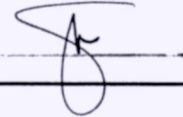


'19 JUL 16 A11:36

SENATE

Senate Bill No. 529

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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**

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throughout the years, it is imperative for us to bring our naturalization laws into this century and amend its outdated provisions.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.

In view of the foregoing, the passage of this bill is earnestly sought.




JUAN MIGUEL F. ZUBIRI

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**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 five**
16 **thousand pesos, Philippine currency, or must have some known lucrative**
17 **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; AND**

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 the
13 following qualifications:

14 [1. Having honorably held office under the Government of the Philippines or
15 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 branches
23 of education or industry for a period of not less than two years;] **3.** Having
24 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 RECOGNIZED**
28 **BY THE LOCAL COMMUNITY BENEFITED BY SUCH ACTIVITY."**

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

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

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

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

1 [3. Polygamists or believers in the practice of polygamy;]
2 [4.] 3. Persons convicted of crimes involving moral turpitude;
3 [5.] 4. Persons suffering from mental [alienation] **INCAPACITY** or
4 incurable contagious diseases;
5 [6.] 5. Persons who, during the period of their residence in the Philippines,
6 have not mingled socially with Filipinos, or who have not evinced a sincere
7 desire to learn and embrace the customs, traditions, and ideals of Filipinos;
8 [7.] 6. Citizens or subjects of nations with whom [the United States and]
9 the Philippines are at war, during the period of such war;
10 [8.] 7. Citizens or subjects of a foreign country [other than the United
11 States] whose laws do not grant Filipinos the right to become naturalized
12 citizens or subjects thereof; **AND**

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

19 **SEC. 4.** Section 7 is hereby amended to read as follows:

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

21 **ANY APPLICANT WHO HAS RESIDED CONTINUOUSLY IN THE**
22 **PHILIPPINES FOR A PERIOD OF THIRTY (30) YEARS OR MORE**
23 **PRIOR TO THE FILING OF HIS PETITION IS NOT CONSTRAINED**
24 **FROM LEAVING THE PHILIPPINES WHILE HIS PETITION IS**
25 **PENDING IN COURT, AND THEREFORE, IS NOT REQUIRED TO**
26 **STATE IN HIS PETITION THAT HE WILL RESIDE CONTINUOUSLY**
27 **IN THE PHILIPPINES FROM THE DATE OF THE FILING OF THE**
28 **PETITION UP TO THE TIME OF HIS ADMISSION TO PHILIPPINE**
29 **CITIZENSHIP."**

30 **SEC. 5.** Section 9 is hereby amended to read as follows:

31 **"Sec. 9. *Notification and appearance.* - Immediately upon the filing of**
32 **the petition, it shall be the duty of the clerk of court to publish the same at**
33 **petitioner's expense, once a week for three consecutive weeks, in the**
34 **Official Gazette and in one newspaper of general circulation in the province**
35 **where the petitioner resides, and to have copies of said petition and a**
36 **general notice of hearing posted in a public and conspicuous place in his**

1 office or in the building where said office is located, setting forth in such
2 notice the name, birthplace and residence of the petitioner, the date and
3 place of his arrival in the Philippines, the names of the witnesses whom the
4 petitioner proposes to introduce in support of his petition, and the date of
5 the hearing of the petition[, which hearing shall not be held within ninety
6 days from the date of the last publication of the notice.] **NO PETITION
7 FOR PHILIPPINE CITIZENSHIP SHALL BE HEARD BY THE COURT
8 UNTIL AFTER SIX MONTHS FROM THE DATE OF THE LAST
9 PUBLICATION OF THE NOTICE.** The clerk shall, as soon as possible,
10 forward copies of the petition, the sentence, the naturalization certificate,
11 and other pertinent data to the [Department of the Interior, the Bureau of
12 Justice, the Provincial Inspector of the Philippine Constabulary of the
13 province and the Justice of the Peace of the municipality wherein the
14 petitioner resides] **OFFICE OF THE PRESIDENT, THE OFFICE OF THE
15 SOLICITOR GENERAL, THE PROVINCIAL DIRECTOR OF THE
16 PHILIPPINE NATIONAL POLICE AND THE REGIONAL TRIAL COURT
17 WHERE THE PETITIONER RESIDES."**

18 **SEC. 6.** Section 10 is hereby amended to read as follows:

19 **"Sec. 10. Hearing of the Petition. –** No petition shall be heard within
20 thirty days preceding any election. The hearing shall be public, and the
21 Solicitor-General, either himself or through his delegate or the provincial
22 fiscal concerned, shall appear on behalf of the [Commonwealth]
23 **REPUBLIC** of the Philippines at all the proceedings and at the hearing. If,
24 after the hearing, the court believes, in view of the evidence taken, that the
25 petitioner has all the qualifications required by, and none of the
26 disqualifications specified in this Act and has complied with all requisites
27 herein established, it shall **GRANT THE PETITION** and order the [proper
28 naturalization certificate to be issued and the registration of the said
29 naturalization certificate in the proper civil registry as required in Section
30 Ten of Act Numbered Three thousand seven hundred and fifty-three]
31 **ISSUANCE AND REGISTRATION OF THE NATURALIZATION
32 CERTIFICATE IN THE PROPER CIVIL REGISTRY IN ACCORDANCE
33 WITH SECTION 12 OF THIS ACT."**

34 **SEC. 7.** Section 11 is hereby amended to read as follows:

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

4 **SEC. 8.** Section 12 is hereby amended to read as follows:

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

15 **NO DECISION GRANTING THE PETITION FOR PHILIPPINE**
16 **CITIZENSHIP SHALL BECOME EXECUTORY UNTIL AFTER ONE (1)**
17 **YEAR FROM ITS PROMULGATION AND AFTER THE COURT, ON**
18 **PROPER HEARING, WITH THE ATTENDANCE OF THE SOLICITOR**
19 **GENERAL OR HIS REPRESENTATIVE, IS SATISFIED, AND SO**
20 **FINDS, THAT DURING THE INTERVENING TIME, THE PETITIONER**
21 **HAS:**

- 22 **1. NOT LEFT THE PHILIPPINES, UNLESS GRANTED A TRAVEL**
23 **AUTHORITY BY THE SECRETARY OF JUSTICE OR HIS DULY**
24 **DESIGNATED REPRESENTATIVE;**
- 25 **2. DEDICATED HIMSELF CONTINUOUSLY TO A LAWFUL CALLING**
26 **OR PROFESSION;**
- 27 **3. NOT BEEN CONVICTED OF ANY OFFENSE OR VIOLATION OF**
28 **GOVERNMENT PROMULGATED RULES; OR**
- 29 **4. NOT COMMITTED ANY ACT PREJUDICIAL TO THE INTEREST**
30 **OF THE NATION OR CONTRARY TO ANY GOVERNMENT**
31 **ANNOUNCED POLICIES;**

32 **PROVIDED, THAT THE DECISION GRANTING THE APPLICATION IS**
33 **IMMEDIATELY EXECUTORY UPON FINALITY THEREOF IF THE**
34 **PETITIONER HAS RESIDED CONTINUOUSLY IN THE COUNTRY FOR**
35 **A PERIOD OF THIRTY (30) YEARS OR MORE BEFORE FILING HIS**
36 **OR HER PETITION.**

1 UPON A FINDING THAT THE ABOVE CONDITIONS HAVE BEEN
2 SATISFIED, THE ORDER OF THE COURT GRANTING CITIZENSHIP
3 SHALL BE REGISTERED AND THE APPLICANT SHALL, IN OPEN
4 COURT, TAKE THE FOLLOWING OATH, WHEREUPON, AND NOT
5 BEFORE, HE WILL BE ENTITLED TO ALL THE PRIVILEGES OF A
6 FILIPINO CITIZEN:

7 “I, _____, SOLEMNLY SWEAR THAT I RENOUNCE
8 ABSOLUTELY AND FOREVER ALL ALLEGIANCE AND FIDELITY TO
9 ANY FOREIGN PRINCE, POTENTATE, STATE OR SOVEREIGNTY,
10 AND PARTICULARLY TO THE _____, OF WHICH AT
11 THIS TIME I AM A SUBJECT OR CITIZEN; THAT I WILL SUPPORT
12 AND DEFEND THE CONSTITUTION OF THE PHILIPPINES AND THAT
13 I WILL OBEY THE LAWS, LEGAL ORDERS AND DECREES
14 PROMULGATED BY THE DULY CONSTITUTED AUTHORITIES OF
15 THE REPUBLIC OF THE PHILIPPINES.

16 SO HELP ME GOD.”

17 THE CLERK OF COURT WHICH HEARD THE PETITION SHALL
18 ISSUE A NATURALIZATION CERTIFICATE WHICH SHALL, AMONG
19 OTHER THINGS, STATE THE FOLLOWING: The file number of the
20 petition, the number of the naturalization certificate, the signature of the
21 person naturalized affixed in the presence of the clerk of the court, the
22 personal circumstances of the person naturalized, the dates on which his
23 declaration of intention and petition were filed, the date of the decision
24 granting the petition, and the name of the judge who rendered the
25 decision. A photograph of the petitioner with the dry seal affixed thereto of
26 the court which granted the petition must be affixed to the certificate.”

27 [X X X]

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

29 “**Sec. 15. Effect of the naturalization on spouse and children.** – Any
30 [woman] **PERSON** who is now or may hereafter be married to a
31 **NATURAL-BORN** citizen of the Philippines, and who might **HIMSELF OR**
32 herself be lawfully naturalized shall be deemed a citizen of the Philippines.

33 **X X X”**

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

35 “**Sec. 16. Right of [widow] SURVIVING SPOUSE and children of**
36 **petitioner[s] who [have] HAS died.** – In case a petitioner should die

1 before the final decision has been rendered, his **OR HER** [widow]
2 **SURVIVING SPOUSE** and children may continue the proceedings. The
3 decision rendered in the case shall, so far as the [widow] **SURVIVING**
4 **SPOUSE** and minor children are concerned, produce the same legal effect
5 as if it has been rendered during the life of the petitioner.

6 **SEC. 11. *Transitory provision.*** – Upon the effectivity of this Act, its provisions
7 shall apply to cases pending in court and to those where the applicant has not
8 yet taken the oath of citizenship.

9 **SEC. 12. *Separability clause.*** – If any provision, section or part of this Act
10 shall be declared unconstitutional or invalid, such judgment shall not affect,
11 invalidate or impair any other provisions, sections or parts hereof.

12 **SEC. 13. *Repealing clause.*** - Republic Act No. 530, and such other laws,
13 decrees, orders, rules and regulations as are inconsistent with this Act are
14 hereby repealed or modified accordingly.

15 **SEC. 14. *Effectivity.*** – This Act shall take effect within fifteen (15) days after
16 its publication in the Official Gazette or in a newspaper of general circulation.

Approved,