



FALKLAND ISLANDS GAZETTE

Supplement

PUBLISHED BY AUTHORITY

Vol. 34

28 February 2023

No. 2

The following is published in this Supplement —

**Interpretation and General Clauses (Amendment) Ordinance 2023 (No 1 of 2023); and
Mental Health (Approved Practitioners) Order 2023 (SR&O No 1 of 2023).**

CHARLES III



FALKLAND ISLANDS

ALISON MARY BLAKE C.M.G.,
Governor.

Interpretation and General Clauses (Amendment) Ordinance 2023

(ORDINANCE No. 1 OF 2023)

ARRANGEMENT OF PROVISIONS

Section

1. Title and commencement
2. Amendment of Interpretation and General Clauses Ordinance 1977
3. Section 4 amended (interpretation of words and expressions)
4. Section 72 amended (public holidays and non-business days)
5. New section 72A
6. Section 73 amended (power to suspend financial dealings)

CHARLES III



FALKLAND ISLANDS

ALISON MARY BLAKE C.M.G.,
Governor.

Interpretation and General Clauses (Amendment) Ordinance 2023

(assented to: 24 February 2023)
(commencement: on publication)
(published: 28 February 2023)

AN ORDINANCE

To amend the Interpretation and General Clauses Ordinance 1977 to appoint public holidays; and to provide for connected matters.

ENACTED by the Legislature of the Falkland Islands —

1. Title and commencement

- (1) This Ordinance is the Interpretation and General Clauses (Amendment) Ordinance 2023.
- (2) This Ordinance comes into force on publication in the *Gazette*.

2. Amendment of Interpretation and General Clauses Ordinance 1977

This Ordinance amends the Interpretation and General Clauses Ordinance 1977.

3. Section 4 amended (interpretation of words and expressions)

In section 4, replace the definitions of “non-business day” and “public holiday” with —

““**non-business day**” means —

- (a) every Saturday and Sunday;
- (b) a day that is a public holiday under section 72(1) or is a public holiday by the operation of section 72(2);

- (c) a day appointed to be a public holiday under section 72(3); and
- (d) a day appointed in exercise of the Royal Prerogative to be a day of public fast or thanksgiving;” and

““public holiday” means a day that is a public holiday under section 72;”.

4. Section 72 amended (public holidays and non-business days)

In section 72 —

- (a) replace the section heading with “**Public holidays**”

- (b) replace subsections (1) and (2) with —

“(1) Good Friday, the first Monday in October and 1 January, 14 June, 14 November, 8 December, 25 December, 26 December and 27 December are public holidays, unless subsection (2) applies.

- (2) Where in any year —

- (a) 1 January, 14 June, 14 November, 8 December or 25 December falls on a Saturday or Sunday, the next following Monday is a public holiday;
- (b) 26 or 27 December falls on a Saturday or a Sunday, or a Monday which is a public holiday by operation of paragraph (a), the next following day (or days, as the case may be) that are not a Sunday, or a Monday which is a public holiday by operation of paragraph (a), are public holidays.”;

- (c) replace subsection (4) with —

“(4) The Governor may by Order —

- (a) amend subsection (1) to add or remove a public holiday; and
- (b) make consequential amendments to subsection (2) where a public holiday is added or removed from subsection (1).”.

5. New section 72A

After section 72, add —

“72A. Effect of public holidays and other non-business days

Except to the extent provided by a written law of the Falkland Islands, it is not unlawful for any person to transact any business or do any other thing on a public holiday or other non-business day.”

6. Section 73 amended (power to suspend financial dealings)

Delete section 73(4).

Passed by the Legislature of the Falkland Islands on 23 February 2023.

CHERIE YVONNE CLIFFORD,
Clerk of the Legislative Assembly.

This printed impression has been carefully compared by me with the Bill which has passed the Legislative Assembly and is found by me to be a true and correctly printed copy of the said Bill.

CHERIE YVONNE CLIFFORD,
Clerk of the Legislative Assembly.

SUBSIDIARY LEGISLATION

Mental Health (Approved Practitioners) Order 2023

(No. 1 OF 2023)

ARRANGEMENT OF PROVISIONS

Article

1. Title
2. Commencement
3. Approved practitioners
4. Revocation

Schedule - Approved practitioners

SUBSIDIARY LEGISLATION

Mental Health (Approved Practitioners) Order 2023

(made: 24 February 2023)

(coming into force: on publication)

(published: 28 February 2023)

I make this order under section 91 of the Mental Health Ordinance 2010 (“**the Ordinance**”) —

- (a) after consulting the Chief Medical Officer in accordance with section 91(4); and
- (b) without consulting Executive Council under section 66(1) of the Constitution because, in my judgement, the matter is too unimportant.

1. Title

This order is the Mental Health (Approved Practitioners) Order 2023.

2. Commencement

This order comes into force on publication in the *Gazette*.

3. Approved practitioners

The following persons are approved practitioners for the purposes of the Ordinance —

- (a) the approved doctors listed in Part 1 of the Schedule; and
- (b) the approved professionals listed in Part 2 of the Schedule.

4. Revocation

The Mental Health (Approved Practitioners) (No 2) Order 2022 is revoked.

SCHEDULE – Approved practitioners

(article 3)

PART 1 - APPROVED DOCTORS

Dr Rebecca Edwards
Dr Mukhtar Uqaili
Mr Ahmed Cheema
Dr Fraser Gibb
Dr Doug Johnson
Dr Rosasharn Browne
Dr Kristy Fenton
Dr Rejean Duwyn.

PART 2 - APPROVED PROFESSIONALS

Janice Dent
Mandy Heathman
Phillip Kelly
Erica Phiri
Kristina Vincent
June Walsh
Lesley Hadden
Mick Norman
Lynn Roberts
Kathleen Allerdice
Lucy Blackmore
Nikki Murphy
Kathleen Wedderburn
Louise Dempster
Annette Murphy
Violet Sithole.

Made 24 February 2023

A. M. BLAKE C.M.G.,
Governor.

EXPLANATORY NOTE
(not part of the order)

This Order is made under section 91(1) of the Mental Health Ordinance 2010 (“**the Ordinance**”) and comes into force on publication. It provides for the list of approved doctors and approved professionals, who are approved practitioners for the purposes of the Ordinance (*article 3*), which is set out in the *Schedule*.

The expressions “approved doctor” and “approved professional” are defined in section 91(1) and (2) of the Ordinance respectively. The term “approved practitioner” is defined in section 3 of the Ordinance.

Before making the Order, the Governor consulted the Chief Medical Officer in accordance with section 91(4) of the Ordinance. The Governor has departed from the usual practice of seeking the approval of Executive Council in accordance with section 66(1) of the Constitution before making the Order because in her judgement the matter is too unimportant and falls within the exceptions provided in section 66(2)(c) and (e) .

Article 4 revokes the Mental Health (Approved Practitioners) (No 2) Order 2022 which is replaced by this order.