



MC No. 23, s. 2016

### MEMORANDUM CIRCULAR

**TO :** ALL HEADS OF CONSTITUTIONAL BODIES; DEPARTMENTS, BUREAUS AND AGENCIES OF THE NATIONAL GOVERNMENT; LOCAL GOVERNMENT UNITS; GOVERNMENT-OWNED OR CONTROLLED CORPORATIONS WITH ORIGINAL CHARTERS; AND STATE UNIVERSITIES AND COLLEGES

**SUBJECT :** Policy on Employment in the Government Service of Filipino Citizens with Dual Citizenships

Pursuant to CSC Resolution No. 1600908 dated August 11, 2016, the Commission approved the following policy on the employment in the government service of Filipino citizens with dual citizenships:

1. A person with dual citizenship shall not be appointed in the government unless he/she renounces his/her foreign citizenship pursuant to the provisions of Republic Act No. 9225. However, if after renunciation, the person continues to use his/her foreign passport for whatever purposes, he/she shall not be considered for appointment in the government service.<sup>1</sup>
2. The right to be appointed to any public office in the Philippines cannot be exercised by, or extended to, those who are candidates for or are occupying any public office in the country of which they are naturalized citizens and/or are in active service as commissioned or non-commissioned officers in the armed forces of the country of which they are naturalized citizens.<sup>2</sup>
3. Incumbent government employees who have dual citizenships shall be given six (6) months from the effectivity of this Resolution to renounce their foreign citizenship and take their oath of allegiance to the Republic of the Philippines. Otherwise, the prior approval/validation of their appointment shall be recalled.

This Memorandum Circular shall take effect fifteen (15) days after the publication of CSC Resolution No. 1600908 dated August 11, 2016 in a newspaper of general circulation.

  
ALICIA dela ROSA-BALA  
Chairperson

15 SEP 2016

CSC Resolution No. 1600908 dated August 11, 2016 was published on September 9, 2016 in the Philippine Star.

<sup>1</sup> Item 3, Section 5, Republic Act No. 9225 (Citizenship Retention and Re-acquisition Act of 2003)

<sup>2</sup> Item 5, op.cit.





**Policy on Employment in the Government  
Service of Filipino Citizens with Dual  
Citizenships**

**Number:** 1600908

**Promulgated:** 11 AUG 2016

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**RESOLUTION**

**WHEREAS**, Section 12 (2), Chapter 3, Subtitle A, Title I, Book V of Executive Order No. 292 conferred on the Civil Service Commission the power to “prescribe, amend and enforce rules and regulations for carrying into effect the provisions of the Civil Service Law and other pertinent laws”;

**WHEREAS**, Section 12 (14), Chapter 3, Subtitle A, Title I, Book V of Executive Order No. 292 provides that the Civil Service Commission shall take appropriate action on all appointments and other personnel matters in the Civil Service;

**WHEREAS**, pursuant to Section 18, Article XI of the 1987 Constitution and Section 33, Chapter 9 of Executive Order No. 292, public officers and employees owe the State and the Constitution allegiance at all times and any public officer or employee who seeks to change his/her citizenship or acquire the status of an immigrant of another country during his/her tenure shall be dealt with by law;

**WHEREAS**, Item 3, Section 5 of Republic Act No. 9225, otherwise known as the Citizenship Retention and Re-Acquisition Act of 2003 states that 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;

**WHEREAS**, a review of the jurisprudence involving cases of government officials and employees with dual citizenships showed that such cases are limited to elective officials only;

**WHEREAS**, despite the implementation of RA 9225, there are no cases filed against dual citizens appointed in the government service; and that there are no monitoring mechanisms installed to identify government officials and employees with dual citizenships;

**WHEREAS**, the Commission has received queries and clarifications on the employment status of those with dual citizenships working in the government;

**WHEREAS**, to put things in proper perspective, there is a need to issue a policy governing the employment in the government service of Filipino citizens with dual citizenships;



*In a R.A.C.E. to Serve: Responsive, Accessible, Courteous and Effective Public Service*

**WHEREFORE**, the Civil Service Commission **RESOLVES** to **APPROVE** the following policy on the employment in the government service of Filipino citizens with dual citizenships:

1. A person with dual citizenship shall not be appointed in the government unless he/she renounces his/her foreign citizenship pursuant to the provisions of Republic Act No. 9225. However, if after renunciation the person continues to use his/her foreign passport for whatever purposes, he/she shall not be considered for appointment in the government service.<sup>1</sup>
2. The right to be appointed to any public office in the Philippines cannot be exercised by, or extended to, those who are candidates for or are occupying any public office in the country of which they are naturalized citizens and/or are in active service as commissioned or non-commissioned officers in the armed forces of the country of which they are naturalized citizens.<sup>2</sup>
3. Incumbent government employees who have dual citizenships shall be given six (6) months from the effectivity of this Resolution to renounce their foreign citizenship and take their oath of allegiance to the Republic of the Philippines. Otherwise, the prior approval/validation of their appointment shall be recalled.

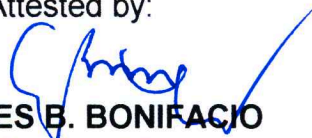
This Resolution shall take effect after fifteen (15) days from its publication in a newspaper of general circulation.

Quezon City,

  
**ALICIA dela ROSA-BALA**  
Chairperson

  
**ROBERT S. MARTINEZ**  
Commissioner

**VACANT**  
Commissioner

Attested by:  
  
**DOLORES B. BONIFACIO**  
Director IV  
Commission Secretariat and Liaison Office

HRPSO/APE/JLT/MGC

<sup>1</sup> Item 3, Section 5, Republic Act No. 9225 (Citizenship Retention and Re-acquisition Act of 2003)

<sup>2</sup> Item 5, op.cit.