

Tam Yuen Hung & Co.

TYH & CO. · DIVORCE-FOCUSED LAW FIRM, MALAYSIA

FIRST EDITION

2026 EDITION

ANNUAL REPORT

The Malaysia Non-Muslim Divorce Report

Nearly nine years of casework on non-Muslim divorce in Malaysia, from June 2017 to May 2026. Based on the firm's available case data across more than 2,500 cases, benchmarked against national figures from DOSM and JPN.

2,500+

cases reviewed

55%

cite adultery

7 in 10

filed by wives

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What this report covers

A plain look at how non-Muslim couples in Malaysia divorce: who files, why, what happens to children and money, and how long it takes. The patterns come from one firm's files, set against the national record.

Non-Muslim divorce in Malaysia is governed by the Law Reform (Marriage and Divorce) Act 1976. These cases are heard in the Civil High Court, separate from the Syariah system. This report is built for people researching divorce in Malaysia, for journalists, and for anyone who wants reliable, sourced numbers in one place.

AT A GLANCE

MUTUAL CONSENT

70%

resolved by joint petition,
both sides agreeing

WITH CHILDREN

70%+

involved at least one child

LONG MARRIAGES

60%+

were married more than 10
years

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How we built this

Honest about what the numbers are, and what they are not.

This report draws on the casework of Tam Yuen Hung & Co. (TYH & Co.), a divorce-focused law firm in Malaysia. It covers more than 2,500 non-Muslim divorce matters handled between June 2017 and May 2026, a span of nearly nine years. It is based on the firm's available case data.

The firm figures are **indicative proportions, rounded**, taken from internal case records. They describe what the firm has seen across its own files. They are not a national census, and they are not weighted to represent every non-Muslim divorce in the country.

For national context, the report sets these patterns against official figures from the **Department of Statistics Malaysia (DOSM)**. Non-Muslim marriage and divorce records are registered with the **National Registration Department (Jabatan Pendaftaran Negara, JPN)**, and DOSM compiles and publishes them each year.

NOTE 1

DOSM revises earlier years as late registrations come in, so figures can differ slightly between annual releases.

NOTE 2

Divorce counts reflect the date the court order was issued. They cannot be matched directly against marriage counts for the same year.

All matters fall under the Law Reform (Marriage and Divorce) Act 1976, the law that governs non-Muslim divorce in Malaysia. Nothing in this report is legal advice.

The numbers in brief

Six patterns from more than 2,500 non-Muslim divorce cases, plus the national anchor.

2,500+ FIRM DATA

non-Muslim divorce cases reviewed, 2017 to 2026

70% FIRM DATA

resolved by mutual consent through a joint petition

55% FIRM DATA

named adultery as the leading ground for divorce

70% FIRM DATA

of petitions were filed by wives

70%+ FIRM DATA

of cases involved at least one child

60%+ FIRM DATA

of couples had been married more than 10 years

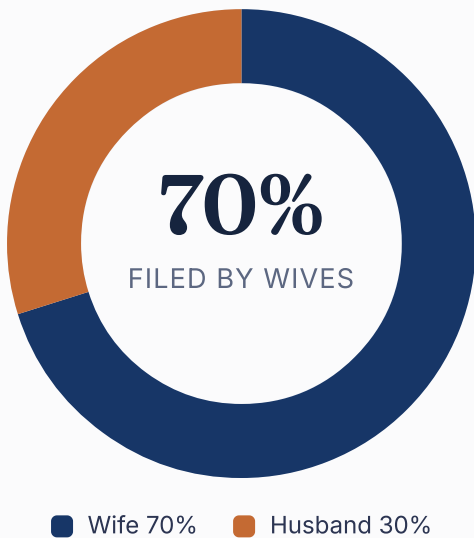
17,200

National non-Muslim divorces peaked at 17,200 in 2022, then eased to 12,880 by 2024. The firm's caseload followed the same shape.

Source: DOSM, Marriage, Divorce and Rujuk Statistics, Malaysia, 2025 (records via JPN).

Who files, and why

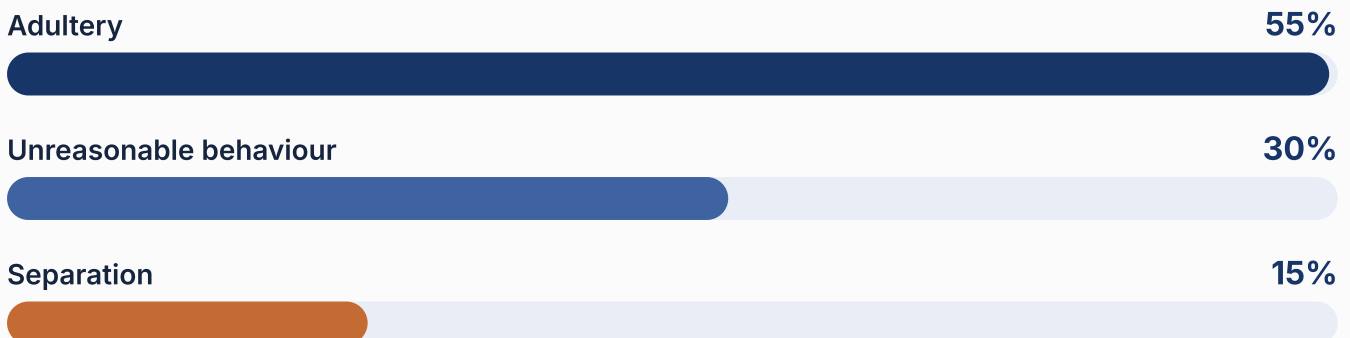
In the firm's files, most petitions came from wives, and adultery was the reason cited most often.



About seven in ten petitions were filed by wives. Adultery is the most cited reason, and in the firm's experience the alleged adulterer is more often the husband. That pattern is one likely reason wives file more often.

Under the law, a marriage must be shown to have broken down beyond repair. A petitioner does this by relying on one or more facts: adultery, behaviour they cannot reasonably be expected to live with, desertion, or living apart.

MAIN GROUND RELIED ON



TAKEAWAY Most non-Muslim divorces in these files are wife-led and tied to alleged adultery. Conduct, not paperwork, is often what is really in dispute.

Figures show the main ground cited. Some petitions plead more than one fact. Proportions are rounded firm estimates.

How couples divorce

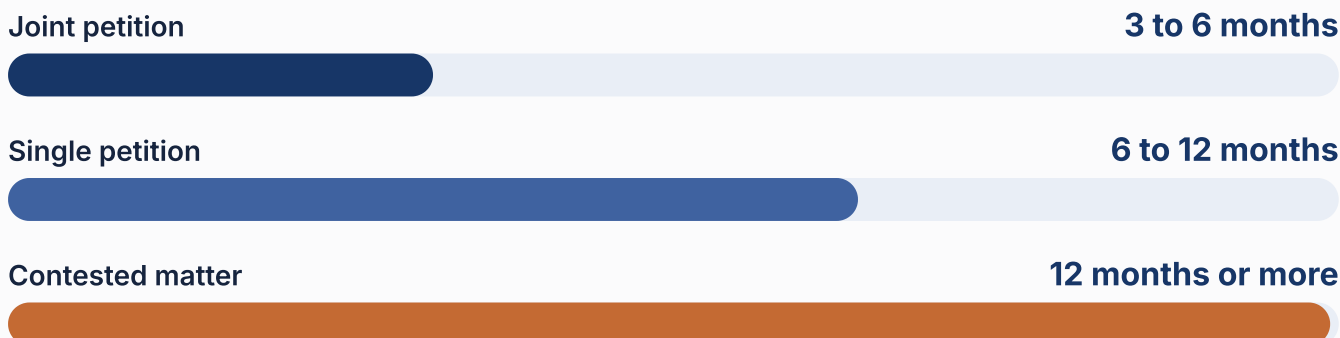
Most ended by agreement. The route chosen drives how long the divorce takes.

A joint petition is divorce by mutual consent. Both spouses agree to divorce and to the terms for children, maintenance and assets, then file together. This was the route in about seven of ten cases.

A single petition is filed by one spouse. It is used when the other will not agree, or when there is a dispute to resolve. It takes longer and, in most cases, requires a referral to a conciliatory body before filing.



TYPICAL TIME FROM FILING TO DECREE



TAKEAWAY Agreeing the terms early is the biggest lever on speed. Consent turns a long dispute into a short, predictable process.

Typical ranges from firm casework. Actual timelines depend on the court's schedule and whether terms are disputed. These are not guarantees.

Children and custody

Most divorcing couples had children. Mothers most often secured day-to-day care, with access for fathers.



More than seven in ten cases involved at least one child. When children are in the picture, the court's first concern is their welfare, not the wishes of either parent.

In most of the firm's cases, mothers secured care and control, meaning the child lives mainly with them. Fathers were commonly granted access, including weekends, school holidays and agreed contact.

CARE AND CONTROL

Mostly mothers

The child lives mainly with one parent day to day.

ACCESS

Commonly fathers

Scheduled time, holidays and contact with the other parent.

YOUNG CHILDREN

Lean to mother

A starting view favours the mother for young children. It can be rebutted.

TAKEAWAY In most cases the child lives mainly with one parent and keeps regular, scheduled contact with the other.

Custody, care and control, and access are decided case by case on the welfare of the child. Joint custody arrangements also occur.

Maintenance and assets

What divorce costs after the decree: support for children, support for a spouse, and how property is split.

CHILD MAINTENANCE

From RM800

per child each month, in the firm's files. It rises with the child's needs and the parents' means. Both parents share the duty.

SPOUSAL MAINTENANCE

Often, not always

Awarded in many cases, but the trend is that courts may decline where the wife is young and able to work.

DIVIDING MATRIMONIAL ASSETS

There is no fixed split. The court looks closely at what each spouse contributed to the marriage, both money and non-financial effort such as caring for the home and children. Property bought during the marriage, savings and other shared assets are weighed on that basis.

In practice, outcomes turn on the facts: who paid for what, who gave up work, and what each party needs going forward. Because contribution drives the result, two cases with similar assets can be split very differently.

TAKEAWAY Child support follows need and means. Asset division follows contribution. Neither runs on a fixed formula.

Maintenance figures are typical firm starting points, not court tariffs. The amount depends on the financial circumstances of each family. Asset division is decided case by case under the Law Reform (Marriage and Divorce) Act 1976.

How long marriages last

Divorce in these files rarely came early. Most couples had been married more than a decade.



More than six in ten couples had been married over 10 years before divorcing. Early divorce was uncommon, which fits the law: a couple generally cannot petition in the first two years of marriage, except in cases of exceptional hardship.

The national record points the same way. DOSM data places the median age at divorce for non-Muslim men at around 40 and women at around 36 in recent years, consistent with divorce often coming well into a marriage rather than at the start.

WHAT THIS SUGGESTS

Long marriages bring more to untangle: shared property, longer financial ties, and children who are often older. This is part of why money and asset questions feature so heavily in non-Muslim divorce in Malaysia.

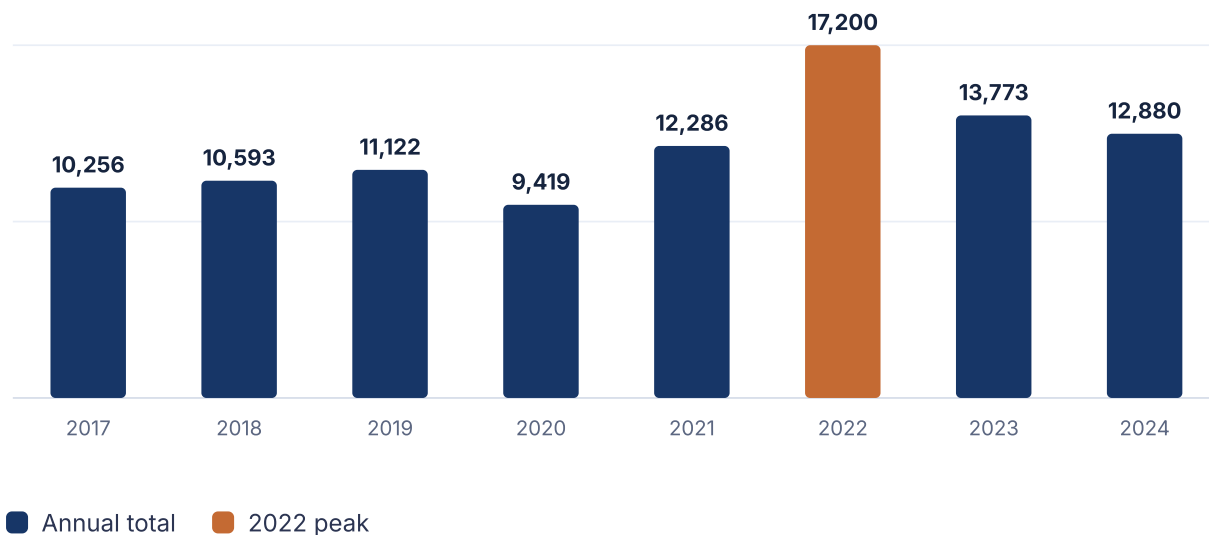
Median age figures: DOSM, Marriage, Divorce and Rujuk Statistics, Malaysia (recent annual releases). Non-Muslim records via JPN.

The national picture

How non-Muslim divorce moved across Malaysia from 2017 to 2024, from the government's own count.

Non-Muslim divorces in Malaysia, 2017 to 2024

Number of divorces



Nationally, non-Muslim divorces climbed through the pandemic years and peaked at **17,200 in 2022** as delayed cases cleared the courts. They then eased to 13,773 in 2023 and 12,880 in 2024.

The firm saw the same shape. Its busiest stretch fell around the COVID years, followed by a gentle decline, in step with fewer marriages being registered over the period.

SHARE OF ALL DIVORCES

~21%

Non-Muslim divorces were about a fifth of all Malaysian divorces in 2024 (12,880 of 60,457).

Source: DOSM, Marriage, Divorce and Rujuk Statistics, Malaysia, 2025, and earlier annual releases (2017 figure from the 2018 release). Non-Muslim records registered via JPN. Figures are revised by DOSM over time and reflect the date of court order.

Questions people ask

Plain answers to the most searched questions about non-Muslim divorce in Malaysia.

What counts as a non-Muslim divorce in Malaysia?

It is a divorce under the Law Reform (Marriage and Divorce) Act 1976, for couples not married under Islamic law. These cases are heard in the Civil High Court.

What are the grounds for divorce?

You must show the marriage has broken down beyond repair. This is proven by adultery, behaviour you cannot reasonably live with, desertion, or living apart for a set period.

Can I divorce without my spouse agreeing?

Yes. You can file a single petition on your own if you can show the marriage has broken down. A joint petition is only possible when both sides agree.

How long does a divorce take?

A joint petition often takes 3 to 6 months. A single petition usually takes 6 to 12 months, and longer if it is contested.

Do I have to attend the Marriage Tribunal first?

For most single petitions, yes. You generally refer the matter to a conciliatory body before filing, with some exceptions. Joint petitions are exempt.

Can I file in the first two years of marriage?

Usually no. The law bars most petitions in the first two years, unless you can show exceptional hardship.

Who gets custody of the children?

The court decides on the child's welfare. Mothers often get care and control, especially for young children, with access for the other parent.

How much is child maintenance?

It depends on the child's needs and the parents' means. In the firm's files it often starts around RM800 per child each month.

How many non-Muslim divorces happen each year?

Around 12,000 to 13,000 in recent years, after a peak of 17,200 in 2022, based on DOSM figures registered via JPN.

General information only, not legal advice. Timelines and figures are typical firm observations. The law referred to is the Law Reform (Marriage and Divorce) Act 1976.

How to cite this report

Free to quote with credit to Tam Yuen Hung & Co. Please link back where you can.

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FOR MEDIA AND ARTICLES

"According to The Malaysia Non-Muslim Divorce Report 2026 by Tam Yuen Hung & Co. (TYH & Co.), 55% of non-Muslim divorce cases cited adultery and about 7 in 10 were filed by wives."

WEB REFERENCE

The Malaysia Non-Muslim Divorce Report 2026, Tam Yuen Hung & Co. Suggested URL:
www.tyhlegal.my/annual-divorce-report-malaysia

SOURCES

- Department of Statistics Malaysia (DOSM). *Marriage, Divorce and Rujuk Statistics, Malaysia, 2025* (released 20 November 2025).
- Department of Statistics Malaysia (DOSM). *Marriage and Divorce, Malaysia*, annual releases 2018 to 2024.
- Non-Muslim marriage and divorce records registered with the National Registration Department (Jabatan Pendaftaran Negara, JPN).
- Law Reform (Marriage and Divorce) Act 1976 (Malaysia).
- Tam Yuen Hung & Co. internal case records, June 2017 to May 2026 (more than 2,500 non-Muslim divorce matters).

About Tam Yuen Hung & Co.

A divorce-focused law firm in Malaysia, registered with the Malaysian Bar.

Tam Yuen Hung & Co. (TYH & Co.) is a divorce-focused law firm in Malaysia. The firm helps non-Muslim individuals and families with divorce, custody, maintenance and the division of matrimonial assets under the Law Reform (Marriage and Divorce) Act 1976.

The firm is registered with the Malaysian Bar under Section 85(1) of the Legal Profession Act 1976, Registration Number 000020005128.

COMPILED BY

Tam Yuen Hung

Founder, Tam Yuen Hung & Co. (TYH & Co.)

Published by Tam Yuen Hung & Co.

Web www.tyhlegal.my

Tel 03-9081 3889 / 016-947 3338

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Disclaimer. This report is for general information only and is not legal advice. The firm figures are indicative, rounded proportions from internal case records and do not represent every non-Muslim divorce in Malaysia. National figures are drawn from the Department of Statistics Malaysia, with records registered via JPN, and are subject to revision. Every case turns on its own facts. For advice on your situation, speak to a qualified lawyer.

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