

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



Senate
Office of the Secretary

23 JAN 18 P5:20

SENATE
Senate Bill No. 1695

RECEIVED BY: 

Introduced by: **Senator Raffy T. Tulfo**

**"AN ACT GRANTING FREE FUNERAL SERVICES TO POOR FAMILIES
NATIONWIDE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES"**

Explanatory Note

Funerals are integral rites that allow families to grieve and mourn the loss of their departed loved ones. The ceremony provides a chance for people to gather, honor, and celebrate the life of the deceased. However, for many poor families death can also equate to a crippling amount of debt; and evidently a heavy burden for those left behind.

In the Philippines, funeral and burial services can range from 10,000 to hundreds of thousands of pesos. As such, many poor families are not only wracked with grief but also deep financial stress that may even lead them to borrow funds from lenders with high-interest rates. While there are programs that help indigent families, specifically the DSWD's Burial Assistance Program which provides up to 10,000 pesos worth of benefits, this bill seeks to institutionalize a provision of burial assistance that offers free funeral services to the extremely poor nationwide. This benefit shall include the preparation of funeral documents, embalming, viewing, burial, or cremation. Moreover, accredited mortuaries shall provide a casket or urn.

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


Raffy T. Tulfo
Senator



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

23 JAN 18 P5:20

SENATE
Senate Bill No. 1695

RECEIVED BY:

Introduced by: **Senator Raffy T. Tulfo**

**"AN ACT GRANTING FREE FUNERAL SERVICES TO POOR FAMILIES
NATIONWIDE, APPROPRIATING FUNDS THEREFOR AND FOR OTHER
PURPOSES"**

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

1 Section 1. *Short Title* — This Act shall be known as the "*Free Funeral Services*
2 *Act.*"

3 Sec 2. *Declaration of Policy* — It is the policy of the State to promote a just and
4 dynamic social order that will ensure the prosperity and independence of the nation
5 and free the people from poverty through policies that provide adequate social
6 services, promote full employment, a rising standard of living, and an improved quality
7 of life for all. As part of fulfilling this, the State shall give free funeral services to
8 extremely poor families.

9 Sec 3. *Definition of Terms* — The following terms as used in this Act shall mean
10 the following:

11 a. *Poor* refers to those whose income falls below the poverty threshold as
12 defined by the National Economic Development Authority (NEDA) and/or
13 who cannot afford in a sustained manner to provide their minimum basic
14 needs of food, health, education, housing, or other essential amenities
15 of life as defined under Republic Act No. 8425, otherwise known as the
16 "Social Reform and Poverty Alleviation Act".

17 b. *Funeral Services* refer to the preparation of funeral documents,
18 embalming, viewing, interment or burial services, cremation, and
19 inurnment services, including the provision of a casket or urn, as the

1 case may be, offered by mortuaries. The standard package of funeral
2 services will cover the following:

- 3 1. Transfer of the deceased from the place of death to the
4 mortuary for embalming and applying of cosmetics within
5 a 25-kilometer radius of the mortuary;
- 6 2. An ordinary Plain Casket and casket stand for viewing of
7 body or urn in case of cremation;
- 8 3. Two (2) to three (3) days of viewing outside the funeral
9 chapels such as the Barangay Hall or residence of the
10 family;
- 11 4. Use of funeral viewing equipment including lighting and
12 arania;
- 13 5. Use of funeral vehicle for interment within a 25-kilometer
14 radius from the place of viewing to the place of burial; and
- 15 6. Unless for a compelling reason, interment only on
16 weekdays and on official time, Monday to Friday, 8:00 a.m.
17 Until 5:00 p.m., except on regular holidays.

18 *Sec 4. Coverage.* — Families whose combined gross income does not exceed
19 Php 15,000 per month, does not own real property, or a vehicle. The real property
20 mentioned refers to property acquired through sale.

21 *Sec 5. Free Funeral Services for Extremely Poor Families.* — Free funeral
22 services shall be provided for extremely poor families by accredited mortuaries
23 anywhere in the country. The said free services shall be given to only one (1) family
24 member per month per mortuary branch. Provided, said funeral service does not
25 exceed the cost of the mortuary's minimum funeral service package. Provided further,
26 the grant of free funeral services under this Act is without prejudice to the right of the
27 beneficiary to avail of upgraded funeral services given by the mortuary. The difference
28 in cost shall be borne by the family of the deceased.

29 *Sec 6. Requirements for Availing Free Funeral Services.* — Before an extremely
30 poor family can avail of free funeral services, the following documents shall be
31 submitted: a) a certificate of indigency issued by the barangay or the local social
32 welfare office of the local government unit (LGU), stating whether the family is

1 extremely poor as defined under Section 3; Provided, however, that the certification
2 shall not be a requirement before any member of the family of the deceased could
3 avail the services of the mortuary; b) death certificate; and c) funeral contract between
4 the beneficiary-family, the accredited mortuary, and the authorized DSWD personnel.

5 *Sec 7. Reimbursement.* — Mortuaries granting free services to extremely poor
6 beneficiaries may seek reimbursement for the cost of the services from any regional
7 office of the DSWD upon the approval of the Regional Director. The reimbursement
8 will be based on the stipulations of the signed contract between the poor family, the
9 mortuary, and authorized DSWD personnel.

10 *Sec 8. Lead Agency.* — The DSWD shall be the lead agency in the
11 implementation of the provisions of this Act and shall engage in the funeral services
12 of mortuaries in the country.

13 *Sec 9. Role of Local Government Units (LGUs).* — Notwithstanding the
14 preceding section, the local government units are enjoined to fulfill their devolved
15 function as mandated by Republic Act No. 7160 or the Local Government Code, and
16 Presidential Decree No. 856 otherwise known as the Sanitation Code, in providing
17 assistance to the extremely poor families in their respective areas at their own
18 expense. Further, the LGUs will waive fees and charges which include burial or
19 interment permits, cremation permits, transfer permits, disinterment permits, and the
20 cost of a Death Certificate.

21 *Sec 10. Appropriations.* — The amount necessary to implement the provisions
22 of this Act shall be charged against the allocation in the General Appropriations Act
23 (GAA) of the Department of Social Welfare and Development (DSWD).

24 *Sec 11. Separability Clause.* — If any portion or provision of the Act is declared
25 void or unconstitutional, the remaining portions or provisions hereof shall not be
26 affected by such declaration.

27 *Sec 12. Repealing Clause.* — Any provision of law or regulations inconsistent
28 herewith is hereby released, modified, or amended accordingly.

29 *Sec 13. Effectivity.* — This Act shall take effect fifteen (15) days after its
30 publication in two (2) newspapers of general circulation.

Approved,