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Republic of the Philippines
HOUSE OF REPRESENTATIVES
Constitution Hills, Quezon City
EIGHTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 7846



Introduced by Representative VINCENT FRANCO "DUKE" D. FRASCO

EXPLANATORY NOTE

This bill seeks to regulate the sale of caskets by funeral establishments to protect the human dignity of our fellow Filipinos, by ensuring the availability of affordable decent caskets.

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 more than a majority of Filipinos already live lives of utter poverty and still die poor and indebted till the end. In general, funeral services are expensive, a stark and difficult reality confronting the large majority of impoverished Filipinos. In particular, the price of most caskets has become unconscionably high, which is beyond the paying capacity of the family of the deceased. Notably, the cost of caskets are not the only expenses involved in death, as there is still the matter of embalming, transportation, cemetery and other funeral expenses. Not to mention, if the individual died of unnatural causes, hospitalization and medical bills may have been incurred. The expensive cost of dying presents an added burden to grief-stricken families, not to mention the indigents and extremely poor.

Depending on materials used, coffins may cost between P5,000 to P300,000. Affordable caskets may be bought in small and limited funeral parlors. However, the sad reality is that in most funeral parlors, there is no availability of affordable caskets. Hence, the surviving family members are often left with no other better option and, thus, constrained to purchase the available but

1 expensive casket, which is beyond their financial capacity. As they bury their dead, they are left,
2 not only with grief, but unnecessary debt as well.

3 Thus, regulating the sale of caskets by funeral establishments to ensure availability of
4 affordable caskets, will greatly relieve grief-stricken families of the added financial burden, and
5 preserve the human dignity of our fellow Filipinos, both in life and in death.

6 In view of the foregoing, approval of this Bill is earnestly requested.

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VINCENT FRANCO D. FRASCO

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4 **HOUSE OF REPRESENTATIVES**
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8 **HOUSE BILL NO. 7846**

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11 Introduced by Rep. Vincent Franco D. Frasco
12

13 **AN ACT**
14 **REGULATING THE SALE OF CASKETS BY FUNERAL ESTABLISHMENTS TO**
15 **ENSURE AVAILABILITY OF AFFORDABLE CASKETS, AND APPROPRIATING**
16 **FUNDS THEREFOR AND FOR OTHER PURPOSES**
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 "DC Cares 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 regulate the sale of caskets by funeral establishments to ensure availability of affordable decent
28 caskets to grief-stricken families, especially 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:
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- 33 (a) "Casket" refers to a coffin or a box or case to hold a dead body.
34
35 (b) "Indigent Family" refers to a family whose monthly income is equivalent to the
36 minimum wage set in the region where they reside.
37
38 (c) "Extremely Poor Family" refers to a family whose monthly income is less than the
39 minimum wage set in the region where they reside.
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41 (d) "Implementing Agency" refers to the Department of Trade and Industry.
42
43 (e) "Funeral Establishment" includes funeral parlors, funeral chapels and any similar place
44 used in the preparation, storage and care of the body of a deceased person for burial or
45 cremation.
46

1 Section 4. Availability of Affordable Caskets in all Funeral Establishments. – All funeral
2 establishments shall at all times maintain available decent caskets with a price of **not more than**
3 **Twelve Thousand (P12,000.00) Pesos**. In the event that there is no such casket available when
4 needed and the family of the deceased person is an indigent family or extremely poor family as
5 certified by Barangay Chairman or any government social worker, the funeral establishment shall
6 be obliged to offer a casket of any higher value, but the price to be paid by such indigent family or
7 extremely poor family shall still be at an amount **not more than Twelve Thousand (P12,000.00)**
8 **Pesos**.

9
10 Section 5. Penalties. - Any violation of this Act shall be penalized with a fine not exceeding
11 two hundred thousand pesos (P200,000.00) and a suspension of license to operate for a period not
12 exceeding six months.

13
14 Repetitive violations after the lifting of the suspension of its license to operate shall be
15 penalized with a fine not exceeding four hundred thousand pesos (P400,000.00) and a revocation
16 of such license to operate.

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

22
23 Section 7. Appropriations. - The amount necessary to implement the provisions of this Act
24 shall be appropriated in the General Appropriations Act (GAA).

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

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

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

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36 Approved,
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