

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

NINETEENTH CONGRESS
First Regular Session

HOUSE BILL NO. 3578



INTRODUCED BY CIBAC PARTY LIST REPRESENTATIVE
Hon. Eduardo “Bro. Eddie” C. Villanueva

**AN ACT
AMENDING SECTION 5 OF REPUBLIC ACT NO. 9225, POPULARLY
KNOWN AS THE “DUAL CITIZENSHIP LAW.”**

EXPLANATORY NOTE

Republic Act No. 9225 or the Citizen Retention and Re-acquisition Act of 2003, and more popularly known as the Dual Citizenship Law, declares that all natural-born Filipinos who become citizens of another country shall be deemed not to have lost their Philippine citizenship, and are deemed to have retained and re-acquired their Filipino citizenship subject to certain conditions.

Under the existing law, dual citizens are given the right to vote in the Philippine elections, however, those seeking elective public office in the Philippines or appointment to public office are required under RA 9225 to “make a personal and sworn renunciation of any and all foreign citizenship before any public officer authorized to administer an oath” and “that they renounce their oath of allegiance to the country where they took that oath”, respectively.

The Philippines adheres to the principle of **Jus Sanguinis (Right of Blood)** that, at birth, the individual acquires the nationality or the citizenship of his or her natural parents. In the Philippines, a person becomes a natural-born Filipino by blood – the identity of a Filipino is in

the blood. Thus, a Filipino is always a Filipino, even when he has acquired foreign citizenship. This is the very essence of RA 9225.

The intention of this Act is to promote nationalism by embracing our brothers and sisters even when they have acquired foreign citizenship. Filipinos should not be treated as second-class citizens in their own country. With the existing law, the State has recognized the importance of nationalism by giving former Filipinos the privilege to retain or re-acquire Filipino citizenship, except that it has a condition, that is, they renounce their foreign citizenship and oath of allegiance to the foreign country where they took their oath when they seek to be elected or appointed to public office. This Act shall give the Filipinos that sense of pride of being a Filipino, and that sense of protection from the State.

This Act will also benefit our country by letting Filipinos, though a dual citizen, to bring home their years of acquired knowledge, vast experience and advanced skills from working in the country where they have acquired their foreign citizenship.

Most importantly, Filipinos who have migrated abroad have also brought their family in the country where they become a citizen thereof. In their twilight years, they will need go back to their family. It would be a violation of family ties, which is very dear to every Filipino, when Filipinos can no longer reunite with their children and grandchildren simply because our law required them, who served their country, to renounced their foreign citizenship - this is a disservice to our country.

To put the Philippines at par with other countries, it would be beneficial if we allow our "*kababayans*", who have decided to come home and serve our country, the same rights accorded to all. While present laws allow them to exercise their right to vote and make their voice heard in Philippine elections, it is only fair if they are given the chance to participate in the elections and be appointed to public office without jeopardizing the citizenship they have acquired from their host country.

In view of the foregoing, I therefore urge my colleagues to ensure the expeditious passage of this bill into law.

A handwritten signature in black ink, appearing to read "E. C. Villanueva", with a long horizontal flourish extending to the right.

Hon. Eduardo "Bro. Eddie" C. Villanueva

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1 *Be it enacted by the Senate and the House of Representatives of*
2 *the Philippines in Congress assembled:*

3
4 **SEC.1.** Section 5 of Republic Act No. 9225 is hereby amended to
5 read as follows:

6
7 Section 5. *Civil and Political Rights and Liabilities.* –
8 Those who retain or re-acquire... and the following
9 conditions:

10
11 1. XXX...

12
13 2. Those seeking elective public office in the Philippines
14 shall meet the qualification for holding such public
15 office as required by the Constitution and existing laws
16 **[and,]** at the time of the filing of the certificate of
17 candidacy, **[make a personal and sworn**
18 **renunciation of any and all foreign citizenship**

1 before any public officer authorized to administer
2 an oath] PROVIDED THAT THEY ARE ACTUALLY
3 AND PHYSICALLY RESIDING IN THE PHILIPPINES
4 FOR THE DURATION OF THEIR OFFICE;
5

6 3. Those appointed to any public office shall subscribe
7 and swear to an oath of allegiance to the Republic of
8 the Philippines and its duly constituted authorities prior
9 to their assumption of office [: **Provided, that they**
10 **renounce their oath of allegiance to the country**
11 **where they took their oath];**
12

13 4. XXX...

14 5. XXX...

15 a. XXX...

16 b. XXX...

17
18
19
20
21 **SEC.2. Separability Clause.** If any section or provision or part
22 hereof, is held unconstitutional or invalid, the remainder of the law or the
23 provision not otherwise affected shall remain valid and effective.
24

25 **SEC.3. Repealing Clause.** Any law, presidential decree or
26 issuance, executive order, letter of instruction, administrative order, rule
27 or regulation contrary to or is inconsistent with the provision of this Act is
28 hereby repealed, modified, or amended accordingly.
29

30 **SEC.4. Effectivity Clause.** This Act shall take effect fifteen (15)
31 days following its publication in the Official Gazette or at least two (2)
32 newspapers of general circulation.
33

34
35 *Approved,*