

REPUBLIC ACT NO. 9225 - CITIZENSHIP RETENTION AND RE-ACQUISITION ACT OF 2003
FREQUENTLY ASKED QUESTIONS

1. WHO ARE QUALIFIED?

R.A. 9225 covers former natural-born Filipino citizens who have lost their citizenship through naturalization as citizens of a foreign country.

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 January 17, 1973, of Filipino mothers, who elect Philippine citizenship upon reaching the age of majority, are deemed natural born citizens.

2. HOW DOES THE RE-ACQUISITION AND RETENTION 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 *re-acquired* their Philippine citizenship upon taking the prescribed Oath of Allegiance to the Republic.

Natural-born citizens of the Philippines who, after the effectivity of R.A. 9225 on 17 September 2003, become citizens of a foreign country shall *retain* their Philippine citizenship upon taking the same oath.

3. DUAL CITIZENSHIP

Republic Act 9225 does not require the relinquishment of the other citizenship, allowing the individual to have two concurrent citizenships.

Under New Zealand law (www.dia.govt.nz), New Zealand allows its citizens to hold multiple citizenships.

4. WHERE CAN I APPLY FOR FILIPINO CITIZENSHIP RETENTION/RE-ACQUISITION?

Applications/petitions for citizenship re-acquisition and retention pursuant to RA 9225 shall be filed with the Bureau of Immigration (BI) if applicant is in the Philippines, or in the Philippine Foreign Service Posts (FSPs) if the applicant is abroad. In New Zealand, applications are to be filed, personally or through courier, at the:

Embassy of the Philippines
50 Hobson Street
Thorndon, Wellington 6011

Temporary address:
Level 1 / 95 Thorndon Quay
Pipitea, Wellington 6011

5. WHAT ARE THE DOCUMENTARY REQUIREMENTS?

Documentary requirements for Principal Applicants

1. Duly accomplished application form / petition;
2. Processing fee of \$75.00 either in cash or bank cheque payable to the Philippine Embassy.
3. Original and 2 photocopies of NSO-authenticated copy of birth certificate;
4. 3 passport sized photos taken within the last 6 months (applicant must not wear glasses, and must be against white background);
5. Original and 2 photocopies of Certificate of Citizenship;
6. 2 photocopies of the data page of the foreign passport (original to be presented during the oath taking ceremony);
7. 2 photocopies of the old Philippine passport (original to be presented during the oath taking ceremony); and
8. Other documents that may be required by the evaluating officer.

ADDITIONAL REQUIREMENTS FOR MARRIED FEMALE APPLICANTS

1. 2 photocopies of the NSO-authenticated marriage certificate (if married in the Philippines) ; or
2. 2 photocopies of the Report of Marriage from the Philippine Embassy or Consulate where the marriage was reported (if married overseas).

ADDITIONAL REQUIREMENTS FOR CHILDREN OF APPLICANTS TO BE INCLUDED AS DEPENDENTS

1. Original and 2 photocopies of NSO-authenticated copy of birth certificate (if born in the Philippines) or Duly accomplished Report of Birth form (if born outside of the Philippines) and its documentary requirements (form and requirements may be found in the Philippine Embassy website)
2. 2 photocopies of the child's passport;
3. 2 passport sized photos with white background; and
4. Processing fee of \$37.50 per dependent child in cash or bank cheque.

NOTE:

1. In case of discrepancy with the name currently used with the name indicated in the Philippine birth certificate, applicant must execute an affidavit of discrepancy stating the situation.
2. Applicants are requested to dress appropriately when they are invited for the oath taking ceremony.
3. Children below 18 years old who acquired foreign citizenship can be included in the application form as dependents.

6. WHAT IS THE PROCEDURE INVOLVED?

- a. Applicant shall submit an application/petition, with supporting documents and requirements to the FSP. The application form is downloadable from the Embassy's website: www.philembassy.org.nz
- b. FSP's Evaluating Officer will review documents for form and substance and submit recommendation to Consul General
- c. If application is determined sufficient, the Consul General will issue a Memorandum indicating that the petition complies with the provisions of RA 9225 and its Implementing Rules and Regulations (IRR)
- d. Applicant shall be asked to come to the Embassy to take the following Oath of Allegiance before the Consul General or a Foreign Service Officer of the Post:

"I, _____, solemnly swear that I will support and defend the Constitution of the Republic of the Philippines and obey the laws and legal orders promulgated by the duly constituted authorities of the Philippines; and I hereby declare that I recognize and accept the supreme authority of the Philippines and will maintain true faith and allegiance thereto; and that I impose this obligation upon myself voluntarily without mental reservation or purpose of evasion."

- a. The Administering Officer will issue an Order of Approval granting the petition and the corresponding Identification Certificate.
- b. The Embassy will submit the official documents to the Bureau of Immigration (BI).

If the applicant is a BI-registered alien, the Bureau of Immigration shall cancel the applicant's Alien Certificate of Registration (ACR)

7. CAN I NOW ACQUIRE LAND AND OTHER PROPERTIES OR ENGAGE IN BUSINESS?

As provided under the 1987 Constitution, a Filipino citizen 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 would now apply to former natural-born Filipinos who have re-acquired Philippine citizenship under RA 9225.

8. WILL I NOW BE REQUIRED TO PAY INCOME TAX/OTHER TAXES? AM I EXEMPT FROM PAYING THE TRAVEL TAX?

In accordance with existing laws, income earned in the Philippines is subject to the payment of tax. Those who re-acquire Filipino 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 community and residence tax.

Filipinos who have re-acquired citizenship, as long as they reside permanently overseas, also enjoy the travel tax exemption extended to Filipino citizens permanently residing in other countries, OFWs and their dependents.

9. 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 re-acquire Philippine citizenship shall be deemed citizens of the Philippines. A married child, although a minor, cannot be included in the petition of his/her parent.

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

No. the law does not apply to the foreign spouse. The foreign spouse has the following options if he/she wishes to reside permanently in the Philippines: (a) apply for naturalization, or (b) apply for a permanent resident visa.

11. WHAT IF I HAVE CHANGED MY NAME?

BI 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. Other names used will be indicated as Assumed names.

12. DO I GET A NEW PHILIPPINE PASSPORT AFTER TAKING THE OATH?

As a Filipino citizen, you are now entitled to having a Philippine passport.

Securing a new Philippine passport, however, is a separate transaction. Application forms are available at the website of the Philippine Embassy. The fee for the passport processing is indicated under the schedule fees.

It should be noted that the Identification Certificates to be issued by the Embassy will be considered sufficient proof of Filipino citizenship for those persons entering or leaving the Philippines on foreign passports.

13. WHAT HAPPENS IF MY APPLICATION IS DENIED?

The Implementing Rules and Regulations (IRR) does not specify any appeals mechanism which applicants can avail themselves of in case their petitions are denied at Post. However, this does not preclude applicants from directing their appeal to the Bureau of Immigration in Manila.