

# **Administration of Muslim Law (Haj) Rules**

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**ADMINISTRATION OF MUSLIM LAW ACT  
(CHAPTER 3, SECTIONS 88B AND 88C(2)(b), (c), (d), (e) AND (f))**

**ADMINISTRATION OF MUSLIM LAW (HAJ) RULES**

**R 6**

**G.N. No. S 406/1999**

**REVISED EDITION 2001**

(31st January 2001)

[27th September 1999]

**PART I**

**PRELIMINARY**

**Citation**

1. These Rules may be cited as the Administration of Muslim Law (Haj) Rules.

**Definitions**

2. In these Rules, unless the context otherwise requires —

“accredited mutawwif” means a person accredited by the Majlis to act as a

mutawwif and who has in force a certificate issued by the Majlis under rule 14(3);

“approved travel agent” means a travel agent who has obtained the approval of the Majlis under rule 3(5) to provide goods or services to any person for the purposes of the Haj;

“certificate” means a certificate of accreditation issued by the Majlis under rule 14(3);

“Haj course” means any training or course relating to the rituals and other procedures required for performing the Haj in accordance with Muslim law;

“travel agent” means a person who holds a licence granted under the Travel Agents Act (Cap. 334).

## PART II

### APPROVAL OF TRAVEL AGENTS

#### **Travel agents to be approved**

3.—(1) A travel agent who desires to provide goods or services to any person for the purposes of the Haj shall apply to the Majlis for approval.

(2) An application under paragraph (1) shall be in such form and manner as the Majlis thinks fit and shall be accompanied by —

- (a) evidence of the good reputation of —
  - (i) the applicant;
  - (ii) if the applicant is a firm, every member of the firm; or
  - (iii) if the applicant is a company, every director and shareholder of the company;
- (b) evidence that the applicant has sufficient manpower and resources to provide goods or services for the purposes of the Haj;
- (c) evidence that the applicant is able to maintain the Haj accounts referred to in rule 7(1) in a proper manner; and
- (d) a fee of \$80.

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[S 577/2010 wef 08/10/2010]*

(3) No travel agent shall provide any goods or services to any person for the purposes of the Haj unless he is approved by the Majlis.

(4) A travel agent shall be deemed to be providing goods or services for the purposes of the Haj if he —

- (a) provides or facilitates the provision of any air or other means of transportation to and from Saudi Arabia for the purposes of the Haj;
- (b) provides or facilitates the provision of any hotel or other types of accommodation in Saudi Arabia during the period of the Haj; or
- (c) purports to arrange any Haj course for any person.

(5) The Majlis may approve an application made under paragraph (1) on such terms and conditions as the Majlis thinks fit, including a condition limiting the number of persons to whom the successful applicant may provide goods or services for the purposes of the Haj.

(6) The Majlis may refuse to approve an application made under paragraph (1) if —

- (a) the Majlis thinks that the applicant is not a fit and proper person to provide to any person goods or services for the purposes of the Haj;
- (b) the Majlis is satisfied that —
  - (i) the applicant;
  - (ii) if the applicant is a firm, any member of the firm; or
  - (iii) if the applicant is a company, any director or shareholder of the company,has been convicted of an offence involving dishonesty or moral turpitude; or
- (c) the Majlis considers that it is in the public interest to do so.

(7) Any person aggrieved by a decision of the Majlis under this rule may appeal to the Minister whose decision shall be final.

### **Duration and renewal of approval**

4. An approval granted by the Majlis to a travel agent under rule 3(5) shall be valid for one year from the date of the grant of the approval and may be renewed for terms of one year each on such terms and conditions as the Majlis thinks fit.

### **Publicity of goods or services for purposes of Haj**

5. An approved travel agent shall not distribute any document, pamphlet, brochure, leaflet or other form of literature in relation to any goods or services provided by him for the purposes of the Haj, which does not conform to the requirements of the Muslim law.

### **Alteration of goods or services**

6. Where an approved travel agent desires to make any alteration in a material respect to any goods or services provided by him for the purposes of the Haj that have been advertised and for which offers have already been accepted, the approved travel agent shall —

- (a) as soon as practicable, inform every person whose offer has already been accepted; and
- (b) give to that person an option to accept the altered goods or services or to withdraw his acceptance, in which event the approved travel agent shall forthwith refund any money paid by that person.

### **Haj accounts**

7.—(1) Every approved travel agent shall keep and maintain a set of accounts known as the Haj accounts which shall contain the information specified in the Schedule.

(2) The Majlis may, at any time, require an approved travel agent to submit any Haj accounts kept and maintained by him pursuant to this rule, or audited financial statements relating to his business to the Majlis for inspection.

### **Haj courses**

8.—(1) An approved travel agent shall arrange for Haj courses for all of the persons to whom he is providing any goods or services for the purposes of the Haj.

(2) An approved travel agent shall not engage any person other than an accredited mutawwif to conduct any Haj course.

### **Welfare of clients during performance of Haj**

9.—(1) An approved travel agent shall comply with all the directives of the Majlis relating to the safety and welfare of the persons (referred to in this rule as clients) to whom he is providing any goods or services for the purposes of the Haj.

(2) Without prejudice to the generality of paragraph (1), an approved travel agent shall —