

Republic of the Philippines  
**HOUSE OF REPRESENTATIVES**  
Quezon City



**EIGHTEENTH CONGRESS**  
***First Regular Session***

**5569**  
House Bill No. \_\_\_\_\_

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**Introduced by Representative PABLO JOHN F. GARCIA**

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**EXPLANATORY NOTE**

Paragraph 1, Section 5 of Republic Act No. 9225 specifically provides 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."

Despite this guarantee, however, dual citizens are prejudiced and disadvantaged in that they cannot seek appointment in public office without first renouncing their oath of allegiance to the foreign country. While the requirement of renunciation may be justifiable in the case of elective public office on constitutional grounds, and certain appointive public positions on the grounds of national security and the national interest, a blanket prohibition against any employment in the public sector absent this renunciation would seem excessive.

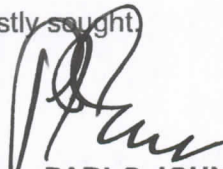
Consider, for instance, dual citizens who, having studied, worked, taught, specialized or become experts in their fields who subsequently, after acquiring dual citizenship, wish to contribute to nation-building by teaching at public educational institutions such as the University of the Philippines (UP) and other State Universities and Colleges (SUCs). These dual citizens are required to renounce their allegiance to the foreign country in which they had studied, worked, taught, specialized or become experts simply because, impelled by a sense of patriotism to their mother country, they wish to teach future generations of Filipinos. These dual citizens naturally balk at the idea of renunciation, considering that this would mean loss of unhampered travel rights for private, family, educational or research purposes, and, quite possibly, the loss of other earned rights or privileges such as healthcare, pensions and the like.

In contrast, professors with foreign citizenship (who are not dual citizens) have the unfair advantage of only being required to obtain an alien employment permit (AEP) or working visa from the government in order to teach in colleges and universities in the Philippines, **whether private or public**. No renunciation of citizenship is required. In fact, the fact that they are foreigners probably top the list of considerations for their employment.

On the other side of the equation, public universities are unfairly disadvantaged compared to their private counterparts in that they would be hard-put to convince dual citizens to renounce their foreign citizenship as a condition precedent to employment, whereas private educational institutions do not labor under the same requirement. Beyond our territorial boundaries, our SUCs will be further disadvantaged compared to its ASEAN and international counterparts because of this inability to recruit from a deep and convenient pool of experts and talent — our dual citizens.

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, RA 9225 should be amended to remove the requirement of renunciation as a condition precedent to the appointment of dual citizens to UP and other SUCs.

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



**Rep. PABLO JOHN F. GARCIA**  
3rd District, Province of Cebu

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**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.** 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:

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 THE UNIVERSITY OF THE PHILIPPINES AND OTHER STATE UNIVERSITIES AND COLLEGES SHALL NOT BE REQUIRED TO MAKE SUCH RENUNCIATION AS A CONDITION PRECEDENT TO THEIR APPOINTMENT."

**Section 2. Separability Clause.** - If any provision of this Act is declared invalid or unconstitutional, the other provisions not affected by such declaration shall remain in full force and effect.



**Section 3. Repealing Clause.** - All laws, executive orders, administrative orders and rules and regulations inconsistent with this Act are hereby repealed or amended accordingly.

**Section 4. Effectivity Clause.** - This Act shall take effect fifteen (15) days after its complete publication in the Official Gazette or in two (2) newspapers of general circulation.

**Approved,**