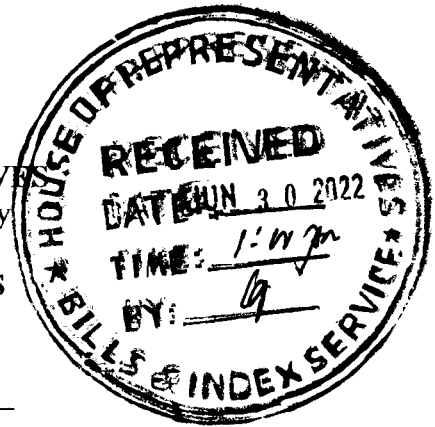


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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City

NINETEENTH CONGRESS
First Regular Session
HOUSE BILL NO. 102



Introduced by Representative VINCENT FRANCO D. FRASCO

EXPLANATORY NOTE

This bill seeks to regulate the sale of caskets by funeral establishments to ensure availability of affordable decent caskets.

The proposed measure is similar to House Bill No. 7846, which was previously filed in the 18th Congress. It was filed last October 15, 2020 and was transmitted to the House Committee on Trade and Industry. However, up to the present, the proposal has not materialized.

Section 1, Article XIII of the 1987 Philippine Constitution provides that the Congress shall give highest priority to the enactment of measures that protect and enhance the right of all the people to human dignity, reduce social, economic, and political inequalities, and remove cultural inequities by equitably diffusing wealth and political power for the common good.

Relatedly, Sections 306 to 307 of Republic Act No. 386 or the New Civil Code of Philippines provides that every funeral shall be in keeping with the social position of the deceased. The funeral shall be in accordance with the expressed wishes of the deceased. In the absence of such expression, his religious beliefs or affiliation shall determine the funeral rites. In case of doubt, the form of the funeral shall be decided upon by the person obliged to make arrangements for the same, after consulting the other members of the family.

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. In particular, the price of caskets has become very expensive, which is beyond the capacity of the surviving families. Hence, an added burden to the grief-stricken families, not to mention the indigents and extremely poor.

Depending on materials used, coffins cost around P5,000 to P110,000. The cheapest wood coffin with little to no design can be bought in funeral parlors. However, the sad reality is that in most funeral parlors, there is no availability of affordable caskets. Hence, the surviving family members are often left with no other better option and, thus, constrained to purchase the available but expensive casket, which is beyond their financial capacity. As they bury their dead, they are left, not only with grief, but unnecessary debt as well.

Thus, regulating the sale of caskets by funeral establishments to ensure availability of affordable caskets, will definitely relieve grief-stricken families of the added financial burden.

In view of the foregoing, approval of this Bill is earnestly requested.



VINCENT FRANCO D. FRASCO

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4 **HOUSE OF REPRESENTATIVES**
5 Constitution Hills, Quezon City
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7 **NINETEENTH CONGRESS**
8 First Regular Session
9

10 **HOUSE BILL NO. 102**
11

12 Introduced by Rep. Vincent Franco D. Frasco
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14
15 **AN ACT**
16 **REGULATING THE SALE OF CASKETS BY FUNERAL ESTABLISHMENTS TO**
17 **ENSURE AVAILABILITY OF AFFORDABLE CASKETS, AND APPROPRIATING**
18 **FUNDS THEREFOR AND FOR OTHER PURPOSES**
19

20 Be it enacted by the Senate and House of Representatives of the Philippines in Congress
21 assembled:
22

23 Section 1. Title. - This Act shall be known as "Affordable Casket Act."
24

25 Section 2. Declaration of Policy. - It is the policy of the State to promote a just and dynamic
26 social order that will ensure the prosperity and independence of the nation and free the people from
27 poverty through policies that provide adequate social services, promote full employment, a rising
28 standard of living, and an improved quality of life for all. As part of fulfilling this, the State shall
29 regulate the sale of caskets by funeral establishments to ensure availability of affordable decent
30 caskets to grief-stricken families, especially those classified as indigent and extremely poor.
31

32 Section 3. Definition of Terms. The following terms as used in this Act shall mean the
33 following:
34

35 (a) "Casket" refers to a coffin or a box or case to hold a dead body.
36

37 (b) "Indigent Family" refers to a family whose monthly income is equivalent to the
38 minimum wage set in the region where they reside.
39

40 (c) "Extremely Poor Family" refers to a family whose monthly income is less than the
41 minimum wage set in the region where they reside.
42

43 (d) "Implementing Agencies" refer to the Department of Social Welfare and Development
44 and the Department of Trade and Industry.
45

1 (e) "Funeral Establishment" includes funeral parlors, funeral chapels and any similar place
2 used in the preparation, storage and care of the body of a deceased person for burial or
3 cremation.
4

5 Section 4. Availability of Affordable Caskets in all Funeral Establishments. – All funeral
6 establishments shall at all times maintain available decent caskets with a price of **not more than**
7 **Twenty Thousand (P20,000.00) Pesos**. In the event that there is no such casket available when
8 needed and the family of the dead is an indigent family or extremely poor family as certified by
9 Barangay Chairman or any social worker, the funeral establishment shall be obliged to offer a
10 casket of any higher value, but the price to be paid by such indigent family or extremely poor
11 family shall still be at an amount **not more than Twenty Thousand (P20,000.00) Pesos**.
12

13 Section 5. Penalties. - Any violation of this Act shall be penalized with a fine not exceeding
14 two hundred thousand pesos (P200,000.00) and a suspension of license to operate for a period not
15 exceeding six months.
16

17 Repetitive violations after the lifting of the suspension of its license to operate shall be
18 penalized with a fine not exceeding four hundred thousand pesos (P400,000.00) and a revocation
19 of such license to operate.
20

21 Section 6. Implementing Agencies. - The DSWD shall implement the provisions of this
22 Act and issue the necessary rules and regulations to carry out the objectives of this Act. The
23 Department of Trade and Industry (DTI) shall monitor the current market prices for caskets.
24

25 Section 7. Appropriations. - The amount necessary to implement the provisions of this Act
26 shall be charged against the allocation in the General Appropriations Act (GAA) of the DSWD.
27

28 Section 8. Separability Clause. - If any portion or provision of the Act is declared void or
29 unconstitutional, the remaining portions or provisions hereof shall not be affected by such
30 declaration.
31

32 Section 9. Repealing Clause. - Any provision of law or regulations inconsistent herewith
33 is hereby repealed, revoked, or modified accordingly.
34

35 Section 10. Effectivity. - This Act shall take effect fifteen (15) days after publication in the
36 Official Gazette or in a newspaper of general circulation.
37

38 Approved,
39