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S. NO. 2965

(In substitution of Senate Bill Nos. 879 and 1695
taking into consideration House Bill No. 102)

Prepared and submitted jointly by the Committees on Social Justice, Welfare,
and Rural Development; Trade, Commerce and Entrepreneurship; and Finance; with
Senators Poe, Tulfo and Marcos, as authors thereof

AN ACT

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

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

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

Sec. 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 free funeral services to poor
families who cannot afford a proper burial for the deceased.

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

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

9 b. Funeral Services refer to the preparation of funeral documents, embalming,
10 interment or burial services, transport, cremation, and inurnment services,
11 including the provision of a casket or urn and venue, as the case may be,
12 offered by mortuaries.

13 c. Funeral Establishment includes funeral parlors, funeral chapels and any similar
14 place used in the preparation, storage and care of the body of a deceased
15 person for burial or cremation.

16 **Sec 4. Coverage.** — Families whose income falls below the poverty threshold
17 as defined by the National Economic Development Authority (NEDA) and/or who
18 cannot afford in a sustained manner to provide their minimum basic needs of food,
19 health, education, housing, or other essential amenities of life as defined under
20 Republic Act No. 8425, otherwise known as the "Social Reform and Poverty Alleviation
21 Act".

22 **Sec 5. Free Funeral Services for Poor Families.** — Free funeral services
23 shall be provided for poor families by accredited funeral establishments anywhere in

1 the country. The said free funeral services shall be given to only one (1) family
2 member per month per funeral establishment. Provided that, in coordination with the
3 Department of Social Welfare and Development (DSWD), every funeral establishment
4 shall have an indigent funeral package which shall be uniform in all funeral
5 establishments regardless of its type or location that shall be available to all poor
6 families, as determined by the DSWD.

7 **Sec 6. Requirements for Availing Free Funeral Services.** —The deceased
8 family must present a Certificate of Indigency and a case study verifying their indigent
9 status from either the medical social service of a hospital, the local social welfare
10 office or the DSWD to the funeral establishment in order to avail of the free funeral
11 service package.

12 **Sec. 7. Lead Agency.** — The DSWD shall be the lead agency in the
13 implementation of the provisions of this Act and shall engage in the funeral services
14 of funeral establishments in the country.

15 **Sec. 8. Reimbursement.** — Funeral establishments granting free services to
16 poor beneficiaries may seek reimbursement for the cost of the services from any
17 regional office of the DSWD upon the approval of the Regional Director. The
18 reimbursement will be based on the stipulations of the signed contract between the
19 poor family, the mortuary, and authorized DSWD personnel.

20 **Sec. 9. Penalties.** — Any violation of this Act shall be penalized with a fine not
21 exceeding Two hundred thousand pesos (P200,000.00) and a suspension of license
22 to operate for a period not exceeding six (6) months.

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

4 **Sec. 10. Appropriations.** – The amount necessary for the initial
5 implementation of this Act shall be charged against the current year’s appropriations
6 for the Assistance to Individuals In Crisis Situations (AICS) Program and other similar
7 programs of the DSWD. Thereafter, such amount, as may be necessary, shall be
8 included in the annual General Appropriations Act.

9 **Sec. 20. Separability Clause.** —If any portion or provision of the Act is
10 declared void or unconstitutional, the remaining portions or provisions hereof shall
11 not be affected by such declaration.

12 **Sec. 21. Repealing Clause.** — Any provision of law or regulations
13 inconsistent herewith is hereby released, modified, or amended accordingly.

14 **Sec. 21. Effectivity.** — This Act shall take effect fifteen (15) days after its
15 publication in two (2) newspapers of general circulation.

16 Approved,