

AN ACT TO AMEND ACT NUMBERED THIRTY-NINE HUNDRED AND NINE CONCERNING THE LICENSING OF AIRMEN AND AIRCRAFT, INSPECTION OF THE SAME, AIR TRAFFIC RULES, SCHEDULES AND RATES OF AVIA...

Act No. 3996, December 05, 1932

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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. The first paragraph of section one, Chapter one of Act Numbered Thirty-nine hundred and nine, is hereby amended to read as follows:

"SEC. 1. In this Act 'air commerce' means transportation in whole or in part by aircraft of persons or property for lure, navigation of aircraft in furtherance of business, or navigation of aircraft from one place to another for operation in the conduct of a business."

SEC. 2. Sections five, six and seven of Chapter three of the same Act, are hereby amended to read as follows:

"SEC. 5. Aircraft-Construction, design, and airworthiness—United States licenses.—The public safety requiring, and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that aircraft operating within the Philippine Islands should conform with respect to design, construction, and airworthiness to the standards prescribed by the United States Government with respect to navigation of civil aircraft subject to its jurisdiction, it shall be unlawful for any person to navigate an aircraft within the Philippine Islands unless uui an aircraft has an appropriate, effective license issued by the Department of Commerce and Communications: Provided, however, That this restriction shall not apply to military or licensed civil aircraft of the United States or to aircraft licensed by a foreign country with which the United States or the Philippine Islands has a reciprocal or other agreement covering the operation of such licensed aircraft in the Philippine Islands. Such aircraft shall be flown only subject to the provisions of such agreement.

"SEC. 6. Qualifications of operators—Federal license.—The public safety requiring and the advantages of uniform regulation making it desirable in the interest of aeronautical progress that a person engaged within the Philippine Islands in navigating aircraft in any form of navigation, shall have the qualifications necessary for obtaining and holding a pilot's license issued by the Department of Commerce and Communications, it shall be unlawful for any person to operate any aircraft in the Philippine Islands unless such person is the holder of an appropriate, effective pilot's license issued by the Department of Commerce and Communications: Provided, however, That this restriction shall not apply to licensed pilots of the United States or to foreign pilots operating aircraft of foreign countries with which the United States or the Philippine Islands have a reciprocal or other agreement covering commercial-pilot privileges in the Philippine Islands: And provided, further, That those persons holding temporary revocable transport licenses on December first, nineteen hundred and thirty-two, may upon application approved by the Governor-General, be granted renewals of such licenses not to exceed one hundred eighty days by the Secretary of Commerce and Communications.

"SEC. 7. Possession, and display of license.—The pilot's license herein required shall be kept in the personal possession of the licensee when he is operating aircraft within the Philippine Islands, and must be presented for

inspection upon the demand of any passenger, any peace officer of the Philippine Islands, or any official, manager, or person in charge of any airport or landing field in the Philippine Islands upon which he shall land, or any inspector or other authorized representative of the Department of Commerce and Communications."

SEC. 3. Subsections (g) and (i) (2b and 2c), section nine, Chapter four of the same Act, are hereby amended to read as follows:

"(g) Height over congested, and other areas.—Exclusive of taking off from or landing on an established landing field, airport, or on property designated for that purpose by the owner, and except as otherwise permitted by section fourteen aircraft shall not be flown:

"(i) Acrobatic flying.

"(2) No person shall acrobatically fly an aircraft—

"(b) Over any open-air assembly of persons or below two thousand feet in height over any established civil airway, or within one thousand feet horizontally thereof.

"(c) Any acrobatic maneuvers performed over any other place shall be concluded at a height greater than one thousand five hundred feet."

SEC. 4. Subsections (d) and (c) (2) of section eleven, Chapter four, of the same Act, are hereby amended to read as follows:

"(d) Balloon lights.—A free balloon, between sunset and sunrise, shall display one white light not less than twenty feet below the car, visible for at least two miles. A fixed balloon, or airship, shall carry three lights—red, white, and red—in a vertical line, one over the other, visible at least two miles. The top red light shall be not less than twenty feet below the car, and the lights shall be not less than seven nor more than ten feet apart.

"(e) Lights when stationary.

"(2) Balloon and airship mooring cables between sunset and sunrise shall show groups of three red lights at intervals of at least every one hundred feet, measured from the basket, the first light in the first group to be approximately twenty feet from the lower red balloon light. The object to which the balloon is moored on the ground shall have a similar group of lights to make its position."

SEC. 5. Subsections (a) (2) and (c), section thirteen, Chapter four, of the same Act, are hereby amended to read as follows:

"(a) Distress.—The following signals, separately or together, shall where practicable, be used in case of distress:

"(2) The international code flag signal of distress, NC.

"(c) Fog signals.—In fog, mist, or heavy weather, an aircraft on the water in navigation lanes, when its engines are not running, shall signal its presence by a sound device emitting a signal for about five seconds in two-minute intervals."

SEC. 6. Sections fifteen and sixteen, Chapter five, of the same Act, are hereby amended to read as follows:

"SEC. 15. Person or persons engaged in air commerce shall submit for approval to the Public Service Commission or its authorized representative uniform charges and rates applied to merchandise and passengers per kilometer or over specified distances between given airports. The Public Service Commission shall administer the provisions of this section and for such purpose is authorized to make such regulations as may be necessary to insure regularity and reliability of air commerce.

"SEC. 16. Except when otherwise specified, the Secretary of Commerce and Communications shall administer

the provisions of this Act, and, for such purposes, is authorized to make such regulations as may be necessary to execute the functions vested in him by this Act including air traffic rules, which regulations shall conform to and coincide with, possible, the provisions of the Air Commerce Act of nineteen hundred and twenty-six and amendments thereto the Congress of the United States and air commerce regulations and air traffic rules issued from time to time pursuant thereto."

This Act shall take effect upon its approval.

Approved, December 5, 1932.

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