

## **Explanatory Notes on Muslim Marriage Contract / Nikah nama**

### **These notes are in reference to completing the Nikah nama v.3**

Completion of the Marriage Contract (Nikah nama) allows an intending couple to agree upon many important matters related to their future lives together and thus contributes to marital harmony. As these matters can have lifelong effects upon both spouses and any children, it is important that they be properly discussed beforehand and that both parties read this document carefully.

These notes should be read before completing the Nikah nama. They explain the information required in each section.

The Nikah nama must be completed and signed at least in duplicate: one copy should be given to each bride and if officiated (Imam, etc.) a third copy must remain deposited with the officiate.

At the time of writing a same-sex Muslim marriage is not recognised by British law. However, a civil ceremony can take place at a registered place for the solemnisation of civil partnerships first, before the *nikah* (Muslim marriage) ceremony.

#### **1. First Bride's full name:**

Write the full name(s) of the older bride first. These should be written in full and as entered on official documents, e.g., passport, driving licence. Please ensure spellings are consistent.

#### **2. Date of birth:**

For the older bride, write the date of birth followed by any nationalities she may hold. This should be written in full and as entered on official documents, e.g., passport, driving licence.

#### **3. Place of birth:**

Write the place of birth of the older bride. This should be written in full and as entered on official documents, e.g., passport, driving licence.

#### **4. Address:**

Write the address where the older bride is normally resident. Include full permanent address with UK postcode as written in official documents, e.g., passport, driving licence, bank statements. If the bride is not permanently resident in the UK at the time of completing the Marriage Contract, enter full permanent address abroad.

#### **5. Status of First Bride:**

Write whether the older bride is unmarried or divorced or widowed at the time of the ceremony. Accurate completion of this section ensures that the rights of children from any previous relationship are protected and that the spouses are mutually aware of any existing financial obligations and those in relation to children from any previous relationship.

#### **6. Second Bride's full name:**

Write the name(s) of the younger bride. These should be written in full and as entered on official documents, e.g., passport, driving licence. Please ensure spellings are consistent.

**7. Date of birth:**

For the younger bride, write the date of birth followed by any nationalities she may hold. This should be written in full and as entered on official documents, e.g., passport, driving licence.

**8. Place of birth:**

Write the place of birth of the younger bride. This should be written in full and as entered on official documents, e.g., passport, driving licence. Please ensure spellings are consistent.

**9. Address:**

Write the address where the younger bride is normally resident. Include full permanent address with UK postcode as written in official documents, e.g., passport, driving licence, bank statements. If the bride is not permanently resident in the UK at the time of completing the Marriage Contract, enter full permanent address abroad.

**10. Status of Second Bride:**

Write whether the younger bride is unmarried or divorced or widowed at the time of the ceremony in row 10. Accurate completion of this section ensures that the rights of children from any previous relationship are protected and that the spouses are mutually aware of any existing financial obligations and those in relation to children from any previous relationship.

**11. Amount of Mahr and to whom:**

State the amount of mahr if it is monetary or state the gift given in mehr. Also state who it is being given to, i.e. the name of the respective bride. It is an essential element of Muslim marriage. Payment of *Mahr* could be immediate (prompt), or deferred. Record the **total** value of the agreed *Mahr*, e.g., £5,000 in cash, or xyz weight in gold.

**12. Mu'ajjal (Immediate/Prompt):** This means the total amount of *Mahr* payable by the named Bride **at the time of signing of marriage contract**.

**Mu'wajjal (Deferred):** This means the portion of the *Mahr* which is payable to the named Bride at a specified point in the marriage or at the time of dissolution of the marriage through divorce or death of the partner. Any deferred *Mahr* that remains unpaid at the time of dissolution becomes a debt against the former partner's assets.

**Note:** Mahr does not include general gifts to the brides from either partner / or their families unless these be expressly included in (11.) above as part of the amount of *Mahr*.

**13. Property given in lieu of Mahr:**

If any immovable property (land, building, share in a house, flat, etc.) is given by a named Bride in lieu of any portion of the *Mahr*, enter the full address, details of the property (size, or precise portion of the share). Relevant supporting legal documents such as copy of title deeds or appropriate entry in the Land Register must be attached.

**14. Name of the first witness to the marriage and of the contract, including their residence:**

State the name of the first witnesses and their address of normal residence. A witness should be sane, an adult and reliable. This requirement is gender/faith neutral. Hence, the Muslim Marriage Certificate requires to be witnessed by 'two adult witnesses of good character'.

**15. Date of birth and nationality of first witness:**

This should be written in full and as entered on official documents, e.g., passport, driving licence. It records that the witness is an adult.

**16. Name of the second witness to the marriage and of the contract, including their residence:**

State the name of the second witnesses and their address of normal residence. According to Islamic law, a witness should be sane, adult and reliable. This requirement is gender/faith neutral. Hence, the Muslim Marriage Certificate requires to be witnessed by ‘two adult witnesses of good character’.

**17. Date of birth and nationality of second witness:**

This should be written in full and as entered on official documents, e.g., passport, driving licence. It records that the witness is an adult.

**18. Place of Nikah (Muslim Marriage):**

Enter the full name and address of the place of marriage.

**19. The date when the marriage was conducted:**

State the date when this marriage is being conducted both using the Islamic calendar of Hijri and the Western Gregorian calendar.

**20. Signature of the Brides:**

Signature of both brides. Use the same signature as on official documents (e.g., passport, driving-licence, documents for banking purposes, etc.). The Marriage Certificate is not valid unless signed by two witnesses as well as the brides.

**21. Signatures of Witnesses:**

Signature of both witnesses. Use the same signature as on official documents (e.g., passport, driving-licence, documents for banking purposes, etc.). The Marriage Certificate is not valid unless signed by two witnesses as well as the brides.

**22. Name of Imam / Qadi plus signature:**

**This part is not necessary.** It is only applicable if you have an officiate for the marriage.

**23. Address of associated organisation:**

**This part is not necessary.** It is only applicable if the officiate for the marriage is related to an organisation that supports same-sex marriage contracts.

**24. Civil marriage/partnership registration number:**

This part is only applicable if the brides have already a civil marriage/partnership with each another. In this case, enter the registration number of the certificate.

**25. Date of civil marriage/partnership:**

This part is only applicable if the brides have already a civil marriage/partnership with each another. In this case, enter the date printed on the civil marriage/partnership registration certificate.

**26. District of civil marriage/partnership:**

This part is only applicable if the brides have already a civil marriage/partnership with each another. In this case, enter the district/location printed on the civil marriage/partnership registration certificate.