

Republic of the Philippines  
HOUSE OF REPRESENTATIVES  
Quezon City

SEVENTEENTH CONGRESS  
First Regular Session

House Bill No. 5036



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INTRODUCED BY HON. LUIS JOSE ANGEL N. CAMPOS, JR, HON. MANUEL MONSOUR T. DEL ROSARIO III, HON. JOHN MARVIN "YUL SERVO" C. NIETO, HON. MANUEL LUIS T. LOPEZ AND HON. ROSENDA ANN OCAMPO.

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EXPLANATORY NOTE

The loss of a loved one is already an ordeal by itself. The cost of paying for the loved one's final rites and resting place is simultaneously an emotional and financial hardship. To add to the foregoing ordeals it has become commonplace for persons to take advantage of these people who have suffered losing a loved one.

Apart from the typical ambulance chasers, malicious elements have preyed upon our countrymen who have suffered the loss of a loved one and are unable to defray the expenses for setting up the final resting place of their fallen loved one. Even public authorities abuse their authority and compel the families of the deceased to undertake the services of selected funeral homes and related services that charge unconscionably in order to gain a commission.

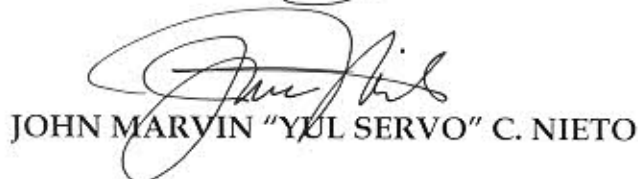
The proper burial of our departed is deeply enshrined not only in our culture but in our faith. The transgressions committed by these persons upon their victims is an outrage not only against basic human decency but against our society as well.

This bill seeks to punish and impose criminal liability upon any person who would in any manner take advantage of any person who has lost a loved one and is unable to pay for the expenses.

For the foregoing reasons, the passage of this bill is earnestly sought.

  
LUIS JOSE ANGEL N. CAMPOS, JR.

  
MANUEL MONSOUR T. DEL ROSARIO III

  
JOHN MARVIN "YUL SERVO" C. NIETO

  
MANUEL LUIS T. LOPEZ

  
ROSENDA ANN OCAMPO

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AN ACT PUNISHING HARASSMENT OR EXPLOITATION OF FAMILIES OR PERSONS WHO ARE UNABLE TO PAY FOR FUNERAL AND OTHER RELATED EXPENSES

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

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**SECTION 1. Short Title** - This act shall be known as "The Griever's Protection Act".

**SECTION 2. Declaration of Policy** - It is the State's duty to promote social justice in all phases of national development. It is also the State's duty to value the dignity of every human person and to guarantee full respect for human rights. This bill seeks to safeguard the families of the deceased against harassment and exploitation while the family settles the expenses incurred during the funeral and final rites of the deceased.

**SECTION 3. Definition of Terms:**

**(a) Family Members** - For the purposes of this act, the following shall be considered members of the family:

- 1.) Spouses;
- 2.) Legitimate ascendants and descendants;
- 3.) Illegitimate ascendants and descendants;
- 4.) Relatives by blood within the fourth civil degree;
- 5.) Brothers and sisters, whether full or half blood.

**(b) Death Care Industry** - This term includes all persons who provide goods and services needed for preparing the body of the deceased for final rites such as but not limited to embalment, cremation, funeral parlors and the similar services. It shall also include morgues, funeral homes, memorials, burials, cemeteries, and other related establishments.

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1           **SECTION 4. *Unlawful Act*** - It shall be unlawful for any person to harass or  
2 exploit, as defined under this Act, persons who are unable to defray the funeral, morgue,  
3 embalment, and other death care industry related expenses of their deceased family  
4 member.

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6           **SECTION 5. *Forms of Harassment/Exploitation*** - The following acts committed  
7 against a person who just suffered the death of a family member shall constitute a  
8 violation of this act:

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10           (a) Compelling by force, intimidation, deceit, or any other means, a person to  
11 undertake the services of a morgue, embalment, funeral, crematorium or  
12 any other related services.

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14           The family members shall have the right to pick which death care industry  
15 company shall cater to the final needs of the deceased.

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17           In instances where the deceased is a victim of a crime, was involved in an  
18 accident, or any other instance where the family members left behind is not  
19 notified immediately of the death of the deceased, only the most basic services  
20 required to preserve the body may be rendered by the morgue retrieving the  
21 body.

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23           (b) Charging exorbitant fees for services rendered by those in the death care  
24 industry.

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26           The fair value charged by those in the death care industry or businesses such  
27 as funeral homes, crematoriums, morgues, chapels and other related  
28 businesses shall not be deemed a violation of this provision. Fair value shall be  
29 the average amount charged by those providing the same service in the same  
30 city or municipality.

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32           (c) The fees charged by those in the death care industry shall be made known to  
33 the family member arranging the final rites and resting place of the deceased.  
34 Failure to properly notify the said family member, in writing, before he/she  
35 avails of any death care industry service shall constitute a violation of this act.

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37           **SECTION 6. *Penalty*** - Any person found guilty of violating this act shall be  
38 punished by a fine of not less than Fifty thousand pesos (P50,000.00), but not more than  
39 One hundred fifty thousand pesos (P150,000.00), or imprisonment of not less than three  
40 (3) months, but not more than six (6) months, or both such fine and imprisonment, at the  
41 discretion of the proper court.

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43           **SECTION 7. *Penalty on Public Officers*** - Any public officer, as defined under the  
44 Revised Penal Code of the Philippines, who shall use his/her position to commit the  
45 offense punished under this act shall suffer the maximum penalty imposed by this act.  
46 The foregoing shall not prejudice the filing of the appropriate administrative sanctions.

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48           **SECTION 8. *Separability clause*** - If any part or provision of this Act is declared  
49 invalid or unconstitutional, the other parts thereof not affected thereby shall remain  
50 valid.

1           **SECTION 9. *Repealing Clause*** – All laws, decrees, orders, rules and regulation or  
2 part thereof inconsistent with this Act are hereby repealed or amended accordingly.

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4           **SECTION 10. *Effectivity Clause*** – This Act shall take effect fifteen (15) days upon  
5 completion of its publication in at least two (2) national newspapers of general  
6 circulation.

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8           *Approved,*