DUAL CITIZENSHIP

- Republic Act No. 9225 does not require the relinquishment of the other citizenship/s, allowing the individual to have two (or more) concurrent citizenships.

WHO ARE QUALIFIED UNDER REPUBLIC ACT No. 9225 (RA 9225)?

- The Philippines’ Republic Act No. 9225 covers former natural-born Filipino citizens who have lost their Philippine citizenship through naturalization as citizens of another country.

- Natural-born citizens of the Philippines, who, upon the effectivity of RA 9225 on 17 September 2003, became citizens of a foreign country, shall **retain their Philippine citizenship.** One is, however, still required to express the intention of retaining his/her Philippine citizenship by submitting an application for Retention of Philippine Citizenship and take the Oath of Allegiance to the Philippine Republic, from the Philippine Foreign Service Posts where the application was submitted, or to the Bureau of Immigration in Manila, Philippines.

- Natural-born citizens of the Philippines, who, before the effectivity of RA 9225 on 17 September 2003, became citizens of a foreign country, shall **reacquire their Philippine citizenship** upon applying for dual citizenship under RA 9225 and taking the Oath of Allegiance to the Philippine Republic.

- The **Oath of Allegiance** shall be the **final act** to retain/reacquire Philippine citizenship.

- Natural-born citizens are those whose mothers or fathers are citizens of the Philippines. They are citizens of the Philippines from birth, without having to perform any act to acquire or perfect their Philippine citizenship. Those born before 17 January 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority, are deemed natural-born Filipinos.

HOW DOES RA 9225 WORK?

- Natural-born citizens of the Philippines who have lost their Philippine citizenship by reason of their naturalization as citizens of a foreign country are deemed to have reacquired their Philippine citizenship upon taking the prescribed Oath of Allegiance to the Philippine Republic.

IS RESIDENCY IN THE PHILIPPINES REQUIRED TO QUALIFY FOR PHILIPPINE CITIZENSHIP UNDER RA 9225?

- No, residency in the Philippines is not a requirement for those who retain or reacquire Philippine citizenship.
WHERE CAN I APPLY FOR PHILIPPINE CITIZENSHIP RETENTION OR RE-ACQUISITION?

- Applications/petitions for Philippine citizenship retention or reacquisition under RA 9225 shall be filed with the Foreign Service Posts, such as the Philippine Embassy in Rome, if the applicant is abroad. For applications to be submitted to the Philippine Embassy in Rome, please refer to the following link for requirements and procedures:
  

- Applications/petitions may also be filed with the Bureau of Immigration if the applicant is in the Philippines.

CAN I ACQUIRE LAND AND OTHER PROPERTIES OR ENGAGE IN BUSINESS ONCE I RETAIN OR REACQUIRE MY PHILIPPINE CITIZENSHIP?

- As provided under the 1987 Philippine Constitution, a Filipino is entitled to purchase land and other properties and engage in business in the country. There is no limit in terms of area or size of land or real property he/she could acquire/purchase under his/her name. This right applies to former natural-born Filipinos who have reacquired Philippine citizenship under RA 9225.

AM I REQUIRED TO PAY INCOME TAX AND/OR OTHER TAXES? AM I EXEMPT FROM PAYING THE TRAVEL TAX?

- Republic Act No. 8424 (National Internal Revenue Code of 1997), as amended, provides that only income derived or earned from the Philippines are subject to taxation by the Philippine Government.

- The Philippine Government has concluded an income tax agreement with Italy in order to avoid double taxation for Filipinos who derive income in Italy.

- Those who re-acquire Philippine citizenship and opt to reside and work in the Philippines will pay the income tax due at the end of each fiscal year. They are also subject to other obligations and liabilities, such as property, community and residence taxes.

CAN MY CHILDREN ALSO ACQUIRE PHILIPPINE CITIZENSHIP UNDER RA 9225?

- RA 9225 provides for derivative citizenship, such that the unmarried child, whether legitimate, illegitimate or adopted, below 18 years of age, of those who reacquire Philippine citizenship shall be deemed citizens of the Philippines, and are entitled to the rights and privileges attendant thereto.

- A married child, although a minor, cannot be included in the petition of his/her parent.

- The minor child does not need to submit a separate petition for this purpose. The parent (principal applicant) shall list the names and details of all the minor unmarried children to be covered in the application.
WHAT IF I FAIL TO INCLUDE MY MINOR UNMARRIED CHILDREN IN MY DUAL CITIZENSHIP APPLICATION?

- If the child is still a minor (below 18, unmarried) when the parent eventually requests to include him/her in the application, the inclusion may be allowed (Example: if parent/s applied in 2015 but failed to include the child, then such child, if still below 18 and unmarried now, may be included now, subject to application requirements and payment of fees)

- If the child is no longer a minor when the parent decides to include him/her, the Bureau of Immigration requires that the parent applies for Recognition of the child.

ARE FILIPINOS WHO ACQUIRED FOREIGN CITIZENSHIP BY ADOPTION ELIGIBLE TO APPLY FOR DUAL CITIZENSHIP UNDER RA 9225?

- They are not eligible under RA 9225 because they were not naturalized as foreign citizens.

- If they are minors, however, they are considered not to have lost their Philippine citizenship because as minors, they could not have legally consented to their adoption.

- The more appropriate option is to apply for Recognition with the Bureau of Immigration. Recognition works like dual citizenship under RA 9225, and will not require them to renounce their other citizenship.

ARE NATURAL-BORN FILIPINOS WHO ACQUIRED FOREIGN CITIZENSHIP THROUGH THE NATURALIZATION OF THEIR PARENTS QUALIFIED UNDER RA 9225?

- Natural-born Filipinos who acquired foreign citizenship through the naturalization of their parents are advised to apply under RA 9225 in order for them to retain or reacquire, as the case may be, Philippine citizenship.

- If they are still minors, their parents are required to apply for dual citizenship under RA 9225, and include their minors in their application/s.

WHAT ARE POINTS TO CONSIDER IN THE ELIGIBILITY OF CHILDREN ABOVE 18 AS DERIVATIVE CITIZENS UNDER RA 9225?

- Applications for inclusion of over-aged children must be denied outright if the parent’s personal application is one for reacquisition of Philippine citizenship under RA 9225 (i.e., such parent was naturalized as a foreign citizen before 17 September 2003, the date RA 9225 took effect.)

- In cases of retention of Philippine citizenship under RA 9225, wherein naturalization as a foreign citizen took place during the effectivity of RA 9225, the parent is deemed never to have lost Philippine citizenship, and the applicant is
advised to apply with the Bureau of Immigration for Recognition of the over-aged child, not as a derivative citizen under RA 9225.

CAN MY FOREIGN SPOUSE ALSO ACQUIRE PHILIPPINE CITIZENSHIP UNDER RA 9225?

- No, the law does not apply to the foreign spouse. If he/she wishes to reside permanently in the Philippines, the foreign spouse may opt to: a) apply for naturalization as a Filipino; or b) apply for a permanent resident visa.

WHAT IF I HAVE CHANGED MY NAME?

- The Bureau of Immigration would allow persons who had changed their names abroad to apply for and be issued Identification Certificates under an alias (“Real Name aka “Assumed Name”).
- In the case of married women, their application/petition and the Oath of Allegiance shall be done under the name appearing in their original birth certificate. They may opt to have their documents indicate the name with “Married to (name of spouse)” phrase if she so desires.

DO I GET A NEW PASSPORT AFTER TAKING THE OATH?

- Applicants who have retained/reacquired Philippine citizenship under RA 9225 are entitled to apply for a new Philippine passport after taking their Oath of Allegiance to the Philippine Republic.
- Applicants availing themselves of reacquisition of Philippine citizenship under RA 9225 should apply for new passports with issuance dates no earlier than the date of their taking the Oath of Allegiance under RA 9225.
- Securing a new Philippine passport, however, is a separate transaction. Passport application forms are available at the Philippine Embassy in Rome and in its website links:
  - For adult applicant:
  - For minor applicant:
- Passport fee at the Philippine Embassy in Rome is **Fifty-four Euros (€ 54.00)**.
- The Identification Certificate, to be issued by the Embassy after the applicant has taken the Oath of Allegiance to the Philippine Republic, will be considered sufficient proof of Philippine citizenship for those persons entering or leaving the Philippines and bearing Philippine passports.
AS A DUAL CITIZEN, WHICH PASSPORT SHOUL I PRESENT WHEN ENTERING AND DEPARTING FROM THE PHILIPPINES?

- As a general rule, persons who wish to declare their dual citizenship are advised to present their foreign passport as well as their valid Philippine passport and/or Identification Certificate when entering and departing from the Philippines.

AS A FILIPINO CITIZEN, CAN ONE’S SPOUSE WHO IS A FOREIGN NATIONAL LIVE IN THE PHILIPPINES?

- A Filipino’s foreign spouse may be issued an immigrant visa, which entitles him/her to permanently reside in the Philippines. Said visa may be obtained by applying at Philippine Embassies or Consulates. The validity of the visa, however, is contingent upon the Philippine citizenship of his or her spouse.

IF A FILIPINO CHOoses TO TRAVEL TO THE PHILIPPINES WITH HIS OR HER FOREIGN SPOUSE AND CHILDREN, DO THE SPOUSE AND CHILDREN NEED TO SECURE ADDITIONAL TRAVEL DOCUMENTS FROM THE PHILIPPINE EMBASSY BEFOREHAND?

- Under the “Balikbayan” Law, a Filipino citizen’s foreign spouse and children traveling to the Philippines with him or her on the same flight, do not need to secure other travel documents because they are entitled to a visa-free entry to the Philippines for a period of one (1) year, among other privileges.

WHAT IS THE SCHEDULE FOR THE OATH-TAKING?

- The processor will set the date of the oath-taking in consultation with the applicant. It is recommended that petitioners come to the Embassy at least one hour ahead of the scheduled time of oath-taking since they still have papers to sign and thumbprints to affix to documents. There are also other applicants taking the Oath with them who must undergo the same process as well.

WHAT IS THE DRESS CODE FOR THE OATH-TAKING?

- There is no prescribed dress code for the Oath-Taking. However, the ceremony is a solemn and meaningful event. Please dress in proper attire to respect the dignity of the event. Those in improper dress may be refused entry to the premises.

WHY IS THE OATH OF ALLEGIANCE TO THE PHILIPPINE REPUBLIC IN THE ENGLISH LANGUAGE AND NOT IN FILIPINO?

- The Oath of Allegiance is provided in RA 9225, a law that is written in the English language, which is, along with the Filipino language, one of the two official languages of the Philippines.
SUMMARY OF RIGHTS AND PRIVILEGES OF AN INDIVIDUAL HAS PETITIONED FOR A RETENTION/REACQUISITION OF PHILIPPINE CITIZENSHIP UNDER RA 9225

- Ownership of real property in the Philippines;
- Engaging in business, trade or commercial activities, as a Filipino;
- Permission to practice one’s profession in accordance with existing Philippine laws. A person who has re-acquired Philippine citizenship may be able to practice his/her profession in the Philippines, provided that he/she applies with the Professional Regulation Commission, the Supreme Court for lawyers, and other applicable Philippine agencies or bodies for a license or permit to engage in such professional practice. Those appointed to a public office shall make a sworn renunciation of the oath of allegiance to the country where they took their oath.
- Right to bear a Philippine passport
- Right to vote or suffrage during Philippine elections, and that the individual must comply with the residency requirement under existing Philippine election laws. The person or individual may, however, vote overseas in Philippine national elections (for President, Vice-President, Senators and sectoral representatives) in accordance with the provisions of the Overseas Absentee Voting Act of 2003. The Supreme Court also ruled in 2006 that Filipinos with dual citizenship need not establish residence in the Philippines to be able to register as an absentee voter
- Other rights and privileges enjoyed by Filipinos as enshrined in Philippine laws, rules and regulations, as well as international agreements/conventions to which the Philippines is a signatory.

Sources:
1. Republic Act No. 9225 (Citizenship Retention and Re-Acquisition of Philippine Citizenship Act of 2003)