

DIVORCE IN MALAYSIA



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TYPES OF DIVORCE APPLICATIONS




Joint Petition (Mutual Divorce)

No need to provide reasons if both parties agree.

Single Petition (Non-Mutual Divorce)

Requires valid grounds such as adultery, unreasonable behaviour, desertion, or separation.

WHEN CAN YOU FILE FOR DIVORCE IN MALAYSIA?



Must be married for more than 2 years (unless you are suffering some form of hardship & suffering)

Must be domiciled in Malaysia (for eg. must be a Malaysian and residing in Malaysia or intend to live in Malaysia permanently)

Marriage must be monogamous & registered under valid civil law (for foreigners)

DIVORCE PROCESS IN MALAYSIA

Joint Petition (Mutual Divorce)

1

Consult our divorce lawyer and we will prepare the joint petition for both parties to sign.

2

Both parties must attend a court hearing (1 time only) in Court or via Zoom (subject to Court's discretion).

3

Court will grant decree nisi during the court hearing.

Get divorce certificate 3 months after the court hearing.

4

Update divorce status with the Jabatan Pendaftaran Negara (JPN)

Our divorce lawyer will update the JPN on behalf free of charge.

Single Petition (Non-Mutual Divorce) Process

1

Go for mandatory marriage counselling at JPN before filing a single petition (unless exempted for valid reasons).

2

Consult our divorce lawyer and we will prepare the single petition.

3

Sign the single petition and file to the Court.

The Court will fix a court hearing.

4

If the Court is satisfied that the marriage has irretrievably broken down, the Court will grant a divorce.

5

Get divorce certificate 3 months after the hearing.

6

Update divorce status with the Jabatan Pendaftaran Negara (JPN)

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DIVORCE TERMS

Custody, Care & Control of Children



Decides who makes major decisions for the child (education, religion, healthcare) and which parent the child lives with on a daily basis.

Maintenance of Children



Financial support that parents must provide for the children's living expenses, education, and healthcare.



DIVORCE TERMS

Spousal Maintenance / Alimony



Financial support paid by one spouse to the other after divorce, depending on the means and needs of parties.

Division of Matrimonial Assets



The fair division of property, savings, investments, vehicles, and other assets acquired during the marriage.

CHECKLIST

What You Need To Prepare



Marriage Certificate



Birth Certificates of Children
(if any)



Sales & Purchase Agreement
(S&P) of property (if any)

Send the documents to our divorce lawyers at tyhlawfirm@gmail.com or via [WhatsApp here](#).

FREQUENTLY ASKED QUESTIONS

1. How long does a divorce take in Malaysia?

About 3–6 months for a joint petition. It will take about 6-12 months for a single petition.

2. Do I need to attend court?

Yes. For joint petitions, usually only one court hearing (in person or via ZOOM).

3. Can we file for divorce immediately after marriage?

No, you must be married at least 2 years before filing (unless with special court permission).

4. Who gets custody of the children?

The court decides based on the children's best interests in case there is a dispute.

5. How are assets divided?

Assets acquired during the marriage are divided fairly, considering contributions by both spouses.

GET IN TOUCH WITH OUR DIVORCE LAWYERS NOW



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