

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

House Bill No. 1199



Introduced by Representative JUAN MIGUEL MACAPAGAL ARROYO

AN ACT AMENDING COMMONWEALTH ACT NO. 473, OTHERWISE KNOWN AS THE "REVISED NATURALIZATION LAW" AND REPUBLIC ACT NO. 530, OTHERWISE KNOWN AS "AN ACT MAKING ADDITIONAL PROVISIONS FOR NATURALIZATION"

EXPLANATORY NOTE

Commonwealth Act (C.A.) No. 473 and Republic Act (R. A.) No. 530, provide restrictions and additional provisions, respectively, for the qualifications of a person desiring to acquire Philippine citizenship by naturalization.

Section 7 of C. A. No. 473 requires, among others that, in the Petition for Naturalization, the applicant must state therein 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. Section 1 (1) of Republic Act No. 530, on the other hand, states that, following the grant of the petition, the applicant (1) must not leave the Philippines, (2) must dedicate himself continuously to a lawful calling or profession, (3) must not be convicted of any offense or violation of Government promulgated rules and (4) must not commit any act prejudicial to the interest of the nation or contrary to any Government announced policies. Furthermore, the cited provision states that the decision granting the application will not be executory until after two years from its promulgation and upon satisfaction, subject to a proper hearing, of the above mentioned conditions. The rationale behind this provision is, the state, in protecting its interest, desires to put the applicant into an actual test to assess his fitness in becoming a citizen of the Philippines. This condition, however, is too restrictive and an over imposition especially to those who have already stayed continuously in the country for a period of thirty (30) years or more following the filing of their application. These applicants have already demonstrated their allegiance to the Republic of the Philippines and should not anymore be covered by the provisions stated above. Just like Section 6 of C. A. 473, which exempts an applicant from filing his Declaration of Intention to become a *bonafide* citizen of the Philippines if he already stayed continuously in the country for a period of thirty (30) years or more prior to the filing of his petition, Section 7 of C. A. No. 473 and Section 1 (1) of R. A. 530 should also apply the same exemption.

In order therefore to serve the higher interest of the public and the state, as well as the interest of the applicant, and recognizing the valuable contribution of these applicants to the national economy especially those with significant investments in the country, C. A. 473, Section 7 and R. A. 530, Section 1 (1)

should be amended. This, notwithstanding, will not in any way defeat the intent, spirit and purpose of the law, but instead, it will serve the true objective of the law.

It is on the basis of the foregoing considerations that the approval of this bill is earnestly sought.


JUAN MIGUEL MACAPAGAL ARROYO
2nd District, Pampanga

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

SECTION 1. Section 7 of Commonwealth Act No. 473 is hereby amended to read as follows:

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.

Section 7.1. Any applicant who has resided continuously in the Philippines for a period of thirty (30) years or more prior to the filing of his petition is not constrained from leaving the Philippines while his petition is pending in court, and therefore, is not required to state

in his petition the phrase "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."

SECTION 2. Section 1 of Republic Act No. 530 is hereby amended as well to read as follows:

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. Provided, That, any applicant who has resided continuously in the country for a period of thirty years (30) or more before filing his petition, is exempt from all the four (4) conditions as stated above. Provided Further, That, the decision granting the application is immediately executory upon finality thereof and that he be allowed to apply for Philippine passport instantaneously.

SECTION 3. *Repealing Clause.* - All laws, decrees, orders, rules and regulations, and all other issuances, or parts thereof, which are inconsistent with this Act are hereby repealed or modified accordingly.

SECTION 4. *Effectivity.* - This Act shall take effect fifteen (15) days after its complete publication in the *Official Gazette* or in at least two (2) newspapers of general circulation, whichever comes earlier.

Approved,