

# PENINSULAR MALAYSIA ECCLESIASTICAL TRIBUNAL

Pusat Keuskupan Katolik, 290, Jalan Macalister, 10450 Penang  
Tel: +604-2292742; +6012-6692434      Email: catholictribunalpng@gmail.com

<i>For Office Use</i>
<i>Date Received:</i> _____
<i>Protocol No.:</i> _____

## NULLITY OF MARRIAGE Application Form

### PARTICULARS OF YOURSELF (THE PETITIONER)

Name (as in IC/Passport): \_\_\_\_\_

Maiden Name: \_\_\_\_\_

Present Address: \_\_\_\_\_  
\_\_\_\_\_

Postal Code: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_

Telephone: Mobile: \_\_\_\_\_ Work: \_\_\_\_\_ Home: \_\_\_\_\_

Email: \_\_\_\_\_ Occupation: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Date of Baptism: \_\_\_\_\_ Denomination/Religion at Baptism: \_\_\_\_\_  
*(if applicable)*

Church of Baptism: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_

Present Parish: \_\_\_\_\_

Town: \_\_\_\_\_ State: \_\_\_\_\_

Present Religion: \_\_\_\_\_  
*(if applicable)*

Are you currently enrolled in the RCIA Program?  Yes  No If Yes, state Parish: \_\_\_\_\_  
\_\_\_\_\_

### PARTICULARS OF THE OTHER PARTY (THE RESPONDENT)

Name (as in IC/Passport): \_\_\_\_\_

Maiden Name: \_\_\_\_\_

Present Address: \_\_\_\_\_  
\_\_\_\_\_

Postal Code: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_

Telephone: Mobile: \_\_\_\_\_ Work: \_\_\_\_\_ Home: \_\_\_\_\_

Email: \_\_\_\_\_ Occupation: \_\_\_\_\_  
Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_  
Date of Baptism: \_\_\_\_\_ Denomination/Religion at Baptism: \_\_\_\_\_  
Church of Baptism: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_  
Present Parish: \_\_\_\_\_  
Town: \_\_\_\_\_ State: \_\_\_\_\_  
Present Religion: \_\_\_\_\_  
*(if applicable)*  
Is he/she currently enrolled in the RCIA Program?  Yes  No If Yes, state Parish: \_\_\_\_\_

**DETAILS OF MARRIAGE**

How long have you both been acquainted before marriage? \_\_\_\_\_  
How long have you both been engaged? \_\_\_\_\_ Date of Marriage: \_\_\_\_\_  
Place of Marriage: Church: \_\_\_\_\_  
Town: \_\_\_\_\_ State: \_\_\_\_\_  
Registrar of Marriages: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_  
Age at Marriage: Petitioner: \_\_\_\_\_ Respondent: \_\_\_\_\_  
Decision to Marry:  Willing  Pressurized by Kin  Pregnancy  Others (specify): \_\_\_\_\_

Was there any objection to your marriage?  Yes  No If Yes, give details: \_\_\_\_\_

Is this your first Marriage?  Yes  No If No, give details: \_\_\_\_\_

Is this the Respondent's first Marriage?  Yes  No If No, give details: \_\_\_\_\_

Was the marriage consummated?  Yes  No How long did you stay together married? \_\_\_\_\_

Did you both want children? Petitioner:  Yes  No Respondent:  Yes  No

Were there any children born of this marriage?  Yes  No If Yes, give names and dates of birth of children:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_
- 4. \_\_\_\_\_

When did things begin to go wrong in your marriage? \_\_\_\_\_

Dates and duration of temporary separations: \_\_\_\_\_

Was there any attempt at reconciliation?  Yes  No If Yes, give details: \_\_\_\_\_

Date of final separation: \_\_\_\_\_ Who left first?  Petitioner  Respondent

Reason for leaving: \_\_\_\_\_

Are you legally separated?  Yes  No If Yes, state date and place of separation: \_\_\_\_\_

Are you divorced?  Yes  No If Yes, state date and place of Final Divorce Decree: \_\_\_\_\_

What obligations remain from this marriage? (toward the Respondent and children, if any) \_\_\_\_\_

Have you fulfilled or are you fulfilling these obligations; and in what way? \_\_\_\_\_

Describe your present relationship with the Respondent: \_\_\_\_\_

### PRESENT SITUATION

Are you dating anyone now?  Yes  No If Yes, for how long? \_\_\_\_\_

Are you living together?  Yes  No If Yes, for how long? \_\_\_\_\_

Are you intending to marry this person?  Yes  No If Yes, give person's particulars below.

Are you married to this person, either civilly or in another church?  Yes  No

If Yes, give details of marriage and this person's particulars:

Date of Marriage: \_\_\_\_\_ Place of Marriage: \_\_\_\_\_

\_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_

Name of Person: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_

Postal Code: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_

Telephone: Mobile: \_\_\_\_\_ Work: \_\_\_\_\_ Home: \_\_\_\_\_

Email: \_\_\_\_\_ Occupation: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Place of Birth: \_\_\_\_\_

Denomination/Religion: \_\_\_\_\_ Parish: \_\_\_\_\_

\_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_ *(if applicable)*

Is he/she currently enrolled in the RCIA Program?  Yes  No If Yes, state Parish: \_\_\_\_\_

Has this person ever been married before?  Yes  No If Yes, how many times? \_\_\_\_\_

Current status of this person:  Widowed  Separated  Divorced

Received a Declaration of Nullity by a Church Tribunal (please give details: \_\_\_\_\_)

Were there any children born of this marriage?  Yes  No If Yes, give names and dates of birth of children:

1. \_\_\_\_\_

2. \_\_\_\_\_

3. \_\_\_\_\_

4. \_\_\_\_\_

**WITNESSES**

Please provide details of at least four (4) witnesses who knew what happened in your former marriage; and who have agreed to be interviewed. Please indicate the relationship of the witnesses e.g. parent / brother / sister / friend / neighbour.

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_  
Telephone: Mobile: \_\_\_\_\_ Work: \_\_\_\_\_ Home: \_\_\_\_\_  
Email: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_  
Telephone: Mobile: \_\_\_\_\_ Work: \_\_\_\_\_ Home: \_\_\_\_\_  
Email: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_  
Telephone: Mobile: \_\_\_\_\_ Work: \_\_\_\_\_ Home: \_\_\_\_\_  
Email: \_\_\_\_\_

Name: \_\_\_\_\_ Relationship: \_\_\_\_\_  
Address: \_\_\_\_\_  
Postal Code: \_\_\_\_\_ Town: \_\_\_\_\_ State: \_\_\_\_\_  
Telephone: Mobile: \_\_\_\_\_ Work: \_\_\_\_\_ Home: \_\_\_\_\_  
Email: \_\_\_\_\_

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**CONSENT**

How were you referred to the Peninsular Malaysia Ecclesiastical Tribunal?  
\_\_\_\_\_

Is there a priest who knows you and your circumstances well enough to comment?  Yes  No

If Yes, give name and address of priest: \_\_\_\_\_  
\_\_\_\_\_

I am willing to co-operate with the Peninsular Malaysia Ecclesiastical Tribunal officials who may have to work with me in making a proper examination of this marriage case.

.....  
*Signature of Petitioner*

Name: \_\_\_\_\_

Date: \_\_\_\_\_

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## NULLITY OF MARRIAGE

### Notes for Applicants

#### PROCEDURE FOR SUBMISSION OF APPLICATION

1. Complete the Form for Nullity of Marriage, in BLOCK LETTERS (*either written or typed*).
2. Provide a **Statement** (*either written or typed*) on a separate sheet, **duly signed and dated**, covering the period when you first met your former spouse until the time the marriage broke down. The Statement should be no more than three (3) pages and should cover the following points:
  - a) When and where you first met and your impressions of the character and personality of your intended spouse at that time.
  - b) A brief account of the courtship; length, date of formal engagement, breaks which occurred, if any, difficulties, etc.
  - c) Any unusual circumstances surrounding the decision to marry, e.g. pressurized by kin, pregnancy, etc.
  - d) Date and place of marriage, ages of both parties at marriage. If there was a honeymoon, how was it?
  - e) If the marriage was consummated, state difficulties on your sexual activity, if any. If you had any children, give details of your children and their birth dates.
  - f) Where you lived after your marriage; length of time marriage was happy; when the problems in your marriage started, what the problems were, e.g. mental illness, excessive drinking, violence, failure to provide financially, involvement of third party, etc.....please provide details.
  - g) Date of final separation and events that led to the separation. Date divorce was granted; who petitioned the divorce and based on what grounds. Date of last contact with your former spouse; address at that time of your former spouse; and lastly state why, in your opinion, did the marriage break down.
3. Submit the duly completed **Form for Nullity of Marriage** and duly signed and dated **Statement**, together with copies of the following documents, by registered post to the office of the Peninsular Malaysia Ecclesiastical Tribunal, at the above address:
  - a) **Identification Card**
  - b) **Baptism Certificate of Petitioner/Respondent**
  - c) **Civil Marriage Certificate of previous marriage**
  - d) **Civil Marriage Certificate of attempted marriage**
  - e) **Certificate of Decree Nisi Absolute**

*Note: Incomplete applications will not be processed.*

## **PROCEDURE UPON ACCEPTANCE OF APPLICATION**

1. You will be invited for an interview with an official of the Peninsular Malaysia Ecclesiastical Tribunal.
2. Your former spouse will be notified of your claim and will be called for an interview, if he/she is willing to be interviewed. *(You are advised to make an effort to find his/her present address and encourage him/her to co-operate.)*
3. Your witnesses, if any, will be interviewed individually, *(Before you submit their names, please obtain their consent to be interviewed. You are advised not to discuss with them, and also advise them not to discuss with others, anything to do with your marriage until the case is concluded. In this way all the evidence will be quite independent. You can assure the witnesses that anything told to the Peninsular Malaysia Ecclesiastical Tribunal will be treated in its strictest confidence. At no time will there be any court appearance or cross examination as in the civil courts.)*
4. When all the evidence is collected, an official of the Peninsular Malaysia Ecclesiastical Tribunal will prepare the file on your behalf. A Defender of the bond will make his observations on the case. The Defender must uphold the marriage if, from his reading of the case, he considers that the nullity is not proven.
5. The case is then passed to the Judge and he is given some time *(probably weeks)* to study it and write down his conclusions and the reasons behind them. He will make his decision on the whole case.
6. If the decision of the Judge is in favour of nullity, the case must be referred to the Appeal Tribunal where a second panel of three Judges will either ratify the first decision or overturn it. Only when the two panels decide in favour of the nullity, can a decree of nullity be issued.

## **DURATION OF THE PROCESS**

Two (2) years or more for the completion of the whole process.

## **FURTHER INFORMATION**

Please remember that a marriage is presumed valid until proven and declared otherwise. No plans or dates concerning the possibility of marriage with another person would be appropriate. These could not be considered until the status of the marriage under investigation was determined.

If you require any further information or help, please do not hesitate to contact the office of the Peninsular Malaysia Ecclesiastical Tribunal.

We hope this process helps you find peace of mind and hope for the future.

**Note:** *Please do not return the notes with your application. Kindly retain it for future reference.*