

The **Joint Petition for Divorce** is submitted when you are filing for separation with your partner.

Fill out the information in a very detailed, concise manner. Any item that is an untruth or cannot be understood will be rejected.

The **Joint Petition** is an official template which contains the following information to be completed. It consists of a series of statements validating the following:

- 1** Personal Details
- 2** Details of Family
- 3** Arrangements for Children
- 4** Request for Divorce and conditions



All forms of **Divorce Petition** must be signed in front of the Commissioner of Oaths.

1

Personal details

1. On the day of 20... the petitioners were lawfully married to on another at [state address whereby the marriage was registered]. This is evident by an extract of the Marriage Certificate numbered [certificate number], exhibited hereto and marked [e.g. 'A'].

Official template wording

This refers to the marriage certificate as a supporting document, marked in the top right corner.

2. The petitioners have cohabited as husband and wife at [state the last address at which they have cohabited in Malaysia].

3. Both the petitioners are domiciled in Malaysia. [or Both the petitioners are ordinarily resident in Malaysia.]

4. The petitioners have separated since [date of separation] and have mutually agreed that their marriage should be dissolved and they freely consent hereto.

Official template wording

These paragraphs refer to whether you and your partner are applicable to Malaysian law.

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Details of Family

5. There is [are] [no (or state number) child[ren] of the family now living] namely [state the full names (including surname) of each child and his date of birth or, if it be the case, that he is over 18 and in the case of each minor child over the age of 16, whether he is receiving instruction at an educational establishment or undergoing training for a trade, profession or vocation].

[If applicable] Certified copy[ies] of the birth certificate[s] is [are] exhibited hereto and marked [e.g. 'B' and 'C'].

Official template wording

Children includes your own natural born, or those adopted or accepted by you and your partner.

6. The following provisions have been made for the petitioner (the wife):

7. [Where appropriate] The following provisions have been made for the support, care and the custody of the children:

Official template wording

- My partner and I as both parties agree to no provision requirements for either wife or husband.
- Provisions for children are outlined in the Arrangements for Children.

3 Arrangements for Children

8. [where applicable] A Statement as to Arrangements for Children in respect of those children of family who are either aged under 16, or aged under 18 and at school, college, or in training for a trade, profession or vocation is also attached herewith. [or No Statement as to Arrangements for Children is attached, because there are no children of the family, or no children of the family are either aged under 16 or aged under 18 and at school, college, or in training for a trade, profession or vocation.]

9. There have been no previous proceedings in any court in Malaysia or elsewhere with reference to the marriage [or to any children of the family] [or between the petitioner with reference to any property of either or both of them] [except (state the nature of the proceedings, the date and effect of any decree or order and, in the case of proceedings with reference to the marriage, whether there has been any resumption of cohabitation since the making of the decree or order)].

10. There are no proceedings continuing in any country outside Malaysia which are in respect of the marriage or are capable of affecting its validity or subsistence [except (give particulars of the proceedings, including the court in or tribunal or authority before which they were begun, the date when they were begun, the names of the parties, the date or expected date of any trial in the proceedings and such other facts as may be relevant to the question whether the proceedings on the petition should be stayed.)]

Official template wording

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Request for Divorce and conditions

The petitioners therefore pray -

- (1) That the said marriage may be dissolved.
- (2) That may be granted custody of [state name(s) of the child or children].
- (3) [Where appropriate] That may be ordered to pay the costs of this petition.
- (4) That may be granted the following ancillary relief, namely [state particulars of application for ancillary relief which it is intended to claim].

It is not intended to serve this petition on any person.

The address for service of [1st petitioner's name] is [state 1st petitioner's place of residence] or [state the solicitor's name or firm and address] and of [2nd petitioner's name] is [state 2nd petitioner's place of residence] or [state the solicitor's name or firm and address].

Official template wording