



جامعة السلطان الشريف علي الإسلامية
UNIVERSITI ISLAM SULTAN SHARIF ALI
SULTAN SHARIF ALI ISLAMIC UNIVERSITY

Faculty of Shariah and Law
Semester I, 2015/2016 Academic Session

Examination Question Paper

Course Code : LS 5303

Course Name : Law of Evidence in Shariah Court

**Course Level : Bachelor of Laws (LL.B) & Bachelor of
Shariah Law(BSL)**

Time : 3 hours

Reference allowed

Shariah Court Evidence Order, 2001

Note(s):

- (1) Answer any four of the following questions.
- (2) Support your answers with relevant statutory provisions and decided cases.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

QUESTION 1 (15 marks)

A. Define an oath (*Al-Yamin*) in Islamic law.

(5 marks)

B. State the types of an oath (*Al-Yamin*).

(10 marks)

QUESTION 2 (15 marks)

A. Define the term "*Al-Qiyafah*".

(5 marks)

B. Would the knowledge of a judge be admissible evidence to prove a charge?

(10 marks)

QUESTION 3 (15 marks)

A. Differentiate between primary and secondary evidence in Islamic law.

(5marks)

B. Discuss the matters on which the opinion of expert evidence is admissible in Islamic law.

(10 marks)

QUESTION 4 (15 marks)

A. Being a Muslim is one of the conditions for the testifying witness.

Discuss this matter including the witness of non-Muslim in Brunei Shariah court.

(5 marks)

B. Discuss minimum requirements of witnesses in Islamic law.

(10 marks)

QUESTION 5 (15 marks)

Write short notes on the following topics:

A. Types of *Tazkiyyah al-Shuhud*

B. Retraction of testimony and the responsibility of a witness, and

C. *Al-'adl* (Just) as a condition for testifying witness.

(5 marks each)

بالتوفيق والنجاح