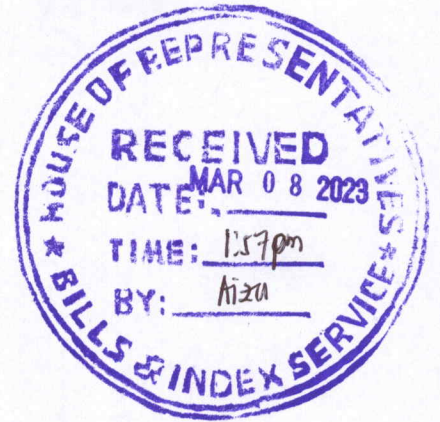




Congress of the Philippines  
**House of Representatives**  
Republic of the Philippines

NINETEENTH CONGRESS  
First Regular Session

House Bill No. 7527



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**Introduced by Representatives EDCCEL C. LAGMAN, EDWARD VERA  
PEREZ MACEDA and JUAN CARLOS "ARJO" C. ATAYDE**

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### **EXPLANATORY NOTE**

The campaign for gender equality and equity deserves the full support of legislators. Embedded in Philippine statutes are the traditional discrimination against women and age-long bias in favor of men.

Even our naturalization laws must be purged of gender discrimination like Sec. 15 of Commonwealth Act No. 473 or "The Revised Naturalization Law", which provides:

*"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."*

The aforequoted provision, which must be amended, does not give the subject woman the option whether or not to adopt the Filipino citizenship of her husband.

Gender equality must also enable men not to lose their parity with women. However, Sec. 12 of R.A. No. 9139 or "An Act Providing for the Acquisition of Philippine Citizenship for Certain Aliens by Administrative Naturalization", provides:

*"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 ..."*

Under the aforequoted provision, the husband has no option whether or not to acquire the Filipino citizenship of his naturalized wife even if otherwise

he is lawfully qualified to become a Filipino citizen. The necessary amendment to uphold gender equality is called for.

The 1987 Constitution enshrines the role of women in nation-building and the responsibility of the State to ensure the fundamental equality of women and men before the law (Article II, Section 14).

Republic Act No. 9710, otherwise known as the *Magna Carta of Women*, and the UN Convention on the Elimination of All Forms of Discrimination Against Women (UN CEDAW), to which the Philippines is a State Party, underscore the equal rights of men and women to acquire, change, or retain their nationality (Section 19; Article 9, respectively). Further, both emphasize that neither marriage to an alien nor change of nationality by the husband during marriage shall automatically change the nationality of the wife, render her stateless, or force upon her the nationality of the husband (Section 19(g); Article 9).

Despite these frameworks, the Philippines has been identified as one of fifty (50) States that continue to have distinctions in terms of conferral and acquisition/retention of citizenship.

The subject amendments will ensure gender parity in our naturalization laws and will further enhance gender equality and equity.

Accordingly, approval of this bill is earnestly sought.



**EDCEL C. LAGMAN**



**EDWARD VERA PEREZ MACEDA**



**JUAN CARLOS "ARJO" C. ATAYDE**



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**AN ACT ENSURING GENDER-RESPONSIVENESS IN  
NATURALIZATION LAWS, AMENDING FOR THE PURPOSE  
SECTION 15 OF COMMONWEALTH ACT NO. 473,  
OTHERWISE KNOWN AS "THE REVISED NATURALIZATION  
LAW" AND SECTION 12 OF REPUBLIC ACT NO. 9139,  
OTHERWISE KNOWN AS "THE ADMINISTRATIVE  
NATURALIZATION LAW"**

*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 "An Act Ensuring Gender  
Equality in Naturalization Laws".

**Section 2.** Section 15 of Commonwealth Act No. 473 or the "Revised  
Naturalization Law" is hereby amended to read as follows:

Sec. 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, or who might herself be lawfully naturalized  
shall [be deemed] HAVE THE OPTION TO BECOME a citizen of the  
Philippines [.] OR RETAIN HER CITIZENSHIP.

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 one year after reaching the age of majority, he fails to register himself as a Philippine citizen at the Philippine Embassy at the country where he resides, and to take the necessary oath of allegiance.

**Section 3.** Sec. 12 of R.A. No. 9139 or "The Administrative Naturalization Law" is hereby amended as follows:

*Sec. 12. Status of Alien Husband and Minor Children.* – If the applicant is a married woman, the approval of her petition for administrative naturalization will GRANT [not benefit] her alien husband THE OPTION TO BECOME A FILIPINO CITIZEN IF HE IS OTHERWISE QUALIFIED FOR NATURALIZATION OR RETAIN HIS CITIZENSHIP, 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 law.

**Section 4.** *Separability Clause.* – If any provision of this Act is declared unconstitutional or invalid, the other provisions not affected by such declaration shall remain in full force and effect.

**Section 5.** *Repealing Clause.* – All laws, decrees, Executive Orders, Presidential Issuances, and other administrative rules and regulations or parts thereof which are inconsistent with this Act are hereby repealed, amended or nullified accordingly.

**Section 6.** *Effectivity.* – This Act shall take effect fifteen (15) days after its publication in at least two (2) national papers of general circulation.

*Approved.*

