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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City

EIGHTEENTH CONGRESS
First Regular Session

HOUSE BILL No. 5249



Introduced by
BAYAN MUNA Representatives CARLOS ISAGANI T. ZARATE,
FERDINAND R. GAITE and EUFEMIA C. CULLAMAT

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

EXPLANATORY NOTE

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.

A survey done on funeral services by the UP School of Urban and Regional Planning (2005) revealed that the average funeral service package was twenty five thousand pesos (P 25,000). Memorial lots in public and private cemeteries cost and showed an average of fifty thousand pesos (PhP 50,000) for lot package including succeeding lease payments. Decent funeral services include the transport of the corpse, provision of casket, embalming, interment and conduct to the church and/or to the cemetery.

Traditionally, most Filipino families hold the funeral wake at home. The lack of space in many residential areas, however, does not restrict the setting up of funeral wakes even on the sides of the street adjacent to the dead man's residence.

There are also instances where a funeral wake lasts for more than a week only because there are not enough funds mainly gathered through abuloy (donations) to cover for the burial expenses incurred.

Death to one's family member becomes doubly tragic for those who earn a measly Php 429.00 a day (in the National Capital Region). According to the National Statistical Coordination Board, the number of poor families in relation to the total population remains unchanged since 2006. That translates to 28 out of 100 Filipino families, or 25 million Filipinos, living on less than P50 a day in 2012. This wage structure and economic data demonstrate that our people can neither sustain their daily needs let alone be able to shoulder the funeral expenses of their departed loved ones.

It is the duty of the State to provide for the welfare and security of its citizens. This measure aims

1 to provide immediate relief to the poor, especially during the loss of their loved ones.

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3 It is this plight of many poor Filipinos that prompted Bayan Muna Rep. Neri Colmenares to
4 originally file this Bill during the 15th Congress and refiled it with fellow Bayan Muna Rep. Carlos
5 Isagani Zarate in the 16th Congress. This bill was enriched in technical working group in the 17th
6 Congress after it was refiled by Rep. Carlos Isagani Zarate.

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9 Thus, the passage of this bill is earnestly requested.

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15 *Approved,*

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23 REP. CARLOS ISAGANI T. ZARATE
24 *Bayan Muna Partylist*

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30 REP. FERDINAND R. GAITE
31 *Bayan Muna Partylist*

32 REP. EUFEMIA C. CULLAMAT
33 *Bayan Muna Partylist*

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

Section 1. Short Title. - This Act shall be known as "Funeral Services Discount 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 give enough discounts from funeral services to indigent families.

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

(a) **"Indigent Family"** refers to a family whose monthly income is equivalent to the minimum wage set in the region where they reside.

(b) **"Extremely Poor Family"** refers to a family whose monthly income is less than the minimum wage set in the region where they reside.

(c) **"Funeral Services"** refer to preparation of funeral documents, embalming, interment and burial services or cremation services, including the provision of a casket, offered by funeral homes offering such services. Furthermore, the standard package of funeral services shall be:

- 1) A Junior Lizo Casket and a cart to bring the body inside the chapel;
- 2) For at least 5 days but no more than 10 days;
- 3) A chapel with at least 20 seating capacity with air-conditioning systems, if available, and lightings and arania, or at the residence or at the place chosen by the relatives

- 1 of the deceased, provided that it is within 20-25 kilometer radius of the funeral
2 home or within Metro Manila
3 4) A hearse to be utilized within 20-25 kilometer radius of the funeral home or within
4 Metro Manila. If the funeral discount will be availed in the province, it should be
5 included in the package.
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7 **Section 4. Free funeral services for Extremely Poor Families-** Free funeral services shall be
8 provided for Extremely Poor Families by funeral homes anywhere in the country. The said free
9 services shall be a maximum of two (2) per month per funeral branch. *Provided*, said funeral service
10 does not exceed the cost of the Funeral Home's minimum funeral service package.
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12 **Section 5. Discounts for Indigent Families on Funeral Services.** - A fifty percent (50%)
13 discount on funeral services shall be granted to indigent families by funeral homes anywhere in the
14 country but would only be applicable to At-Need funeral services only. *Provided*, said funeral
15 service does not exceed the cost of the funeral home's minimum funeral service package. The
16 grant of a discount under this Act is without prejudice to the right of the beneficiary to avail of
17 other financial assistance given by the government.
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19 **Section 6. Requirements for Availing Free or Discount.** - Before an extremely poor family
20 or indigent family can avail of the free or discount on funeral services, the following documents
21 shall be prepared for submission: death certificate, funeral contract and a certificate as indigent or
22 extremely poor beneficiary from the barangay or the local social welfare offices of the local
23 government unit(s) (LGUs) or from the DSWD regional or national offices stating that beneficiary
24 belong to extremely poor or indigent families as defined under Section 3. *Provided*, however, that
25 the certification shall not be a requirement before any member of the family of the deceased could
26 avail the services of the funeral homes.
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28 **Section 7. Reimbursement or Tax Credit.** - Funeral homes granting discounts or free services
29 to indigent beneficiaries or extremely poor beneficiaries may reimburse the cost of the discount
30 from any regional offices of the DSWD upon the approval of the Regional Director or convert
31 the same as tax credits provided that proper certification as to the veracity of the claim is certified
32 true and correct by the DSWD. The tax credit may be used for a period not exceeding five (5)
33 years from the day the discount was given or from the date appearing in the official receipt.
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35 **Section 8. Implementing Agency.** - The DSWD shall implement the provision of this Act and
36 issue the necessary rules and regulations to carry out the objectives of this Act.
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38 **Section 9. Appropriations.** The amount necessary to implement the provisions of this Act shall
39 be charged against the allocation in the General Appropriations Act (GAA) of the Department of
40 Social Welfare and Development (DSWD).
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42 **Section 10. Separability Clause.** - If any portion or provision of the Act is declared void or
43 unconstitutional, the remaining portions or provisions hereof shall not be affected by such
44 declaration.
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46 **Section 11. Repealing Clause.** - Any provision of law or regulations inconsistent herewith is
47 hereby repealed, revoked or modified accordingly.
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49 **Section 12. Effectivity.** - This Act shall take effect fifteen (15) days after its publication in two (2)

1 newspapers of general circulation.

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5 *Approved,*