

SCHEDULE 2

Persons not required to comply with regulation 3 or 4

PART 2

Persons not required to comply with regulation 4

5.—(1) A transit passenger.

(2) For the purposes of sub-paragraph (1), “transit passenger” means a person who, on arrival in the United Kingdom, passes through to another country or territory without entering the United Kingdom.

6.—(1) A road haulage worker and a road passenger transport worker.

(2) For the purposes of this paragraph—

- (a) “driver” includes a person who is travelling in a vehicle as a relief driver,
- (b) “goods vehicle” has the meaning given in Article 2(1) of the Road Traffic (Northern Ireland) Order 1981 **(1)**,
- (c) “road haulage worker” means—
 - (i) the driver of a goods vehicle that is being used in connection with the carriage of goods, other than goods for non-commercial personal use by the driver, or
 - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation [\(EC\) No 1072/2009](#) of the European Parliament and of the Council **(2)**, and who is acting in the course of their employment,
- (d) “public service vehicle” has the meaning given in Article 2(1) of the Road Traffic (Northern Ireland) Order 1981,
- (e) “road passenger transport worker” means—
 - (i) the driver of a public service vehicle, or
 - (ii) a person who is employed by the holder of a Community licence issued under Article 4 of Regulation [\(EC\) No 1073/2009](#) **(3)** of the European Parliament and of the Council, and who is acting in the course of their employment.

7.—(1) Seamen and masters, as defined in section 313(1) of the Merchant Shipping Act 1995 **(4)**, where they have travelled to the United Kingdom in the course of their work or have been repatriated to Northern Ireland in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007.

(2) For the purposes of sub-paragraph (1) and paragraph 8—

- (a) “the Maritime Labour Convention, 2006” means the Convention adopted on 23rd February 2006 by the General Conference of the International Labour Organisation **(5)**,
- (b) “the Work in Fishing Convention, 2007” means the Convention adopted at Geneva on 14th June 2007 by the International Labour Organisation **(6)**.

(1) [S.I. 1981/154 \(N.I. 1\)](#)

(2) OJ No. L 300, 14.11.2009, p. 72

(3) OJ No L 300, 14. 11.2009, p.88-105

(4) [1995 c. 21](#). There are amendments to section 313(1) but none is relevant

(5) Cm. 7049. ISBN 978 010 1889 766

(6) Cm 7375

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8. A pilot, as defined in paragraph 22(1) of Schedule 3A to the Merchant Shipping Act 1995(7), where they have travelled to the United Kingdom in the course of their work or have been repatriated to the United Kingdom in accordance with the Maritime Labour Convention, 2006 or the Work in Fishing Convention, 2007.

9. An inspector or a surveyor of ships appointed under section 256 of the Merchant Shipping Act 1995(8), where they have travelled to the United Kingdom in the course of their work.

10. Crew, as defined in paragraph 1 of Schedule 1 to the Air Navigation Order 2016(9), where such crew have travelled to Northern Ireland in the course of their work.

11. Civil aviation inspectors, as defined in Annex 9 to the Convention on International Civil Aviation signed at Chicago on 7th December 1944(10), where they have travelled to the United Kingdom when engaged on inspection duties.

12. Any of the following who have travelled to the United Kingdom in the course of their work—

- (a) drivers and crews on shuttle services and on services for the carriage of passengers or goods by way of the tunnel system,
- (b) operational, rail maintenance, safety and security workers working on the tunnel system,
- (c) other workers carrying out essential roles for the safe or efficient operation of the tunnel system, shuttle services or services for the carriage of passengers or goods by way of the tunnel system, or relating to the security of the tunnel system or any such services.

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

- (a) “shuttle service” has the meaning given in section 1(9) of the Channel Tunnel Act 1987,
- (b) “tunnel system” has the meaning given in section 1(7) of that Act.

13.—(1) A crown servant or government contractor who is—

- (a) required to undertake essential policing or essential government work in the United Kingdom, within 14 days of their arrival,
- (b) undertaking essential policing or essential government work outside of the United Kingdom but—
 - (i) is required to return to the United Kingdom temporarily,
 - (ii) will thereafter depart to undertake essential government work outside of the United Kingdom, or
 - (iii) who is conducting bi-lateral and multilateral discussions with other nations or international organisations.

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

- (a) “Crown servant” has the meaning given in section 12(1)(a) to (e) of the Official Secrets Act 1989,
- (b) “essential government work” means work which has been designated as such by the relevant Department or employer, and includes, in particular, work related to national security, the work of the National Crime Agency in pursuance of its statutory functions, immigration, the coronavirus disease and any other crisis response but does not include work of the description in paragraph 2 of Part 1 of this schedule,

(7) Schedule 3A was inserted by Schedule 1 to the Marine Safety Act 2003 (c. 16)

(8) There are amendments to section 256 but none is relevant

(9) S.I. 2016/765. There are amendments but none is relevant

(10) The latest edition of Annex 9, which is published by the International Civil Aviation Organization, is the 15th edition, which applied from 23rd February 2018 (ISBN 978-92-9258-304-9)

- (c) “essential policing” means policing which has been designated as such on behalf of the relevant chief officer or chief constable,
- (d) “government contractor” has the meaning given in section 12(2) of the Official Secrets Act 1989.

14. A person designated by the relevant Minister under section 5(3) of the Repatriation of Prisoners Act 1984**(11)**.

15. A person responsible for escorting a person sought for extradition pursuant to a warrant issued under Part 3 of the Extradition Act 2003**(12)** or sought for extradition pursuant to any other extradition arrangements.

16. A representative of any territory travelling to the United Kingdom in order to take into custody a person whose surrender has been ordered pursuant to any provision of the Extradition Act 2003.

17.—(1) Workers engaged in essential or emergency works—

- (a) related to water supplies and sewerage services, and
- (b) carried out by a relevant undertaker,

where they have travelled to the United Kingdom in the course of their work.

(2) For the purposes of this paragraph—

- (a) “essential or emergency works” includes—
 - (i) inspections, maintenance, repairs, and asset replacement activities,
 - (ii) monitoring, sampling and analysis of water supplies under the Private Water Supplies Regulations (Northern Ireland) 2017**(13)**, or the Water Supply (Water Quality) Regulations (Northern Ireland) 2017**(14)**,
- (b) “sewerage services” has the meaning given in regulation 2(2) of the Water and Sewerage Services (Northern Ireland) Order 2006**(15)**,
- (c) “relevant undertaker” has the meaning given in regulation 2(1) of the Water Supply (Water Quality) Regulations (Northern Ireland) 2017 and is appointed under Article 13 of the Water and Sewerage Services (Northern Ireland) 2006.

18.—(1) Workers engaged in essential or emergency works—

- (a) related to—
 - (i) a generating station,
 - (ii) an electricity interconnector,
 - (iii) a district heat network as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014**(16)**,
 - (iv) communal heating as defined in regulation 2 of the Heat Network (Metering and Billing) Regulations 2014,
 - (v) automated ballast cleaning and track re-laying systems on a network, or
 - (vi) the commissioning, maintenance and repair of industrial machinery for use on a network, or

(11) 1984 c. 47

(12) 2003 c. 41

(13) S.R. 2017 No. 211

(14) S.R. 2017 No. 212

(15) S.I. 2006/3336 (N.I. 21)

(16) S.I. 2014/3120. There are no relevant amending instruments

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- (b) carried out by or on behalf of—
 - (i) the national system operator,
 - (ii) a person holding a transmission licence,
 - (iii) a person holding a distribution licence,
 - (iv) a person holding a licence under Article 8 of the Gas (Northern Ireland) Order 1996⁽¹⁷⁾,
 - (v) a LNG facility as defined in Article 3 of the Gas (Northern Ireland) Order 1996, or
 - (vi) a person holding access rights under regulation 4 or holding a European licence granted under regulation 44 or recognised under regulation 45 of the Railways (Infrastructure Access, Management and Licensing of Railway Undertakings) Regulations (Northern Ireland) 2016⁽¹⁸⁾,

where they have travelled to the United Kingdom in the course of their work.

- (2) For the purposes of this paragraph—
 - (a) “distribution licence” means a licence granted under Article 10(1)(bb) of the Electricity (Northern Ireland) Order 1992⁽¹⁹⁾,
 - (b) “essential or emergency works” includes commissioning, inspections, maintenance, repairs, and asset replacement activities,
 - (c) “national system operator” means the person operating the national transmission system for Northern Ireland,
 - (d) “network”, in sub-paragraph (1)(a)(v), has the meaning given in section 83(1) of the Railways Act 1993⁽²⁰⁾,
 - (e) “transmission licence” means a licence granted under Article 10(1)(b) of the Electricity (Northern Ireland) Order 1992,
 - (f) “electricity interconnector”, “generating station”, and “transmission system” have the meanings given in Article 3 of the Electricity (Northern Ireland) Order 1992.

19.—(1) A person who is—

- (a) nuclear personnel, and who is essential to the safe and secure operations of a site in respect of which a nuclear site licence has been granted,
- (b) a nuclear emergency responder,
- (c) an agency inspector, or
- (d) a Euratom inspector, provided that they arrive in Northern Ireland before IP completion day,

where the person has travelled to the United Kingdom in the course of their work.

- (2) For the purposes of this paragraph—
 - (a) “agency inspector” has the meaning given in section 1(1) of the Nuclear Safeguards Act 2000⁽²¹⁾,
 - (b) “nuclear emergency responder” means any person providing assistance to the United Kingdom in accordance with the Convention on Assistance in the Case of a Nuclear Accident or Radiological Emergency done at Vienna on 26 September 1986, who has been

⁽¹⁷⁾ S.I. 1996/275 (N.I. 2)

⁽¹⁸⁾ S.R. 2016 No. 420

⁽¹⁹⁾ S.I. 1992/231 (N.I. 1)

⁽²⁰⁾ 1993 c. 43. There are amendments to section 83(1) but none is relevant

⁽²¹⁾ 2000 c. 5

duly notified to and accepted by the United Kingdom, where the United Kingdom has requested assistance under that Convention,

- (c) “Euratom inspector” means an inspector sent to the United Kingdom by the Commission of the European Union in accordance with Articles 81 and 82 of the Euratom Treaty,
- (d) “nuclear personnel” means—
 - (i) a worker who is employed to carry out work on or in relation to a site in respect of which a nuclear site licence has been granted, or
 - (ii) an employee of the Nuclear Decommissioning Authority⁽²²⁾,
- (e) “nuclear site licence” has the meaning given in section 1 of the Nuclear Installations Act 1965⁽²³⁾.

20. An Inspector from the Organisation for the Prohibition of Chemical Weapons, within the meaning given to “inspector” by section 24(e) of the Chemical Weapons Act 1996⁽²⁴⁾, who has travelled to the United Kingdom for the purposes of an inspection.

21.—(1) A person who is—

- (a) carrying out a critical function at a space site or spacecraft controller who is responsible for command and control of a launch vehicle or spacecraft for nominal operations, collision avoidance or anomalies, or
- (b) employed by, or contracted to provide services to, a person who operates or maintains space situational awareness capabilities,

where they have travelled to the United Kingdom in the course of their work.

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

- (a) “space site” has the meaning given in paragraph 5(3) of Schedule 4 to the Space Industry Act 2018⁽²⁵⁾,
- (b) “space situational awareness capabilities” means the sensors, systems and analytical services needed to provide time-sensitive warnings of space weather events, orbital collisions, orbital fragmentations or the re-entry of man-made objects from orbit,
- (c) “spacecraft” has the meaning given in section 2(6) of the Space Industry Act 2018,
- (d) “spacecraft controller” means a person competent, authorised and responsible for maintaining safe and secure operation of spacecraft through monitoring the status of a spacecraft, issuing manoeuvre commands or controlling other aspects of the spacecraft that influence its behaviour including its motion in space.

22.—(1) A specialist aerospace engineer, or a specialist worker, where they have travelled to the United Kingdom in the course of their work.

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

- (a) “specialist aerospace engineer” means a person who is employed or otherwise engaged to provide engineering services for the purpose of ensuring the continued operation of aviation activities (including but not limited to the provision of maintenance and repair services for production lines, aviation components, grounded aircraft and new aircraft),
- (b) “specialist aerospace worker” means a person who is employed or otherwise engaged to provide services for the purpose of ensuring safety management and quality assurance as

⁽²²⁾ The Nuclear Decommissioning Authority was established by section 1 of the Energy Act 2004

⁽²³⁾ 1965 c. 57. Section 1 was substituted by paragraph 17 of Schedule 2 to the Energy Act 2013 (c. 32); by virtue of section 1(2), a licence described in section 1(1) is referred to as a “nuclear site licence”

⁽²⁴⁾ 1996 c. 6

⁽²⁵⁾ 2018 c. 5

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required by relevant standards, guidance and publications on aviation safety produced by the Civil Aviation Authority or the European Union Aviation Safety Agency⁽²⁶⁾.

23.—(1) A person engaged in operational, maintenance or safety activities of a downstream oil facility that has a capacity in excess of 20,000 tonnes, where —

- (a) the downstream oil facility is engaged in a specified activity carried on in the United Kingdom in the course of a business, and contributes (directly or indirectly) to the supply of crude oil based fuels to consumers in the United Kingdom or persons carrying on business in the United Kingdom, and
- (b) the activities are required to ensure continued safe operation of the facility,

where they have travelled to the United Kingdom in the course of their work.

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

- (a) a facility has a capacity in excess of 20,000 tonnes at any time if it was used in the previous calendar year for the purposes of downstream oil sector activities in relation to more than that number of tonnes of oil,
- (b) “specified activities” are—
 - (i) storing oil,
 - (ii) handling oil,
 - (iii) the carriage of oil by sea or inland water,
 - (iv) conveying oil by pipes,
 - (v) refining or otherwise processing oil.

24.—(1) A worker undertaking, or required to commence—

- (a) activities on or in relation to offshore installations,
- (b) activities on or in relation to upstream petroleum infrastructure,
- (c) critical safety work on offshore installations and wells that are being decommissioned or which are being preserved pending demolition or reuse, or
- (d) activities for the provision of workers, goods, materials or equipment or other essential services required to support the safe operation of the activities referred to in paragraphs (a) to (c).

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

- (a) “offshore installations” has the meaning given in section 44 of the Petroleum Act 1998⁽²⁷⁾,
- (b) “upstream petroleum infrastructure” has the meaning given in section 9H of that Act⁽²⁸⁾,
- (c) “wells” has the meaning given in section 45A(10) of that Act⁽²⁹⁾.

25. A postal operator, as defined in section 27(3) of the Postal Services Act 2011⁽³⁰⁾, where they have travelled to the United Kingdom in the course of their work.

⁽²⁶⁾ The Civil Aviation Authority was established under section 1(1) of the Civil Aviation Act 1971 (c.75). That Act was replaced by a consolidating statute, the Civil Aviation Act 1982 (c.16), section 2(1) of which provides for the continued existence of the Civil Aviation Authority. There are amendments to section 2 but none is relevant. The European Union Aviation Safety Agency was established by Regulation (EU) 2018/1139 of the European Parliament and of the Council of 4 July 2018 on common rules in the field of civil aviation and establishing a European Union Aviation Safety Agency, and amending Regulations (EC) No 2111/2005, (EC) No 1008/2008, (EU) No 996/2010, (EU) No 376/2014 and Directives 2014/30/EU and 2014/53/EU of the European Parliament and of the Council, and repealing Regulations (EC) No 552/2004 and (EC) No 216/2008 of the European Parliament and of the Council and Council Regulation (EEC) No 3922/91

⁽²⁷⁾ 1998 c. 17. Section 44 was amended by paragraph 11 of Schedule 1 to the Energy Act 2008 (32)

⁽²⁸⁾ Section 9H was substituted by section 74(2) of the Energy Act 2016 (c. 20)

⁽²⁹⁾ Section 46A was inserted by section 75(1) of the Energy Act 2008

⁽³⁰⁾ 2011 c. 5

26. A worker with specialist technical skills, where those specialist technical skills are required for essential or emergency works or services (including commissioning, maintenance and repairs and safety checks) to ensure the continued production, supply, movement, manufacture, storage or preservation of goods, where they have travelled to the United Kingdom in the course of their work or otherwise to commence or resume their work.

27. A worker with specialist technical skills where those specialist technical skills are required for essential or emergency works (including commissioning, maintenance, repairs and safety checks) or to fulfil contractual obligations or warranty specifications in, or in connection with, waste management facilities used for the management, sorting, treatment, recovery, or disposal of waste (including energy from waste), where they have travelled to the United Kingdom in the course of their work.

28.—(1) Any of the following—

(a) a person (“P”) who—

- (i) before travelling to the United Kingdom has made arrangements with a healthcare provider in the United Kingdom to receive healthcare (or where P is a child, on whose behalf such arrangements have been made),
- (ii) is in possession of written confirmation of the arrangements from the provider,
- (iii) has travelled to the United Kingdom to receive that healthcare, and
- (iv) is attending a place to receive that healthcare or is travelling directly between that place and the place where they are self-isolating,

(b) a person who—

- (i) is accompanying P for the purpose of providing necessary care or support to P in the circumstances referred to in sub-paragraph (1)(a)(iv), or
- (ii) is travelling, for the purpose of so accompanying P, directly between the place where they are self-isolating and any of the places referred to in sub-paragraph (1)(a)(iv), where that person has travelled to the United Kingdom for that purpose and is in possession of the confirmation referred to in sub-paragraph (1)(a)(ii) or a copy of it,

(c) an accompanying child who is accompanying P, or where P is a child, is accompanying a person referred to in sub-paragraph (1)(b),

(d) a live donor who is attending a place for the purpose referred to in the definition of “live donor” or when travelling directly between that place and the place where they are self-isolating.

(2) For the purposes of this paragraph—

(a) “accompanying child”, in relation to P, means a child who has arrived in Northern Ireland with P and for whom P has responsibility, or where P is a child means a child who has arrived in Northern Ireland with the person referred to in sub-paragraph (1)(b), and for whom that person has responsibility,

(b) “healthcare” means all forms of healthcare provided for individuals, whether relating to mental or physical health, including healthcare in connection with giving birth,

(c) “live donor” means a person who—

- (i) has travelled to the United Kingdom for the purpose of donation of material which consists of or includes their human cells pursuant to arrangements made with a provider in the United Kingdom before travelling to the United Kingdom, and which are to be used by the provider for the purpose of providing healthcare, and
- (ii) who is in possession of written confirmation of the arrangements from the provider,

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- (d) “provider” means a provider of healthcare,
- (e) references to a place where a person is self-isolating are to a place where they are required to self-isolate, or permitted to be, by virtue of regulation 4.

29.—(1) A person who has travelled to the United Kingdom for the purpose of transporting, to a healthcare provider in the United Kingdom, material which consists of, or includes, human cells or blood which are to be used for the purpose of providing healthcare.

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

- (a) “blood” includes blood components,
- (b) “healthcare” and “provider” have the meanings given in paragraph 28(2).

30. A person who has travelled to the United Kingdom who is—

- (a) required to undertake work as a health or care professional in the United Kingdom within 14 days of their arrival, and
- (b) eligible to practise a profession regulated by any of the bodies mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002(31).

31. A person who is an “inspector” within the meaning given in regulation 8(1) of the Human Medicines Regulations 2012(32), who has travelled to the United Kingdom to undertake activities in relation to their role as such a person.

32.—(1) A person who—

- (a) has travelled to the United Kingdom to—
 - (i) conduct a clinical trial within the meaning of “conducting a clinical trial” in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004(33),
 - (ii) undertake such activities as are necessary or expedient to prepare for the conduct of a clinical trial, or
 - (iii) carry out any necessary compliance activity in relation to a clinical trial that cannot be conducted remotely,
- (b) is a “qualified person” within the meaning of regulation 43 of those Regulations, where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person, or
- (c) is a “sponsor” within the meaning given in regulation 2(1) of those Regulations, or carries out the functions or duties of a sponsor, of a clinical trial and has travelled to the United Kingdom to undertake activities in relation to a clinical trial.

(2) For the purposes of sub-paragraph (1), “clinical trial” has the meaning given in regulation 2(1) of the Medicines for Human Use (Clinical Trials) Regulations 2004.

33. A person who has travelled to the United Kingdom to conduct a “clinical investigation” within the meaning of the Medical Devices Regulations 2002(34), or to undertake such activities as are necessary or expedient to prepare for the conduct of a clinical investigation or carry out any other necessary compliance activity in relation to a clinical investigation that cannot be conducted remotely.

(31) 2002 c. 17. Section 25(3) was amended by paragraph 17(2) and (3) of Schedule 10 to the Health and Social Care Act 2008, by paragraph 56(b) of Schedule 15 to the Health and Social Care Act 2012 (c. 7), by paragraph 2(2) of Schedule 4 to the Children and Social Work Act 2017 (c. 16) and by S.I. 2010/231

(32) S.I. 2012/1916

(33) S.I. 2004/1031, to which there are amendments not relevant to these Regulations

(34) S.I. 2002/618

34.—(1) A person who is—

- (a) a “qualified person” within the meaning of regulation 41(2) of the Human Medicines Regulations 2012⁽³⁵⁾,
- (b) a “responsible person” within the meaning of regulation 45(1) of those Regulations, or
- (c) “an appropriately qualified person responsible for pharmacovigilance” within the meaning of regulation 182(2)(a) of those Regulations,

where they have travelled to the United Kingdom in order to undertake activities in relation to their role as such a person.

35.—(1) A person who has travelled to the United Kingdom for the purposes of their work in non critical national infrastructure industries including—

- (a) a person involved in essential maintenance and repair of data infrastructure required to reduce and resolve outages, or in the provision of goods and services to support these activities’ and
- (b) an information technology and telecommunications professional (including information technology consultant, quality analyst, software tester, systems tester, and telecommunications planner), whose expertise is required to—
 - (i) provide an essential or emergency response to threats and incidents relating to the security of any network and information system, and
 - (ii) ensure the continued operation of any network and information system.

(2) For the purposes of sub-paragraph (1), “network and information” system has the meaning in regulation 1(2) of the Network and Information Systems Regulations 2018⁽³⁶⁾

36. A person who is engaged in urgent or essential work—

- (a) that is necessary for the continued operation of—
 - (i) electronic communications networks and services as defined in section 32 of the Communications Act 2003⁽³⁷⁾, (including such work relating to maintenance and repair of submarine cables connecting the United Kingdom with other countries), or
 - (ii) the BBC’s broadcasting transmission network and services,
- (b) in associated supply chain companies that maintain the confidentiality, integrity, and availability of the electronic communications networks and services and the BBC transmission network and services,

where they have travelled to the United Kingdom in the course of their work.

37. A person—

- (a) pursuing an activity as an employed or self-employed person in the United Kingdom and who resides in another country to which they usually return at least once a week, or
- (b) residing in the United Kingdom and who pursues an activity as an employed or self-employed person in another country to which they usually go at least once a week.

38.—(1) A person who has an offer of employment for seasonal work to carry out specified activities in edible horticulture on a specified farm.

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

⁽³⁵⁾ S.I. 2012/1916

⁽³⁶⁾ S.I. 2018/506

⁽³⁷⁾ 2003 c. 21

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- (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 employers 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.