

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session



HOUSE BILL NO. 6008

Introduced by Hon. Salvador B. Belaro Jr.

EXPLANATORY NOTE

Paragraph 1, of Section 5 of Republic Act No. 9225, specifically provide that "[t]hose who retain or reacquire Philippine Citizenship [or dual citizens] shall enjoy full civil and political rights and be subject to all attendant liabilities and responsibilities under existing laws of the Philippines." Although granted full civil and political rights, dual citizens, however, are prejudiced and disadvantaged in that they cannot seek appointment in public office without renouncing their oath of allegiance to the country where they took that oath. Many wishes to seek appointment to State Universities and Colleges, in order to teach or share their knowledge and expertise.

Filipinos abound overseas, and through exposures in advances in education, employment and working conditions, many of these Filipinos have acquired extensive learning, education, skill, and expertise in different fields and professions that the Philippine Government could tap and harness for national development, welfare and progress. Many of these highly educated and trained Filipino experts have also retained or re-acquired their Philippine Citizenships or have become dual citizens under the terms provided for in Republic Act No. 9225, otherwise known as "The Citizenship Retention and Re-acquisition Act of 2003.

From experience, there are dual citizens who are, because of patriotic impulses and love for the Philippines and the Filipino people, are willing to leave their lucrative and comfortable lives abroad and return to the Philippines in order to teach, do research work or share their knowledge and expertise in UP and other State Universities and Colleges. These dual citizens, however, are prevented from doing so because of what they believe to be burdensome or impractical requirements imposed on them for appointment in public office, such as that mentioned in Section 5, paragraph 3 of RA 9225 requiring them to renounce their oath of allegiance to the country where they took that oath.

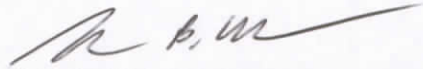
It is worthy of note that in this case, professors of foreign citizenship have a distinct advantage in that they need only to generally, among others, secure an alien employment permit (AEP) and a working visa from the government in order to be allowed to teach in universities locally, whether private or public. Dual citizens, however, have to make said required renunciation of their oath of allegiance in order to be appointed to public office, including those positions available in UP and other SUCs. Congress believes these dual citizens are not only prejudiced in this way, they are also unjustly and unfairly pre-judged. They are already treated as inappropriate for appointment to public office simply because they executed an oath of allegiance as an incident to their acquiring foreign citizenship, when truthfully they have not committed any act of disloyalty to the country. In fact their aspirations, motivation and actions continue to show otherwise -- that they love the country and the Filipino people by offering to return home to render invaluable services. Conversely, the state universities are disadvantaged against neighboring Higher Educational Institutions found in the ASEAN Region on their internationalization programs and international rankings with their inability to obtain the services of experts and doctorate degree holders, including dual citizens with such expertise and qualifications

Congress is aware of the principle that allegiance is a state of mind, and can only be seen through overt or positive acts. Based on this principle, therefore, it is unjust and unfair to pre-judge dual citizens absent the presence of these overt or positive acts. Moreover, Congress understands that their inability to renounce their oath of allegiance is merely for practical purposes. They or their families abroad wish to continue to enjoy or take advantage of educational, health, pension, unhampered travel without visas and other benefits that in fact

they have earned. And, these could be negatively affected once their foreign citizenships are affected by said renunciation.

In order to correct this injustice and unfairness, as well as to equalize the playing field for dual citizens insofar as appointments to UP and other SUCs are concerned, the necessary amendment to RA 9225 has to be made.

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



ATTY. SALVADOR B. BELARO, JR.

Representative

1-Ang Edukasyon Party List

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

SEVENTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 6008

Introduced by: Hon. Salvador B. Belaro Jr.

**AN ACT AMENDING
SECTION 5, PARAGRAPH 3 OF REPUBLIC ACT NO. 9225
OTHERWISE KNOWN AS "THE CITIZENSHIP RETENTION AND
RE-ACQUISITION ACT OF 2003"**

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

SECTION 1. This act shall be known as the "Revised Citizenship Retention and Re-acquisition Act of 2017."

SECTION 2. a.) The Constitution guarantees citizens' "equal access to opportunities for public service" (Art. II, Section 26) and mandates that Congress may provide forms of incentives "to deserving science students, researchers, scientists, inventors, technologists, and specially gifted citizens" (Art. XIV, Section 11);

b.) It is the duty of the State to protect and promote the right of all citizens to quality education at all levels, and to take appropriate steps to make such education accessible to all.

SECTION 3. Section 5, paragraph 3 of Republic Act No. 9225 otherwise known as the "Citizenship Retention and Re-acquisition Act of 2003 is hereby amended to read as follows:

"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) Xxx

(2) Xxx

(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; PROVIDED FURTHER, THAT APPOINTEES TO STATE UNIVERSITIES AND COLLEGES SHALL NOT BE REQUIRED TO MAKE SUCH RENUNCIATION AS CONDITION FOR THEIR APPOINTMENT."

SECTION 4. If any provision hereof is held invalid or unconstitutional, the remainder of the law or provision not otherwise affected shall remain valid and subsisting.

SECTION 5. All laws, presidential decrees, executive orders, rules and regulations contrary to or inconsistent with the provisions of this Act are hereby repealed or modified accordingly.

SECTION 6. This act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved.