

HAZARD DUTY PAY; EMPLOYEES WHO ARE ENTITLED THEREOF

- Item 2 of National Budget Circular No. 451 dated 14 March 1996 (copy likewise attached) expressly provides:

"Hazard duty pay is a compensation premium or allowance which is generally paid to officials and employees who, because of the nature and/or location of their work are exposed to hazards."

- Thus, the payment of said hazard duty pay may only be granted to officials and employees who are exposed to physical, health, weather and/or environmental hazards in **hazardous work areas** as defined/contemplated in Item 5 of NBC No. 451 and **as declared/duly certified by the agency officials concerned** mentioned therein.

DAR Opinion No. 23, s. 2003
November 28, 2003

HOMELOT; DEFINITION

- A homelot is defined as a parcel of land used by an agrarian reform beneficiary (ARB) as the site of his permanent dwelling, including the area utilized for raising vegetables, poultry, pigs and other animals. The area of the homelot that may be awarded to agrarian reform beneficiaries may not exceed 1,000 square meters [Item II.A. of DAR Administrative Order No. 12, Series of 1991 (**Rules and Procedures to Govern the Acquisition and Distribution of Homelots Under the CARP**)]. Thus, your first query is answered in the affirmative.

DAR Opinion No. 06, S. 2005
February 11, 2005

HOMESTEAD; CONDITIONS BEFORE AGRICULTURAL LANDS COVERED BY HOMESTEAD BE EXEMPTED FROM CARP COVERAGE

- Section 6 of Republic Act No. 6657 (**Comprehensive Agrarian Reform Law**) in relation to DAR Memorandum Circular No. 04, Series of 1991 [**Guidelines Governing Agricultural Lands Covered by Homestead Patents Pursuant to the Public Land Act (Commonwealth Act No. 141)**] provides two (2) conditions that must be met in order that agricultural lands covered by homestead may be exempted from CARP coverage. The first condition is that the original homestead grantee or his/her direct compulsory heir (s) still owns the land at the time of the effectivity of R.A. No. 6657 on 15 June 1988. And secondly, the original homestead grantee or his/her direct compulsory heir (s) was cultivating the land as of 15 June 1988 and continues to cultivate the same. Both conditions must concur in order that homestead lands may be exempted from CARP coverage, otherwise, they shall be covered.

DLR Opinion No. 19, s. 2005
July 22, 2005

HOMESTEAD; MEANING OF DIRECT COMPULSORY HEIR

- The term "direct compulsory heir" is understood to mean the surviving spouse of the original homestead grantee or his children and descendants or illegitimate