



Republic of the Philippines  
**COMMISSION ON ELECTIONS**  
Intramuros, Manila

IN THE MATTER OF AMENDING  
SECTION 4 RULE II OF  
RESOLUTION NO. 9984<sup>1</sup> AND THE  
FORMS OF THE CERTIFICATES OF  
CANDIDACY.

Bautista, J.A.D., *Chairman*  
Lim, C.R.S., *Commissioner*  
Parreño, A.A., *Commissioner*  
Guia, L.T.F., *Commissioner*  
Lim, A.D., *Commissioner*  
Guanzon, M.R.A.V., *Commissioner*  
Abas, S.M., *Commissioner*

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Promulgated: September 17, 2015 *re*

**RESOLUTION NO. 9989**  
*Official*

**WHEREAS**, on 18 August 2015, the Commission *En Banc* promulgated Resolution No. 9984, including the COC forms;

**WHEREAS**, Congress enacted Republic Act No. 9225, also known as the Citizenship Retention and Re-acquisition Act of 2003, Section 5 (2) of which states:

**“Section 5. Civil and Political Rights and Liabilities** - Those who retain or re-acquire Philippine citizenship under this Act shall enjoy full civil and political rights and be subject to all attendant liabilities and responsibilities under existing laws of the Philippines and the following conditions:

xxx                      xxx                      xxx

<sup>1</sup> “Rules And Regulations Governing: 1) Political Conventions; 2) Submission Of Nominees Of Groups Or Organizations Participating Under The Party-List System Of Representation; 3) Filing Of Certificates Of Candidacy And Nomination Of And Acceptance By Official Candidates Of Registered Political Parties Or Coalitions Of Political Parties; And 4) Filing Of Accreditation For The Purpose Of Determining The Dominant Majority Party, Dominant Minority Party, Ten (10) Major National Parties And Two (2) Major Local Parties In Connection With The May 9, 2016 National And Local Elections.”

*re*

(2) Those seeking elective public in the Philippines shall meet the qualification for holding such public office as required by the Constitution and existing laws and, at the time of the filing of the certificate of candidacy, make a personal and sworn renunciation of any and all foreign citizenship before any public officer authorized to administer an oath;"

**WHEREAS**, on 18 August 2015, the Supreme Court, in the case of *Arnado vs. COMELEC and Capitan*, G. R. No. 210164 ruled:

"Under Section 4(d) of the Local Government Code, a person with "dual citizenship" is disqualified from running for any elective local position. In *Mercado v. Manzano*, it was clarified that the phrase "dual citizenship" in said Section 4(d) must be understood as referring to "dual allegiance." Subsequently, Congress enacted RA 9225 allowing natural born citizens of the Philippines who have lost their Philippine citizenship by reason of their naturalization abroad to reacquire Philippine citizenship and to enjoy full civil and political rights upon compliance with the requirements of the law. **They may now run for public office in the Philippines provided that they: (1) meet the qualifications for holding such public office as required by the Constitution and existing laws; and, (2) make a personal and sworn renunciation of any and all foreign citizenships before any public officer authorized to administer an oath prior to or at the time of filing of their COC.**" (emphasis supplied)

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**WHEREAS**, considering the above Supreme Court decision, there is a need to amend the guidelines and include in the forms of the Certificates of Candidacy an item on the compliance by candidates who are dual citizens of the requirements of Republic Act No. 9225, if applicable.

**NOW, THEREFORE**, the Commission *En Banc* by virtue of the 1987 Constitution, the Omnibus Election Code, Republic Act No. 7941, Republic Act No. 7166, Republic Act No. 9369, and other election laws, hereby **RESOLVES** to **AMEND** said Section, including the forms thereof, to read as follows:

**For the guidelines:**

**"Section 4. Contents and Form of Certificate of Candidacy.** - The COC shall be under oath and shall state:

- a. office aspired for;
- b. name of the aspirant;
- c. age;

- d. gender;
- e. civil status;
- f. place and date of birth;
- g. citizenship, whether natural-born or naturalized;
- h. the duly registered PP or Coalition to which the aspirant belongs, if any;
- i. if married, the name of the spouse;
- j. address for election purposes;
- k. legal residence, giving the exact address and the number of years residing in:
  - i) the Philippines and whenever applicable,
  - ii) the place where the aspirant intends to be elected up to the day before the election;
- l. the barangay, city or municipality and province where the aspirant is a registered voter or will be a registered voter;
- m. profession or occupation or employment;
- n. that the aspirant is eligible for said office;
- o. **that I executed a sworn renunciation of foreign citizenship; (if applicable, attach a copy)**
- p. that the aspirant is not a permanent resident or an immigrant to a foreign country;
- q. that the aspirant will file, with the Commission, within 30 days after Election Day, a full, true and itemized Statement of Contributions and Expenditures (SOCE) in connection with the election;
- r. that the aspirant will support and defend the Constitution of the Republic of the Philippines and will maintain true faith and allegiance thereto;
- s. that the aspirant will obey the laws, legal orders, decrees, resolutions, rules and regulations promulgated and issued by the duly constituted authorities;
- t. that the aspirant assumes the foregoing obligations voluntarily without mental reservation or purpose of evasion;
- u. that the facts stated in the certificate are true and correct to the best of the aspirant's knowledge;

xxx                      xxx                      xxx

**For the forms:**

- 8. I AM A NATURAL BORN FILIPINO CITIZEN.
- 9. I AM NOT A PERMANENT RESIDENT OF, OR AN IMMIGRANT TO, A FOREIGN COUNTRY.
- 10. **I EXECUTED A SWORN RENUNCIATION OF FOREIGN CITIZENSHIP. (if applicable, attach a copy)**

xxx                      xxx                      xxx

This Resolution shall take effect on the seventh ( 7<sup>th</sup>) day after its publication in two daily newspapers of general circulation in the Philippines.

Let the Education and Information Department cause the publication of this Resolution in two daily newspapers of general

circulation in the Philippines and furnish copies of this Resolution to all field officials of the Commission.

SO ORDERED.

*concur with the reservation of Com C. Lim*

J. ANDRES D. BAUTISTA

Chairman

*with reservation that, due to time constraints, candidates who are CoC Admins under Res. No. 9984 are not subject to disqualification + cancellations.*

CHRISTIAN ROBERT S. LIM

Commissioner

AL A. PARRENO

Commissioner

*subject to intensive awareness/consultation campaign and addressing the concern of Comm. Lim and Com ASio*

LUIE TITO F. GUIA

Commissioner

ARTHUR D. LIM

Commissioner

MA. ROWENA AMELIA V. GUANZON

Commissioner

SHERIFF M. ABAS

Commissioner

*- with reservation, I join the comment of Comm. Christian Robert Lim*