



# 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.

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*Status: This is the original version (as it was originally enacted).*

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## **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, the chairman of each other district council shall be known by such title as the district council, with the consent of the Secretary of State, may decide and the chairman of each regional or islands council shall be known as the convener of that council.
- (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.