

2021 No. 218

PUBLIC HEALTH

**The Health Protection (Coronavirus, International Travel)
(Amendment No. 5) Regulations (Northern Ireland) 2021**

Made - - - - *23rd July 2021*

Coming into operation - *at 4.00 a.m. on 26th July 2021*

The Department of Health^(a) makes the following Regulations in exercise of the powers conferred by sections 25B and 25F(2) of the Public Health Act (Northern Ireland) 1967^(b).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Health Protection (Coronavirus, International Travel) (Amendment No. 5) Regulations (Northern Ireland) 2021 and shall come into operation at 4.00 a.m. on 26th July 2021.

(2) In these Regulations—

“the principal Regulations” means the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021^(c).

Amendment of the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021

2. The principal Regulations are amended in accordance with regulation 3.

Amendments to Schedule 4

3.—(1) In Schedule 4, in Part 1 (Persons who are exempt), in the table, after entry 38 insert the following entry—

39. Seasonal Agricultural Worker	Not Exempt	Not Exempt	Exempt	Partial exemption (work condition)	Not Exempt
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(2) After paragraph 66 insert—

(a) Formerly the Department of Health, Social Services and Public Safety; see 2016 c. 5 (N.I.), s. 1(5)
(b) 1967 c. 36 (N.I.). Part 1A was inserted by section 48 of, and Schedule 18 to, the Coronavirus Act 2020 (c. 7)
(c) S.R. 2021 No. 99 as amended by S.R. 2021 Nos. 108, 121, 132, 154, 189, 213 and 214

“39. Seasonal Agricultural Worker

67.—(1) A person (“P”) who on arrival in Northern Ireland has an offer of employment for seasonal work to carry out specified activities in relation to edible horticulture on a specified farm.

(2) For the purposes of sub-paragraph (1)—

- (a) “seasonal work” is employment which fluctuates or is restricted due to the season or time of the year;
- (b) “edible horticulture” means growing—
 - (i) protected vegetables grown in glasshouse systems,
 - (ii) field vegetables grown outdoors, including vegetables, herbs, leafy salads and potatoes,
 - (iii) soft fruit grown outdoors or under cover,
 - (iv) trees that bear fruit,
 - (v) vines and bines,
 - (vi) mushrooms;
- (c) “specified farm” means the farm named in that person’s passenger information;
- (d) “specified activities” means—
 - (i) crop maintenance,
 - (ii) crop harvesting,
 - (iii) tunnel construction and dismantling,
 - (iv) irrigation installation and maintaining,
 - (v) crop husbandry,
 - (vi) packing and processing of crops on employer’s premises,
 - (vii) preparing and dismantling growing areas and media,
 - (viii) general primary production work in edible horticulture,
 - (ix) activities relating to supervising teams of horticulture workers.”.

Sealed with the Official Seal of the Department of Health on 23rd July 2021

(L.S.)

Dr Lourda Geoghegan
A senior officer of the Department of Health

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Health Protection (Coronavirus, International Travel) Regulations (Northern Ireland) 2021 (“the Principal Regulations”) to introduce a new exempt category for Seasonal Agricultural Workers who can claim an exemption from post-arrival testing and self-isolation when undertaking the exempt activity, if they have travelled from an amber list country.

No impact assessment has been prepared for these Regulations.

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£4.90

<http://www.legislation.gov.uk/id/misr/2021/218>

ISBN 978-0-33-801693-5

