



MC No. 08, s. 2017

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 : Clarification on the Policy on Employment in the Government Service of Filipino Citizens with Dual Citizenship; CSC MC No. 23, s. 2016

Pursuant to CSC Resolution No. 1700657 dated March 21, 2017, the Commission clarified that CSC MC No.23, s. 2016 covers only natural born Filipino citizens who were naturalized in another country, and later on reacquired their Filipino citizenship. Those who were born to Filipino parents in another state which follows the principle of jus soli are not required to renounce their citizenship.

Therefore, Filipino citizens whose foreign citizenship was acquired by birth is not covered by CSC MC No. 23, s. 2016.

This Memorandum Circular shall take effect immediately.


ALICIA dela ROSA-BALA
Chairperson

21 MAR 2017



**Clarification on the Policy on
Employment in the Government
Service of Filipino Citizens with Dual
Citizenship; CSC MC No. 23, s. 2016**

Number: 1700657
Promulgated: 21 MAR 2017

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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, Republic Act No. 9225, otherwise known as the “Citizenship Retention and Re-Acquisition Act of 2003” declared that former natural-born citizens of the Philippines who lost their Philippine citizenship by reason of their naturalization as citizens of a foreign country are deemed to have re-acquired Philippine citizenship;

WHEREAS, Item 3, Section 5 of Republic Act No. 9225, 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 to office; provided that they renounce their oath of allegiance to the country where they took that oath;

WHEREAS, the Commission approved the Policy on Employment in the Government Service of Filipino Citizens with Dual Citizenship through Resolution No. 1600908 on August 11, 2016 and disseminated through CSC MC No. 23, s. 2016;

WHEREAS, the Commission, in the said policy, gave incumbent government employees who have dual citizenship six (6) months from the effectivity of the Resolution (September 24, 2016) to renounce their foreign citizenship. Otherwise the prior approval/validation of their appointment shall be recalled;

WHEREAS, following the issuance of CSC MC No. 23, s. 2016, the Commission received several queries from individuals regarding the application of the said policy to individuals who were born to Filipino parents in a state which follows the doctrine of jus soli (citizenship by birth), resulting in dual citizenship;

WHEREAS, these concerned individuals who have dual citizenship by birth seek clarification on whether they are barred from entering government service or, if already employed in government, whether they should renounce their foreign citizenship;

WHEREAS, the Commission clarifies that CSC MC No. 23, s. 2016 covers only natural born Filipino citizens who were naturalized in another country, and later on reacquired their Filipino citizenship. Those who were born to Filipino parents in another state which follows the principle of jus soli are not required to renounce their citizenship.

WHEREFORE, the Civil Service Commission **RESOLVES** that Filipino citizens whose foreign citizenship was acquired by birth is not covered by CSC MC No. 23, s. 2016.

This Resolution shall take effect immediately.

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