

[ Act No. 2614., February 04, 1916 ]

**AN ACT TO AMEND ACT NUMBERED TWENTY-FIVE HUNDRED AND SEVEN ENTITLED "AN ACT PROVIDING FOR A BOARD OF MARINE EXAMINERS, FOR THE EXAMINATION AND LICENSING OF WATCH OFFICERS AND ENGINEERS ON PHILIPPINE VESSELS IN THE COASTWISE TRADE FOR AND FOR THE HIGH SEAS LICENSE FEES, COMPENSATION, AND PENALTIES, IN CERTAIN CASES, REPEALING CERTAIN ACTS RELATING THERETO."**

*By authority of the United States, be it enacted by the Philippine Legislature, that:*

**SECTION 1.** Section one of Act Numbered Twenty-five hundred and seven is hereby amended to read as follows:

"SECTION 1. Board of marine examiners.-There shall be maintained in the Bureau of Customs a Board of Marine Examiners to consist of five members, to wit: The Insular Collector of Customs, as president; the supervising inspector of hulls and boilers; an assistant inspector of hulls, and a master and a chief engineer in the Philippine merchant marine, not employees of the Government of the Philippine Islands, as members. The three latter members shall be designated by the Secretary of Finance and Justice, and the Insular Collector of Customs a competent person to serve as secretary.

"Any three members of the board, shall constitute a quorum for the transaction of business."

SEC. 2. Section six of the Act mentioned is hereby amended to read as follows:

"SEC. 6. *Examination into moral and technical qualifications of applicants.*-Except as otherwise specially provided, an applicant for 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 per cent of the questions propounded to him. It shall be the duty of the Board of Marine Examiners to make through 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 board shall deem proper. In this connection the board 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 ships' journals and log books for inspection.

"Any candidate suspended in an examination shall not be reexamined until after six months.

"The board in examining an applicant for a certificate as mate or master shall inquire into his knowledge of seamanship and navigation in its various branches, his capacity and skill in lading and unlading the ship, and in handling and storing freight and all other knowledge which the board believes he should possess in order to properly perform his duties as mate or master.

"The board in examining an applicant for a certificate as engineer shall inquire into

his knowledge of the operation of steam and internal combustion machinery of all classes, also as to his practical experience, character and habits, and the board may, in its discretion, make such practical tests and examinations of the applicant as it may deem necessary to demonstrate his fitness for the position for which he seeks a certificate.

"The holder of a license as master, mate, or engineer under the laws of the United States shall be entitled to obtain a license of the same grade in the Philippine coastwise service without being subject to these requirements other than the physical examination and the payment of the fees hereinafter specified; but if he desires to secure the certificate mentioned in section twelve of this Act, he shall be required to take the necessary examination."

SEC. 3. Section seven of said Act is hereby amended to read as follows:

"SEC. 7. *Qualifications required of candidates for master, mate, and patron.*- (a) Master: An applicant for certificate as master shall be not less than twenty-five years of age at the time of filing the 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 one year.

"(b) First mate: An applicant for 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. Service as patron on vessels of two hundred tons shall be deemed the equivalent of service as third mate upon application for examination for a second mate's certificate.

"(d) Third mate: An applicant for a certificate as third mate shall be not less than nineteen years of age, and shall be required to present to the board evidence, satisfactory to it, showing that he has successfully passed the second year of high school, or its equivalent, in an officially recognized school, which shall be proved by the exhibition of his certificates of study, and that he has shipped or acted as *agregado a piloto* for at least two years in a seagoing sailing vessel or steamer: *Provided, however,* That *agregados* serving as such on sailing vessels or steamships upon the passage of this Act shall be entitled to examination after eighteen months of navigation: *And provided further,* That an applicant producing a certificate of graduation from the Philippine Nautical School who has served as *agregado a piloto* for at least twelve months in a seagoing sailing vessel or at least eighteen months in a seagoing steamer, shall, in order to obtain a certificate as third mate, not be required to take a technical examination, but shall be required to undergo a physical examination and produce all other evidence relative to his habits and character.

"(e) 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 navigated in the major coastwise trade as boatswain, quartermaster, or *agregado* on a steamship or sailing vessel of not less than two hundred and fifty tons for a period of at least five years: *Provided, however,* That in case the applicant is patron in the

minor coastwise trade, only two years of navigation in such vessels shall be required of him.

"An applicant for admission to the examination for patron in the minor coastwise trade shall be at least twenty-three years of age and shall produce to the board evidence, satisfactory to it, showing that he has navigated on a sailing vessel or steamship of thirty gross tons or over for a period of not less than three years as boatswain, quartermaster, or sailor.

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

"An applicant for the certificate as patron in the minor coastwise trade shall be required to show to said board that he possesses practical knowledge for navigating the seas, rivers, or lakes of the Philippine Archipelago for which he requests a certificate. Certificates for the minor coastwise trade shall be limited to the seas, bays, rivers, and lakes in " which the applicant has shown to have the knowledge above mentioned."

SEC. 4. Section eight of said Act is hereby amended to read as follows:

"SEC. 8. *Qualifications required of candidates for the certificate as engineer.-* (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 certificate as such, for at least two years.

"(b) Second engineer: An applicant for certificate as second engineer 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 third engineer, with a certificate as such for at least one year.

"(c) Third engineer: An applicant for certificate as third engineer 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 fourth engineer, with certificate as such, for at least one year.

"(d) Fourth engineer: An applicant for certificate as fourth engineer shall produce to the board evidence, satisfactory to it, showing that he has passed through the primary or intermediate schools, or their equivalents in officially recognized schools, and that he has served on steam launches or vessels as *agregado*, oiler, or fireman for at least two years and has been working two years in a machine shop as operative, and he must be at least nineteen years of age: *Provided*, That aspirants to engineer who, at the date of the passage of this Act, are serving as such aspirant on steam vessels shall be entitled to take the examination after complying with the requirements imposed by the laws in force before the present Act took effect."

SEC. 5. Section ten of said Act is hereby amended to read as follows:

"SEC. 10. *Issuance of certificate; classes of same.-*Candidates for mate and master

having passed the examination shall be entitled to have the proper certificate issued to them which will entitle them to navigate on all seas if they have shown in said examination, to the satisfaction of the board, that they possess the knowledge necessary for navigating on all seas, and have, besides, navigated on the certificate immediately inferior on vessels of six hundred gross tons or over for at least one year: *Provided, however,* That those who have so navigated and taken the examination during the year nineteen hundred and fifteen may also obtain a certificate for all seas, notwithstanding their having navigated only on a coastwise certificate, but immediately inferior. And if they should already have had a coastwise certificate issued to them, they may exchange the same for another of the same category for all seas, without any further requisite than the payment of the difference in the fees prescribed for the two certificates. In any other case, the candidates may only obtain the corresponding coastwise certificate."

SEC. 6. Section eleven of said Act is hereby amended to read as follows:

"SEC. 11. *Recognition of old licenses and certificates.*-All licenses as master, mate, or engineer in the coastwise trade existing before this Act became effective, issued by the Insular Collector of Customs, and all certificates as master, mate, or engineer of any kind issued by the Spanish government to a native of these Islands shall entitle the holder to have such licenses or certificates exchanged for a certificate of the same category to navigate on all seas, without necessity of further requirements, except the payment of fees as established in section sixteen of this Act for holders of licenses, and said fees, physical examination, and evidence as to character for those who" only have Spanish government certificates.

"The present holders of licenses as patrons on seas, bays, rivers, or lakes, with the right to command vessels of less than one hundred tons, shall be entitled to have said licenses exchanged for certificates as patron in the minor coastwise trade, which shall capacitate them for commanding steamships or sailing vessels of less than one hundred gross tons on the seas, rivers, and lakes where they have acquired their experience; and the present holders of licenses as patron on vessels of from one hundred to one hundred and ninety-nine gross tons and from two hundred to two hundred and fifty-gross tons shall be entitled to have said licenses exchanged for certificates, the former as patron in the minor coastwise trade and the latter as patron in the major coastwise trade, which certificates shall capacitate them for commanding sailing vessels or steamships of the same tonnage on which they are now entitled to navigate, on the same seas or parts of the sea on which they are now authorized to do so.

"Any person holding a license as river and harbor engineer shall be entitled to have said license exchanged for a certificate as fourth engineer, which will entitle him to promotion upon examination, as provided by this Act, if he is duly qualified.

"Persons holding licenses as chief engineer on vessels of two hundred tons (chief of two hundred tons) shall be entitled to have said licenses exchanged for certificates as third engineer. Persons holding licenses as chief engineer for vessels of more than two hundred tons and up to four hundred and fifty tons, inclusive, shall have said licenses exchanged for certificates as second engineer. Holders of licenses as first engineer on vessels of over four hundred and fifty tons shall be entitled to have said licenses exchanged for certificates as chief engineer. The former two shall be entitled to promotion upon examination in the manner provided in this Act, if they