

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

TWENTIETH CONGRESS
First Regular Session
HOUSE BILL NO. 4560



INTRODUCED BY REPRESENTATIVE MARLYN L. PRIMICIAS-AGABAS

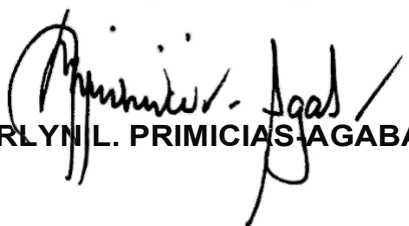
EXPLANATORY NOTE

A dignified burial is a fundamental expression of respect for the deceased and a source of solace for grieving families. However, for many indigent and extremely poor Filipino families, the high cost of caskets and funeral services often compounds their distress, forcing them to make difficult choices at a time of loss.

The State, through the *Consumer Act of the Philippines*, has long recognized the need to protect consumers and promote their welfare, particularly in transactions involving essential goods and services. Funeral services, including the provision of caskets, are no exception. The Department of Trade and Industry is expressly mandated to regulate such services to ensure fair pricing and quality standards, while the Department of Social Welfare and Development is tasked with safeguarding the interests of the most vulnerable sectors.

Jurisprudence has affirmed the validity of measures that require funeral establishments to extend benefits to specific groups, such as senior citizens, as a legitimate exercise of the State's police power to promote social justice and welfare (*Manila Memorial Park vs. DSWD, G.R. No. 175356, December 3, 2013*). This bill builds on that principle by mandating the availability of affordable, decent caskets in all funeral establishments, with special consideration for indigent and extremely poor families. By setting a reasonable price ceiling for caskets and providing clear mechanisms for enforcement and penalties, this measure seeks to prevent exploitative practices and ensure that no Filipino family is deprived of a dignified burial for their loved ones due to financial hardship.

In view of the foregoing, the immediate passage of this bill is earnestly sought to uphold the dignity of every Filipino, regardless of economic status, in life and in death.


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AN ACT
REQUIRING FUNERAL ESTABLISHMENTS TO PROVIDE AFFORDABLE CASKETS
FOR INDIGENT AND EXTREMELY POOR FAMILIES, PRESCRIBING PENALTIES
FOR VIOLATIONS, AND FOR OTHER PURPOSES

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

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

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

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

- (a) "Casket" refers to a coffin or a box or case to hold a dead body.
- (b) "Indigent Family" refers to a family whose monthly income is equivalent to the minimum wage set in the region where they reside.
- (c) "Extremely Poor Family" refers to a family whose monthly income is less than the minimum wage set in the region where they reside.
- (d) "Implementing Agencies" refer to the Department of Social Welfare and Development and the Department of Trade and Industry.
- (e) "Funeral Establishment" includes funeral parlors, funeral chapels and any similar place used in the preparation, storage and care of the body of a deceased person for burial or cremation.

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

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

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

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

Section 7. 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.

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

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

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

Approved,