

## ABSTRACT

This study discusses the issues of harta sepencarian (jointly-accumulated wealth) in the Syariah Court of Singapore. The objectives of this study are to examine the meaning and interpretation of harta sepencarian, and the influence of direct and indirect contributions in determining the amount received by the husband and wife from the harta sepencarian. Although the AMLA has provided general guidelines and interpretation on the factors which need to be taken into consideration when determining the distribution of harta sepencarian, but these guidelines do not distinguish between the main and supporting factors. Through literature studies, case-studies of Court cases and interviews, the researcher hopes to clarify the interpretation and provide suggestions in determining the main and supporting factors which can be used as an alternative guideline for the judges in the Syariah Court of Singapore. In Singapore, when a divorce is filed, HDB flats, CPF and bank savings made up the majority of harta sepencarian claims. On top of that, more than 90% of cases referred to the Appeal Board of Singapore are harta of sepencarian cases. This has raised suspicion of unfair distribution of harta sepencarian between the divorced parties if the wealth is accumulated by the sole effort of one of the parties. Such a presumption has also arisen from some of the decisions issued by the Syariah Court of Singapore. This study also attempts to provide Syaria'h injunctions which can support some of the decisions made by the judges of the Syariah Court and the Appeal Board of Singapore. The researcher attempts to give some suggestions to ensure that there are no unjust elements in the distribution of harta sepencarian between husband and wife in the event of divorce.