



STATUTORY INSTRUMENTS.

S.I. No. 33 of 2025

EMPLOYMENT PERMITS (AMENDMENT) (SEASONAL
EMPLOYMENT) REGULATIONS 2025

**EMPLOYMENT PERMITS (AMENDMENT) (SEASONAL
EMPLOYMENT) REGULATIONS 2025**

I, PETER BURKE, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 4, 9, 10, 11, 12, 13, 15, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 31, 32, 33, 34, 35, 36, 37, 39, 40, 41, 43, 44, 45, 46, 47, 49, 50 and 63 of the Employment Permits Act 2024 (No. 17 of 2024), hereby make the following regulations:

Citation

1. These Regulations may be cited as the Employment Permits (Amendment) (Seasonal Employment) Regulations 2025.

Commencement

2. These Regulations come into operation on 19 February 2025.

Definitions

3. In these Regulations—

“Act” means the Employment Permits Act 2024 (No. 17 of 2024);

“Principal Regulations” means the Employment Permits Regulations 2024 (S.I. No. 444 of 2024), as amended by the Regulations of 2024 and the Employment Permits (Amendment) (No. 5) Regulations 2024 (S.I. No. 733 of 2024);

“Regulations of 2024” means the Employment Permits (Amendment) (No. 4) Regulations 2024 (S.I. No. 598 of 2024).

Insertion of Part 2A into Principal Regulations

4. The Principal Regulations are amended by inserting after Part 2 the following Part:

“Part 2A

APPROVED SEASONAL EMPLOYERS

Application for approval as approved seasonal employer

6A. (1) An application for approval as an approved seasonal employer, whether made by electronic means or in paper form, shall be in the relevant form for the time being provided for that purpose, and made available online, by the Minister.

(2) The following information and documents shall be provided with an application for approval as an approved seasonal employer:

- (a) where the applicant has not yet made returns to the Revenue Commissioners in respect of employees, a statement in writing provided by the Revenue Commissioners confirming registration with the Revenue Commissioners and stating the applicant's employer registered number;
- (b) where the applicant does not come under subparagraph (a), a copy of the statement of account issued by the Revenue Commissioners to the applicant, dated within the 3 month period preceding the application;
- (c) where the applicant is required to obtain permission from the Minister for Justice to operate a business in the State, a copy of the appropriate permission;
- (d) where the applicant has charitable status, the registered charity number;
- (e) regarding the proposed employment, the business involved and the place at which the business referred to is carried out;
- (f) regarding the financial year immediately preceding the year in which the application is made regarding—
 - (i) the number of employees
 - (ii) the turnover, and
 - (iii) the balance sheet total,
of the applicant;
- (g) the number of foreign nationals proposed to be employed by the applicant under seasonal employment permits during the period for which approval is sought;
- (h) the remuneration that is proposed to be paid by the applicant to the foreign nationals proposed to be employed under seasonal employment permits;
- (i) the arrangements made to provide accommodation and training for the foreign nationals proposed to be employed under seasonal employment permits during the period for which approval is sought;
- (j) the arrangements made to provide expenses or transport where applicable to the foreign nationals proposed to be employed under seasonal employment permits during the period for which approval is sought;
- (k) the arrangements made to provide appropriate health insurance for the foreign nationals proposed to be employed under seasonal employment permits without any cost to the foreign nationals during the period for which approval is sought;
- (l) the location(s) where the employment under seasonal employment permits will be undertaken during the period for which approval is sought;

- (m) the terms and conditions and hours of employment applicable to the seasonal employment; and
- (n) any measures that shall be taken to increase the skills, knowledge, qualifications or experience of employees (other than the foreign nationals proposed to be employed under seasonal employment permits), in respect of the employment concerned, including the employment of any trainees or apprentices, or to otherwise reduce the applicant's reliance on the employment of foreign nationals under employment permits including by way of the introduction of technical changes to work processes.

(3) Applications for approval as an approved seasonal employer shall be made in respect of the seasonal period each year and shall be submitted to the Minister on or before 31 March of the year in respect of which approval is sought.

Restrictions on approval of approved seasonal employers

6B. (1) The maximum number of approved seasonal employers that may stand approved by the Minister in respect of a seasonal period in any year is 6.

(2) The minimum number of foreign nationals to be employed by an approved seasonal employer under seasonal employment permits during the period for which the approved seasonal employer is approved is 2.

(3) The minimum turnover which a person applying for approval as an approved seasonal employer must have had, in the financial year immediately preceding the year in which the application is made, is €1,500,000.

Time period of approval of approved seasonal employer

6C. An approval as an approved seasonal employer shall be for a period not exceeding 1 year and may be cancelled at any time by the Minister, including where—

- (a) information or a document provided under Regulation 6A(2) is no longer valid or applicable, or
- (b) the person approved has been convicted of an offence under the Act, the Immigration Act 2004 or an enactment specified in Schedule 1 to the Act.”.

Amendment of Regulation 8(2) of Principal Regulations

5. Regulation 8(2) of the Principal Regulations is amended—

- (a) in subparagraph (p), by substituting “(including language training);” for “(including language training); and”,
- (b) in subparagraph (q)(iii), by substituting “Regulations 2001 (S.I. No. 587 of 2001); and” for “Regulations 2001 (S.I. No. 587 of 2001).”, and

- (c) by inserting after subparagraph (q) the following subparagraph:
 - “(r) in the case of an application for a seasonal employment permit—
 - (i) particulars relating to the arrangements made by the approved seasonal employer for accommodation for the foreign national during the period for which he or she will be in the State pursuant to the employment permit,
 - (ii) particulars relating to the provision of health insurance without any cost to the foreign national, during the period for which the employment permit will be in force, should he or she require medical treatment for illness or injury during such period,
 - (iii) information regarding the location(s) where the employment will be undertaken, and
 - (iv) particulars of any measures that shall be taken by the approved seasonal employer—
 - (I) to increase the skills, knowledge, qualifications or experience of employees (other than the foreign national) in respect of the employment concerned, including the employment of new trainees or apprentices, or
 - (II) to otherwise reduce the employer’s reliance on the employment of foreign nationals under employment permits in respect of the employment concerned, including by way of the introduction of technical changes to work processes.”.

Amendment of Regulation 9(1) of Principal Regulations

6. Regulation 9(1) of the Principal Regulations is amended by inserting “, a seasonal employment permit” after “general employment permit”.

Amendment of Regulation 14(2) of Principal Regulations

- 7. Regulation 14(2) of the Principal Regulations is amended—
 - (a) in subparagraph (l), by deleting “and”,
 - (b) in subparagraph (m), by substituting “licence; and” for “licence.”, and
 - (c) by inserting after subparagraph (m) the following subparagraph:
 - “(n) in the case of an application to renew a seasonal employment permit—

- (i) particulars relating to the arrangements made by the approved seasonal employer for accommodation, training or expenses, as appropriate, for the foreign national during the period for which he or she will be in the State pursuant to the renewal,
- (ii) particulars relating to the provision of health insurance without any cost to the foreign national, during the period for which the employment permit will continue to be in force, should he or she require medical treatment for illness or injury during such period,
- (iii) information regarding the location(s) where the employment will be undertaken pursuant to the renewal, and
- (iv) particulars of any measures taken by the approved seasonal employer—
 - (I) to increase the skills, knowledge, qualifications or experience of employees (other than the foreign national) in respect of the employment concerned, including the employment of new trainees or apprentices, or
 - (II) to otherwise reduce the employer's reliance on the employment of foreign nationals under employment permits in respect of the employment concerned, including by way of the introduction of technical changes to work processes.”.

Insertion of Regulation 19A into Principal Regulations

8. The Principal Regulations are amended by inserting after Regulation 19 the following Regulation:

“Change of approved seasonal employer

19A. (1) An application for a change of approved seasonal employer under section 29 of the Act shall not be made unless a written offer of employment in the State has been made to the foreign national employed under the seasonal employment permit concerned in the period of 2 months preceding the application.

(2) In addition to any information specified in a direction under section 29(5) of the Act, a copy of the new contract of employment specifying the terms and conditions for the employment with the new approved seasonal employer, including remuneration and occupation, shall be provided with an application for a change of approved seasonal employer under section 29 of the Act.

(3) The maximum number of applications for a change of approved seasonal employer under a seasonal employment permit that may be made under section 29 of the Act is 3.

(4) Where the Minister approves a change of approved seasonal employer under section 29 of the Act, the foreign national concerned shall commence employment with the new employer within 2 months.”.

Insertion of Part 13A into Principal Regulations

9. The Principal Regulations are amended by inserting after Part 13 (as amended by Regulation 5 of the Regulations of 2024) the following Part:

“Part 13A

PROVISIONS RELATED TO SEASONAL EMPLOYMENT PERMIT

Eligible employments for seasonal employment permit

72A. The seasonally recurrent employment for which a seasonal employment permit may be granted is horticultural operative in the soft fruit or vegetable growing sector.

Eligible period of employment for seasonal employment permit

72B. The period during which a foreign national may be employed in the State pursuant to a seasonal employment permit is the period from 14 April to 13 November each year.

Period of grant of seasonal employment permit

72C. The maximum period for which a seasonal employment permit may be granted is 7 months.

Maximum number of seasonal employment permits

72D. The maximum number of seasonal employment permits that may be granted in respect of employment in the employment referred to in Regulation 72A during the period referred to in Regulation 72B is 200.

Minimum amount of remuneration payable under seasonal employment permit

72E. The minimum amount of remuneration payable in respect of an employment, as a condition for the grant of a seasonal employment permit in respect of it, is remuneration equivalent to—

- (a) an annual remuneration of €30,000, and
- (b) an hourly rate of €14.79.

Minimum number of hours of work under seasonal employment permit

72F. The minimum number of hours of work required to be worked in each week under a seasonal employment permit is 30.

Maximum period of renewal of seasonal employment permit

72G. The maximum period for which a seasonal employment permit may be renewed is 3 years.”.



GIVEN under my Official Seal,
19 February, 2025.

PETER BURKE,
Minister for Enterprise, Trade and Employment.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations are made under the Employment Permits Act 2024 and set down the qualifying criteria, application process, eligible employments and other matters in respect of seasonal employment permits.

These Regulations may be cited as the Employment Permits (Amendment) (Seasonal Employment) Regulations 2025.

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