

[Act No. 3426, December 09, 1927]

AN ACT TO PROVIDE FOR MARINE EXAMINATIONS AND FOR OTHER PURPOSES.

Be it enacted by the Senate and House of Representatives of the Philippines in Legislature assembled and by the authority of the same:

SECTION 1. Section eleven hundred and eighty-four of the Administrative Code as amended by Acts Numbered Twenty-eight hundred and fifty-two and Thirty-one hundred and seventy-seven is hereby further amended to read as follows:

"SEC. 1184. *Organization of the Board of Marine Examiners.*—There shall be maintained in the Bureau of Customs at Manila an Office of Marine Examiners which shall be occupied and used by the Boards of Marine Examiners for Deck Officers and the Board of Examiners for Engineer Officers. The former shall consist of three master mariners one of whom may be of the Government service, and the latter of three chief engineers, one of whom may be of the Government service. The members of the two boards above mentioned shall be appointed by the Secretary of Finance at the recommendation of the Insular Collector of Customs, within not more than one month before each call and shall automatically cease upon submission of their certified report, under oath, of the result of the examination. The Insular Collector of Customs shall appoint, with the approval of the Secretary of Finance, an officer or employee of the Bureau of Customs to act as Secretary of the Boards of Marine Examiners. It shall be the duty of the Secretary to record, take charge of, and keep all proceedings, documents, and other papers of the Boards of Marine Examiners, to pass upon application for marine examinations and to perform such other duties as the Secretary of Finance may prescribe in connection with marine examinations other than as a marine examiner."

SEC. 2. Section eleven hundred eighty-five of the Administrative Code as amended by Act Numbered Thirty-one hundred and seventy-seven is hereby further amended to read as follows:

"SEC. 1185. *Functions of the Boards.*—It shall be the duty of said Boards of Marine Examiners to conduct marine examinations of persons applying for certificates as deck or engineer officers under the provisions hereof, to impose such corrective measures in connection with such examinations as may be necessary, and to certify under oath the successful candidates in such examinations for certificate as master, mate, marine engineer, motor engineer, or patron, as the case may be."

SEC. 3. Section eleven hundred eighty-nine of the Administrative Code is hereby amended to read as follows:

"SEC. 1189. *Examination into moral and technical qualifications of applicants.*—Except as otherwise specially provided, an applicant for a marine certificate shall be required to undergo a technical examination on the subjects hereinafter stated. To obtain a certificate he must show a

proficiency in the subjects upon which he is examined and shall answer correctly at least seventy-five per cent of the questions propounded to him. It shall be the duty of the Boards of Marine Examiners to make a thorough inquiry into the character of the applicant and to consider the evidence he presents in support of his application and such other relevant evidence as the Boards shall deem proper. In this connection the Boards may consider the statement, written or oral, of any person cognizant of the qualifications of the applicant, and may, in its discretion, require the production of the ships' journals and logbooks for inspection.

"The Boards of Examiners for decks officers in examining an applicant for a certificate as master or mate shall inquire into his character and habits, his knowledge of seamanship and navigation in its various branches, his capacity and skill in the loading and unloading of ships, and in handling and stowing freight, and all other knowledge which the Boards believe he should possess in order to properly perform his duties as master or mate.

"An applicant for the certificate as patron in the major coastwise trade shall prove to the satisfaction of the Board that he possesses the knowledge necessary for navigating in all the Philippine seas.

"An applicant for certificate as patron in the limited coastwise trade shall be required to show to the Board that he possesses practical knowledge for navigating on the limited waters for which he requests a certificate.

"An applicant for admission to the examination as patron for harbor, bay, lake, and river shall produce to the Board evidence, satisfactory to it showing that he possesses the knowledge necessary for navigating in the harbor, bay, lake, and river for which he seeks a certificate.

"The Board of Examiners for engineer officers in examining an applicant for a certificate as marine engineer shall inquire into his theoretical and practical knowledge of the operation and repair of all classes of marine machinery; also into his practical experience, character and habits, and the Board may, in its discretion, make such practical tests and examination of the applicant as it may deem necessary to demonstrate his fitness for the position for which he seeks a certificate.

"The Board in examining an applicant for certificate as motor engineer shall inquire into his theoretical and practical knowledge in the operation and repair of internal combustion engines, his practical experience, character, and habits as the Board may believe that he should possess in order to properly perform his duties as such motor engineer.

"The examinations shall be theoretical and practical for masters, mates, marine engineers, motor engineers, and major patrons, and practical only for minor patrons, bay, river and lake patrons, and bay, river and lake motor engineers. The theoretical examinations shall be made in writing. Practical examinations may be made orally. There shall be an extensive permanent schedule of subjects prepared for each certificate, which shall not be modified or extended within six months immediately before the holding of such examination. The examination papers shall not be signed and the authors thereof shall be identified by means of slips

enclosed in envelopes which shall not be opened until after the ratings have been given. In order to determine the general average of each candidate such oral examination as in the opinion of the Boards may be necessary shall be conducted in the presence of all the members of the corresponding board, but no rating above twenty per cent shall be given to any oral examination. The schedule and regulations by which marine examinations are to be governed shall be promulgated by the Secretary of Finance, and for this purpose he shall from time to time as may be necessary and convenient appoint a committee to study, revise, and prepare such schedule and regulations. There shall be held in the Port of Manila yearly marine examinations in the months of January and July."

SEC. 4. Section eleven hundred ninety of the Administrative Code is hereby amended to read as follows:

"SEC. 1190. *Reservation in favor of American officers.*—The holder of an unexpired license as master, mate, or engineer of any ocean issued under the laws of the United States shall be entitled to obtain a certificate of the same grade in the Philippine Islands without being subject to the requirements hereinabove specified other than the physical examination and the payment of the required fees."

SEC. 5. Section eleven hundred and ninety-one of the Administrative Code is hereby amended to read as follows:

"SEC. 1191. *Qualifications required of candidates for master, mate, and patron.*—Besides the physical examination and other evidence relative to habits and character herein required, candidates for master, mate, and patron, shall have the following qualifications:

"(a) Master: An applicant for a certificate as master shall be not less than twenty-five years of age at the time of filing his application, and shall produce to the Board evidence, satisfactory to it, showing that he has served, on a seagoing vessel in the capacity of first mate with a certificate as such for at least two years, one year of which shall be on vessels of five hundred gross tons or over.

"(b) First mate: An applicant for a certificate as first mate shall produce to the Board evidence, satisfactory to it, showing that he has served on a seagoing vessel in the capacity of second mate, with a certificate as such, for at least one year.

"(c) Second mate: An applicant for certificate as second mate shall produce to the Board evidence, satisfactory to it, showing that he has served on a seagoing vessel in the capacity of third mate, with a certificate as such, for at least one year.

"(d) Third mate: An applicant for a certificate as third mate shall be not less than nineteen years of age and shall produce a certificate of graduation from the Philippine Nautical School or from any other officially recognized nautical school after having completed the second year high school or its equivalent, and shall further be required to present to the Board evidence, satisfactory to it, showing that he has served as an apprentice mate, at least eighteen months in a seagoing sailing vessel, or

at least twenty-four months in a seagoing steam or motor vessel. Major patrons who on the approval of this Act were acting as masters on vessels of two hundred tons or over may apply for examination for a third mate's certificate after two years of such service: *Provided*, That apprentice mates who are actually navigating as such on or prior to the approval of this Act shall be required to present to the Board evidence, satisfactory to it, showing that they have successfully passed the second year high school or its equivalent in any recognized school, and that they have shipped or acted as *agregado* or *piloto* for at least two years on a seagoing vessel.

"(c) Patron: In order to be admitted to examination for patron in the major coastwise trade, the applicant shall be at least twenty-five years of age and shall produce to the Board a certificate, satisfactory to it, showing that he has passed the intermediate school or its equivalent in an officially recognized school and that he has navigated in the major coastwise trade as boatswain, quartermaster, sailor, or apprentice mate on a seagoing vessel navigating in the Philippine coastwise trade of not less than two hundred fifty tons gross for a period of at least five years, or that he has navigated as patron or mate in the coastwise trade with a certificate of minor patron for at least three years.

"An applicant for admission to the examination for patron in the minor coastwise trade shall be not less than twenty-three years of age and shall produce to the Board evidence, satisfactory to it, showing that he has passed the intermediate school or its equivalent in an officially recognized school and that he has navigated on a seagoing vessel of thirty gross tons or over for a period of not less than five years as boatswain or quartermaster or sailor.

"An applicant for admission to the examination as patron for harbor, bay, lake and river shall be at least twenty- three years of age, must know how to read and write English or Spanish, and shall produce to the Board evidence, satisfactory to it, showing that he has navigated on board of a vessel or launch of three tons or over for a period of not less than five years as quartermaster or sailor."

SEC. 6. Section eleven hundred ninety-two of the Administrative Code is hereby amended to read as follows:

"SEC. 1192. *Qualifications required of candidates for the certificate as engineer.*—Besides the physical examination to and other evidence relative to moral qualifications herein required, candidates for marine and motor engineers shall have the following qualifications:

"Marine engineers:

"(a) Chief engineer: An applicant for certificate as chief engineer shall be not less than twenty-five years of age at the time of filing his application and shall be required to produce to the Board evidence, satisfactory to it, showing that he has served on a seagoing steamer in the capacity of second engineer, with a certificate as such, for at least two years.