

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Metro Manila

SIXTEENTH CONGRESS
First Regular Session
House Bill No. **3848**

Introduced by Rep. Arthur R. Defensor Jr.



EXPLANATORY NOTE

In an ironic twist, the cost of dying has outpaced the cost of living in our country. Owing to the Filipino culture, the most pervasive practice of grieving for one's loss is still the customary funeral and burial. Such expenses, however, have become more and more burdensome with each passing year. Costs for a burial are primarily composed of the coffin, funeral, cemetery plot, and the dreadful expenses incurred in a wake that may last for months. Based on contemporary figures, a funeral can cost from P8,000 to P10,000 for indigent clients, including the cost of a coffin, but there are no estimate figures for the really burdensome wake expenses. Other funeral packages easily range from hundreds of thousands to millions of pesos. The figure easily rises further with the average cost of a cemetery plot in a private cemetery costing at least P70,000.00. Other cemetery plots can cost as much as million of pesos.¹ Public cemeteries afford little relief as diminishing spaces renders public cemeteries unable to meet the rising demands of a bigger population. While these amounts can be afforded by middle class and other more affluent families, these costs are prohibitive and exorbitant for our countrymen mired in poverty.

In contrast, a cremation costs one-third that of a traditional funeral.² This figure can easily be achieved, or even lessened, if the cremation is undertaken by the government for indigent families. However, since cremation does not entail other costs, it offers much needed relief to those who have less in life. It is the belief of the undersigned that doing so will not simply alleviate the financial burden of our underprivileged countrymen but also empower them through the more efficient use of their hard-earned income.

Under the law, it is the duty of municipalities and cities to establish public cemeteries in connection with the burial of the dead. This Bill seeks to complement such power by mandating the establishment of public crematoriums as part of basic services and facilities to be provided by the local government unit concerned. It is envisioned that such public crematoriums will benefit not only the general public but more importantly indigent families whose income denies them of a decent burial for their loved ones.

The foregoing duly considered, the approval of this bill is earnestly sought.


ARTHUR R. DEFENSOR JR.

¹ Dennis Carcamo, The cost of dying for the wealthy, The Philippine Star, October 30, 2013 *available at*: <http://www.philstar.com/news-feature/2013/10/30/1250755/cost-dying-wealthy> (accessed on November 18, 2013).

² Aya Lowe, Funeral services in numbers, Rappler.com, November 1, 2012 *available at*: <http://www.rappler.com/business/15265-funeral-services-in-numbers> (accessed on November 18, 2013).

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AN ACT
MANDATING THE ESTABLISHMENT OF PUBLIC CREMATORIUMS IN CITIES
AND MUNICIPALITIES AND EXTENDING FREE CREMATION SERVICES TO
INDIGENT FAMILIES AMENDING FOR SUCH PURPOSE THE LOCAL
GOVERNMENT CODE

Section 1. *Establishment of Public Crematoriums* – Section 17 of Republic No. 7160, as amended, otherwise known as the Local Government Code is hereby amended to read, as follows:

Section 17. *Basic Services and Facilities.* -

... ..

(b) Such basic services and facilities include, but are not limited to, the following:

... ..

(2) For a Municipality:

... ..

(x) Public cemetery AND PUBLIC CREMATORIUM;

... ..

Section 2. *Provision of Free Cremation Services for Indigents* – Notwithstanding any other provision of law, indigent decedents or a decedent belonging to an indigent family, as determined on the basis of existing laws and regulation, may be cremated in public crematoriums free of charge.

The local city or municipal health officer shall duly record all cremations performed in the public crematorium.

Section 3. *Subsidy from the National Government* – The costs for the establishment of public crematoriums in accordance with the provisions of this Act shall be subsidized by the National Government by fifty percent (50%) of the total cost of construction of the crematorium facility. The funds necessary for the subsidy shall be charge to the appropriation of the Department of Interior and Local Government.

The funds necessary for the subsidy shall be charge to the appropriation of the Department of Interior and Local Government, shall issue the rules and regulations for the implementation

Section 4. *Implementing Rules and Regulations* – The Secretary of Interior and Local Government shall issue the necessary rules and regulations for the effective implementation of this Act.

Section 5. *Repealing Clause* – All provisions of laws and rules inconsistent with the provisions of this Act are hereby repealed or amended accordingly.

Section 6. *Separability Clause* – If, for any reason, any section or provision of this Act is declared unconstitutional or invalid, the other sections or provisions not affected thereby shall remain in full force and effect.

Section 7. *Effectivity Clause* – This Act shall take effect after fifteen (15) days following its publication in a newspaper of general circulation.