



S E N A T E

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, MARCOS, AND VILLAR (M.) 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 House of Representatives of
the Philippines in Congress assembled:*

1 SECTION 1. This Act shall be known as the “Free Funeral
2 Services Act”.

3 SEC. 2. *Declaration of Policy.* – It is the policy of the State to
4 promote a just and dynamic social order that ensures the
5 prosperity and independence of the nation and frees the people

1 from poverty through policies that provide adequate social
2 services and promote full employment, a rising standard of living,
3 and an improved quality of life for all. To this end, the State shall
4 give free funeral services to poor families who cannot afford a
5 proper burial for their deceased.

6 SEC. 3. *Definition of Terms.* – As used in this Act:

7 (a) *Funeral Establishment* refers to a licensed business that
8 provides funeral services, such as funeral parlors,
9 funeral chapels, and any similar place used in the preparation,
10 transportation, storage, and care of the body of a deceased person
11 for burial or cremation;

12 (b) *Indigent Funeral Package* refers to the preparation of
13 funeral documents, embalming, interment or burial services,
14 transport, cremation, and inurnment services, including the
15 provision of a casket, urn, or venue, as the case may be, offered by
16 funeral establishments; and

17 (c) *Poor* refers to those families whose income falls below the
18 poverty threshold as defined by the National Economic and
19 Development Authority (NEDA) and/or who cannot sustain or

1 provide their minimum basic needs of food, health, education,
2 housing, or other essential amenities of life as defined under
3 Republic Act No. 8425, otherwise known as the “Social Reform
4 and Poverty Alleviation Act”.

5 SEC. 4. *Coverage.* – Free funeral services shall be
6 provided to families who are in crisis situations, as
7 determined by the Department of Social Welfare and
8 Development (DSWD), including but not limited to
9 indigent families, or those affected by calamities, disasters,
10 or other emergency circumstances that prevent them from
11 affording dignified funeral services.

12 SEC. 5. *Free Funeral Services for Poor Families.* – Free
13 funeral services shall be provided to poor families per death of a
14 family member by accredited funeral establishments anywhere
15 in the country: *Provided,* That every funeral establishment shall
16 have a uniform indigent funeral package, regardless of such
17 establishment’s type or location available to all poor families, as
18 determined by and in coordination with the DSWD.

1 SEC. 6. *Requirements for Availing the Indigent*
2 *Funeral Package.* – The bereaved family or representative
3 must present the following to avail the indigent funeral package:

4 (a) Valid identification card of the claimant or
5 beneficiary;

6 (b) Death certificate issued by the hospital or
7 city/municipal health office, or certification from the tribal
8 chieftain;

9 (c) Funeral contract signed by the representative of
10 the deceased's family, the funeral establishment, and an
11 authorized DSWD personnel; and

12 (d) Social case study prepared by any registered
13 social worker.

14 SEC. 7. *Lead Agency.* – The DSWD shall be the lead
15 agency in the implementation of this Act and shall engage
16 the services of funeral establishments in the country. The
17 Department of Trade and Industry (DTI) shall monitor and
18 regulate the current market prices of funeral services,

1 including the price of caskets and urns, to prevent undue
2 or excessive price increases.

3 SEC. 8. *Payment of Indigent Funeral Package.* –
4 Funeral establishments granting free services to poor
5 beneficiaries shall be paid the cost of the services by any
6 regional office of the DSWD upon the approval of the
7 Regional Director. The payment will be based on the
8 stipulations of the signed contract between the
9 representative of the deceased's family, the funeral
10 establishment, and the authorized DSWD personnel.

11 SEC. 9. *Penalties.* – Any violation of this Act shall be
12 penalized with a fine not exceeding Two hundred thousand
13 pesos (P200,000.00) and a suspension of license to operate
14 for a period not exceeding six (6) months.

15 Repeated violations after the suspension of its license
16 to operate is lifted, shall be penalized with a fine not
17 exceeding Four hundred thousand pesos (P400,000.00) and
18 revocation of such license to operate.

Any individual or establishment found to have fraudulently availed or facilitated the availment of free funeral services under this Act through false representation, document falsification, or collusion shall be penalized with imprisonment of not less than six (6) months and a fine not exceeding Five hundred thousand pesos (P500,000.00).

SEC. 10. *Appropriations.* – The amount necessary for the initial implementation of this Act shall be charged against the current year’s appropriations for the Assistance to Individuals in Crisis Situations (AICS) Program and other similar programs of the DSWD. Thereafter, such amount needed for the continued implementation of this Act shall be included in the annual General Appropriations Act.

SEC. 11. *Implementing Rules and Regulations.* – The DSWD shall promulgate the implementing rules and regulations within sixty (60) days from the effectivity of this Act.

1 SEC. 12. *Separability Clause.* – If any portion or
2 provision of this Act is declared void or unconstitutional,
3 the remaining portions or provisions hereof shall not be
4 affected by such declaration.

5 SEC. 13. *Repealing Clause.* – Any provision of law or
6 regulations inconsistent herewith is hereby repealed,
7 modified, or amended accordingly.

8 SEC. 14. *Effectivity.* – This Act shall take effect fifteen
9 (15) days after its publication in two (2) newspapers of
10 general circulation.

Approved,