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## **JAWATANKUASA PEGUAM PULAU PINANG PENANG BAR COMMITTEE**

Court Liaison 23/25

9 Dec 2025

To Members of the Penang Bar,

### **Reminder on Compliance with Divorce and Matrimonial Proceedings Rule 1980 (DMPR)**

We have received an e-mail dated 4 Dec 2025 from Senior Assistant Registrar of the Penang High Court, Puan Janice Brenda, entitled "Reminder on Compliance with Rules 53 and 55 DMPR and Standardisation of Indorsement Practice".

Members are requested and reminded to ensure strict compliance with the relevant provisions under the Divorce and Matrimonial Proceedings Rules 1980 ("DMPR") when dealing with the making of a Decree Nisi absolute, as follows:

1. Rule 53, DMPR – regarding the timeframe and conditions under which a Decree Nisi may be made absolute; and
2. Rule 55, DMPR – which requires that an indorsement stating the exact date and precise time be made at the point when the Decree Nisi is made absolute.

Members are also strongly reminded to ensure that the Notice (*Notis Menjadikan Dekri Nisi Mutlak*) is lodged before filing the Fair Certificate. Consequently, the date and time that appear on the Certificate will be the date and time of filing of the Fair Certificate, after the Notice has been duly lodged.

Members are advised to ensure full compliance with these requirements to avoid procedural irregularities and the potential adverse consequences that may arise.

The said Notification is appended below for Members' attention and reference.

Members will be updated further as and when we receive additional information from the Court.

**Gowri Subbaiyah and Tinoshiny a/p Arumugam**  
**Co-Chairpersons**  
**Civil Practice and Court Liaison Subcommittee**

From: "Pn. Janice Brenda a/p Savariannan" <[janicebrenda@kehakiman.gov.my](mailto:janicebrenda@kehakiman.gov.my)>

Date: 4 December 2025 at 11:10:37 AM MYT

To: [gowrisubbaiyah@yahoo.com](mailto:gowrisubbaiyah@yahoo.com), [barsecretariat@penangbar.org](mailto:barsecretariat@penangbar.org)

Cc: "Pn. Aziana binti Azib" <[aziana@kehakiman.gov.my](mailto:aziana@kehakiman.gov.my)>

Subject: **Reminder on Compliance with Rules 53 and 55 DMPR and Standardisation of Indorsement Practice**



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Dear Ms Gowri,

Warm greetings.

We wish to bring to your attention to remind the members of the Penang Bar the need for strict compliance with the following provisions under the **Divorce and Matrimonial Proceedings Rules 1980 ("DMPR")**:

1. **Rule 53, DMPR** – regarding the timeframe and conditions under which a *Decree Nisi* may be made **absolute**; and
2. **Rule 55, DMPR** – which requires that an **indorsement stating the exact date and precise time** be made at the point when the *Decree Nisi* is made **absolute**.

Additionally, it may be helpful to note that the practice of making such indorsements on the Certificate, using the **filing date and time of the Fair Certificate**, has been adopted in the Kuala Lumpur and Selangor Family Courts. This followed discussions between the Bar Council Family Law Committee and the Judiciary, aimed at standardizing practice across jurisdictions.

The requirement to record an exact date and time on the Certificate is of critical importance due to its **significant implications for the parties' estates**. Should one party pass away **intestate** before the *Decree Nisi* is made absolute, the surviving spouse will continue to benefit from distribution of the deceased's estate as though the marriage had not been dissolved.

In view of this, members are **strongly reminded** to ensure that the **Notice (Notis Menjadikan Dekri Nisi Mutlak)** is lodged *before* filing the **Fair Certificate**. The date that appears on the Certificate shall therefore be the **date and time of the filing of the Fair Certificate**, after the Notice has been duly lodged.

Some of the members comply with the above and many still don't. As such, I seek your kind assistance to notify the Family Law Committee of the same to do the needful to ensure proper compliance.

We trust that the above clarification will assist in ensuring uniformity of practice and proper compliance with the DMPR.

Thank you.

**"MALAYSIA MADANI"**

**"BERKHIDMAT UNTUK NEGARA"**

Saya yang menjalankan amanah,

**JANICE BRENDA A/P SAVARIANNAN**  
Penolong Kanan Pendaftar  
Mahkamah Tinggi Pulau Pinang

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