

COMMONWEALTH ACT No. 63*

AN ACT PROVIDING FOR THE WAYS IN WHICH PHILIPPINE CITIZENSHIP MAY BE LOST OR REACQUIRED.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. *How citizenship may be lost.*—A Filipino citizen may lose his citizenship in any of the following ways and/or events:

(1) By naturalization in a foreign country;
(2) By express renunciation of citizenship;
(3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more: *Provided, however, That a Filipino may not divest himself of Philippine citizenship in any manner while the Republic of the Philippines is at war with any country;*

(4) By rendering services to, or accepting commission in, the armed forces of a foreign country: *Provided, That the rendering of service to, or the acceptance of such commission in, the armed forces of a foreign country, and the taking of an oath of allegiance incident thereto, with the consent of the Republic of the Philippines, shall not divest a Filipino of his Philippine citizenship if either of the following circumstances is present:*

(a) The Republic of the Philippines has a defensive and/or offensive pact of alliance with the said foreign country; or

(b) The said foreign country maintains armed forces on Philippine territory with the consent of the Republic of the Philippines: *Provided, That the Filipino citizen concerned, at the time of rendering said service, or acceptance of said commission, and taking the oath of allegiance incident thereto, states that he does so only in connection with his service to said foreign country: And provided, finally, That any Filipino citizen who is rendering service to, or is commissioned in, the armed forces of a foreign country under any of the circumstances mentioned in paragraph (a) or (b), shall not be permitted to participate nor vote in any election of the Republic of the Philippines during the period of his service to, or commission in, the armed forces of said foreign country. Upon his discharge from the service of the said foreign country, he shall be automatically entitled to the full enjoyment of his civil and political rights as a Filipino citizen;*

* As amended by RA 106, RA 2639 and RA 3834.

- (5) By cancellation of the certificates of naturalization;
- (6) By having been declared by competent authority, a deserter of the Philippine **armed forces** in time of war, unless subsequently, a plenary pardon or amnesty has been granted; and
- (7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the laws in force in her husband's country, she acquires his nationality.¹

The provisions of this section notwithstanding, the acquisition of citizenship by a natural born Filipino citizen from one of the Iberian and any friendly democratic Ibero-American countries **or from the United Kingdom** shall not produce loss or forfeiture of his Philippine citizenship if the law of that country grants the same privilege to its citizens and such had been agreed upon by treaty between the Philippines and the foreign country from which citizenship is acquired.²

Citizenship acquired in U.K., Ibero-American, and Iberian countries

SEC. 2. *How citizenship may be reacquired.*—Citizenship may be reacquired:

- (1) By naturalization: *Provided*, That the applicant possess none of the disqualifications prescribed in section two of Act Numbered Twenty-nine hundred and twenty-seven,³

¹ Words in bold in the text above are amendments introduced by RA 106, section 1, approved June 2, 1947.

Statutory History of section 1:

Original text —

SECTION 1. *How citizenship may be lost.*—A Filipino citizen may lose his citizenship in any of the following ways and/or events:

- (1) By naturalization in a foreign country;
- (2) By express renunciation of citizenship;
- (3) By subscribing to an oath of allegiance to support the constitution or laws of a foreign country upon attaining twenty-one years of age or more;
- (4) By accepting commission in the [military, naval or air service] of a foreign country;
- (5) By cancellation of the certificate of naturalization;
- (6) By having been declared, by competent authority, a deserter of the Philippine [army, navy or air corps] in time of war, unless subsequently a plenary pardon or amnesty has been granted; and

(7) In the case of a woman, upon her marriage to a foreigner if, by virtue of the law in force in her husband's country, she acquires his nationality. (Ed. Note: Words in brackets were deleted in RA 106, *supra*.)

² Words in bold in the text above are amendments introduced by RA 3834, section 1, approved June 22, 1963 to the last paragraph of section 1. Said paragraph was inserted as an amendment by RA 2639, section 1, approved June 18, 1960.

Statutory History of (last paragraph of section 1):

The provisions of the paragraph as inserted by RA 2639, being similar to the amended provisions, *supra*, except for the words in bold, are not reproduced here.

³ Now CA 473.

(2) By repatriation of deserters of the Army, Navy or Air Corp: *Provided*, That a woman who lost her citizenship by reason of her marriage to an alien may be repatriated in accordance with the provisions of this Act after the termination of the marital status;⁴ and

(3) By direct act of the National Assembly.

SEC. 3. *Procedure incident to reacquisition of Philippine citizenship.*— The procedure prescribed for naturalization under Act Numbered Twenty-nine hundred and twenty-seven,⁵ as amended, shall apply to the reacquisition of Philippine citizenship by naturalization provided for in the next preceding section: *Provided*, That the qualifications and special qualifications prescribed in sections three and four of said Act shall not be required: *And provided, further*,

(1) That the applicant be at least twenty-one years of age and shall have resided in the Philippines at least six months before he applies for naturalization;

(2) That he shall have conducted himself in a proper and irreproachable manner during the entire period of his residence in the Philippines, in his relations with the constituted government as well as with the community in which he is living; and

(3) That he subscribes to an oath declaring his intention to renounce absolutely and perpetually all faith and allegiance to the foreign authority, state or sovereignty of which he was a citizen or subject.

SEC. 4. Repatriation shall be effected by merely taking the necessary oath of allegiance to the Commonwealth⁶ of the Philippines and registration in the proper civil registry.

SEC. 5. The Secretary of Justice shall issue the necessary regulations for the proper enforcement of this Act. Naturalization blanks and other blanks required for carrying out the provisions of this Act shall be prepared and furnished by the Solicitor General, subject to approval of the Secretary of Justice.

SEC. 6. This Act shall take effect upon its approval.

Approved, October 21, 1936.

⁴ See PD 725 promulgated June 5, 1975 providing for repatriation of Filipino women who had lost their Philippine citizenship by marriage to aliens.

⁵ Now CA 473.

⁶ Now Republic.

RELATED STATUTES

- CA 473 (Effective June 17, 1939)
For naturalization law.
- CA 625 (Effective June 7, 1941)
Providing for the manner in which the option to elect Philippine citizenship shall be declared by a person whose mother is a Filipino citizen.
- RA 386, Title II (Effective August 1, 1949)
For those who are considered Filipino citizens.
- RA 965 (Effective June 20, 1953)
Providing for reacquisition of Philippine citizenship by persons who lost such citizenship by rendering service in the Armed Forces of an allied foreign country.
- RA 2630 (Effective June 18, 1960)
Providing for reacquisition of Philippine citizenship by persons who lost their citizenship by rendering service in the Armed Forces of the United States.
- PD 725 (Effective June 5, 1975)
Providing for repatriation of Filipino women who had lost their Philippine citizenship by marriage to aliens and of natural born Filipinos.
- PD 836 (Effective December 3, 1975)
Granting citizenship to deserving aliens and other purposes.