

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



23 JAN 25 AM 11:04

SENATE
Senate Bill No. 1760

RECEIVED BY: _____

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

**"AN ACT MANDATING THE ESTABLISHMENT OF PUBLIC CREMATORIUMS
IN CITIES AND MUNICIPALITIES AND EXTENDING FREE CREMATION
SERVICES TO INDIGENT FAMILIES AMENDING FOR SUCH PURPOSE THE
LOCAL GOVERNMENT CODE AND THE CODE OF SANITATION"**

Explanatory Note

A death in the family is not only a time of grief but also a period of deep financial stress. In the Philippines, both the traditional funeral and burial services can range from ten thousand to hundreds of thousands of pesos. Traditional burials have also posed issues due to the lack of space, especially in urban cemeteries. In the alternative, the process of cremation is a readily available, cost-effective, and practical option which Filipinos can now consider.

Cremation is the process of burning a dead body, typically after a funeral ceremony. Previously, Filipinos favored the traditional burial rites due to religious concerns, however, with the COVID-19 pandemic, many individuals have become more open and aware to the process of cremation as a means of burying their departed ones.

While there are programs that aid indigent families, specifically the DSWD's Burial Assistance Program which provides up to 10,000 pesos worth of benefits, this bill seeks to establish public crematoriums that cremate indigent decedents free of charge; this is to provide alternative options to the traditional burial for poor families.

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

Raffy T. Tulfo
Senator

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Office of the Secretary

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

1 Section 1. *Title.* — This Act shall be known as the "*Public Crematorium Act.*"

2 Sec 2. *Declaration of Policy.* — It is the policy of the State to promote a just
3 and dynamic social order that will ensure the freedom of its people from poverty
4 through policies that provide adequate social services and improved quality of life.
5 As part of fulfilling this, the State shall establish public crematoriums that shall
6 provide free cremations for indigent decedents.

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

- 9 a. *A crematorium* refers to a designated place duly authorized by law to
10 cremate dead persons.
- 11 b. *Indigent* refers to a person who has no visible means of support or
12 whose income falls below the minimum wage in the region as
13 determined by the Regional Tripartite Wage Board; or whose income
14 falls within the minimum wage but has two other persons dependent
15 upon him or her for support.

16 Sec. 4. *Establishment of Public Crematoriums.* — Section 17 of Republic No.
17 7160, as amended, otherwise known as the Local Government Code is hereby
18 amended to read as follows:

1 "Section 17. Basic Services and Facilities —

2 xxx xxx xxx

3 (b) Such basic services and facilities include, but are not limited to, the
4 following:

5 xxx xxx xxx

6 (2) For a Municipality:

7 xxx xxx xxx

8 (x) Public cemetery **AND PUBLIC**

9 **CREMATORIUM"**

10 Furthermore, the design, construction, technical requirements, sanitary
11 certification, and operation of the public crematories, as well as handling of dead
12 bodies shall be in compliance with the Presidential Decree 856, otherwise known as
13 the "Code on Sanitation of the Philippines" and Republic Act No. 8749, or the
14 "Philippine Clean Air Act of 1999," and their respective implementing rules and
15 regulation.

16 *Sec 5. Anti-Pollution Measures.* — The Department of Environment and
17 Natural Resources (DENR) shall issue pertinent guidelines and practices promoting
18 anti-pollution measures such as, but not limited to, installation of filter systems and
19 similar pollution control devices, designation of pollution officers, neutralization of
20 pollutants and toxic wastes, reduction of particulate matter, more efficient use of
21 fuel and energy, adequate controls on emission levels, among others.

22 *Sec 6. Coverage.* — Families whose combined gross income does not exceed
23 Php 15,000 per month, do not own real property, or a vehicle. The real property
24 mentioned refers to property acquired through sale.

25 *Sec 7. Provision of Free Cremation Services for Indigents.* — Notwithstanding
26 any provision of law, indigent decedents or a decedent belonging to an indigent
27 family, as determined by the city or municipal health officer, on the basis of existing
28 laws and regulations, shall be cremated in public crematoriums free of charge.

29 The local city or municipal health officer shall duly record all cremations
30 performed in the public crematorium.

1 Sec 8. *Subsidy from the National Government.* — The costs for the
2 establishment of public crematoriums in accordance with the provisions of this Act
3 shall be provided in the Annual General Appropriation Act.

4 Sec 9. *Implementing Rules and Regulations.* — The Secretary of Interior and
5 Local Government, in coordination with the Secretary of Budget and Management
6 and the Secretary of Finance shall issue the necessary rules and regulations for the
7 release of the subsidy from the National Government in accordance with Section 3 of
8 this Act.

9 The Secretary of Health shall promulgate the necessary rules and regulations
10 regarding the minimum technical requirements for public crematoriums taking into
11 consideration the population size of cities or municipalities as well as other matters
12 provided for by this Act.

13 Sec 10. *Repealing Clause.* — All provisions of laws and rules inconsistent with
14 the provisions of this Act are hereby repealed or amended accordingly.

15 Sec 11. *Separability Clause.* — If for any reason, any section or provision of
16 this Act is declared unconstitutional or invalid, the other sections or provisions not
17 affected thereby shall remain in full force and effect.

18 Sec 12. *Effectivity Clause.* — This Act shall take effect fifteen (15) days
19 following its publication in a newspaper of general circulation.

Approved,