



Local Government (Scotland) Act 1973

1973 CHAPTER 65

PART III

GENERAL PROVISIONS AS TO MEMBERS OF LOCAL AUTHORITIES AND PROCEEDINGS

[^{F1} Acceptance of Office

[^{F1}33A Declaration of acceptance of office of councillor.

- (1) A person elected to office as a councillor of a local authority shall not, unless—
 - (a) he has made a declaration of acceptance of office in a form prescribed by an order made by the Secretary of State; and
 - (b) the declaration has within two months from the day of the election been delivered to the proper officer of the local authority,act in the office except for the purpose of taking such a declaration.
- (2) If such a declaration is not made and delivered to the proper officer within the appointed time, the office of the person elected shall at the expiration of that time become vacant.
- (3) The declaration shall be made before either—
 - (a) two members of the local authority to which the declarant is elected; or
 - (b) the proper officer of the local authority; or
 - (c) the sheriff; or
 - (d) a justice of the peace.
- (4) Any person before whom a declaration is authorised to be made under this section may take the declaration.]

Textual Amendments

F1 S. 33A inserted by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), s. 30(1)

Changes to legislation: Local Government (Scotland) Act 1973, Section 33A is up to date with all changes known to be in force on or before 13 April 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) [View outstanding changes](#)

Modifications etc. (not altering text)

- C1 S. 33A amended by [Local Government and Housing Act 1989 \(c. 42, SIF 81:1, 2\)](#), [s. 31\(7\)](#)
- C2 S. 33A applied (temp. from 6.4.1995 to 1.4.1996) by [S.I. 1994/3255, art. 3, Sch. I para. 1](#)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 7 para. 7(3) inserted by [1989 c. 42 Sch. 11 para. 36](#)