

Ordinance No. NC-120, S-89

ORDINANCE

PROHIBITING THE RELEASE OF CADAVERS TO FUNERAL PARLORS OR TO ANY PERSON, JURIDICAL OR NATURAL, WITHOUT THE CONSENT OF THE RELATIVES OF THE DECEASED AND PROVIDING PENALTY FOR VIOLATION THEREOF.

Introduced and Sponsored by Councilor Eduardo F. David.

Co-Introduced by Councilors Alicia A. Herrera, Wilma Amcranto-Sarino, Elizabeth C. Gaba and Cielito "Mahal" Del Mundo.

Co-Sponsored by Councilors George Canseco, Teodoro N. Ramos, Alberto M. Galarpe, Reynaldo A. Calalay, Emilio G. Tamayo, Melencio M. Castelo, Dante V. Liban, Vicente D. Biglang-awa, Isidro R. Saludes, Edgardo S. Serrano, Mitchell Y. Gumabao (Dennis Roldan), Jorge L. Banal, Jose J. Paculdo, Laoag A. Paras, Ricardo R. Del Rosario, Alfredo A. Francisco (Fred Montilla), Herminio "Butch" C. Bautista, Francis P.N. Pangilinan, Guillermo C. Altuna, Roberto A. Miguel and Herbert M. Bautista.

WHEREAS, dying has been a very emotionally painful and financially burdensome experience of relatives of the deceased;

WHEREAS, grieving relatives of the deceased especially the poor, who, due to lack of education, often are the victims of some stone-hearted hospitals and funeral parlor personnel;

WHEREAS, it has been noted that unscrupulous hospital personnel often release cadavers to funeral parlor representatives without the written consent of grieving relatives of the deceased;

NOW, THEREFORE,

Be it ordained by the City Council of Quezon City in session assembled:

SECTION 1. All hospital officials and/or personnel shall not release cadavers of patients to funeral parlors or to any person, juridical or natural, without the written consent of the nearest of kin of the deceased in the order of priority, as follows:

1. Surviving spouse
2. Children
3. Grandchildren
4. Parents
5. Brothers or Sisters
6. Uncles or Aunts or
7. In the absence thereof, any relative up to the 4th Civil Degree of Consanguinity or Affinity.

In the absence of the relatives of the deceased as heretofore enumerated, the Barangay Captain shall be authorized to cause the release of the cadaver of the deceased.

SECTION 2. Any violation of this Ordinance shall carry a penalty of One Thousand Pesos (P1,000.00) fine or imprisonment of not less than ten (10) days or both at the discretion of the court. If the violation is committed by a juridical person, the penalty provided for under this ordinance shall be imposed upon the President, General Manager and/or the Officer-In-Charge thereof.

SECTION 3. This Ordinance shall take effect upon its approval.

ENACTED November 23, 1989

(Sgd.) ALBERTO M. GALARPE
1st Asst. Majority Floor Leader
Acting Presiding Officer

ATTESTED:

(Sgd.) VICENTE M. ALVAREZ
City Secretary

APPROVED: December 7, 1989

(Sgd.) BRIGIDO R. SIMON, JR.
City Mayor