

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

FIFTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 4002

Introduced by REPS. NERI JAVIER COLMENARES and TEDDY A. CASIÑO

AN ACT
GRANTING FIFTY PERCENT (50%) DISCOUNTS FROM
FUNERAL SERVICES TO INDIGENT 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 till 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 (P 25,000). Memorial lots in public and private cemeteries cost and showed an average of fifty thousand pesos (PhP 50,000) for lot package including succeeding lease payments. Decent funeral services include the transport of the corpse, 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, however does not restrict the setting up of funeral wakes even on the sides of the street adjacent to the dead man's residence.

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 expenses incurred.

Death to one's family member becomes doubly tragic for those who earn a measly Php 362.00 a day (in the National Capital Region). According to the 2006 Family Income and Expenditure Survey (FIES) of the National Statistics Office, 80 percent of Filipino families are struggling to survive on Php 284.33 (\$6.428) a day, with the poorest 10 percent having incomes of only Php 90.00 (\$2.03) a day. With an average family size of five, these figures translate to 68.2 million Filipinos subsisting on Php 56.87 (\$1.285) a day. This wage structure and economic data demonstrate that our people can neither sustain their daily needs let alone 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.

The passage of this bill is earnestly requested.

Approved,


NERI JAVIER COLMENARES
Bayan Muna Party-List


TEDDY A. CASINO
Bayan Muna 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 "*Funeral Services Discount Act of 2011.*"

Section 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 enough discounts from funeral services to indigent families.

Section 3. Definition of Terms. - The following terms as used in this Act shall mean the following:

(a) "Indigent Family" refer to persons whose monthly family income are less than twelve thousand pesos (P12,000.00).

(b) "Funeral Services" refer to preparation of funeral documents, embalming, interment and burial services, including the provision of a casket, offered by funeral homes offering such services.

Section 4. Discounts for Indigent Families on Funeral Services.- A fifty percent (50%) discount on funeral services shall be granted to indigent families by funeral homes anywhere in the country. Provided, said funeral service or the package selected by the beneficiary does not exceed thirty thousand pesos (P30,000.00). Provided further, that the maximum amount of thirty thousand pesos (P30,000.00) may be increased by the Department of Social Welfare and Development (DSWD) annually as may be necessary. 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.

Section 5. Requirements for Availing Discount. - Before an indigent family can avail of the discount on funeral services, the following documents shall be prepared for submission: death certificate, funeral contract and a certificate as indigent beneficiary from the barangay or the local social welfare offices of the local government unit(s) (LGUs) or from the DSWD regional or national offices that they belong to indigent families 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 funeral homes.

Section 6. Reimbursement or Tax Credit. - Funeral Homes granting discounts to indigent beneficiaries may reimburse the cost of the discount from any regional offices of the DSWD upon the approval of the Regional Director or convert the same as tax credits provided that proper certification as to the veracity of the claim is certified true and correct by the DSWD. The tax credit may be used for a period not exceeding five (5) years from the day the discount was given or from the date appearing in the official receipt.

Section 7. Implementing Agency. - The DSWD shall implement the provision of this Act and issue the necessary rules and regulations to carry out the objectives of this Act.

Section 8. 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 social welfare fund of the Office of the President.

Section 9. 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.

Section 10. Repealing Clause. - Any provision of law or regulations inconsistent herewith is hereby repealed, revoked or modified accordingly.

Section 11. Effectivity. - This Act shall take effect fifteen (15) days after its publication in two (2) newspapers of general circulation.

Approved,