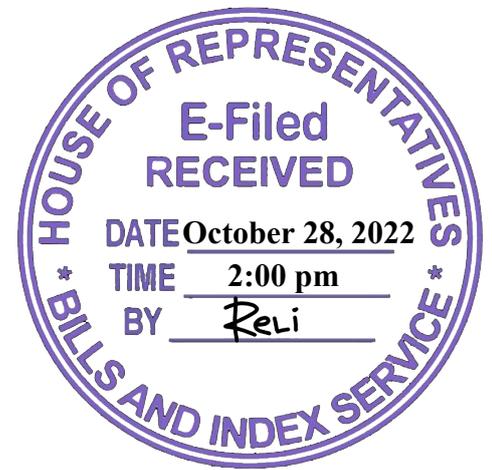


Republic of the Philippines
HOUSE OF REPRESENTATIVES
Batasan Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session



HOUSE BILL No. 5753

Introduced by
ACT Teachers Party-List Rep. FRANCE L. CASTRO,
GABRIELA Women's Party Rep. ARLENE D. BROSAS,
and **KABATAAN Party-List Rep. RAOUL DANNIEL A. MANUEL**

AN ACT
GRANTING A FIFTY PERCENT (50%) DISCOUNT FROM
FUNERAL SERVICES TO INDIGENT FAMILIES AND
FREE FUNERAL SERVICES TO EXTREMELY POOR FAMILIES
NATIONWIDE, APPROPRIATING FUNDS THEREFOR
AND FOR OTHER PURPOSES

EXPLANATORY NOTE

In the Philippines, dying has become as costly as living itself. This is because most Filipinos already live lives of utter poverty and still die poor and indebted until the end. Funeral services generally are expensive, a stark and difficult reality confronting the large majority of impoverished Filipinos.

A survey done on funeral services by the UP School of Urban and Regional Planning (2005) revealed that the average funeral service package was twenty five thousand pesos (₱25,000). Memorial lots in public and private cemeteries cost at an average of fifty thousand pesos (₱50,000) for the lot package including succeeding lease payments. Decent funeral services include the transport of the remains, provision of casket, embalming, interment, and conduct to the church and/or to the cemetery.

Traditionally, most Filipino families hold the funeral wake at home. The lack of space in many residential areas does not prevent people from setting up funeral wakes even on the sides of the street adjacent to the residence of the deceased.

There are also instances where a funeral wake lasts for more than a week only because there are not enough funds mainly gathered through *abuloy* (donations) to cover

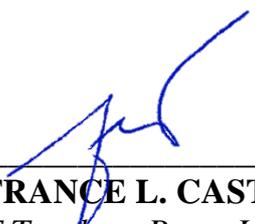
for the burial expenses incurred.

Death to one's family member becomes doubly tragic for those who earn a measly ₱570/day (in the National Capital Region). According to the National Statistical Coordination Board, the number of poor families in relation to the total population remains unchanged since 2006. That translates to 28 out of 100 Filipino families, or 25 million Filipinos, living on less than ₱50 a day in 2012. Meanwhile, the Philippine Statistics Authority recorded that the poverty rate worsened from 16.7% in 2018 to 18.1% in 2021. This translates to 19.99 million Filipinos who are living below the very low poverty threshold of ₱12,030/month for a family of five. This wage structure and economic data demonstrate that our people cannot sustain their daily needs, let alone be able to shoulder the funeral expenses of their departed loved ones.

It is the duty of the State to provide for the welfare and security of its citizens. This measure aims to provide immediate relief to the poor, especially during the loss of their loved ones.

It is this plight of many poor Filipinos that prompted Bayan Muna Rep. Neri Colmenares to originally file this Bill during the 15th Congress and refiled it with fellow Bayan Muna Rep. Carlos Isagani Zarate in the 16th Congress. This Bill was enriched in the technical working group in the 17th Congress after it was refiled by Rep. Carlos Isagani Zarate. It was also refiled in the 18th Congress as HB 5249 and was approved by the Committee on Poverty Alleviation. However, this Bill remained pending before the Committee on Appropriations.

Thus, the passage of this Bill is earnestly requested.



Rep. FRANCE L. CASTRO
ACT Teachers Party-List



Rep. ARLENE D. BROSAS
GABRIELA Women's Party



Rep. RAOUL DANNIEL A. MANUEL
KABATAAN Party-List

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Be it enacted by the Senate and House of Representatives of the Republic of the Philippines in Congress assembled:

SECTION 1. *Short Title.* – This Act shall be known as "*Free and Discounted Funeral Services Act*".

SEC. 2. *Declaration of Policy.* – It is the policy of the State to promote a just and dynamic social order that will ensure the prosperity and independence of the nation and free the people from poverty through policies that provide adequate social services, promote full employment, a rising standard of living, and an improved quality of life for all. As part of fulfilling this, the State shall give discounts from funeral services to indigent families and free funeral services to extremely poor families.

SEC. 3. *Definition of Terms.* – The following terms as used in this Act shall mean the following:

(a) **“Poor”** refers to families whose income falls below the poverty threshold as defined by the National Economic and Development Authority (NEDA) and/or who cannot afford in a sustained manner to provide their minimum basic needs of food, health, education, housing or other essential amenities of life, as defined

under Republic Act No. 8425, otherwise known as the “Social Reform and Poverty Alleviation Act.” The Community-Based Monitoring System (CBMS) established under Republic Act No. 11315 of the local government unit, with the supervision of the Philippine Statistics Authority (PSA), shall be used to determine the degree of indigency of the family, whether indigent or extremely poor;

(b) “Funeral Services” refers to preparation of funeral documents, embalming, viewing, interment or burial services, cremation and inurnment services, including the provision of a casket or urn, as the case maybe, offered by mortuaries. The standard package of funeral services will cover:

1.1 Transfer of deceased from place of death to the mortuary for embalming and applying of cosmetics within a 25-kilometer radius of mortuary;

1.2. An Ordinary Plain Casket and casket stand for viewing of body or urn in case of cremation;

1.3 Two (2) to three (3) days viewing outside the funeral chapels such as the Barangay Hall or residence of the family;

1.4 Use of funeral viewing equipment including lighting and arania;

1.5 Use of funeral vehicle for interment within a 25-kilometer radius from the place of viewing to the place of burial; and

1.6 Unless for compelling reason, interment only on weekdays and on official time, Monday to Friday, 8:00 a.m. until 5:00 p.m., except on regular holidays.

SEC. 4. *Free funeral services for Extremely Poor Families* – Free funeral services shall be provided for extremely poor families by accredited mortuaries anywhere in the country. The said free services shall be given to only one (1) family member per month per mortuary branch: *Provided*, said funeral service does not exceed the cost of the mortuary's minimum funeral service package: *Provided further*, that the grant of free funeral services under this Act is without prejudice to the right of the beneficiary to avail of upgraded funeral services given by the mortuary. The difference in cost shall be borne by the family of the deceased.

SEC. 5. *Discounts for Indigent Families on Funeral Services.* – A fifty percent (50%) discount on funeral services shall be granted to indigent families by mortuaries anywhere in the country but would only be applicable to At-Need funeral services only: *Provided*, said funeral service does not exceed the cost of the mortuary's minimum

funeral service package. The grant of a discount under this Act is without prejudice to the right of the beneficiary to avail of other financial assistance given by the government.

SEC. 6. *Requirements for Availing Free or Discount.* – Before an indigent or extremely poor family can avail of the free or discounted funeral services, the following documents shall be submitted: (a) certificate of indigency issued by the barangay or the local social welfare office of the local government unit (LGU), stating whether the family is either indigent or extremely poor as defined under Section 3; *Provided*, however, that the certification shall not be a requirement before any member of the family of the deceased could avail the services of the mortuary; (b) death certificate; and (c) funeral contract between the beneficiary-family, the accredited mortuary and the authorized DSWD personnel.

SEC. 7. *Reimbursement.* – Mortuaries granting discounted or free services to indigent or extremely poor beneficiaries may seek reimbursement for the cost of the services from any regional office of the DSWD upon the approval of the Regional Director. The reimbursement will be based on the stipulations of the signed contract between the poor family, the mortuary, and the authorized DSWD personnel.

SEC. 8. *Lead Agency.* – The DSWD shall be the lead agency in the implementation of the provision of this Act and shall engage the funeral services of mortuaries in the country.

SEC. 9. *Role of Local Government Units (LGUs).* – Notwithstanding the preceding section, the local government units are enjoined to fulfill their devolved function as mandated by Republic Act No. 7160 or the Local Government Code, and Presidential Decree No. 856 otherwise known as the Sanitation Code, in providing assistance to indigent and extremely poor families in their respective areas at their own expense. Further, the LGUs will waive fees and charges which include burial or interment permit, cremation permit, transfer permit, disinterment permit, and cost of Death Certificate.

SEC. 10. *Appropriations.* – The amount necessary to implement the provisions of this Act shall be charged against the allocation in the General Appropriations Act (GAA) of the Department of Social Welfare and Development (DSWD).

SEC. 11. *Implementing Rules and Regulations.* – Within six (6) months from the effectivity of this Act, the Secretary of the DSWD shall, in coordination with the Department of the Interior and Local Government and the Philippine Mortuary Association, with the participation of local government units, promulgate the rules and regulations necessary to carry out the provisions of this Act.

SEC. 12. *Separability Clause.* – If any portion or provision of the Act is declared void or unconstitutional, the remaining portions or provisions hereof shall not be affected by

such declaration.

SEC. 13. Repealing Clause. – Any provision of law or regulations inconsistent herewith is hereby repealed, modified or amended accordingly.

SEC. 14. Effectivity. – This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,