

REPUBLIC OF THE PHILIPPINES
House of Representatives
Quezon City

SIXTEENTH CONGRESS
First Regular Session

House Bill No. **2983**



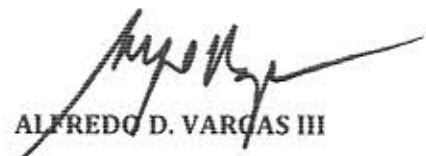
Introduced by Representative Alfredo D. Vargas III

EXPLANATORY NOTE

The high cost of funeral services in the country contribute to severe economic hardships of some bereaved Filipino families. These families fail to promptly settle their financial obligations to morgues, funeral parlors or mortuaries that performed cremation, embalmmment or other funeral services to the remains of their departed ones. As a result, these institutions refuse to release the bodies of the departed.

This bill seeks to prohibit the occurrence of holding hostage the cadavers of the departed. It is through this bill that we would like to pay our last respects and honor those who died. Poverty should not be a reason for them not to be given the proper wake and burial due them.

The passage of this bill will stop the depraved and inhumane practice of detaining the cadavers as a mechanism to compel the families to settle whatever financial obligations before these families can fully take custody of the bodies.


ALFREDO D. VARGAS III

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AN ACT

**BANNING THE HOSTAGING OR DETAINING OF CADAVERS IN FUNERAL PARLORS, MORGUES,
MORTUARIES OR ANY ENTITY UNDERTAKING SIMILAR SERVICES ON GROUNDS OF NON-
PAYMENT OF EMBALMMENT, CREMATION OR ANY OTHER FUNERAL SERVICES**

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

SECTION 1. *Prohibition of the Detention of Cadavers.* It shall be declared unlawful for any funeral parlor, morgue, mortuaries or any entity that provides funeral services to take custody, hostage, detain or otherwise prevent the release of the cadavers from their surviving relatives or any other person taking responsibility for the remains for reason of non-payment in part or in full, any embalming, cremation or any other funeral services.

SECTION 2. *Conditions for the Release of Cadavers.* Surviving relatives or person(s) taking responsibility for the deceased body and wishing to bury the body but are financially incapable to settle, in part or in full their funeral expenses, including cremation, embalming, autopsy and any other similar funeral service, shall be allowed to claim the cadaver along with all corresponding papers required for the release of the cadaver upon the execution of the promissory note covering the unpaid obligation. The promissory note shall be secured by a guarantee of a co-maker, who will be jointly and severally liable with the relatives or responsible person(s) of the deceased for the unpaid obligation.

SECTION 3. *Penalties for Violators.* Any person, corporation or entity funeral parlor, morgue, mortuary or entity found violating Sections 1 or 2 of this act shall be punished by a fine of not less than fifty thousand pesos (P50,000), but not more than one hundred thousand pesos (P100,000), or imprisonment of not less than one month, but not more than six months, or both at the discretion of the court. Provided, however, in case of a corporation, partnership or any business entity, the proprietors, directors, or its officers shall be personally liable for such violation.

SECTION 4. *Effectivity.* This Act shall take effect fifteen (15) days after its publication in the Official Gazette or two national newspapers of general circulation.

Approved,