

CHAPTER 28

DISPOSAL OF DEAD PERSONS

SECTION 1. Definition— as used in this Chapter, the following terms shall mean:

- a. Burial ground — cemetery, memorial park of any place duly authorize by law for permanent disposal of the dead.
- b. Embalming— preparing, disinfecting ,and preserving a dead body for its final disposal.
- c. Embalmer— a person who practice embalming.
- d. Undertaking—the care, transport and disposal of the body of deceased person by any means other than embalming.
- e. Undertaker— person who practice undertaking.
- f. Funeral establishment— any place used in any preparation and care of the body of a deceased person for burial.
- g. Remains— the body of dead person.
- h. Burial — interment of remains in grave, tomb or the sea.

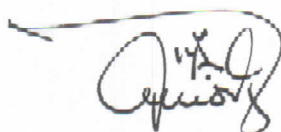
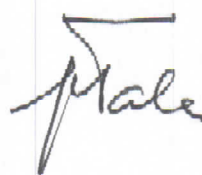
Adventurism — the removal or exhumation or remains from places of interment.

SECTION 2. Burial Ground Requirements—the following requirement shall be applied and enforce:

- a) It shall be unlawful for any person to bury remains in places other that those legally authorized in conformity with the provisions of this chapter
- b) A burial ground shall be 25 meter distance from any dwelling house shall be constructed within the same distance from any burial ground
- c) No burial ground shall be located within 50 meters from any source of water supply.

SECTION 3. Burial Requirements— The burial of remains is subject to the following requirements:

- a) No remains shall be buried without a death certificate. This certificate shall be issued by the attending physician in attendance, and shall be issued by the mayor where death occurred. The death certificate shall be forwarded to the local civil registrar within 48 hours after death.
- b) shipment of remains abroad shall be governed by the rules and regulations of the bureau of quarantine.
- c) Graves where remains are buried shall be at least one half meters deep and filled well and firmly.
- d) the cost of burial of dead person shall be borne by the nearest kin. If the kin is not financially capable of defraying the expenses or if the deceased had no kin. The cost shall be borne by the city or municipal government.
- e) The burial or remains city or municipal burial grounds shall not be prohibited on account of race, nationality or political persuasion.



- f) if the person who issues a death certificate has reason to believe or suspect that cause of death was due to violence or crime, he shall notify immediately the local authorities concerned. In this case the deceased shall not be buried until the permission obtained from any government official authorized by law.
- g) except when required by legal investigation or when permitted by the local health authority no embalmed remains shall remain unburied longer than 48 hours after death.
- h) when cause of death is dangerous communicable disease, the remains shall be buried within 12 hours after death. they shall not be taken to any place of public assembly only the adult members of the family of deceased may be permitted to attend the funeral.

SECTION 4. Disinterment requirement-disinterment of remains is the subject to the following requirements.

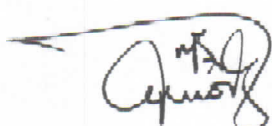
- a) permission to disinter remains of person who died of non-dangerous communicable disease may be granted after burial period of 3 years.
- b) permission to disinterment remains of person who died of dangerous communicable disease may be granted after a burial period of 5 years.
- c) in all case of disinterment, remains shall be disinfected and placed in the durable and sealed container prior to their final disposal.

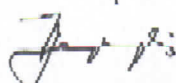
SECTION 5. FUNERAL AND EMBALMING ESTABLISHMENT.

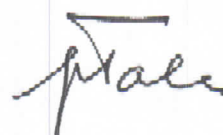
- a) **Scope of Conclusion-** for the purposes of this section, requirements prescribed herein shall be applied and enforce to the funeral chapels, embalming establishment and morgues.
- b) **sanitary permit-** no establishment mentioned in the preceding paragraph shall be operated without sanitary permit issued by the Municipal Health Officer or his duly authorized representative. This permit shall be revoked in case of any violation of the provision of this chapter, the rules and regulations promulgated by the Municipal Health Officer.
- c) **classification funeral establishment** shall be classified in 3 categories which are describe as follow:
 - 1. **Category I** -establishment with chapels and embalming facilities and offering funeral services.
 - 2. **Categories II** - establishment with chapels and offering funeral services but without embalming facilities.
 - 3. **Categories III** - establishment offering only funeral services from the house of deceased to the burial place.
- d) **Sanitary requirements** For funeral chapels, the requirements prescribe for places of public assembly in this code shall be applied.

FOR EMBALMING AND DRESSING ROOM:

- 1. They should be constructed of concrete or semi-concrete materials with sufficient space to accommodate five (5) bodies one time.







2. The floors and walls shall be made of concrete.
3. Embalmers and assistant shall use rubber gloves when working.
4. washing facilities with soap, detergents and germicidal solution shall be provided for used of working personnel.

SECTION 6. Licensing and Registration Procedures the licensing and registration of embalmers are subject to this following:

a) Issuance of license practice-

- 1) any person who desire to practice only passing an examination conducted by the Department of Health.
- 2) licensed undertakers or embalmers shall practice embalming in occurred with requirement prescribe by the Department of Health.
- 3) licensed embalmers or undertakers shall display their licenses conspicuously in the establishment where their work.

b) Issuance of certificates of registration -

1. an undertaker shall apply annually for registration certificate and pay an annual registration fee to the regional health office concerned.
2. the 1st certification issued shall cover the period from the day of issuance to the last day of the current year.
3. certificate of registration shall be posted conspicuously in establishing concerned.

c) exemption - government and private physician may performed embalming without license and registration certificate as exigencies require.

SECTION 7. Autopsy and Dissection of remains the autopsy and dissection of remains are subject to the following requirement :

A) person to perform these are:

1. health officers
2. medical officers of law enforcement agencies and
3. members of the medical staff or accredited hospitals.

B) Autopsies shall be perform in the following cases:

1. whenever required by special law
2. upon the orders of a competent court a mayor or provincial or city fiscal.
3. upon written request of police authorities.
4. whenever the solicitor general provincial or city fiscal as authorizes by existing law.
5. whenever the nearest kin shall request in writing the authorities concerned to ascertain cause of death.

C) Autopsies may be perform on patients who die in accredited hospitals subject to this requirements:

1. the director of the hospital shall notify the next of the kin of the death of the deceased request permission to perform autopsy
2. autopsy can perform when he permission is granted