



Local Government (Scotland) Act 1947

1947 CHAPTER 43

PART I

CONSTITUTION AND ELECTIONS.

DISTRICT COUNCILS.

Chairman and Vice-Chairman of District Council.

47 Chairman and Vice-Chairman of district council.

- (1) The chairman of a district council shall be elected by the district council from among the district councillors.
- (2) The term of office of the chairman of the district council shall be from the day of his election to that office as provided in the next succeeding subsection until the second Tuesday of November in the third year after the day of his election.
- (3) The election of the chairman of the district council shall be the first business transacted at the first meeting of the council held after the election of district councillors, and at that meeting, until the chairman is elected, such district councillor as may be selected by the meeting shall preside.
- (4) The chairman of a district council shall, by virtue of his office unless disqualified by any Act, be a justice of the peace for the county within which the district is situated, but before acting as such justice he shall take the oaths required by law to be taken by a justice of the peace for the county, unless he is at the date on which he is elected chairman a justice of the peace for the county and has taken such oaths or unless the provisions of the Ex-officio Justices of the Peace (Scotland) Act, 1898, apply in his case.
- (5) Every district council shall at the first meeting of the council held after the election of district councillors elect a district councillor to be vice-chairman of the district council, who shall hold office until the expiration of the term of office of the chairman, and subject to any standing orders made from time to time by the council anything

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authorised to be done by, to or before the chairman may, in the absence of the chairman or in the event of his being unable to act for any reason, or of a vacancy in the office of chairman, be done by, to or before the vice-chairman except that he shall not by virtue of being vice-chairman act as a justice of the peace.

- (6) A person holding the office of chairman or vice-chairman of a district council may at any time resign that office by a notice in writing signed by him and delivered to the clerk of the council and the resignation shall take effect upon the expiration of three weeks after the date of delivery of the notice or upon such earlier date, if any, as may be stated in the notice as the date on which the resignation is to take effect.
- (7) A person holding the office of chairman or vice-chairman of a district council shall cease to hold that office upon ceasing to be a district councillor.
- (8) A casual vacancy in the office of chairman or vice-chairman of a district council, whether caused by death or resignation from the office or by the holder of the office ceasing to be a district councillor, shall be filled as soon as practicable by the district council at a meeting of the council of which notice specifying that the filling of the vacancy is to be considered has been given to each councillor not less than seven days before the date of the meeting, and the person appointed to fill the vacancy shall hold office only so long as the chairman or vice-chairman in whose place he is appointed would have held office.