

SEVENTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)

HOUSE OF REPRESENTATIVES
H. No. 4994



Introduced by Representative H. Harry L. Roque Jr.

EXPLANATORY NOTE

On October 18, 2016, Jee Ick-joo, a Korean national, was allegedly taken from his residence by a group of policemen. The abductors initially demanded a P5-million ransom, but refused to release Jee if his wife did not release another P4.5 million. While the criminals continued to extort money from Jee's wife, unknown to her, Jee was already killed, and his body cremated. Reports reveal that the owner of the crematorium was a former policeman himself.

This terrible phenomenon known as "tokhang for ransom" is but one of the ways by which erring police continues to threaten the safety and security of the Filipino people. Aside from the acts of kidnapping for ransom and homicide, the criminals burn the body of the victim to eliminate any evidence of the crime.

The purpose of this bill is to penalize the act of cremation of bodies of victims undergoing investigation. Cremating a body under investigation effectively conceals the body of the crime. Under the Revised Penal Code, such would only make the cremators an accessory to the crime. This law imposes a penalty more commensurate to the obstructive evil of the act, and deters cremation houses from engaging in such activities.

H. HARRY L. ROQUE JR.

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AN ACT PROHIBITING THE
CREMATION OF BODIES OF CRIMES UNDER INVESTIGATION.

SECTION 1. *Short title* – This Act shall be known as the “Victim Cremation Act.”

SECTION 2. *Prohibition of cremation pending investigation* – Any person who cremates the body of a victim of a crime subject to a police investigation without clearance from the National Bureau of Investigation or Philippine National Police, as the case may be, shall be punished with imprisonment for 20 years. If a corporation conducting the business of a funeral parlor, funeral home, or mortuary commits the cremation, the penalty shall be imposed on the cremator and the officers of the corporation.

SECTION 3. *Separability Clause*. - If any provision is held invalid or unconstitutional, the remainder of the law or the provision not otherwise affected shall remain valid and subsisting.

SECTION 4. *Repealing Clause*. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule, or regulation contrary to or inconsistent with the provisions of this Act is hereby repealed, modified, or amended accordingly.

SECTION 6.*Effectivity Clause.* - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,