



## **THE ADMINISTRATIVE NATURALIZATION LAW OF 2000**

### **“REPUBLIC ACT NO. 9139”**

“AN ACT PROVIDING FOR THE ACQUISITION OF PHILIPPINE CITIZENSHIP FOR CERTAIN ALIENS BY ADMINISTRATIVE NATURALIZATION AND FOR OTHER PURPOSES”

Sec 1. **SHORT TITLE** – This act shall be known as "**The Administrative Naturalization Law of 2000.**"

Sec 2. **DECLARATION OF POLICY** – The State shall control and regulate the admission and integration of aliens into its territory and body politic including the grant of citizenship to aliens. Towards this end, aliens born and residing in the Philippines may be granted Philippines citizenship by administrative proceeding subject to certain requirements dictated by national security and interest.

Sec 3. **QUALIFICATIONS** – Subject to the provisions of the succeeding section, any person desiring to avail of the benefits of this Act must meet the following qualifications:

- a. The applicant must be born in the Philippines and residing therein since birth;
- b. The applicant must not be less than eighteen (18) years of age, at the time of filing of his/her petition;
- c. The applicant must be of good moral character and believes in the underlying principles of the Constitution, and must have conducted himself/herself in a proper and irreproachable manner during his/her entire period of residence in the Philippines in his relation with the duly constituted government as well as with the community in which he/she is living;
- d. The applicant must have received his/her primary and secondary education in any public or private educational institution duly recognized by the Department of Education, Culture and Sports, where Philippine history, government and civics are taught and prescribed as part of the school curriculum and where enrollment is not limited to any race or nationality: Provided, that should he/she have minor children of school age, he/she must have enrolled them in similar schools;
- e. The applicant must have a known trade, business, profession or lawful occupation, from which he/she derives income sufficient for his/her support and if he/she is married and/or has dependents, also that of his/her family: Provided, however, That this shall not apply to applicants who are college degree holders but are unable to practice their profession because they are disqualified to do so by reason of their citizenship;
- f. The applicant must be able to read, write and speak Filipino or any of the dialects of the Philippines; and
- g. The applicant must have mingled with the Filipinos and evinced desire to learn and embrace the customs, traditions and ideals of the Filipino people.

Sec 4. **DISQUALIFICATIONS** – The following are not qualified to be naturalized as Filipino citizens under this Act:

- a. Those opposed to organized government or affiliated with any association or group of persons who uphold and teach doctrines opposing all organized governments;
- b. Those defending or teaching the necessity of or propriety of violence and personal assault or assassination for the success or predominance of their ideas;
- c. Polygamist or believers in the practice of polygamy;
- d. Those convicted of crimes involving moral turpitude;
- e. Those suffering from mental alienation or incurable contagious diseases;
- f. Those who, during the period of their residence in the Philippines, have not mingled socially with the Filipinos, or who have not evinced a sincere desire to learn and embrace the customs, traditions and ideals of the Filipinos;
- g. Citizens or subjects of a foreign country whose laws do not grant Filipinos the right to be naturalized citizens or subject thereof.

Sec 5.& **PETITION FOR CITIZENSHIP** - (1) Any person desiring to acquire Philippines citizenship under this Act shall file with the Special Committee on Naturalization created under section 6 hereof, a petition of five (5) copies legibly typed and signed, thumb marked and verified by him/her, with the latter's passport-sized photograph attached to each copy of the petition, and setting forth the following:

- a. The petitioner's name and surname, and any other name he/she has used or by which he/she is known;
- b. The petitioner's present and former places of residence;
- c. The petitioner's place and date of birth, the names and citizenship of his/her parents and their residences;
- d. The petitioner's trade, business, profession or occupation and, if married, also that of his/her spouse;
- e. Whether the petitioner is single or married or his/her marriage is annulled. If married, petitioner shall state the date and place of his/her marriage, and the name, date of birth, birthplace, citizenship and residence of his/her spouse; and if his marriage is annulled, the date of decree of annulment of marriage and the court which granted the same;
- f. If the petitioner has children, the name, date and birthplace and residences of his/her children;
- g. A declaration that the petitioner possesses all the qualifications and none of the disqualifications under this Act;
- h. A declaration that the petitioner shall never be a public charge; and
- i. A declaration that it is the petitioner's true and honest intention to acquire Philippine Citizenship and to renounce absolutely and forever any prince, potentate, State or sovereign, particularly the country of which the applicant is a citizen or subject.

(2) The application shall be accompanied by:

- a. Duplicate original or certified photocopies of petitioner's birth certificate;
- b. Duplicate original or certified photocopies of petitioner's alien certificate of registration and native born certificate of residence;
- c. Duplicate original or certified photocopies of petitioner's marriage certificate, if married, or the death certificate of his spouse, if widowed, or the court decree annulling his marriage, if such was the fact;
- d. Duplicate original or certified photocopies of birth certificates, alien certificate of registration or native born certificate of residence, if any, of petitioner's minor children, wherever applicable;
- e. Affidavit of financial capacity by the petitioner, and sworn statements on the good moral character of the petitioner by at least two (2) Filipino citizens of good reputation in his/her place of residence stating that they have personally known the petitioner for at least a period of ten (10) years and that said petitioner has, in their own 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;
- f. A medical certificate that the petitioner is not a user of prohibited drugs or otherwise a drug dependent and that he/she is not afflicted with acquired immune deficiency syndrome (AIDS);
- g. School diploma and transcript of records of the petitioner in the schools he attended in the Philippines. Should the petitioner have minor children, a certification that his children are enrolled in a school where Philippine history, government and civics are taught and are part of the curriculum; and
- h. If gainfully employed, the income tax return for the past three (3) years.

**Sec 6. SPECIAL COMMITTEE ON NATURALIZATION** – There shall be constituted a Special Committee on Naturalization herein referred to as the "Committee", with the Solicitor General, as chairman, the Secretary of Foreign Affairs, or his representative, and the National Security Adviser, as members, with the power to approve, deny or reject applications for naturalization as provided in this Act.

The committee shall meet, as often as practicable, to consider applications for naturalization. For this purpose, the chairman and members shall receive an honorarium of Two Thousand Pesos (P2,000.00) and One Thousand Five Hundred Pesos (P1,500.00), respectively, per meeting attended.

**Sec 7. POWER/FUNCTIONS OF THE SPECIAL COMMITTEE ON NATURALIZATION** – An alien who believes that he has all the qualifications, and none of the disqualifications, may file an application for naturalization with the secretariat of the Special Committee on Naturalization, and a processing fee of Forty Thousand Pesos (P40,000.00). Thereafter, the petition shall be stamped to indicate the date of filing and a corresponding docket number. Within fifteen (15) days from the receipt of the petition, the Committee shall determine whether the petition is complete in substance and in form. If such petition is complete, the Committee shall immediately publish pertinent portions of the petition indicating the name, qualifications and other personal circumstances of the applicant, once a week for three (3) consecutive weeks in a newspaper of general circulation, and have copies of the petition posted in any public or conspicuous area. The

Committee shall immediately furnish the Department of Foreign Affairs (DFA), the Bureau of Immigration (BI), the civil registrar of the petitioner's place of residence and the National Bureau of Investigation (NBI), copies of the petition and its supporting documents. These agencies shall have copies of the petition posted in any public or conspicuous area in their buildings, offices and premises, and shall, within thirty (30) days from the receipt of the petition, submit to the Committee a report stating whether or not petitioner has any derogatory record on file or any such relevant and material information which might be adverse to petitioner's application for citizenship. If the petition is found by the Committee to be wanting in substance and form, the petition shall be dismissed without prejudice.

**Sec 8. APPROVAL OR DISAPPROVAL OF THE PETITION** – Within sixty (60) days from receipt of the agencies which were furnished a copy of the petition or the date of the last publication of the petition, whichever comes in later, the Committee shall consider and review all relevant and material information it has received pertaining to the petition, and may, for the purpose, call the petitioner for the interview to ascertain his/her identity, the authenticity of the petition and its annexes, and to determine the truthfulness of the statements and the declarations made in the petition and its annexes.

If the Committee shall have received any information adverse to the petition, the Committee shall allow the petitioner to answer, explain or refute the information.

Thereafter, if the Committee believes, in view of the facts before it, that petitioner has all the qualifications and none of the disqualifications required for the Philippines citizenship under this Act, it shall approve the petition and henceforth, notify the petitioner of the fact of such approval. Otherwise, the Committee shall disapprove the same.

**Sec 9. DECREE OF NATURALIZATION AND NATURALIZATION PROCESSING FEE** - Within (30) days from the receipt of the notice of the approval of his/her petition, the applicant shall pay to the Committee of the naturalization fee of One hundred thousand pesos (P100,000.00) payable as follows: Fifty thousand pesos (P50,000.00) upon the approval of the petition and Fifty thousand pesos (P50,000.00) upon the taking of the oath of allegiance to the Republic of the Philippines, immediately, a certificate of naturalization shall be issued. Within sixty (60) days from the issuance of the certificate, the petitioner shall take an oath of allegiance in the proper forum upon proof of payment of the required naturalization processing fee and certificate of naturalization. Should the applicant fail to take the abovementioned oath of allegiance within said period of time, the approval of the petition shall be deemed abandoned.

**Sec 10. DUTY OF THE BUREAU OF IMMIGRATION** – Within five (5) days after the applicant has taken his oath of allegiance as required in the preceding section, the BI shall forward a copy of the petitioner's oath to the proper local civil registrar. Thereafter, the BI shall cancel the alien certificate of registration of the applicant.

**Sec 11. STATUS OF ALIEN WIFE AND MINOR CHILDREN** – After the approval of the petition for administrative naturalization and cancellation of applicant's alien certificate of registration, applicant's alien lawful wife and minor children may file a petition for cancellation of their alien certificates of registration with the Committee subject to the payment of the filing fee of Twenty thousand pesos (P20,000.00) and naturalization fee of forty thousand pesos (P40,000.00) payable as follows: Twenty thousand pesos (P20,000.00) upon the approval of the petition and Twenty thousand pesos (P20,000.00) upon the taking of the oath of allegiance to the Republic of the Philippines.

**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 not benefit her alien husband but her minor children may file a petition for cancellation for their alien certificate of registration with the BI subject to the requirements of existing laws.

**Sec 13. CANCELLATION OF THE CERTIFICATE OF NATURALIZATION** – The Special Committee may cancel certificates of naturalization issued under this Act in the following case:

- a. If it finds that the naturalized person or his duly authorized representative made any false statement or misrepresentation or committed any violation of law, rules and regulations in connection with the petition for naturalization. Or if he otherwise obtains Philippine citizenship, fraudulently or illegally, the certificate of naturalization shall be cancelled;
- b. If the naturalized person or his wife, or any or his minor children who acquire Filipino citizenship by virtue of his naturalization shall, within (5) years following the grant of Philippine citizenship, establish permanent residence in a foreign country, that individual's certificate of naturalization or acquired citizenship shall be cancelled or revoked: Provided, that the fact that such person's remaining for more than one (1) year in his country or origin, or two (2) years in any foreign country, shall be considered prima facie evidence of intent to permanently reside therein;
- c. If the naturalized person or his wife or child with acquired citizenship allows himself or herself to be used as a dummy in violation of any constitutional or legal provision requiring Philippine citizenship as a condition for the exercise, use or enjoyment of a right, franchise or privilege, the certificate of naturalization or acquired citizenship shall be cancelled or revoked; and
- d. If the naturalized person or his wife or child with acquired citizenship commits any act inimical to national security, the certificate of naturalization or acquired citizenship shall be cancelled or revoked.

In case the naturalized person holds any hereditary title, or belong to any order of nobility, he shall make an express renunciation of his title or membership in his order of nobility before the Special Committee or its duly authorized representative, and such renunciation shall be included in the records of his application for citizenship.

Sec 14. **PENALTIES** – Any person who shall fraudulently make, falsify, forge, change, alter or cause or aid any person to do the same, or who shall purposely aid any person to do the same, or who shall purposely aid and assist in falsely making, forging, falsifying, changing or altering a naturalization certificate issued under this proceeding for the purpose of making use thereof, or in order that the same may be used by another person or persons, and any person who shall purposely aid or assist another in obtaining a naturalization certificate in violation of this Act, shall be punished by a fine of not more than Five hundred thousand pesos (P500,000.00) and by imprisonment of not more than Five (5) years, and in case that the person convicted is a naturalized citizen, his certificate of naturalization shall, if not earlier cancelled by the Special Committee, be ordered cancelled.

Sec 15. Any person who failed to register his/her birth with the concerned city or municipal civil registrar may, within two (2) years from effectivity of this Act, file a petition for the acquisition of the Philippine citizenship: Provided, That the applicant possesses all the qualifications and none of the disqualifications under this Act and subject to the requirements of existing laws.

Sec 16. **SPECIAL DISPOSITION OF THE FILING FEE** – An amount equivalent to twenty-five percent (25%) of the filing fee to be paid by the applicants pursuant to Section 7 hereof shall accrue to the University of the Philippines Law Center and another twenty-five percent (25%) shall be allotted for the publication of the Journal of the House of Representatives. Said amount shall be treated as receipts automatically appropriated.

Sec 17. **IMPLEMENTING RULES AND REGULATIONS** – The Special Committee on Naturalization is hereby authorized to promulgate such rules and regulations as may be needed for the proper implementation of the provisions of this Act.

Sec 18. **REPEALING CLAUSE** – All provisions of existing laws, orders, decrees, rules and regulations contrary to or inconsistent with this Act are hereby repealed or modified accordingly.

Sec 19. **REPARABILITY CLAUSE** – If any part, section or provision of this Act is declared invalid or unconstitutional, the part, section or provision not affected thereby shall continue to be in force and effect.

Sec 20. **EFFECTIVITY CLAUSE** - This Act shall take effect after fifteen (15) days following its publication in at least two (2) newspapers of general circulation.

Approved:

**AQUILINO Q. PIMENTEL JR.**

President of the Senate

**FELICIANO BELMONTE JR.**

Speaker of the House of Representative

This Act which originated in the House of Representative was finally passed by the House of Representatives and the Senate on February 5, 2001 and June 5,2001, respectively