

[PRESIDENTIAL DECREE NO. 97, January 13, 1973]

REGULATING THE PRACTICE OF THE MARINE PROFESSION IN THE PHILIPPINES.

WHEREAS, the regulation of marine profession is still left to the Revised Administrative Code despite the growth and progress of the profession;

WHEREAS, there is a need to promulgate a set of updated and responsive rules to regulate this vital profession; and

WHEREAS, there was passed by the Lower House of Congress prior to the promulgation of Proclamation No. 1081, dated September 21, 1972, a bill entitled "An Act Regulating the Practice of the Marine Profession in the Philippines" and denominated as H.B. No. 919;

NOW, THEREFORE, I, FERDINAND E. MARCOS, President of the Philippines, by virtue of the powers vested in me by the Constitution as Commander-in-Chief of all the Armed Forces of the Philippines, and pursuant to Proclamation No. 1081, dated September 21, 1972, and General Order No. 1, dated September 22, 1972, as amended, do hereby order and decree:

SECTION 1. This Decree shall be known as the Philippine Merchant Marine Officers Law.

SEC. 2. Terms. — Within the application of this Act, the following terms shall be used:

- a. *Merchant Marine Vessel* — shall apply only to commercial ships, propelled by machinery, public or private, strictly engaged in maritime commerce, both foreign and local trade, vessels engaged in the training of cadets for the marine profession, and non-combatant vessels of the Philippine Navy engaged in operations similar to a commercial ship.
- b. *Marine Officer* — shall refer to both Deck and Engine Officers.
- c. *Deck Officer* — shall refer to a duly licensed and registered 1st (Chief), 2nd or 3rd Mate, including Major, Minor, and Bay, Lake, River, and Harbor Patrons.
- d. *Engine Officer* — shall refer to a duly licensed and registered 1st (Chief), 2nd, 3rd and 4th Marine and Motor Engineers.
- e. *Marine Engineers* — shall refer to a duly licensed 1st (Chief), 2nd, 3rd and 4th Marine engineers.
- f. *Motor Engineers* — shall refer to a duly licensed motor engineer, whose category falls as Bay, River and Harbor Engineers.
- g. *Examiner* - shall refer to a member of the Board of Examiners for Deck Officers,
or a member of the Board of Examiners for Engine Officers.

SEC. 3. Objectives. — This Act provides for and shall govern:

- a. The examination, registration and issuance of license of certified marine officers; and
- b. The supervision, control and regulation of the practice of the marine profession in the Philippines.

SEC. 4. *Implementation.* — For the purpose of implementing the provisions of this Act, the following Board shall be created:

- a. Board of Examiners for Deck Officers;
- b. Board of Examiners for Engine Officers.

SEC. 5. *Composition and Duties.* —

- a. The Board of Examiners for Deck Officers shall be composed of three Master Mariners, one to act as Chairman and the other two as members, all of whom shall be appointed by the President of the Republic of the Philippines, and confirmed by the Commission on Appointments.
- b. The Board of Examiners for Engine Officers shall be composed of three Chief Marine Engineers, one to act as Chairman and the other two as members, all of whom shall be appointed by the President of the Republic of the Philippines and confirmed by the Commission on Appointments.

It shall be the duty of the Board of Examiners for Marine Officers to:

1. Conduct a thorough inquiry into the character and habits of all applicants for licensing. The Board shall consider not only the evidence that the candidate presents in support of his application but also other relevant evidence as it may deem proper;
2. Determine the physical fitness of the applicant through a competent physician elected by the Board; and
3. Prescribe, prepare and supervise theoretical and practical professional examinations for Masters, Mates, Patrons, Marine and Motor Engineers.

SEC. 6. *Qualifications for Examiners.* —

(a) Qualifications for membership to the Board of Examiners for Deck Officers shall be as follows:

1. Must have at least navigated as Master of a seagoing vessel for five years and at least an aggregate total of fifteen years of practice as a Marine Officer;
2. Must be endorsed by any marine professional organization whose membership is duly licensed and registered Marine Officers;
3. Is not connected directly or indirectly with any private school, college or university engaged in the training of Deck Officers for at least two years prior to application for membership, nor shall have pecuniary interest in such school, college or university.

(b) Qualifications for membership to the Board of Examiners for Marine Engineers shall be as follows:

1. Must have at least navigated as chief engineer for five years and at least an aggregate total of fifteen years of practice as a Marine Engineer;
2. Must be endorsed by any marine professional organization whose membership is duly licensed and registered marine officers;

3. Is not connected directly or indirectly with any school, college or university engaged in the training of marine engineers for at least two years prior to application for membership, nor shall have pecuniary interest in such school, college or university.

SEC. 7. *Terms of Office and Compensation.* — Members of the Board of Examiners for Marine Officers shall serve their terms of office for a period of three years from the effectivity of their appointment, such appointment being subject to existing vacancy in the Board at any time.

The Chairman and Members of the Board shall receive a compensation of fifteen pesos for each candidate examined.

The Chairman and Members of the Board shall further receive a compensation of five pesos for each license issued by the Board of Examiners and per diem of ten pesos for each meeting while conducting administrative investigations.

SEC. 8. *Date of Examination.*— The Board of Examiners for Marine Officers shall conduct two examinations in a year, one in the City of Manila, on the last week of January, and another in Cebu or Iloilo, alternately, on the last week of July: *Provided, however,* That if conditions warrant, the Board may, upon approval of the Office of the President consider conducting examination in other places.

SEC. 9. *Examination Rating.* — An examinee having obtained a general weighted average of seventy-five per cent or above with no rating below 60% in any subject: *Provided, however,* That any examinee failing to get the general weighted average of seventy-five per cent shall be required to take a re-examination in all the subjects prescribed by the Board.

SEC. 10. *Registration and Issuance.* — All successful candidates shall register in the office of the Board of Examiners after payment of the required and prescribed fees by the Board: *Provided, however,* That no certificate and license shall be issued to any candidate who has been convicted of any criminal offense involving moral turpitude, immorality and dishonorable conduct and those of unsound mind.

SEC. 11. *Fees.* — AH applications for examination must be filed with the Office of the Board of Examiners at the following fees:

Master Mariner and Chief	P100.00
Marine Engineer	
Chief Mate, 2nd Marine Engineer and Major Patron	75.00
2nd Mate and Third Marine Engineer	50.00
3rd Mate and Fourth Marine Engineer	50.00
Minor Patrons and Motor Engineers	50.00

SEC. 12. The successful examinee or candidate for the Board Examination must pay his corresponding fees for licenses at the following rate:

Master Mariner and Chief	P50.00
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Marine Engineer	
Chief Mate, 2nd Marine Engineer and Major Patron	40.00
2nd Mate and Third Marine Engineer	30.00
3rd Mate and Fourth Marine Engineer	30.00
Minor Patrons and Motor Engineers	30.00

SEC. 13. The licenses for Deck Officers shall be classified as:

- a. *Unlimited* — competency to command and/or navigate merchant marine vessels of any gross tons, upon the waters of any sea or ocean.
- b. *Limited (foreign)* — competency to command and/or navigate merchant marine vessels of any gross tons, registered for foreign trade only.
- c. *Limited (coastwise)* — competency to command and/or navigate merchant marine vessels of any gross tons, registered for the coastwise trade only.
- d. *Restricted (Major)* — competency to command and/or navigate merchant marine vessels of not more than two hundred fifty gross tons in a particular water of the Philippines.
- e. *Restricted (bay, lake, river or harbor)* — competency to command and/or navigate vessels of not more than twenty gross tons in a particular bay, lake, river or harbor in the Philippines.

SEC. 14. The licenses for Deck Officers shall be classified as:

- a. *Unlimited* — Competency as Marine Engineer on vessels of any tonnage propelled by any machinery, upon waters of any sea or ocean.
- b. *Limited (motor)* — competency as Motor Engineer on vessels of small tonnage propelled by motor engine of not more than two hundred fifty B.H.P.

SEC. 15. *Admission Requirements for Examination.* — No person shall be qualified for examination as a marine officer unless he is:

- a. Male;
- b. Citizen of the Philippines;
- c. At least twenty-one years of age;
- d. Mentally sound and physically fit with normal color vision perception, as certified by a competent government physician; and
- e. Of good moral character.

SEC. 16. *Requirements for Deck Officers.* —

- a. *Master Mariner.* — Applicant must be a holder of a Chief Mate license who has served on merchant marine vessels of not less than two hundred fifty gross tons as Chief Mate for a period of two years, six months of which must be on merchant marine vessels registered for the foreign trade and at least six months on merchant marine vessels registered for the coastwise trade: