

INFORMATION ON DUAL CITIZENSHIP

1. What is the Citizenship Retention and Re-acquisition Act of 2003 ?

Republic Act No. 9225 or the Citizenship Retention and Re-acquisition Act of 2003 is a law passed on 29 August 2003 which grants natural-born Filipinos who have lost their Filipino citizenship through naturalization in a foreign country, the opportunity to retain or re-acquire their Philippine citizenship.

2. Who is qualified to reacquire/retain their Philippine citizenship under this law?

Under the law, only natural-born citizens of the Philippines who have lost their Philippine citizenship by reason of their naturalization as citizens of a foreign country may be deemed to have re-acquired Philippine citizenship upon taking the oath of allegiance to the Republic.

3. Who are natural-born citizens of the Philippines?

Natural-born citizens of the Philippines are those who are citizens of the Philippines from birth without having to perform any act to acquire or perfect their Philippine citizenship. These are:

- * Those whose fathers or mothers are citizens of the Philippines at the time of their birth; and
- * Those born before January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority.

4. Aside from R.A. 9225, are there ways by which Filipinos may have dual citizenship or more than one citizenship at the same time?

Yes. Before the passage of R.A. 9225, dual citizenship of some Filipinos already existed as a result of the operation of nationality laws. For example, a child born in the United States of America of Filipino parents is an American citizen under US law, and a Filipino citizen under Philippine law. The child's American citizenship is derived from the principle of *jus soli*, which follows the place of birth, while his Philippine citizenship is derived from the principle of *jus sanguinis*, which follows the citizenship of his parents. In these cases, dual citizenship can be acquired without having to apply for it under R.A. 9225.

5. Does one who re-acquires Philippine citizenship need to reside in the Philippines?

No, residency in the Philippines is not a requirement for those who re-acquire Philippine citizenship.

6. What privileges and entitlements does one gain from re-acquiring Filipino citizenship?

Filipinos who re-acquire Philippine citizenship may once again enjoy full civil, economic and political rights under existing laws of the Philippines. Among these are the rights to:

- * Exercise the right of suffrage. (Art V, Sec. 1, Philippine Constitution)
- * Acquire and own private lands with no size Limitations, as well as condominium units.
- * Run for public office, provided that at the time of filing of his/her certificate of candidacy, the person shall make a personal and sworn renunciation of foreign citizenship, and meet the residency requirement for holding elective position.
- * Be appointed to a public office, provided that the person renounces his allegiance to other country.
- * Practice a profession, provided that he is licensed or permitted by the appropriate Philippine authority to engage in such practice.
- * Own or invest in businesses which are not generally open to foreigners, including, among others: Public utilities Exploration ;Development and utilization of natural resources; Educational institutions, Mass media; Contracts for the construction and repair of locally-funded public works; Cooperatives, Private recruitment, Advertising and Retail Trade
- * Be issued Philippine passport and enjoy visa-free entry and stay in the Philippines for an unlimited period.

7. What are the duties and obligations of Filipinos who re-acquire Philippine citizenship?

A person who re-acquires Filipino citizenship has, among others, the following duties and obligations:

- * To pay taxes on income *earned in the Philippines*.
- * Support and defend the Constitution of the Republic of the Philippines and obey the laws and legal orders promulgated by the duly constituted authorities of the Philippines....
- * Recognize and accept the supreme authority of the Philippines and maintain true faith and allegiance. (Oath of Allegiance, RA 9225)

8. What is the citizenship of the children of one who re-acquires Filipino citizenship?

If his/her children are unmarried and below 18 years of age at the time of re-acquisition of Filipino citizenship, his/her children are also recognized as Filipino citizens under Philippine law and are entitled to the rights and privileges attendant thereto.

9. What are the requirements and procedures in applying for re-acquisition of one's Filipino citizenship?

In accordance with Memorandum Circular No. AFF-04-01 issued by the Philippine Bureau of Immigration, the following are the procedures and requirements:

- * The applicant accomplishes the application form entitled "Petition for Dual Citizenship and Issuance of Identification Certificate (IC)" pursuant to RA 9225.

*The applicant submits the following documents, **the original copies of which shall be presented:**

- 2a. A photocopy of at least one of the following documents:
 - a. Philippine Birth Certificate
 - b. Old Philippine Passport
 - c. Marriage Contract indicating the Philippine Citizenship of the applicant
 - d. Voter's affidavit or voter's identification card; or
 - e. Such other documents that would show that the applicant is a former natural born Philippine citizen as may be acceptable to the evaluating officer.
- 2b. **In addition to the above**, a photocopy of Certificate of Naturalization or in the absence of the same, an affidavit explaining the circumstances by which the foreign citizenship was acquired.
3. If the name of the applicant in the birth certificate or other documents submitted is different from that in his foreign passport and other documents, the applicant shall execute an affidavit explaining such difference and attach, as supporting documents, at least two (2) public or private documents showing the correct name of the applicant, **the original copy of which shall be presented.**
4. For each of the applicant's minor children who is below eighteen (18) years of age, each beneficiary shall submit photocopies of the following documents, **the original copies of which shall be presented:**
 - a. Birth Certificate; and
 - b. Foreign passport

(this topic is to be continued on the next issue of ALPHA DIYARYO)

Source: http://www.philippineconsulate-sf.org/dualcitizenship_faq.htm