

Law Compilation

Constitutional Law I

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2011

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This collection contains ten (10) legal documents, referred in the fourth chapter of the course syllabus, compiled by Atty. Michael Vernon M. Guerrero during the First Semester, school year 2011-2012 as Professor for Constitutional Law I at the Arellano University School of Law (AUSL).
Compiled as PDF, July 2011.

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Notes in Constitutional Law I (Atty. Berne Guerrero)

Commonwealth Act 63

AN ACT PROVIDING FOR THE WAYS IN WHICH PHILIPPINE CITIZENSHIP MAY BE LOST OR REACQUIRED

Section 1. How citizenship may be lost. - A Filipino citizen may lose his citizenship in any of the following ways and/or events:

- (1) By naturalization in a foreign country;
- (2) By express renunciation of citizenship;
- (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more;
- (4) By accepting commission in the military, naval or air service of a foreign country;
- (5) By cancellation of the certificate of naturalization;
- (6) By having been declared by competent authority, a deserter of the Philippine army, navy or air corps in time of war, unless subsequently a plenary pardon or amnesty has been granted; and
- (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the law in force in her husband's country, she acquires his nationality.

Section 2. How citizenship may be reacquired. -- Citizenship may be reacquired:

- (1) By naturalization: Provided, That the applicant possess none of the disqualifications prescribed in section two of Act Numbered Twenty-nine hundred and twenty-seven.
- (2) By repatriation of deserters of the Army, Navy or Air Corps: Provided, That a woman who lost her citizenship by reason of her marriage to an alien may be repatriated in accordance with the provisions of this Act after the termination of the marital status; and
- (3) By direct act of the National Assembly.

Section 3. Procedure incident to reacquisition of Philippine citizenship. - The procedure prescribed for naturalization under Act Numbered Twenty-nine hundred and twenty-seven, as amended, shall apply to the reacquisition of Philippine citizenship by naturalization provided for in the next preceding section: Provided, That the qualifications and special qualifications prescribed in sections three and four of said Act shall not be required. And, Provided, further:

- (1) That the applicant be at least twenty-one years of age and shall have resided in the Philippines at least six months before he applies for naturalization;
- (2) That he shall have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines, in his relations with the constituted government as well as with the community in which he is living; and
- (3) That he subscribes to an oath declaring his intention to renounce absolutely and perpetually all faith and allegiance to the foreign authority, state or sovereignty of which he was a citizen or subject.

Section 4. Repatriation shall be effected by merely taking the necessary oath of allegiance to the Commonwealth of the Philippines and registration in the proper civil registry.

Section 5. The Secretary of Justice shall issue the necessary regulations for the proper enforcement of this Act. Naturalization blanks and other blanks required for carrying out the provisions of this Act shall be prepared and furnished by the Solicitor General subject to approval of the Secretary of Justice.

Section 6. This Act shall take effect upon its approval.

Approved: October 21, 1936.

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Republic Act 106

**AN ACT TO AMEND SECTION ONE OF COMMONWEALTH ACT NUMBERED SIXTY-THREE,
ENTITLED "AN ACT PROVIDING FOR THE WAYS IN WHICH PHILIPPINE CITIZENSHIP MAY BE
LOST OR REACQUIRED"**

Section 1. Section one of Commonwealth Act Numbered Sixty-three is amended to read as follows:

"Section 1. How citizenship may be lost. - A Filipino citizen may lose his citizenship in any of the following ways and/or events:

"(1) By naturalization in foreign country;

"(2) By express renunciation of citizenship;

"(3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more: Provided, however, That a Filipino may not divest himself of Philippine citizenship in any manner while the Republic of the Philippines is at war with any country;

"(4) By rendering services to, or accepting commission in, the armed forces of a foreign country: Provided, That the rendering of service to, or the acceptance of such commission in, the armed forces of a foreign country, and the taking of an oath of allegiance incident thereto, with the consent of the Republic of the Philippines, shall not divest a Filipino of his Philippine citizenship if either of the following circumstances is present:

"(a) The Republic of the Philippines has a defensive and/or offensive pact of alliance with the said foreign country; or

"(b) The said foreign country maintains armed forces on Philippine territory with the consent of the Republic of the Philippines: Provided, That the Filipino citizen concerned, at the time of rendering said service, or acceptance of said commission, and taking the oath of allegiance incident thereto, states that he does so only in connection with his service to said foreign country: And provided, finally, That any Filipino citizen who is rendering service to, or is commissioned in, the armed forces of a foreign country under any of the circumstances mentioned in paragraph (a) and (b), shall not be permitted to participate nor vote in any election of the Republic of the Philippines during the period of his service to, or commission in, the armed forces of said foreign country. Upon his discharge from the service of the said foreign country, he shall be automatically entitled to the full enjoyment of his civil and political rights as a Filipino citizen;

"(5) By cancellation of the certificates of naturalization;

"(6) By having been declared by competent authority, a deserter of the Philippine armed forces in time of war, unless subsequently, a plenary pardon or amnesty has been granted; and

"(7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the laws in force in her husband's country, she acquires his nationality."

Section 2. This Act shall take effect upon its approval, but the benefits thereunder shall accrue to persons who, prior thereto, have lost Philippine citizenship under the provisions of Commonwealth Act Numbered Sixty-three but come within the proviso of paragraph (4) of section one of said Act as herein amended.

Approved, June 2, 1947

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Republic Act 2639

AN ACT TO AMEND SECTION ONE OF COMMONWEALTH ACT NUMBERED SIXTY-THREE, AS AMENDED, RELATING TO LOSS OF CITIZENSHIP.

Section 1. Section one of Commonwealth Act Numbered Sixty-three, as amended by Republic Act Numbered One hundred six, is further amended by adding at the end thereof the following paragraph:

"The provisions of this section notwithstanding, the acquisition of citizenship by a natural born Filipino citizen from one of the Iberian and any friendly democratic Ibero-American countries shall not produce loss or forfeiture of his Philippine citizenship if the law of that country grants the same privilege to its citizens and such had been agreed upon by treaty between the Philippines and the foreign country from which citizenship is acquired."

Section 2. This Act shall take effect upon its approval.

Approved: June 18, 1960

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Republic Act 3834

**AN ACT TO AMEND THE LAST PARAGRAPH OF SECTION ONE OF COMMONWEALTH ACT
NUMBERED SIXTY-THREE, AS AMENDED, RELATING TO LOSS OF CITIZENSHIP**

Section 1. The last paragraph of Section one of Commonwealth Act Numbered Sixty-Three, as amended by Republic Acts Numbered One Hundred Six and Twenty-Six Hundred Thirty-Nine, is amended to read as follows:

"The provisions of this section notwithstanding, the acquisition of citizenship by a natural born Filipino citizen from one of the Iberian and any friendly democratic Ibero-American countries or from the United Kingdom shall not produce loss or forfeiture of his Philippine citizenship if the law of that country grants the same privilege to its citizens and such had been agreed upon by treaty between the Philippines and the foreign country from which citizenship is required."

Section 2. This Act shall take effect upon its approval.

Approved: June 22, 1963

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**Commonwealth Act 473
Revised Naturalization Law**

**AN ACT TO PROVIDE FOR THE ACQUISITION OF PHILIPPINE CITIZENSHIP BY NATURALIZATION,
AND TO REPEAL ACTS NUMBERED TWENTY-NINE HUNDRED AND TWENTY-SEVEN AND THIRTY-
FOUR HUNDRED AND FORTY-EIGHT.**

Section 1. Title of Act. – This Act shall be known and may be cited as the "Revised Naturalization Law."

Section 2. Qualifications. – Subject to Section four of this Act, any person having the following qualifications may become a citizen of the Philippines by naturalization:

First. He must be not less than twenty-one years of age on the day of the hearing of the petition;

Second. He must have resided in the Philippines for a continuous period of not less than ten years;

Third. He must be of good moral character and believes in the principles underlying the Philippine Constitution, and must have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines in his relation with the constituted government as well as with the community in which he is living.

Fourth. He must own real estate in the Philippines worth not less than five thousand pesos, Philippine currency, or must have some known lucrative trade, profession, or lawful occupation;

Fifth. He must be able to speak and write English or Spanish and any one of the principal Philippine languages; and can robes virtual law library

Sixth. He must have enrolled his minor children of school age, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where the Philippine history, government and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen. can robes virtual law library

Section 3. Special qualifications. The ten years of continuous residence required under the second condition of the last preceding Section shall be understood as reduced to five years for any petitioner having any of the following qualifications:

1. Having honorably held office under the Government of the Philippines or under that of any of the provinces, cities, municipalities, or political subdivisions thereof;
2. Having established a new industry or introduced a useful invention in the Philippines;
3. Being married to a Filipino woman;
4. Having been engaged as a teacher in the Philippines in a public or recognized private school not established for the exclusive instruction of children of persons of a particular nationality or race, in any of the branches of education or industry for a period of not less than two years;
5. Having been born in the Philippines.

Section 4. Who are disqualified. - The following cannot be naturalized as Philippine citizens:

1. Persons opposed to organized government or affiliated with any association or group of persons who uphold and teach doctrines opposing all organized governments;
2. Persons defending or teaching the necessity or propriety of violence, personal assault, or assassination for the success and predominance of their ideas;

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3. Polygamists or believers in the practice of polygamy;
4. Persons convicted of crimes involving moral turpitude;
5. Persons suffering from mental alienation or incurable contagious diseases;
6. Persons who, during the period of their residence in the Philippines, have not mingled socially with the Filipinos, or who have not evinced a sincere desire to learn and embrace the customs, traditions, and ideals of the Filipinos;
7. Citizens or subjects of nations with whom the United States and the Philippines are at war, during the period of such war;
8. Citizens or subjects of a foreign country other than the United States whose laws do not grant Filipinos the right to become naturalized citizens or subjects thereof.

Section 5. Declaration of intention. – One year prior to the filing of his petition for admission to Philippine citizenship, the applicant for Philippine citizenship shall file with the Bureau of Justice, a declaration under oath that it is bona fide his intention to become a citizen of the Philippines. Such declaration shall set forth name, age, occupation, personal description, place of birth, last foreign residence and allegiance, the date of arrival, the name of the vessel or aircraft, if any, in which he came to the Philippines, and the place of residence in the Philippines at the time of making the declaration. No declaration shall be valid until lawful entry for permanent residence has been established and a certificate showing the date, place, and manner of his arrival has been issued. The declarant must also state that he has enrolled his minor children, if any, in any of the public schools or private schools recognized by the Office of Private Education of the Philippines, where Philippine history, government, and civics are taught or prescribed as part of the school curriculum, during the entire period of the residence in the Philippines required of him prior to the hearing of his petition for naturalization as Philippine citizen. Each declarant must furnish two photographs of himself. cban robes virtual law library

Section 6. Persons exempt from requirement to make a declaration of intention. – Persons born in the Philippines and have received their primary and secondary education in public schools or those recognized by the Government and not limited to any race or nationality, and those who have resided continuously in the Philippines for a period of thirty years or more before filing their application, may be naturalized without having to make a declaration of intention upon complying with the other requirements of this Act. To such requirements shall be added that which establishes that the applicant has given primary and secondary education to all his children in the public schools or in private schools recognized by the Government and not limited to any race or nationality. The same shall be understood to be applicable with respect to the widow and minor children of an alien who has declared his intention to become a citizen of the Philippines, and dies before he is actually naturalized.

Section 7. Petition for citizenship. – Any person desiring to acquire Philippine citizenship shall file with the competent court, a petition in triplicate, accompanied by two photographs of the petitioner, setting forth his name and surname; his present and former places of residence; his occupation; the place and date of his birth; whether single or married and the father of children, the name, age, birthplace and residence of the wife and of each of the children; the approximate date of his or her arrival in the Philippines, the name of the port of debarkation, and, if he remembers it, the name of the ship on which he came; a declaration that he has the qualifications required by this Act, specifying the same, and that he is not disqualified for naturalization under the provisions of this Act; that he has complied with the requirements of Section five of this Act; and that he will reside continuously in the Philippines from the date of the filing of the petition up to the time of his admission to Philippine citizenship. The petition must be signed by the applicant in his own handwriting and be supported by the affidavit of at least two credible persons, stating that they are citizens of the Philippines and personally know the petitioner to be a resident of the Philippines for the period of time required by this Act and a person of good repute and morally irreproachable, and that said petitioner has in their opinion all the qualifications necessary to become a citizen of the Philippines and is not in any way disqualified under the provisions of this Act. The petition shall also set forth the names and post-office addresses of such witnesses as the petitioner may desire to introduce at the hearing of the case. The certificate of arrival, and the declaration of intention must be made part of the petition.

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Section 8. Competent court.—The Court of First Instance of the province in which the petitioner has resided at least one year immediately preceding the filing of the petition shall have exclusive original jurisdiction to hear the petition. cban robes virtual law library

Section 9. Notification and appearance.—Immediately upon the filing of a petition, it shall be the duty of the clerk of the court to publish the same at petitioner's expense, once a week for three consecutive weeks, in the Official Gazette, and in one of the newspapers of general circulation in the province where the petitioner resides, and to have copies of said petition and a general notice of the hearing posted in a public and conspicuous place in his office or in the building where said office is located, setting forth in such notice the name, birthplace and residence of the petitioner, the date and place of his arrival in the Philippines, the names of the witnesses whom the petitioner proposes to introduce in support of his petition, and the date of the hearing of the petition, which hearing shall not be held within ninety days from the date of the last publication of the notice. The clerk shall, as soon as possible, forward copies of the petition, the sentence, the naturalization certificate, and other pertinent data to the Department of the Interior, the Bureau of Justice, the Provincial Inspector of the Philippine Constabulary of the province and the Justice of the Peace of the municipality wherein the petitioner resides.

Section 10. Hearing of the petition.—No petition shall be heard within thirty days preceding any election. The hearing shall be public, and the Solicitor-General, either himself or through his delegate or the provincial fiscal concerned, shall appear on behalf of the Commonwealth of the Philippines at all the proceedings and at the hearing. If, after the hearing, the court believes, in view of the evidence taken, that the petitioner has all the qualifications required by, and none of the disqualifications specified in this Act and has complied with all requisites herein established, it shall order the proper naturalization certificate to be issued and the registration of the said naturalization certificate in the proper civil registry as required in Section Ten of Act Numbered Three thousand seven hundred and fifty-three.

Section 11. Appeal.—The final sentence may, at the instance of either of the parties, be appealed to the Supreme Court.

Section 12. Issuance of the Certificate of Naturalization.—If, after the lapse of thirty days from and after the date on which the parties were notified of the Court, no appeal has been filed, or if, upon appeal, the decision of the court has been confirmed by the Supreme Court, and the said decision has become final, the clerk of the court which heard the petition shall issue to the petitioner a naturalization certificate which shall, among other things, state the following: The file number of the petition, the number of the naturalization certificate, the signature of the person naturalized affixed in the presence of the clerk of the court, the personal circumstances of the person naturalized, the dates on which his declaration of intention and petition were filed, the date of the decision granting the petition, and the name of the judge who rendered the decision. A photograph of the petitioner with the dry seal affixed thereto of the court which granted the petition, must be affixed to the certificate.

Before the naturalization certificate is issued, the petitioner shall, in open court, take the following oath:

"I, _____, solemnly swear that I renounce absolutely and forever all allegiance and fidelity to any foreign prince, potentate, state or sovereignty, and particularly to the _____. of which at this time I am a subject or citizen; that I will support and defend the Constitution of the Philippines and that I will obey the laws, legal orders and decrees promulgated by the duly constituted authorities of the Commonwealth of the Philippines; [and I hereby declare that I recognize and accept the supreme authority of the United States of America in the Philippines and will maintain true faith and allegiance thereto; and that I impose this obligation upon myself voluntarily without mental reservation or purpose of evasion.

"So help me God."

Section 13. Record books.—The clerk of the court shall keep two books; one in which the petition and declarations of intention shall be recorded in chronological order, noting all proceedings thereof from the filing of the petition to the final issuance of the naturalization certificate; and another, which shall be a record of naturalization certificates each page of which shall have a duplicate which shall be duly attested by the clerk of the court and delivered to the petitioner. cban robes virtual law library

Section 14. Fees.—The clerk of the Court of First Instance shall charge as fees for recording a petition for naturalization

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and for the proceedings in connection therewith, including the issuance of the certificate, the sum of thirty pesos.

The Clerk of the Supreme Court shall collect for each appeal and for the services rendered by him in connection therewith, the sum of twenty-four pesos.

Section 15. Effect of the naturalization on wife and children.-Any woman who is now or may hereafter be married to a citizen of the Philippines, and who might herself be lawfully naturalized shall be deemed a citizen of the Philippines.

Minor children of persons naturalized under this law who have been born in the Philippines shall be considered citizens thereof.

A foreign-born minor child, if dwelling in the Philippines at the time of the naturalization of the parent, shall automatically become a Philippine citizen, and a foreign-born minor child, who is not in the Philippines at the time the parent is naturalized, shall be deemed a Philippine citizen only during his minority, unless he begins to reside permanently in the Philippines when still a minor, in which case, he will continue to be a Philippine citizen even after becoming of age.

A child born outside of the Philippines after the naturalization of his parent, shall be considered a Philippine citizen, unless within one year after reaching the age of majority, he fails to register himself as a Philippine citizen at the American Consulate of the country where he resides, and to take the necessary oath of allegiance.

Section 16. Right of Widow and Children of Petitioners who have Died. - In case a petitioner should die before the final decision has been rendered, his widow and minor children may continue the proceedings. The decision rendered in the case shall, so far as the widow and minor children are concerned, produce the same legal effect as if it had been rendered during the life of the petitioner.

Section 17. Renunciation of Title or Orders of Nobility. - In case the alien applying to be admitted to citizenship has borne any hereditary title, or has been of any of the orders of nobility in the Kingdom or state from which he came, he shall, in addition to the above requisites, make an express renunciation of his title or order of nobility in the court to which his application is made, and his renunciation shall be recorded in the court, unless with the express consent of the National Assembly.

Section 18. Cancellation of Naturalization Certificate Issued. - Upon motion made in the proper proceedings by the Solicitor-General or his representative, or by the proper provincial fiscal, the competent judge may cancel the naturalization certificate issued and its registration in the Civil Register:

1. If it is shown that said naturalization certificate was obtained fraudulently or illegally.
2. If the person naturalized shall, within the five years next following the issuance of said naturalization certificate, return to his native country or to some foreign country and establish his permanent residence there: Provided, That the fact of the person naturalized remaining for more than one year in his native country or the country of his former nationality, or two years in any other foreign country, shall be considered as prima facie evidence of his intention of taking up his permanent residence in the same;
3. If the petition was made on an invalid declaration of intention;
4. If it is shown that the minor children of the person naturalized failed to graduate from a public or private high schools recognized by the Office of Private Education of the Philippines, where Philippine history, government and civics are taught as part of the school curriculum, through the fault of their parents either by neglecting to support them or by transferring hem to another school or schools. A certified copy of the decree cancelling the naturalization certificate shall be forwarded by the clerk of the Court to the Department of the Interior and the Bureau of Justice.
5. If it is shown that the naturalized citizen has allowed himself to be used as a dummy requiring Philippine citizenship as a requisite for the exercise, use or enjoyment of a right, franchise or privilege.

Section 19. Penalties for violation of this Act.-Any person who shall fraudulently make, falsify, forge, change, alter, or

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cause or aid any person to do the same, or who shall purposely aid and assist in falsely making, forging, falsifying, changing or altering a naturalization certificate for the purpose of making use thereof, or in order that the same may be used by another person or persons, and any person who shall purposely aid and assist another in obtaining a naturalization certificate in violation of the provisions of this Act, shall be punished by a fine of not more than five thousand pesos or by imprisonment for not more than five years, or both, and in the case that the person convicted is a naturalized citizen his certificate of naturalization and the registration of the same in the proper civil registry shall be ordered cancelled.

Section 20. Prescription. - No person shall be prosecuted, charged, or punished for an offense implying a violation of the provisions of this Act, unless the information or complaint is filed within five years from the detection or discovery of the commission of said offense.

Section 21. Regulation and blanks. - The Secretary of Justice shall issue the necessary regulations for the proper enforcement of this Act. Naturalization certificate blanks and other blanks required for carrying out the provisions of this Act shall be prepared and furnished by the Solicitor-General, subject to the approval of the Secretary of Justice.

Section 22. Repealing clause. - Act Numbered Twenty-nine hundred and twenty-seven as amended by Act Numbered Thirty-four hundred and forty-eight, entitled "The Naturalization Law", is repealed: Provided, That nothing in this Act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing before the taking effect of this Act, but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters, the laws, or parts of laws repealed or amended by this Act are continued in force and effect.

Section 23. Date when this Act shall take effect.-This Act shall take effect on its approval.

Approved: June 17, 1939.

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Republic Act 530

AN ACT MAKING ADDITIONAL PROVISIONS FOR NATURALIZATION

Section 1. The provisions of existing laws notwithstanding, no petition for Philippine citizenship shall be heard by the courts until after six months from the publication of the application required by law, nor shall any decision granting the application become executory until after two years from its promulgation and after the court, on proper hearing, with the attendance of the Solicitor General or his representative, is satisfied, and so finds, that during the intervening time the applicant has (1) not left the Philippines, (2) has dedicated himself continuously to a lawful calling or profession, (3) has not been convicted of any offense or violation of Government promulgated rules, (4) or committed any act prejudicial to the interest of the nation or contrary to any Government announced policies.

Section 2. After the finding mentioned in section one, the order of the court granting citizenship shall be registered and the oath provided by existing laws shall be taken by the applicant, whereupon, and not before, he will be entitled to all the privileges of a Filipino citizen.

Section 3. Such parts of Act Numbered Four hundred seventy-three as are inconsistent with the provisions of the present Act are hereby repealed.

Section 4. This Act shall take effect upon its approval, and shall apply to cases pending in court and to those where the applicant has not yet taken the oath of citizenship: Provided, however, That in pending cases where the requisite of publication under the old law and already been complied with, the publication herein required shall not apply.

Approved: June 16, 1950

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Presidential Decree 725

PROVIDING FOR REPATRIATION OF FILIPINO WOMEN WHO HAD LOST THEIR PHILIPPINE CITIZENSHIP BY MARRIAGE TO ALIENS AND OF NATURAL BORN FILIPINOS

WHEREAS, there are many Filipino women who had lost their Philippine Citizenship by marriage to aliens;

WHEREAS, while the new constitution allows a Filipino woman who marries an alien to retain her Philippine citizenship unless by her act or omission, she is deemed under the law to have renounced her Philippine citizenship, such provision of the new Constitution does not apply to Filipino women who had married aliens before said Constitution took effect;

WHEREAS, the existing law (C.A. Nos. 63, as amended) allows the repatriation of Filipino women who lost their citizenship by reason of their marriage to aliens only after the death of their husbands or the termination of their marital status; and

WHEREAS, there are natural born Filipinos who have lost their Philippine citizenship but now desire to re-acquire Philippine citizenship;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers in me vested by the Constitution, do hereby decree and order that: 1) Filipino women who lost their Philippine citizenship by marriage to aliens; and (2) natural born Filipinos who have lost their Philippine citizenship may require Philippine citizenship through repatriation by applying with the Special Committee on Naturalization created by Letter of Instruction No. 270, and, if their applications are approved, taking the necessary oath of allegiance to the Republic of the Philippines, after which they shall be deemed to have reacquired Philippine citizenship. The Commission on Immigration and Deportation shall thereupon cancel their certificate of registration.

The aforesaid Special Committee is hereby authorized to promulgate rules and regulations and prescribe the appropriate forms and the required fees for the effective implementation of this Decree.

This Decree shall take effect immediately.

Done in the City of Manila, this 5th day of June, in the year of Our Lord, nineteen hundred and seventy-five.

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Republic Act 8171

AN ACT PROVIDING FOR THE REPATRIATION OF FILIPINO WOMEN WHO HAVE LOST THEIR PHILIPPINE CITIZENSHIP BY MARRIAGE TO ALIENS AND OF NATURAL-BORN FILIPINOS

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

Section 1. Filipino women who have lost their Philippine citizenship by marriage to aliens and natural-born Filipinos who have lost their Philippine citizenship, including their minor children, on account of political or economic necessity, may reacquire Philippine citizenship through repatriation in the manner provided in Section 4 of Commonwealth Act No. 63, as amended: Provided, That the applicant is not a:

- (1) Person opposed to organized government or affiliated with any association or group of persons who uphold and teach doctrines opposing organized government;
- (2) Person defending or teaching the necessity or propriety of violence, personal assault, or association for the predominance of their ideas;
- (3) Person convicted of crimes involving moral turpitude; or
- (4) Person suffering from mental alienation or incurable contagious diseases.

Section 2. Repatriation shall be effected by taking the necessary oath of allegiance to the Republic of the Philippines and registration in the proper civil registry and in the Bureau of Immigration. The Bureau of Immigration shall thereupon cancel the pertinent alien certificate of registration and issue the certificate of identification as Filipino citizen to the repatriated citizen.

Section 3. All laws, decrees, orders, rules and regulations, or parts thereof inconsistent with this Act are hereby repealed or amended accordingly.

Section 4. This Act shall take effect thirty (30) days after its publication in a newspaper of general circulation.

Approved: October 23, 1995

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**Republic Act 9139
The Administrative Naturalization Law of 2000**

**AN ACT PROVIDING FOR THE ACQUISITION OF PHILIPPINE CITIZENSHIP FOR CERTAIN ALIENS
BY ADMINISTRATIVE NATURALIZATION AND FOR OTHER PURPOSES**

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

Section 1. Short Title. - This Act shall be known as "The Administrative Naturalization Law of 2000."

Section 2. Declaration of Policy. - The State shall control and regulate the admission and integration of aliens into its territory and body politic including the grant of citizenship to aliens. Towards this end, aliens born and residing in the Philippines may be granted Philippine citizenship by administrative proceedings subject to certain requirements dictated by national security and interest.

Section 3. Qualifications. - Subject to the provisions of the succeeding section, any person desiring to avail of the benefits of this Act must meet the following qualifications:

- (a) The applicant must be born in the Philippines and residing therein since birth;
- (b) The applicant must not be less than eighteen (18) years of age, at the time of filing of his/her petition;
- (c) The applicant must be of good moral character and believes in the underlying principles of the Constitution, and must have conducted himself/herself in a proper and irreproachable manner during his/her entire period of residence in the Philippines in his relation with the duly constituted government as well as with the community in which he/she is living;
- (d) The applicant must have received his/her primary and secondary education in any public school or private educational institution duly recognized by the Department of Education, Culture and Sports, where Philippine history, government and civics are taught and prescribed as part of the school curriculum and where enrollment is not limited to any race or nationality: Provided, That should he/she have minor children of school age, he/she must have enrolled them in similar schools;
- (e) The applicant must have a known trade, business, profession or lawful occupation, from which he/she derives income sufficient for his/her support and if he/she is married and/or has dependents, also that of his/her family: Provided, however, That this shall not apply to applicants who are college degree holders but are unable to practice their profession because they are disqualified to do so by reason of their citizenship;
- (f) The applicant must be able to read, write and speak Filipino or any of the dialects of the Philippines; and
- (g) The applicant must have mingled with the Filipinos and evinced a sincere desire to learn and embrace the customs, traditions and ideals of the Filipino people.

Section 4. Disqualifications, - The following are not qualified to be naturalized as Filipino citizens under this Act:

- (a) Those opposed to organized government or affiliated with any association of group of persons who uphold and teach doctrines opposing all organized governments;
- (b) Those defending or teaching the necessity of or propriety of violence, personal assault or assassination for the success or predominance of their ideas;
- (c) Polygamists or believers in the practice of polygamy;
- (d) Those convicted of crimes involving moral turpitude;
- (e) Those suffering from mental alienation or incurable contagious diseases;

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(f) Those who, during the period of their residence in the Philippines, have not mingled socially with Filipinos, or who have not evinced a sincere desire to learn and embrace the customs, traditions and ideals of the Filipinos;

(g) Citizens or subjects with whom the Philippines is at war, during the period of such war; and

(h) Citizens or subjects of a foreign country whose laws do not grant Filipinos the right to be naturalized citizens or subjects thereof.

Section 5. Petition for Citizenship. - (1) Any person desiring to acquire Philippine citizenship under this Act shall file with the Special Committee on Naturalization created under Section 6 hereof, a petition of five (5) copies legibly typed and signed, thumbmarked and verified by him/her, with the latter's passport-sized photograph attached to each copy of the petition, and setting forth the following:

(a) The petitioner's name and surname, and any other name he/she has used or by which he/she is known;

(b) The petitioner's present and former places of residence;

(c) The petitioner's place and date of birth, the names and citizenship of his/her parents and their residences;

(d) The petitioner's trade, business, profession or occupation, and if married, also that of his/her spouse;

(e) Whether the petitioner is single or married or his/her marriage is annulled. If married, petitioner shall state the date and place of his/her marriage, and the name, date of birth, birthplace, citizenship and residence of his/her spouse; and if his marriage is annulled, the date of decree of annulment of marriage and the court which granted the same;

(f) If the petitioner has children, the name, date and birthplace and residences of his/her children ;

(g) A declaration that the petitioner possesses all the qualifications and none of the disqualifications under this Act;

(h) A declaration that the petitioner shall never be a public charge; and

(i) A declaration that it is the petitioner's true and honest intention to acquire Philippine citizenship and to renounce absolutely and forever any prince, potentate, State or sovereign, and particularly the country of which the applicant is a citizen or subject.

(2) The application shall be accompanied by:

(a) Duplicate original or certified photocopies of petitioner's birth certificate;

(b) Duplicate original or certified photocopies of petitioner's alien certificate of registration and native born certificate of residence;

(c) Duplicate original or certified photocopies of petitioner's marriage certified, if married, or the death certificate of his spouse, if widowed, or the court decree annulling his marriage, if such was the fact;

(d) Duplicate original or certified photocopies of birth certificates, alien certificate of registration or native born certificate of residence if any, of petitioner's minor children, wherever applicable;

(e) Affidavit of financial capacity by the petitioner, and sworn statements on the good moral character of the petitioner by at least two (2) Filipino citizens of good reputation in his/her place of residence stating that they have personally known the petitioner for at least a period of ten (10) years and that said petitioner has in their own opinion all the qualifications necessary to become a citizen of the Philippines and is not in any way disqualified under the provisions of this Act;

(f) A medical certificate that petitioner is not a user of prohibited drugs or otherwise a drug dependent and that he/she is not afflicted with acquired immune deficiency syndrome (AIDS);

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(g) School diploma and transcript of records of the petitioner in the schools he attended in the Philippines. Should the petitioner have minor children, a certification that his children are enrolled in a school where Philippine history, government and civics are taught and are part of the curriculum; and

(h) If gainfully employed, the income tax return for the past three (3) years.

Section 6. Special Committee on Naturalization. - There shall be constituted a Special Committee on Naturalization herein referred to as the "Committee", with the Solicitor General as chairman, the Secretary of Foreign Affairs, or his representative, and the National Security Adviser, as members, with the power to approve, deny or reject applications for naturalization as provided in this Act.

The Committee shall meet, as often as practicable, to consider applications for naturalization. For this purpose, the chairman and members shall receive an honorarium of Two thousand pesos (P2,000.00) and One thousand five hundred pesos (P1,500.00), respectively, per meeting attended.

Section 7. Powers/Functions of the Special Committee on Naturalization. - An alien who believes that he has all the qualifications, and none of the disqualifications, may file an application for naturalization with the secretariat of the Special Committee on Naturalization, and a processing fee of Forty thousand pesos (P40,000.00). Thereafter, the petition shall be stamped to indicate the date of filing and a corresponding docket number. Within fifteen (15) days from the receipt of the petition, the Committee shall determine whether the petition is complete in substance and in form. If such petition is complete, the Committee shall immediately publish pertinent portions of the petition indicating the name, qualifications and other personal circumstances of the applicant, once a week for three (3) consecutive weeks in a newspaper of general circulation, and have copies of the petition posted in any public or conspicuous area. The Committee shall immediately furnish the Department of Foreign Affairs (DFA), the Bureau of Immigration (BI), the civil registrar of the petitioner's place of residence and the National Bureau of Investigation (NBI) copies of the petition and its supporting documents. These agencies shall have copies of the petition posted in any public or conspicuous area in their buildings, offices and premises, and shall, within thirty (30) days from the receipt of the petition, submit to the Committee a report stating whether or not petitioner has any derogatory record on file or any such relevant and material information which might be adverse to petitioner's application for citizenship.

If the petition is found by the Committee to be wanting in substance and form, the petition shall be dismissed without prejudice.

Section 8. Approval or Disapproval of the Petition. - Within sixty (60) days from receipt of the report of the agencies which were furnished a copy of the petition or the date of the last publication of the petition, whichever comes in later, the Committee shall consider and review all relevant and material information it has received pertaining to the petition, and may, for the purpose call the petitioner for interview to ascertain his/her identity, the authenticity of the petition and its annexes, and to determine the truthfulness of the statements and declarations made in the petition and its annexes.

If the Committee shall have received any information adverse to the petition, the Committee shall allow the petitioner to answer, explain or refute the information.

Thereafter, if the Committee believes, in view of the facts before it, that the petitioner has all the qualifications and none of the disqualifications required for Philippine citizenship under this Act, it shall approve the petition and henceforth, notify the petitioner of the fact of such approval. Otherwise, the Committee shall disapprove the same.

Section 9. Decree of Naturalization and Naturalization Processing Fee. - Within thirty (30) days from the receipt of the notice of the approval of his/her petition, the applicant shall pay to the Committee a naturalization fee of One hundred thousand pesos (P100,000.00) payable as follows: Fifty thousand pesos (P50,000.00) upon the approval of the petition and Fifty thousand pesos (P50,000.00) upon the taking of the oath of allegiance to the Republic of the Philippines, forthwith, a certificate of naturalization shall be issued. Within sixty (60) days from the issuance of the certificate, the petitioner shall take an oath of allegiance in the proper forum upon proof of payment of the required naturalization processing fee and certificate of naturalization. Should the applicant fail to take the abovementioned oath of allegiance within said period of time, the approval of the petition shall be deemed abandoned.

Section 10. Duty of the Bureau of Immigration. - Within five (5) days after the applicant has taken his oath of allegiance

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as required in the preceding section, the BI shall forward a copy of the petitioner's oath to the proper local civil registrar. Thereafter, the BI shall cancel the alien certificates of registration of the applicant.

Section 11. Status of Alien Wife and Minor Children. - After the approval of the petition for administrative naturalization in cancellation of applicant's alien certificate of registration, applicant's alien lawful wife and minor children may file a petition for cancellation of their alien certificates of registration with the Committee subject to the payment of the filing fee of Twenty thousand pesos (P20,000.00) and naturalization fee of Forty thousand pesos (P40,000.00) payable as follows: Twenty thousand pesos (P20,000.00) upon the approval of the petition and Twenty thousand pesos (P20,000.00) upon the taking of the oath of allegiance to the Republic of the Philippines.

Section 12. Status of Alien Husband and Minor Children. - If the applicant is a married woman, the approval of her petition for administrative naturalization will not benefit her alien husband but her minor children may file a petition for cancellation of their alien certificates of registration with the BI subject to the requirements of existing laws.

Section 13. Cancellation of the Certificate of Naturalization. - The Special Committee may cancel certificates of naturalization issued under this Act in the following cases:

(a) If it finds that the naturalized person or his duly authorized representative made any false statement or misrepresentation or committed any violation of law, rules and regulations in connection with the petition for naturalization, or if he otherwise obtains Philippine citizenship fraudulently or illegally, the certificate of naturalization shall be cancelled;

(b) If the naturalized person or his wife, or any or his minor children who acquire Filipino citizenship by virtue of his naturalization shall, within five (5) years next following the grant of Philippine citizenship, establish permanent residence in a foreign country, that individual's certificate of naturalization or acquired citizenship shall be cancelled or revoked: Provided, That the fact of such person's remaining for more than one (1) year in his country of origin, or two (2) years in any foreign country, shall be considered prima facie evidence of intent to permanently reside therein;

(c) If the naturalized person or his wife or child with acquired citizenship allows himself or herself to be used as a dummy in violation of any constitutional or legal provision requiring Philippine citizenship as a condition for the exercise, use or enjoyment of a right, franchise or privilege, the certificate of naturalization or acquired citizenship shall be cancelled or revoked; and

(d) If the naturalized person or his wife or child with acquired citizenship commits any act inimical to national security, the certificate of naturalization or acquired citizenship shall be cancelled or revoked.

In case the naturalized person holds any hereditary title, or belong to any order of nobility, he shall make an express renunciation of his title or membership in this order of nobility before the Special Committee or its duly authorized representative, and such renunciation shall be included in the records of his application for citizenship.

Section 14. Penalties. - Any person who shall fraudulently make, falsify, forge, change, alter, or cause or aid any person to do the same, or who shall purposely aid and assist in falsely making, forging, falsifying, changing or altering a naturalization certificate issued under this proceeding for the purpose of making use thereof, or in order that the same may be used by another person or persons, and any person who shall purposely aid and assist another in obtaining a naturalization certificate in violation of this Act, shall be punished by a fine of not more than Five hundred thousand pesos (P500,000.00) and by imprisonment for not more than five (5) years, and in the case that the person convicted is a naturalized citizen, his certificate of naturalization shall, if not earlier cancelled by the Special Committee, be ordered cancelled.

Section 15. Any person who failed to register his/her birth with the concerned city or municipal civil registrar may, within two (2) years from the effectivity of this Act, file a petition for the acquisition of the Philippine citizenship: Provided, That the applicant possesses all the qualifications and none of the disqualifications under this Act and subject to the requirements of existing laws.

Section 16. Special Disposition of the Filing Fee. - An amount equivalent to twenty five percent (25%) of the filing fee to be paid by the applicants pursuant to Section 7 hereof shall accrue to the University of the Philippines Law Center and

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another twenty-five percent (25%) shall be allotted for the publication of the Journal of the House of Representatives. Said amount shall be treated as receipts automatically appropriated.

Section 17. Implementing Rules and Regulations. - The Special Committee on Naturalization is hereby authorized to promulgate such rules and regulations as may be needed for the proper implementation of the provisions of this Act.

Section 18. Repealing Clause. -All provisions of existing laws, orders, decrees, rules and regulations contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

Section 19. Separability Clause. - If any part, section or provision of this Act is declared invalid or unconstitutional, the part, section or provision not affected thereby shall continue to be in force and effect.

Section 20. Effectivity Clause. - This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved: June 08, 2001

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**Republic Act 9225
Citizenship Retention and Re-acquisition Act of 2003**

**AN ACT MAKING THE CITIZENSHIP OF PHILIPPINE CITIZENS WHO ACQUIRE FOREIGN
CITIZENSHIP PERMANENT. AMENDING FOR THE PURPOSE COMMONWEALTH ACT. NO. 63, AS
AMENDED AND FOR OTHER PURPOSES**

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

Section 1. Short Title – this act shall be known as the "Citizenship Retention and Re-acquisition Act of 2003."

Section 2. Declaration of Policy - It is hereby declared the policy of the State that all Philippine citizens of another country shall be deemed not to have lost their Philippine citizenship under the conditions of this Act.

Section 3. Retention of Philippine Citizenship - Any provision of law to the contrary notwithstanding, natural-born citizenship by reason of their naturalization as citizens of a foreign country are hereby deemed to have re-acquired Philippine citizenship upon taking the following oath of allegiance to the Republic:

"I _____, solemnly swear (or affirm) that I will 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; and I hereby declare that I recognize and accept the supreme authority of the Philippines and will maintain true faith and allegiance thereto; and that I imposed this obligation upon myself voluntarily without mental reservation or purpose of evasion."

Natural born citizens of the Philippines who, after the effectivity of this Act, become citizens of a foreign country shall retain their Philippine citizenship upon taking the aforesaid oath.

Section 4. Derivative Citizenship - The unmarried child, whether legitimate, illegitimate or adopted, below eighteen (18) years of age, of those who re-acquire Philippine citizenship upon effectivity of this Act shall be deemed citizenship of the Philippines.

Section 5. Civil and Political Rights and Liabilities - Those who retain or re-acquire Philippine citizenship under this Act shall enjoy full civil and political rights and be subject to all attendant liabilities and responsibilities under existing laws of the Philippines and the following conditions:

(1) Those intending to exercise their right of suffrage must Meet the requirements under Section 1, Article V of the Constitution, Republic Act No. 9189, otherwise known as "The Overseas Absentee Voting Act of 2003" and other existing laws;

(2) Those seeking elective public in the Philippines shall meet the qualification for holding such public office as required by the Constitution and existing laws and, at the time of the filing of the certificate of candidacy, make a personal and sworn renunciation of any and all foreign citizenship before any public officer authorized to administer an oath;

(3) Those appointed to any public office shall subscribe and swear to an oath of allegiance to the Republic of the Philippines and its duly constituted authorities prior to their assumption of office: Provided, That they renounce their oath of allegiance to the country where they took that oath;

(4) Those intending to practice their profession in the Philippines shall apply with the proper authority for a license or permit to engage in such practice; and

(5) That right to vote or be elected or appointed to any public office in the Philippines cannot be exercised by, or extended to, those who:

(a) are candidates for or are occupying any public office in the country of which they are naturalized citizens; and/or

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(b) are in active service as commissioned or non-commissioned officers in the armed forces of the country which they are naturalized citizens.

Section 6. Separability Clause - If any section or provision of this Act is held unconstitutional or invalid, any other section or provision not affected thereby shall remain valid and effective.

Section 7. Repealing Clause - All laws, decrees, orders, rules and regulations inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

Section 8. Effectivity Clause – This Act shall take effect after fifteen (15) days following its publication in the Official Gazette or two (2) newspaper of general circulation.

Approved: August 29, 2003