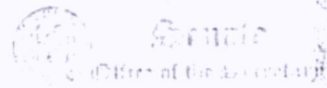


SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
Second Regular Session)



'17 AUG 24 P2:59

SENATE
S.B. No. 1566

RECEIVED BY 

Introduced by Senator Juan Miguel F. Zubiri

AN ACT
AMENDING COMMONWEALTH ACT NO. 473, OTHERWISE KNOWN AS THE
"REVISED NATURALIZATION LAW" AND FOR OTHER PURPOSES

Explanatory Note

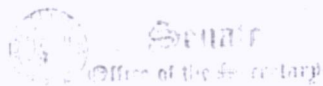
Citizenship, as the legal status of being a member of a particular country or sovereign state, is an important aspect of a person's civil and political standing. Citizenship affords certain rights and protections to a person, while imposing duties upon him in exchange for being part of a cohesive civilized society and a recognized son or daughter of a nation.

With the paramount importance of citizenship in the exercise of one's civil and political rights, it is only proper to keep the laws governing the acquisition of citizenship up to date. Unfortunately, our naturalization law has been unchanged since its enactment in 1939, save for additional provisions legislated in 1950. While globalization and modern society have evolved rapidly and significantly throughout the years, it is imperative for us to bring our naturalization laws into this century and amend its outdated provisions.

Naturalization facilitates the complete integration of a foreign national into our society. Research shows that affording qualified and deserving persons the benefits of citizenship increases their productivity and consumer spending, which benefits our businesses and economy. Further, after they have signified and proven their intention to embrace Filipino laws, culture, and values, the acquisition of Filipino citizenship affords them certainty, security and stability in their life, more opportunities to contribute to our economy, and a sense of identity and belonging to our nation.

Thus, this bill seeks to amend our naturalization laws and bring them up to date to our modern world by facilitating the process for acquiring citizenship, while still preserving the integrity and importance of being a proud Filipino citizen. The passage of this measure is earnestly sought.


JUAN MIGUEL F. ZUBIRI



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Introduced by Senator Juan Miguel F. Zubiri

AN ACT
AMENDING COMMONWEALTH ACT NO. 473, OTHERWISE KNOWN AS
THE "REVISED NATURALIZATION LAW" AND FOR OTHER PURPOSES

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

1 **SECTION 1.** Section 2 of The Revised Naturalization Law is hereby amended to
2 read as follows:

3 **"Sec. 2. Qualifications.** Subject to Section four of this Act, any person
4 having the following qualifications may become a citizen of the Philippines
5 by naturalization:

6 [First.] **1.** [He m] **Must** not be less than [twenty-one] **EIGHTEEN (18)**
7 years of age on the day of the hearing of the petition;

8 [Second.] **2.** [He m] **Must** have resided in the Philippines for a continuous
9 period of not less than [ten] **FIVE (5)** years.

10 [Third.] **3.** [He m] **Must** be of good moral character and believe[s] in the
11 principles underlying the Philippine Constitution, and must have conducted
12 himself in a proper and irreproachable manner during the entire period of
13 his residence in the Philippines in his relation with the constituted
14 government as well as with the community in which he is living;

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

18 **4. MUST HAVE SOME KNOWN LUCRATIVE TRADE, PROFESSION,**
19 **OR LAWFUL OCCUPATION;**

20 [Fifth.] **5.** [He m] **Must** be able to speak and write in **FILIPINO**, English,
21 [or Spanish] or any one of the principal Philippine languages;

1 [Sixth.] **6.** [He m] **Must** have enrolled his minor children of school age in
2 any of the public or private schools recognized by the [Office of Private
3 Education of the Philippines,] **DEPARTMENT OF EDUCATION OR**
4 **COMMISSION ON HIGHER EDUCATION**, where the Philippine history,
5 government and civics are taught or prescribed as part of the school
6 curriculum, during the entire period of residence in the Philippines required
7 [of him] prior to the hearing of his **OR HER** petition for naturalization as
8 Philippine citizen."

9 **SEC. 2.** Section 3 is hereby amended to read as follows:

10 "**Sec. 3. *Special qualifications.*** – The [ten] **FIVE** years of continuous
11 residence required under the last preceding section shall be [understood
12 as] reduced to [five] **THREE (3)** years for any petitioner having any of
13 the following qualifications:

14 [1. Having honorably held office under the Government of the Philippines
15 or under that of any of the provinces, cities, municipalities, or political
16 subdivisions thereof;]

17 [2.] **1.** Having established a new industry or introduced a useful invention
18 in the Philippines;

19 [3.] **2.** Being married to a Filipino [woman] citizen;

20 [4. Having been engaged as a teacher in the Philippines in a public or
21 recognized private school not established for the exclusive instruction of
22 children of persons of a particular nationality or race, in any of the
23 branches of education or industry for a period of not less than two years;]

24 **3.** Having been born in the Philippines; or

25 [5.] **4. HAVING ENGAGED IN CONSISTENT CHARITABLE, SOCIO-**
26 **CIVIC OR PHILANTHROPIC WORK IN THE PHILIPPINES DURING**
27 **THE ENTIRE PERIOD OF RESIDENCE REQUIRED AND**
28 **RECOGNIZED BY THE LOCAL COMMUNITY BENEFITED BY SUCH**
29 **ACTIVITY."**

30 **SEC. 3.** Section 4 is hereby amended to read as follows:

31 "**Sec. 4. *Who are disqualified.*** – X X X

32 1. Persons opposed to organized government or affiliated with any
33 association or group of persons who uphold and teach doctrines
34 opposing all organized governments;

1 2. Persons defending or teaching the necessity or propriety of violence,
2 personal assault, assassination or acts of terrorism for the success and
3 predominance of their ideas;

4 [3. Polygamists or believers in the practice of polygamy;]

5 [4.] 3. Persons convicted of crimes involving moral turpitude;

6 [5.] 4. Persons suffering from mental [alienation] **INCAPACITY** or
7 incurable contagious diseases;

8 [6.] 5. Persons who, during the period of their residence in the Philippines,
9 have not mingled socially with Filipinos, or who have not evinced a sincere
10 desire to learn and embrace the customs, traditions, and ideals of Filipinos;

11 [7.] 6. Citizens or subjects of nations with whom [the United States and]
12 the Philippines are at war, during the period of such war;

13 [8.] 7. Citizens or subjects of a foreign country [other than the United
14 States] whose laws do not grant Filipinos the right to become naturalized
15 citizens of subjects thereof;

16 **8. MEMBERS OF A JUDICIALLY DECLARED AND OUTLAWED**
17 **TERRORIST ORGANIZATION, ASSOCIATION OR GROUP OF**
18 **PERSONS, OR OF ANY PERSON CHARGED WITH OR SUSPECTED**
19 **OF THE CRIME OF TERRORISM OR CONSPIRACY TO COMMIT**
20 **TERRORISM, ACCORDING TO REPUBLIC ACT NO. 9372 OR THE**
21 **HUMAN SECURITY ACT."**

22 **SEC. 4.** Section 6 is hereby amended to read as follows:

23 **"Sec. 6. *Persons exempt from requirement to make a declaration***
24 ***of intention.*** – Persons born in the Philippines and have received their
25 primary and secondary education in public schools or those recognized by
26 the Government and not limited to any race or nationality, and those who
27 have resided continuously in the Philippines for a period of [thirty]
28 **TWENTY (20)** years or more before filing their application may be
29 naturalized without having to make a declaration of intention upon
30 complying with the other requirements of this Act. X X X"

31 **SEC. 5.** Section 7 is hereby amended to read as follows:

32 **"Sec. 7. *Petition for citizenship.*** – X X X

33 **ANY APPLICANT WHO HAS RESIDED CONTINUOUSLY IN**
34 **THE PHILIPPINES FOR A PERIOD OF TWENTY (20) YEARS OR**
35 **MORE PRIOR TO THE FILING OF HIS PETITION IS NOT**
36 **CONSTRAINED FROM LEAVING THE PHILIPPINES WHILE HIS**

1 **PETITION IS PENDING IN COURT, AND THEREFORE, IS NOT**
2 **REQUIRED TO STATE IN HIS PETITION THAT HE WILL RESIDE**
3 **CONTINUOUSLY IN THE PHILIPPINES FROM THE DATE OF THE**
4 **FILING OF THE PETITION UP TO THE TIME OF HIS ADMISSION**
5 **TO PHILIPPINE CITIZENSHIP."**

6 **SEC. 6.** Section 9 is hereby amended to read as follows:

7 **"Sec. 9. Notification and appearance.** - Immediately upon the filing
8 of the petition, it shall be the duty of the clerk of court to publish the same
9 at petitioner's expense, once a week for three consecutive weeks, in the
10 Official Gazette and in one newspaper of general circulation in the province
11 where the petitioner resides, and to have copies of said petition and a
12 general notice of hearing posted in a public and conspicuous place in his
13 office or in the building where said office is located, setting forth in such
14 notice the name, birthplace and residence of the petitioner, the date and
15 place of his arrival in the Philippines, the names of the witnesses whom
16 the petitioner proposes to introduce in support of his petition, and the date
17 of the hearing of the petition[, which hearing shall not be held within
18 ninety days from the date of the last publication of the notice.] **NO**
19 **PETITION FOR PHILIPPINE CITIZENSHIP SHALL BE HEARD BY**
20 **THE COURT UNTIL AFTER THREE (3) MONTHS FROM THE DATE**
21 **OF THE LAST PUBLICATION OF THE NOTICE.** The clerk shall, as soon
22 as possible, forward copies of the petition, the sentence, the naturalization
23 certificate, and other pertinent data to the [Department of the Interior,
24 the Bureau of Justice, the Provincial Inspector of the Philippine
25 Constabulary of the province and the Justice of the Peace of the
26 municipality wherein the petitioner resides] **OFFICE OF THE**
27 **PRESIDENT, THE OFFICE OF THE SOLICITOR GENERAL, THE**
28 **PROVINCIAL DIRECTOR OF THE PHILIPPINE NATIONAL POLICE**
29 **AND THE REGIONAL TRIAL COURT WHERE THE PETITIONER**
30 **RESIDES."**

31 **SEC. 7.** Section 10 is hereby amended to read as follows:

32 **"Sec. 10. Hearing of the Petition.** – No petition shall be heard within
33 thirty days preceding any election. The hearing shall be public, and the
34 Solicitor-General, either himself or through his delegate or the provincial
35 fiscal concerned, shall appear on behalf of the [Commonwealth]
36 **REPUBLIC** of the Philippines at all the proceedings and at the hearing. If,

1 after the hearing, the court believes, in view of the evidence taken, that
2 the petitioner has all the qualifications required by, and none of the
3 disqualifications specified in this Act and has complied with all requisites
4 herein established, it shall **GRANT THE PETITION** and order the [proper
5 naturalization certificate to be issued and the registration of the said
6 naturalization certificate in the proper civil registry as required in Section
7 Ten of Act Numbered Three thousand seven hundred and fifty-three]
8 **ISSUANCE AND REGISTRATION OF THE NATURALIZATION**
9 **CERTIFICATE IN THE PROPER CIVIL REGISTRY IN ACCORDANCE**
10 **WITH SECTION 12 OF THIS ACT."**

11 **SEC. 8.** Section 11 is hereby amended to read as follows:

12 **"Sec. 11. Appeal.** – The [final sentence] **DECISION OF THE**
13 **REGIONAL TRIAL COURT** may, at the instance of either of the parties,
14 be appealed to the [Supreme Court] **COURT OF APPEALS."**

15 **SEC. 9.** Section 12 is hereby amended to read as follows:

16 **"Sec. 12. Issuance of the Certificate of Naturalization.** – [If, after
17 the lapse of thirty days from and after the date on which the parties were
18 notified of the Court, no appeal has been filed, or if, upon appeal, the
19 decision of the court has been confirmed by the Supreme Court, and the
20 said decision has become final, the clerk of court which heard the petition
21 shall issue to the petitioner a naturalization certificate which shall, among
22 other things, state the following:] **THE DECISION RENDERED BY THE**
23 **REGIONAL TRIAL COURT, OR PROMULGATED BY THE APPELLATE**
24 **COURT, SHALL BECOME FINAL AFTER THE LAPSE OF THIRTY**
25 **DAYS FROM THE DATE OF NOTICE.**

26 **NO DECISION GRANTING THE PETITION FOR PHILIPPINE**
27 **CITIZENSHIP SHALL BECOME EXECUTORY UNTIL AFTER ONE (1)**
28 **YEAR FROM ITS PROMULGATION AND AFTER THE COURT, ON**
29 **PROPER HEARING, WITH THE ATTENDANCE OF THE SOLICITOR**
30 **GENERAL OR HIS REPRESENTATIVE, IS SATISFIED, AND SO**
31 **FINDS, THAT DURING THE INTERVENING TIME, THE PETITIONER**
32 **HAS:**

- 33 **1. NOT LEFT THE PHILIPPINES, UNLESS GRANTED A TRAVEL**
34 **AUTHORITY BY THE SECRETARY OF JUSTICE OR HIS DULY**
35 **DESIGNATED REPRESENTATIVE;**

- 1 2. DEDICATED HIMSELF CONTINUOUSLY TO A LAWFUL
2 CALLING OR PROFESSION;
3 3. NOT BEEN CONVICTED OF ANY OFFENSE OR VIOLATION OF
4 GOVERNMENT PROMULGATED RULES; OR
5 4. NOT COMMITTED ANY ACT PREJUDICIAL TO THE INTEREST
6 OF THE NATION OR CONTRARY TO ANY GOVERNMENT
7 ANNOUNCED POLICIES;

8 ***PROVIDED***, THAT THE DECISION GRANTING THE APPLICATION
9 IS IMMEDIATELY EXECUTORY UPON FINALITY THEREOF IF THE
10 PETITIONER HAS RESIDED CONTINUOUSLY IN THE COUNTRY
11 FOR A PERIOD OF TWENTY (20) YEARS OR MORE BEFORE FILING
12 HIS OR HER PETITION.

13 UPON A FINDING THAT THE ABOVE CONDITIONS HAVE
14 BEEN SATISFIED, THE ORDER OF THE COURT GRANTING
15 CITIZENSHIP SHALL BE REGISTERED AND THE APPLICANT
16 SHALL, IN OPEN COURT, TAKE THE FOLLOWING OATH,
17 WHEREUPON, AND NOT BEFORE, HE WILL BE ENTITLED TO ALL
18 THE PRIVILEGES OF A FILIPINO CITIZEN:

19 "I, _____, SOLEMNLY SWEAR THAT I RENOUNCE
20 ABSOLUTELY AND FOREVER ALL ALLEGIANCE AND FIDELITY TO
21 ANY FOREIGN PRINCE, POTENTATE, STATE OR SOVEREIGNTY,
22 AND PARTICULARLY TO THE _____, OF WHICH AT
23 THIS TIME I AM A SUBJECT OR CITIZEN; THAT I WILL SUPPORT
24 AND DEFEND THE CONSTITUTION OF THE PHILIPPINES AND
25 THAT I WILL OBEY THE LAWS, LEGAL ORDERS AND DECREES
26 PROMULGATED BY THE DULY CONSTITUTED AUTHORITIES OF
27 THE REPUBLIC OF THE PHILIPPINES.

28 **SO HELP ME GOD."**

29 **THE CLERK OF COURT WHICH HEARD THE PETITION SHALL**
30 **ISSUE A NATURALIZATION CERTIFICATE WHICH SHALL, AMONG**
31 **OTHER THINGS, STATE THE FOLLOWING:** The file number of the
32 petition, the number of the naturalization certificate, the signature of the
33 person naturalized affixed in the presence of the clerk of the court, the
34 personal circumstances of the person naturalized, the dates on which his
35 declaration of intention and petition were filed, the date of the decision
36 granting the petition, and the name of the judge who rendered the

1 decision. A photograph of the petitioner with the dry seal affixed thereto
2 of the court which granted the petition must be affixed to the certificate.”

3 [X X X]

4 **SEC. 10.** Section 15 is hereby amended to read as follows:

5 “**Sec. 15. *Effect of the naturalization on spouse and children.*** –

6 Any [woman] **PERSON** who is now or may hereafter be married to a
7 **NATURAL-BORN** citizen of the Philippines, and who might **HIMSELF OR**
8 herself be lawfully naturalized shall be deemed a citizen of the Philippines.

9 **X X X”**

10 **SEC. 11.** Section 16 is hereby amended to read as follows:

11 “**Sec. 16. *Right of [widow] SURVIVING SPOUSE and children of***

12 ***petitioner[s] who [have] HAS died.*** – In case a petitioner should die

13 before the final decision has been rendered, his **OR HER** [widow]

14 **SURVIVING SPOUSE** and children may continue the proceedings. The

15 decision rendered in the case shall, so far as the [widow] **SURVIVING**

16 **SPOUSE** and minor children are concerned, produce the same legal effect

17 as if it has been rendered during the life of the petitioner.

18 **SEC. 12. *Transitory provision.*** – Upon the effectivity of this Act, its provisions
19 shall apply to cases pending in court and to those where the applicant has not yet
20 taken the oath of citizenship.

21 **SEC. 13. *Separability clause.*** – If any provision, section or part of this Act shall
22 be declared unconstitutional or invalid, such judgment shall not affect, invalidate
23 or impair any other provisions, sections or parts hereof.

24 **SEC. 14. *Repealing clause.*** - Republic Act No. 530, and such other laws,
25 decrees, orders, rules and regulations as are inconsistent with this Act are hereby
26 repealed or modified accordingly.

27 **SEC. 15. *Effectivity.*** – This Act shall take effect within fifteen (15) days after its
28 publication in the Official Gazette or in a newspaper of general circulation.

Approved,