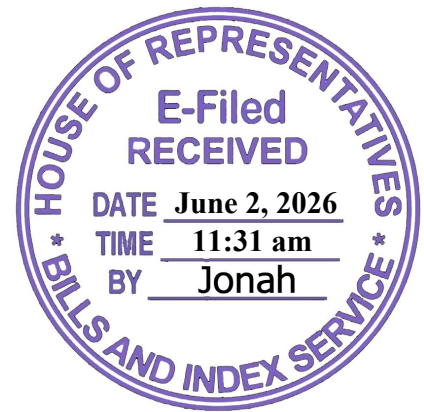


TWENTIETH CONGRESS OF THE)
REPUBLIC OF THE PHILIPPINES)
First Regular Session)



HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 9641

Introduced by Rep. CARMELO G. LAZATIN, JR.

AN ACT
MANDATING THE ESTABLISHMENT OF PUBLIC CREMATORIUMS AND
PROVIDING FREE BURIAL AND CREMATION SERVICES FOR SENIOR CITIZENS
AND PERSONS WITH DISABILITIES

EXPLANATORY NOTE

Filipinos are known for our close- knit family ties, which is why the death of our relatives often bring profound grief. However, during these crucial times, it is rather difficult for most Filipinos to properly mourn the passing of a family member especially for those whose resources were already depleted due to medical expenses and could no longer afford to cover funeral and burial services for the deceased.

In an effort to ease the burden of the surviving family, many local government units are already offering free caskets and those maintaining public cemeteries/ mortuaries are giving discounts on burial and crematory services.

Further, Republic Act No. 9994, otherwise known as the *Expanded Senior Citizens Act of 2010*, and Republic Act No. 10754, which expanded the benefits and privileges of PWDs, recognize funeral and burial services among the covered entitlements. In *Republic v. Pryce Corporation, Inc.*, the Supreme Court further clarified that “funeral and burial services” should be construed liberally in favor of senior citizens, and that interment services form part of the covered services. These measures reflect the State’s policy to support vulnerable sectors and promote social justice.

However, discounts by themselves do not ensure actual access. In many localities, families still face high out-of-pocket expenses and the absence of a public crematorium option.

This proposed measure seeks to address this concern and mandates the establishment of public crematoriums and the provision of free burial and cremation services for senior citizens and persons with disabilities.

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


CARMELO G. LAZATIN, JR.



Republic of the Philippines
House of Representatives
Quezon City, Metro Manila

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

1 *Section 1. Short Title.* – This Act shall be known as “Free Burial and Cremation Services
2 for Senior Citizens and Persons with Disabilities Act”

3 *Section 2. Declaration of Policies.* – It is a policy of the State to promote a just and dynamic
4 social order that will ensure the prosperity and independence of the nation and free the people from
5 poverty through policies that provide adequate social services, promote full employment, a rising
6 standard of living, and an improved quality of life for all. To this end, the State shall mandate the
7 establishment of public crematoriums and the provision of free burial and/or cremation services to
8 Senior Citizens and Persons with Disabilities (PWDs), subject to the standards and eligibility
9 requirements under this Act.

10 *Section 3. Establishment of Public Crematoriums and Provision of Free Burial and*
11 *Cremation Services.* – Each city and municipality is hereby mandated to establish a public
12 crematorium and provide free burial and/or cremation services for deceased senior citizens and
13 deceased PWDs.

1 The grant of free services under this Act shall be without prejudice to other benefits granted
2 by existing laws.

3
4 *Section 4. Implementing Rules and Regulations.* – Within ninety (90) days from the
5 effectivity of this Act, the National Commission of Senior Citizens together with the National
6 Council on Disability Affairs, in coordination with local government units and relevant
7 government agencies and stakeholders, shall promulgate the implementing rules and regulations
8 to effectively carry out the provisions of this Act.

9
10 *Section 5. Appropriations.* – The amount necessary to carry out the provisions of this Act
11 shall be included in the annual General Appropriations Act (GAA). The national government may
12 provide funding support or cost-sharing mechanisms to LGUs for the establishment and operation
13 of public crematoriums and for the provision of free burial and/or cremation services under this
14 Act.

15
16 *Section 6. Separability Clause.* If any provision of this Act is declared unconstitutional or
17 invalid, the other provisions not affected thereby shall remain in full force and effect.

18
19 *Section 7. Repealing Clause.* All laws, decrees, orders, rules and regulations, or parts
20 thereof, which are inconsistent with the provisions of this Act are hereby repealed or modified
21 accordingly.

22
23 *Section 8. Effectivity Clause.* This Act shall take effect fifteen (15) days after its
24 publication in the Official Gazette or in a newspaper of general circulation.

25
26 Approved,