

[Commonwealth Act No. 104, October 29, 1936]

AN ACT AUTHORIZING THE SECRETARY OF LABOR .TO PROMULGATE AND ENFORCE RULES, REGULATIONS, AND ORDERS FOR THE SAFETY OF PERSONS EMPLOYED IN MINES, QUARRIES, METALLURGICAL OPERATIONS AND OTHER ENTERPRISES.

Be it enacted by the National Assembly of the Philippines:

SECTION 1. The Secretary of Labor is hereby authorized to promulgate and enforce rules, regulations, and orders to establish safety standards and otherwise to promote and increase the safety of laborers and employees in mines, quarries or metallurgical operations and other industrial enterprises, against danger of injury, or disease: *Provided*, That whenever, in the opinion of the Secretary of Labor, the enforcement of any rule, regulation, or order may prove detrimental to the normal operation of the enterprises enumerated herein, he may make exemptions which he shall revoke when conditions warrant such revocation.

SEC. 2. For the proper enforcement of this Act, the Secretary of Labor shall appoint one Senior Safety Engineer, who shall be a duly licensed mining, mechanical or naval engineer possessing not less than four years' experience in actual practice in the Philippines, and one Junior Safety Engineer, who shall be a duly licensed mining or mechanical engineer possessing experience of not less than two years. The said engineers shall aid the Secretary of Labor in establishing safety standards and perform other duties which the Secretary may prescribe from time to time.

SEC. 3. It shall be the duty of every person, partnership, association, company, firm or corporation, engaged in mining, quarrying, metallurgical operation or any other industrial enterprise, to give every facility to the Safety Engineers mentioned in the preceding section and other agents whom the Secretary of Labor may designate for the inspection of works, processes, and any other unit of the industrial enterprise, and otherwise facilitate the performance of their duties imposed by the provisions of this Act.

SEC. 4. Every person, partnership, association, company, firm or corporation mentioned in section three hereof shall, for the protection of all its laborers and employees against accidents or diseases, provide reasonable and approved safety devices, tools and appliances in accordance with the rules, regulations and orders promulgated pursuant to this Act.

SEC. 5. An Advisory Safety Council is hereby created which shall be composed of the Undersecretary of Labor or his duly authorized representative, as chairman, one mining engineer to be designated by the mining operators, one representative of other industrial undertakings to be designated by industrial concerns, one representative of industrial accident insurance companies, one representative of the public, the last two to be designated by the Secretary of Labor. The Council shall serve for two years without compensation, and shall advise the Secretary of Labor in the formulation of safety orders, rules and regulations, safety devices and safety standards, designed to safeguard the health and lives of workers in mining and other industrial operations.