

## SCHEDULE 2

Persons not required to comply with regulation 3 or 4

### PART 2

Persons not required to comply with regulation 4

**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)—

- (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.