother’s Name: _____

Family Name: _____

Date of Birth: _____

Place of Birth: _____

Citizen of: _____

Marital status: Single/Divorcee/Widow

Address: _____

Telephone: (+ _____) _____

Email: _____

The information I have stated hereinabove is true to the best of my knowledge

Signature of Bride:

Bridegroom: _____

Bride: _____

(all pages must be initialised)

Jamaat Official _____

THE MARRIAGE CONTRACT

III. RECITAL

We, the above-named Bridegroom and Bride (hereinafter referred to as “the Husband” and “the Wife” respectively) DECLARE that this Marriage Contract is drawn and the provisions herein are agreed to on our free will and accord at the time of the solemnisation of our marriage.

IV. THE CONTRACT

1. We, therefore, the Husband and Wife, whose signatures are affixed herein, and professing the Shia Ithna Asheri Faith of Islam have agreed to take each other in marriage on our own free will and in accordance with the Laws of the Shia Ithna-asheri faith of Islam, and upon mutual love and compassion.
2. It is hereby agreed that MAHR of _____ shall be given by the Husband to the Wife prior to the consummation of the marriage or thereafter when demanded by the Wife.
3. It is hereby further agreed by both of us the Husband and Wife that the exchange of gifts between us as well as the gifts given to us individually by our respective parents, friends and relatives during the periods of engagement for marriage and matrimonial life shall always be and remain our respective individual properties and they shall not be subject to recall at any time even in the event of dissolution of marriage.
4. It is also agreed that the Husband delegates to the Wife irrevocable authority, if she so desires to exercise, to appoint an Agent (Wakil) for divorcing her on behalf of the Husband which right/authority can be exercised by her in the following circumstances only with the written consent of the Jamaat in the city/town where the couple have been resident or where the marriage has been solemnised, after having exhausted all possible-attempts for agreement for relief or elimination of the causes and effects of the circumstances concerned and which consent can be granted by the concerned Jamaat and / or Jamaat’s Conciliatory Board or Committee without further reference to the Husband. (In cases where the respective Jamaat(s) has ceased to exist, the nearest Jamaat shall be considered as the contact Jamaat):
 - i. If the Husband at his own behest divorces the Wife in a civil court and does not give her Shar’ie Talaq (divorce) as required under the Sharia Laws.
 - ii. If the Husband is able but unwilling for four months and willing but unable for six months to consummate the marriage.
 - iii. If the Husband is proved to have become insane, incurably impotent, or has contracted incurable contagious disease, like (but not limited) to HIV/AIDS and/or leprosy.
 - iv. If there is medical evidence to prove that the Husband is addicted to illegal drugs and/or intoxicants (unless required as prescribed medication), to an extent that the Wife finds it unbearable to continue the marital relationship
 - v. If the Husband disappears or abandons the Wife or does not provide for shelter and maintenance to the Wife and children (if any) for six months continuously.
 - vi. If there is independent medical evidence that the Husband subjects the Wife to mental or physical abuses to an extent that the Wife finds it unbearable to continue the marital relationship.
 - vii. If the Husband demands and/or compels the Wife to perform major sin/s expressly forbidden in the Holy Qur’an.
 - viii. If the Husband abandons the Shia Ithna Asheri Faith of Islam.
 - ix. If the Husband is imprisoned for a continuous period of four years or more.

5. **OPTIONAL CONDITIONS PERTAINING TO DISSOLUTION OF MARRIAGE**

I AGREE I DONOT AGREE

If the Husband marries another woman in a permanent marriage without written permission of the Wife named in this Marriage Contract.

In situations other than the above where the Wife deems it necessary to seek a divorce, guidance be sought through the Jamaat and/or the Resident Aalim from a designated Wakil of the Marja who has been authorized by a Marja-e-Taqlaed to deal with such matters.

Bridegroom: _____

Bride: _____

Jamaat Official _____

(all pages must be initialised)

The following are additional conditions stipulated and agreed between THE HUSBAND AND WIFE: (If any)

5. It is hereby furthermore agreed by both of us that we shall always adhere to and comply with all the Fiqhi (jurisprudential) rules and regulations of Shia Ithna-Asheri Faith of Islam at the time of divorce as prescribed by our respective Maraja-e- Taqleed and seek further guidance through the Jamaat from the Marja or their Special Representatives if needed.
6. We, the Husband and the Wife conclude by offering sincere prayers to Allah (s.w.t.) that He may grant us the wisdom and courage to cement our matrimonial bond with love and compassion.

V. CONCLUSION

IN WITNESS WHEREOF, we the Bridegroom and the Bride herein referred to as the Husband and the Wife have on our own free will and accord, agreed to all the terms and conditions contained in this Marriage Contract and have attested our signatures and also our initials on every page of this Marriage Contract in the presence of witnesses prior to the solemnization of our marriage on ___ day of _____ in the year _____ CE corresponding to the ___ day of _____ in the year _____ Hijra.

Signature of Bridegroom (Husband)
Name: _____
Date: _____

Signature of Bride (Wife)
Name: _____
Date: _____

Signature: Witness of the Bridegroom (Husband)
Name: _____
Address: _____

Date: _____

Signature: Witness of the Bride (Wife)
Name: _____
Address: _____

Date: _____

VI HEALTH CLEARANCE:

Both the Bridegroom and the Bride have provided the necessary Health Clearance Certificates/Results to the Jamaat HIV/AIDS Test being mandatory, and Thalassemia Test being recommended. This is to certify that all results/certificate provided are authentic.

Name of Jamaat Official
Date: _____

Signature of Jamaat Official
Date: _____

Bridegroom: _____
Bride: _____

(all pages must be initialised)

Jamaat Official _____
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VII. NOTES

A. Mahr

Minimum Mahr to be ascertained and set by the respective Jamaat from time to time as recommendation to the parties. It is recommended that payment of the Mahr be made prior to solemnisation of the Nikah or immediately thereafter.

B. Distribution of Assets

Assets owned before marriage by the Husband/Wife shall not be subject to any division or distribution in the event of dissolution of the marriage. Those assets acquired thereafter (in the course of matrimony) by the Wife through her own personal toil shall solely belong to her at all times

C. Explanation on Filling of this Contract

1. The Bridegroom and the Bride are required to personally and carefully read the terms herein stated in this contract, and where any sections are not understood they must contact a Jamaat Official for explanation and guidance.
2. Please fill and return these forms at least 7 days before the Marriage date to avoid last minutes delays and inconveniences.

D. Jamaat Administration

(Recommendation and Guidance to the Jamaat Officials involved in facilitating and conducting the Nikah)

1. Ensure that the Marriage Contract Forms are given to both parties for completion and signatures well in time at least seven days before the intended day for solemnisation of the Nikah.
2. Ensure that proper explanation and guidance is given to both parties on their respective rights and obligations relating to this Marriage Contract.
3. Ensure that the Marriage Contract is duly and fully filled and completed by both parties and signed by the witnesses also before the solemnization of the Nikah, retaining one original copy for Jamaat’s record.
4. Ensure all the pages of the Marriage Contract are initialed by the Bridegroom (Husband) and the Bride (Wife), and the Jamaat Official.
5. Retain good legible Particulars Page copy of the passport or national identity of the Bridegroom (Husband) and Bride (Wife) along with the signed Marriage Contract form.

E. Jamaat Check List

1. All pages of the Contract duly filled appropriately by both parties
2. Marriage License where applicable received
3. Passport/ National ID copies received
4. Appropriate Health Certificates received
5. Wakalatnama completed
6. Parties attended Premarital Counseling/Seminar organized by Jamaat (where applicable)
7. No Objection Certificate (NOC) – Where Applicable

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

Bridegroom: _____
Bride: _____

(all pages must be initialised)

Jamaat Official _____

VIII. OFFICIAL REGISTRATION OF MARRIAGE:

(Where the Country's Law requires Registration of Marriage in a designated Government Office, this should be done prior to the solemnisation of the Nikah)

City/Town and Country where Marriage is being performed: _____

Marriage License Number: _____

Issued by *(name of the Authority)*: _____

Date License issued: _____

(Original seen by Jamaat official and Certified Copy herein attached)

IX. WAKALATNAMA (AUTHORITY APPOINTING REPRESENTATIVE TO SOLEMNISE FOR NIKAH):

BRIDE: *(Select option as appropriate)*

Tick here if appointing a Wakil

I the undersigned, _____, daughter of _____, residing in _____, follower of the Shia Ithna Asheri Faith of Islam, of my free will and accord, appoint _____ to solemnise my marriage to _____ son of _____ in accordance with Shia Ithna Asheri Faith of Islam.

Tick here if solemnising Nikah yourself

Bride's Name: _____

Signature: _____

Witness' Name: _____

Signature: _____

Bride's Guardian's Name: _____

Signature of Guardian _____

Date: _____

BRIDEGROOM: *(Select option as appropriate)*

Tick here if appointing a Wakil

I the undersigned, _____, son of _____, residing in _____, follower of the Shia Ithna Asheri Faith of Islam, of my free will and accord, appoint _____ to solemnise my marriage to _____ daughter of _____ in accordance with the Shia Ithna-Asheri Faith of Islam

Tick here if solemnising Nikah yourself

Bridegroom Name: _____

Signature _____

Witness Name: _____

Signature _____

Date: _____

Bridegroom: _____

Bride: _____

Jamaat Official _____

(all pages must be initialised)

X. MARRIAGE SOLEMNISATION BY THE JAMAAT:

This is to certify that the marriage of the Bride and Bridegroom named above was solemnized in accordance with the Shia Ithna-Asheri Laws of Islam on:

The _____ Day of the Month of _____ in the year of _____ Hijra

The _____ Day of the Month of _____ in the year of _____ CE

Signature: Wakil (Aaqid - Representative)
of the Bridegroom

Signature: Wakil (Aaqid - Representative)
of the Bride

Name: _____

Name: _____

Date: _____

Date: _____

Government Registration Licence of Aaqid

Government Registration Licence of Aaqid

Number: _____

Number: _____

Date: _____

Date: _____

Issued by the Registrar General

Issued by the Registrar General

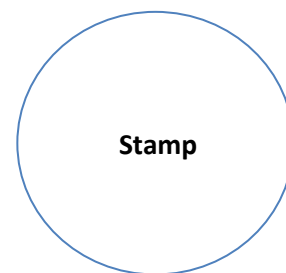
Date: _____

Date: _____

Signature/Official stamp of:

The Khoja Shia Ithna-Asheri Jamaat

..... (City/Town, Country)



Signature: Chairman/Secretary _____

Date: _____

Name: _____

Bridegroom: _____

Bride: _____

(all pages must be initialised)

Jamaat Official _____