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

TWENTIETH CONGRESS
First Regular Session

HOUSE BILL NO. 3308



Introduced by Representative VINCENT FRANCO D. FRASCO

EXPLANATORY NOTE

This bill seeks to regulate the cost of funeral services by funeral establishments to ensure availability of affordable funeral services to indigent and extremely poor families.

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 cost of funeral services 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 and funeral services that comes with them. Hence, the surviving family members are often left with no other better option and, thus, constrained to purchase the available but expensive casket and funeral services, which are beyond their financial capacity. As they bury their dead, they are left, not only with grief, but unnecessary debt as well.

1 Thus, regulating the cost of funeral services by funeral establishments to ensure their
2 availability, will definitely relieve grief-stricken families of the added financial burden.
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4 In view of the foregoing, approval of this Bill is earnestly requested.
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9 **VINCENT FRANCO D. FRASCO**
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8 **HOUSE BILL NO. 3308**
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14 **AN ACT**
15 **PROVIDING FOR AFFORDABLE FUNERAL SERVICES TO INDIGENTS,**
16 **AND APPROPRIATING FUNDS THEREFOR**
17

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

20
21 Section 1. Title. - This Act shall be known as "Affordable Funeral Services Act."
22

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

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

- 33 (a) *Funeral Services* refers to a package of goods and services offered by a funeral
34 establishment comprised of basic embalming/mortuary services, transport of cadaver,
35 and provision of casket or coffin to hold the deceased, venue and/or furniture or
36 equipment for hosting of a wake, funeral hearse, transport towards burial grounds or
37 cremation;
38
39 (b) *Indigent Family* refers to a family whose monthly income is equivalent to the minimum
40 wage set in the region where they reside;
41
42 (c) *Extremely Poor Family* refers to a family whose monthly income is less than the
43 minimum wage set in the region where they reside;
44

1 (d) *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 Funeral Services in All Funeral Establishments. All
6 funeral establishments shall at all times make available for indigents funeral services with a price
7 of not more than Twenty thousand pesos (P20,000.00). Moreover, the aforementioned funeral
8 service package can be unbundled into its individual component services with the sum total of the
9 components not to exceed Twenty thousand pesos (P20,000.00) to give the indigent family leeway
10 to choose the specific service or component they want to avail of. In the event that a specific
11 service is not available, the funeral establishment shall be obliged to offer said service of any
12 higher value but the price to be paid shall still be the price as pegged for indigents.
13

14 Section 5. Availment of Affordable Funeral Services. – The deceased indigent’s family
15 must present a certificate of indigency and a case study verifying their indigent status from either
16 the medical social service of a hospital, the local social welfare office or the DSWD to the funeral
17 establishment in order to avail of the affordable funeral service package.
18

19 Section 6. Penalties. - Any violation of this Act shall be penalized with a fine not exceeding
20 Two hundred thousand pesos (P200,000.00) and a suspension of license to operate for a period not
21 exceeding six (6) months.
22

23 Repetitive violations after the lifting of the suspension of its license to operate shall be
24 penalized with a fine not exceeding Four hundred thousand pesos (P400,000.00) and a revocation
25 of such license to operate.
26

27 Section 7. Lead Agency - The DTI shall monitor and regulate the current market prices for
28 funeral services. The DTI shall likewise provide the implementing rules and regulations ninety
29 (90) days after the passage of this Act.
30

31 Section 8. Appropriations. - The amount necessary to implement the provisions of this Act
32 shall be charged against the current year’s appropriations of the departments and agencies
33 concerned. Thereafter, such amount shall be included in the annual General Appropriations Act.
34

35 Section 9. Separability Clause. - If any portion or provision of the Act is declared void or
36 unconstitutional, the remaining portions or provisions hereof shall not be affected by such
37 declaration.
38

39 Section 10. Repealing Clause. - Any provision of law or regulations inconsistent herewith
40 is hereby repealed, revoked, or modified accordingly.
41

42 Section 11. Effectivity. - This Act shall take effect fifteen (15) days after publication in the
43 Official Gazette or in a newspaper of general circulation.
44

45 Approved,
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