

HONORABLE MARIO VITTORIO A. MARIÑO

Chairperson
Committee on Trade and Industry
House of Representatives
Quezon City

Attention: **Mr. Valentino R. Palanca**
Committee Secretary

Dear **Representative Mariño**,

This has reference to the deliberation on House Bill No. 102, entitled: An Act Regulating The Sale Of Caskets By Funeral Establishments To Ensure The Availability Of Affordable Caskets And Appropriating Funds Therefor And For Other Purposes, introduced by Rep. Vincent Franco D. Frasco.

The Department of Social Welfare and Development (DSWD) acknowledges the importance of providing an affordable and decent funeral services to families, particularly the indigent. We appreciate the proposed legislation's intent to ensure the availability of affordable caskets for grief-stricken families, aligning with the principles of social justice and welfare. Providing essential support to families in times of grief and hardship reduces their financial burden during this said period.

While we fully support the objective of the Affordable Casket Act, it is likewise essential to consider the potential impact of the said Act on funeral establishments. The funeral industry is crucial to providing decent services in times of loss. Nevertheless, for this matter, the DSWD acknowledges the expertise of relevant agencies such as the Department of Trade and Industry (DTI), the Department of the Interior and Local Government (DILG), and other National Government Agencies (NGAs) responsible in regulating and monitoring the funeral industry. Hence, we defer to these agencies the function to ensure that policies balance affordability for consumers, particularly the indigent, and safeguarding the operational viability of funeral establishments.

In setting the minimum and maximum prices of decent caskets, it is also essential to consider the customary practices of each community, with respect to their funeral rites and ceremonies. Considering this in the proposed bill would ensure that the regulations are aligned with and respects the cultural traditions of these communities.

Moreover, Section 6 of the proposed bill suggests that the responsibility of implementing the provisions of the Act falls upon the DSWD. However, it is important to emphasize that the regulation of funeral establishments lies beyond the jurisdiction of the DSWD. In light of this, the definition of "*implementing agencies*," as expressly stated under Section 3, should also be revised accordingly.

It is worth noting that the DSWD already has an existing program called "Assistance to Individuals in Crisis Situations (AICS)," which includes funeral assistance¹. The assistance covers funeral and other related expenses, including, but not limited to, expenses in bringing the remains of the deceased to his or her residence or hometown.

The DSWD is committed to expanding its partnerships with service providers, particularly funeral homes, to enhance the efficiency of aiding our beneficiaries. Presently, the DSWD has established partnerships with 51 service providers², ensuring that guarantee letters (GL) from the DSWD are duly recognized and accepted by funeral homes. Through these partnerships, the service providers will accommodate clients who have obtained a guarantee letter through the AICS program.

Further, we propose to explore the possibility of merging the proposed bill with the pending bills that seek to institutionalize the AICS program. This consolidation would streamline efforts and ensure a comprehensive and unified approach to addressing the needs of indigent families in various crisis situations.

Finally, the legislature's commitment in promoting our citizens' welfare is highly appreciated. The consolidation of these bills will contribute to a more efficient and effective framework in assisting those in need.

For the consideration of the Chairperson.

Thank you.

Very truly yours,


REX GATCHALIAN
Secretary
Date: 06 DEC 2023

¹ DSWD Memorandum Circular No. 16, Series of 2022 provides that the amount of assistance provided per client ranges from PHP 5,000.00 to PHP 50,000. If the amount of assistance being requested exceeds Php 10,000, the assistance will be provided through a guarantee letter.

² Based on the DSWD database of service providers as of November 22, 2023.