



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART I

LOCAL GOVERNMENT AREAS, AUTHORITIES AND ELECTIONS

New areas and councils

1 New local government areas in Scotland.

- (1) For the administration of local government on and after 16th May 1975, Scotland shall have local government areas in accordance with the provisions of this section.
- (2) Scotland (other than Orkney, Shetland and the Western Isles) shall be divided into local government areas to be known as regions, and those regions shall be the regions named in Part I of Schedule 1 to this Act and shall comprise the areas respectively described in column 2 of the said Part I, being administrative areas existing immediately before the passing of this Act.
- (3) Orkney, Shetland and the Western Isles shall be local government areas to be known as islands areas, and shall comprise the areas respectively described in column 2 of Part II of the said Schedule, being administrative areas existing immediately before the passing of this Act.
- (4) In each region there shall be local government areas to be known as districts, and the districts shall be the districts named in column 2 of Part III of the said Schedule and shall comprise the areas respectively described in column 3 of the said Part III, being administrative areas existing immediately before the passing of this Act.
- (5) On 16th May 1975, all local government areas existing immediately before that date, that is to say, all counties, counties of cities, large burghs, small burghs and districts, shall cease to exist, and the council of every such area shall also cease to exist.
- (6) Part IV of the said Schedule shall have effect in relation to the boundaries of the new local government areas.

Status: Point in time view as at 01/02/1991.

Changes to legislation: Local Government (Scotland) Act 1973, Part I is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

2 Constitution of councils of regions, islands areas and districts.

- (1) For every region, islands area and district there shall be a council consisting of a chairman and councillors, and each such council shall have all such functions as are vested in them by this Act or otherwise.
- (2) Each such council shall be a body corporate by the name “The Regional Council”, “The Islands Council” or “The District Council”, as the case may be, with the addition of the name of the particular region, islands area or district, and shall have a common seal.

3 Chairman.

- (1) The chairman of each such council as aforesaid shall be elected by the council from among the councillors, and in the case of an equality of votes the chairmanship shall be determined by lot as between those who received an equal number of votes.
- (2) The term of office of the chairman shall be four years from the date of his election as chairman, except in the case of the first and second ordinary elections of chairman of a district council when the term of office shall be three years or, in the case of the filling of a casual vacancy, when the council may decide that the person elected to fill the vacancy should serve as chairman for the remainder of the term of office of the council.
- (3) The election of the chairman shall be the first business transacted at the first meeting of the council held after the ordinary election of councillors, and at that meeting, until the chairman is elected, the returning officer, and failing him such councillor as may be selected by the meeting, shall preside.
- (4) A person holding the office of chairman shall be eligible for re-election as chairman but shall cease to hold that office upon ceasing to be a councillor.
- (5) On a casual vacancy occurring in the office of chairman, an election to fill the vacancy shall be held as soon as practicable by the council at a meeting of the council the notice of which specifies the filling of the vacancy as an item of business, and the meeting shall be conducted in the same manner as an ordinary election of chairman.
- (6) The title of “Lord Provost” shall attach to the chairman of each of the district councils of the cities of Aberdeen, Dundee, Edinburgh and Glasgow, [^{F1}and the chairman of each other regional, islands or district council shall be known by such title as that council may decide.]
- (7) A council may pay the chairman, for the purpose of enabling him to meet the expenses of his office, such allowance as the council think reasonable.

Textual Amendments

- F1** Words substituted by [Local Government \(Miscellaneous Provisions\) \(Scotland\) Act 1981 \(c. 23\)](#), [Sch. 2 para. 29](#)

[^{F2}3A Vice-chairman.

- (1) A council may appoint a member of the council to be vice-chairman of the council.
- (2) The vice-chairman shall hold office until the expiry of the term of office of the council.

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- (3) A person holding the office of vice-chairman shall be eligible for re-election as vice-chairman but shall cease to hold that office upon ceasing to be a councillor.
- (4) Subject to any standing order made by a council, anything authorised or required to be done by, to or before the chairman may be done by, to or before the vice-chairman.
- (5) A council may pay the vice-chairman, for the purpose of enabling him to meet the expenses of his office, such allowance as the council think reasonable.]

Textual Amendments

F2 S. 3A inserted by [Local Government, Planning and Land Act 1980 \(c. 65\), s. 27](#)

Election of Councillors

4 Term of office and retirement of councillors.

- (1) Councillors for a local government area shall be elected by the local government electors for that area in accordance with this Act and Part I of the [^{F3}Representation of the ^{M1}People Act 1983].
- (2) The ordinary election of councillors for a regional or islands council shall take place in 1974 and every fourth year thereafter.
- (3) Subject to the provisions of subsection (6) below and of sections 37(3) of this Act, the term of office of regional or islands councillors shall be four years and they shall retire together at the end of such term on the day of the ordinary election of such councillors.
- (4) The first ordinary election of councillors for a district council shall take place in 1974, the second such election shall take place in 1977 and the third such election shall take place in 1980; thereafter such elections shall take place every fourth year.
- (5) Subject to the provisions of subsection (6) below and of section 37(3) of this Act, the term of office of district councillors shall be
 - (a) for those elected in 1974 and 1977, three years;
 - (b) for those elected in 1980 and later, four years;and they shall retire together at the end of such term on the day of the ordinary election of district councillors.
- (6) A person elected to the office of councillor at an election held under the provisions of section 9 or 10 of this Act shall hold office only until the day of the next ordinary election.

Textual Amendments

F3 Words substituted by [Representation of the People Act 1983 \(c. 2\), s. 206, Sch. 8 para. 15\(a\)](#)

Marginal Citations

M1 1983 c. 2.

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5 Electoral divisions and wards.

- (1) For the purpose of the election of councillors—
 - (a) every region and every islands area shall be divided into electoral divisions; and
 - (b) every district shall be divided into wards; and each such division or ward shall return one councillor.
- (2) There shall be a separate election for each electoral division or ward.

^{F4}6–10

Textual Amendments
F4 Ss. 6–10 repealed by [Representation of the People Act 1983 \(c. 2\)](#), s. 206, [Sch. 9 Pt. II](#)

11 Establishment of new local authorities and supplementary provisions.

- (1) Schedule 2 to this Act shall have effect with respect to the establishment of the new local authorities, the suspension of elections of existing local authorities and related matters, and this Part of this Act shall have effect, in relation to such establishment, subject to the provisions of that Schedule.
- (2) ^{F5}
- (3) Schedule 3 to this Act shall have effect for the purpose of amending and otherwise modifying the operation of the . . . ^{F6} enactments relating to parliamentary . . . ^{F6} elections, being amendments and modifications necessary or expedient in consequence of other provisions of this Act.
- (4) ^{F5}

Textual Amendments
F5 S. 11(2)(4) repealed by [Representation of the People Act 1983 \(c. 2\)](#), s. 206, [Sch. 9 Pt. I](#)
F6 Words repealed by [Representation of the People Act 1983 \(c. 2\)](#), s. 206, [Sch. 9 Pt. I](#)

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