

[Act No. 589, January 09, 1903]

AN ACT AMENDING ACT NUMBERED FIVE, ENTITLED "AN ACT FOR THE ESTABLISHMENT AND MAINTENANCE OF AN EFFICIENT AND HONEST CIVIL SERVICE IN THE PHILIPPINE ISLANDS," AND ACTS NUMBERED ONE HUNDRED AND SIXTY-SEVEN AND THREE HUNDRED AND SIX, AMENDATORY THEREOF.

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

SECTION 1. Section five of Act Numbered Five, as amended by Arts Numbered One hundred and sixty-seven and Three hundred and six, is hereby amended by striking out the whole of said section, and substituting in lieu thereof the following:

"SEC. 5. This Act shall apply, except as hereinafter expressly, provided, to all appointments of civilians in the Bureaus and Offices of the Government of the Philippine Islands, subject, however, to the provisions and limitations of the Acts organizing such Bureaus: *Provided*, That persons appointed by the Civil Governor, by and with the advice and consent of the Philippine Commission, and persons employed merely as laborers, shall not be included in the classified service unless otherwise specifically provided by law."

SEC. 2. Section six of Act Numbered Five is hereby amended by striking out the word "adopted" and inserting in lieu thereof the following words: "prepared and certified"; by striking out in paragraph (a) of said section the word "specified" and inserting in lieu thereof the word "included"; by striking out in paragraph (b) of said section the words "or otherwise"; by modifying paragraph (d) of said section so as to read as follows: "(d) For the selection of skilled work-men by such examinations, competitive or noncompetitive, as may be practicable, and which need not, if the Board shall so limit them, relate to more than the capacity of the applicants to labor, their habits of industry and sobriety, and their honesty"; by striking out of paragraph (e) of said section the words "for the promotion of members of one rank of the classified service to the next higher rank by competitive examination," and the words "by general rule," and inserting as the first sentence in this paragraph the following words: "For competitive or noncompetitive promotion examinations, as the Board shall determine"; by striking out paragraph (g) of said section and substituting in lieu thereof the following: "For the preparation and holding in Manila and in the provinces of open competitive examinations of a practical character for testing the fitness of applicants for appointment to the classified service, and for the preparation and the holding of examinations in the United States under the auspices of the United States Civil Service Commission"; by inserting in paragraph (m), after the words "United States," the following words: "and in the discretion of the Board in the Philippine Islands"; by striking out paragraph (n) and substituting in lieu thereof the following: "For fixing age limits of applicants for entrance into the classified service"; and by striking out the word "adopt" in paragraph (q) of said section and inserting in lieu thereof the following words: "prepare and submit to the Civil Governor for his approval."

SEC. 3. Section ten of Act Numbered Five is hereby amended by striking out the words "Iloilo or Cebu" and substituting in lieu thereof the following words: "or in the

provinces."

SEC. 4. Section thirteen of Act Numbered Five is hereby amended so as to read as follows:

"SEC. 13. Any person in the Philippine Civil Service who shall willfully or corruptly, by himself or in cooperation with one or more persons, defeat, deceive, or obstruct any person in the matter of his right of examination by said Board; or who shall willfully, corruptly, and falsely rate, grade, estimate, or report upon the examination or standing of any person examined hereunder, or aid in so doing; or who shall willfully and corruptly make any false representations relative thereto or concerning the person examined; or who shall willfully and corruptly furnish any special or secret information for the purpose of improving or injuring the prospects or chances of any person so examined, or to be examined, of being employed, appointed, or promoted, shall for each such offense be punished by a fine not exceeding one thousand dollars or by imprisonment for a period not exceeding one year, or by both such fine and imprisonment."

SEC. 5. Section seventeen of Act Numbered Five is hereby amended by striking out the words "giving or" in the fourth line of said section.

SEC. 6. Section twenty is hereby amended by striking out the entire section and substituting in lieu thereof the following:

"SEC. 20. The requirements of this Act for entrance into the civil service, or for promotion by examination, shall not apply to the selection of the following officers and employees:

"ALL DEPARTMENT AND OFFICES.

"1. One private secretary to each member of the Philippine Commission, except the President.

"2. Persons appointed by the Civil Governor, by and with the advice and consent of the Philippine Commission, unless otherwise specifically provided by law.

"3. Any person in the military or naval service of the United States who may be detailed for the performance of civil duties.

"4. Persons employed merely as laborers.

"EXECUTIVE OFFICE.

"5. One private secretary to the Civil Governor.

"DEPARTMENT OF THE INTERIOR.

"6. The members of the Board of Health for the Philippine Islands.

"7. The presidents of provincial boards of health.

"8. The Director of the Agricultural College and Experiment Station.

"9. The Director, the three assistants, and the secretary of the Weather Bureau.

"10. The Chief of the Bureau of Non-Christian Tribes.

"11. The Superintendent and Directors of Government Laboratories.

"12. The Attending Physician and Surgeon of the Philippine Civil Hospital.

"DEPARTMENT OF COMMERCE AND POLICE.

"13. Postmasters compensated on a percentage basis as provided by law.

"14. Postmasters receiving not more than three hundred dollars per annum compensation for their personal salaries, who may lawfully perform the duties of postmaster in connection with the official duties with which they are charged, if they be Government employees, or, if not Government employees, in connection with their private business, such duties requiring, only a portion of their time.

"15. The Consulting Engineer to the Commission.

"16. The Officer in Charge of the Improvement of the Port of Manila.

"17. Detectives.

"18. Any position in the Department of Commerce and Police the duties of which are of a quasi military or quasi naval character, and for the performance of which duties a person is commissioned or enlisted for a term of years.

"DEPARTMENT OF FINANCE AND JUSTICE.

"19. Judges and justices of the peace.

"20. The Attorney-General and his assistant lawyers.

"21. The Solicitor-General.

"22. The Assistant Attorney-General.

"23. The Supervisor and Deputy Supervisor of Provincial Fiscals.

"24. Provincial Fiscals.

"25. The Auditor for the Philippine Archipelago.

"26. The Deputy Auditor for the Philippine Archipelago.