

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

NINETEENTH CONGRESS
Second Regular Session

House Bill No. **9465**



**INTRODUCED BY REPRESENTATIVES RALPH WENDEL P. TULFO,
JOCELYN P. TULFO, AND ERWIN T. TULFO**

**AN ACT GRANTING FREE FUNERAL SERVICES TO EXTREMELY POOR
FAMILIES AND FIFTY PERCENT (50%) DISCOUNT FROM FUNERAL
SERVICES TO INDIGENT FAMILIES NATIONWIDE, APPROPRIATING
FUNDS THEREFOR AND FOR OTHER PURPOSES**

EXPLANATORY NOTE

Article II, Section 9 of the 1987 Philippine Constitution provides for adequate social services for all. Among these, funeral service has been a common dilemma, most especially to poverty-stricken families who could not afford a decent interment for their departed relatives.

Every funeral shall be in keeping with the social position of the deceased, as stated in Article 306, Title X of the Civil Code of the Philippines. It practically follows that a funeral rite depends on the social and financial status of the deceased or the surviving family. As to difficult economic circumstances, there is a call for a definite solution, given the costly amount of funeral services in the country.

For instance, funeral essentials such as caskets usually range between PhP3,000 to PhP100,000; clothing ranges between PhP1,000.00 to PhP3,000; memorial chapel rentals range between PhP1,000 to PhP10,000 per night; funeral ceremonies range between PhP8,000 to PhP500,000; food and refreshments range between PhP5,000 to PhP30,000; memorial lots range between PhP1,000 to PhP10,000,000; burial-related services amount up to PhP50,000; while cremation start at around PhP70,000 and may reach up to PhP100,000, with a columbarium priced from PhP20,000 to PhP250,000.¹

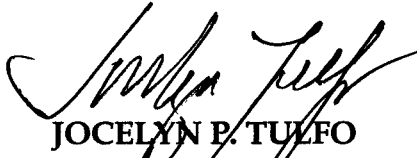
¹ Moneymax Editorial Team, "Cost of Dying in the Philippines: How Much Does a Funeral Cost?", Moneymax, 5 April 2022, <https://www.moneymax.ph/personal-finance/articles/funeral-cost-philippines>.

Living is already expensive enough that dying should not have to be. In the essence of humanity and in order to preserve one's dignity, even in death, there shall be granted an opportunity for the underprivileged, having low to no income at all, to have access to free or discounted funeral services.

In view of the foregoing, the urgent passing of this bill is earnestly sought.



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1 **AN ACT GRANTING FREE FUNERAL SERVICES TO EXTREMELY POOR**
2 **FAMILIES AND FIFTY PERCENT (50%) DISCOUNT FROM FUNERAL**
3 **SERVICES TO INDIGENT FAMILIES NATIONWIDE, APPROPRIATING**
4 **FUNDS THEREFOR AND FOR OTHER PURPOSES**
5

6 *Be it enacted by the Senate and the House of Representatives of the Philippines in Congress*
7 *assembled:*
8

9 **SECTION 1. *Short Title.*** – This Act shall be known as the “Free Funeral Services
10 Act”.

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12 **SEC. 2. *Declaration of Policy.*** – It is the policy of the State to promote a just and
13 dynamic social order that will ensure the prosperity and independence of the nation
14 and free the people from poverty through policies that provide adequate social services,
15 promote full employment, a rising standard of living, and an improved quality of life
16 for all. As part of fulfilling this, the State shall give free funeral services to extremely
17 poor families.
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19 **SEC. 3. *Definition of Terms.*** – The following terms as used in this Act shall mean the
20 following:
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- 22 (a) *Poor* refers to those whose income falls below the poverty threshold as defined by
23 the National Economic Development Authority (NEDA) and/or who cannot

afford in a sustained manner to provide their minimum basic needs of food, health, education, housing, or other essential amenities of life as defined under Republic Act No. 8425, otherwise known as the "Social Reform and Poverty Alleviation Act". The Community-Based Monitoring System (CBMS) established under Republic Act No. 11315 of the local government unit (LGU), with the supervision of the Philippine Statistics Authority (PSA), shall be used to determine the degree of indigency of the family, whether indigent or extremely poor;

(b) *Funeral Services* refers to preparation of funeral documents, embalming, viewing, interment or burial services, cremation and inurnment services, including the provision of a casket or urn, as the case may be, offered by mortuaries. The standard package of funeral services will cover:

- (1) Transfer of deceased from place of death to the mortuary for embalming and applying of cosmetics within a 25-kilometer radius of mortuary;
- (2) An ordinary plain casket and casket stand for viewing of body or urn in case of cremation;
- (3) Two (2) to three (3) days viewing outside the funeral chapels such as the Barangay Hall or residence of the family;
- (4) Use of funeral viewing equipment;
- (5) Use of funeral vehicle for interment within a 25-kilometer radius from the place of viewing to the place of burial; and
- (6) Unless for compelling reasons, interment only on weekdays and on official time, Monday to Friday, 8:00 a.m. until 5:00 p.m, except on regular holidays; and

(c) "At-need" means at the time of death or after a death has occurred.

SEC. 4. Free Funeral Services for Extremely Poor Families. – Free funeral services shall be provided for extremely poor families by accredited mortuaries anywhere in the

country. The said free services shall be given to only one (1) family member per month per mortuary branch: *Provided*, said funeral service does not exceed the cost of the mortuary's minimum funeral service package: *Provided, further*, That the grant of the free funeral services under this Act is without prejudice to the right of the beneficiary to avail of upgraded funeral services given by the mortuary. The difference in cost shall be borne by the family of the deceased.

SEC. 5. Discounted Funeral Services for Indigent Families. – A fifty percent (50%) discount on funeral services shall be granted to indigent families by mortuaries anywhere in the country, but shall be applicable only to at-need funeral services: *Provided*, said funeral service does not exceed the cost of the mortuary's minimum service package. 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.

SEC. 6. Requirements for Availing Free or Discounted Funeral Services. – Before an indigent or extremely poor family can avail of the free or discounted funeral services, the following documents shall be submitted: (a) certificate of indigency issued by the barangay or the local social welfare office of the LGU, stating whether the family is either indigent or extremely poor 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 mortuary; (b) death certificate; and (c) funeral contract between the beneficiary-family, the accredited mortuary, and the authorized Department of Social Welfare and Development (DSWD) personnel.

SEC. 7. Reimbursement. – Mortuaries granting discounted or free services to indigent or extremely poor beneficiaries may seek reimbursement for the cost of the services from any field office of the DSWD. The reimbursement will be based on the stipulations of the signed contract between the poor family, the mortuary, and the authorized DSWD personnel.

SEC. 8. *Lead Agency.* – The DSWD shall be the lead agency in the implementation of the provisions of this Act and shall engage the funeral services of the mortuaries in the country.

SEC. 9. *Role of the Local Government Units.* – Notwithstanding the preceding section, the LGUs are enjoined to fulfill their devolved function as mandated by Republic Act No. 7160, otherwise known as the “Local Government Code”, in providing assistance to indigent and extremely poor families in their respective areas at their own expense. Further, the LGUs will waive fees and charges which include burial or interment permit, cremation permit, transfer permit, disinterment permit, and cost of death certificate.

SEC. 10. *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 DSWD.

SEC. 11. *Implementing Rules and Regulations.* – Within six (6) months from the effectivity of this Act, the Secretary of the DSWD shall, in coordination with the Department of Interior and Local Government and the Philippine Mortuary Association, with the participation of the LGUs, promulgate the necessary rules and regulations to carry out the provisions of this Act.

SEC. 12. *Separability Clause.* – If any portion or provision of this Act is declared void or unconstitutional, the remaining portions or provisions hereof shall not be affected by such declaration.

SEC. 13. *Repealing Clause.* – Any provision of law or regulations inconsistent herewith is hereby repealed, modified, or amended accordingly.

115 **SEC. 14. *Effectivity.*** – This Act shall take effect fifteen (15) days after its publication
116 in two (2) newspapers of general circulation.

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118 *Approved,*