



# Local Government (Scotland) Act 1973

## 1973 CHAPTER 65

### PART III

#### GENERAL PROVISIONS AS TO MEMBERS OF LOCAL AUTHORITIES AND PROCEEDINGS

##### *Resignation and Vacation of Office*

#### **37 Filling of casual vacancies**

- (1) On a casual vacancy occurring in the office of councillor, an election to fill the vacancy shall be held within three months from the date on which the vacancy is deemed to have occurred, and the day of election to fill the vacancy shall be fixed by the returning officer.
- (2) Where a casual vacancy in any such office occurs within six months before the date of the next ordinary election, an election shall not be held under subsection (1) above unless, on the occurrence of the vacancy (or in the case of a number of simultaneous vacancies, the occurrence of the vacancies), the total number of unfilled vacancies in the membership of the council exceeds one third of the whole number of members ; and where an election under subsection (1) above is not held, the vacancy shall be filled at the next ordinary election.
- (3) A person elected to fill a casual vacancy in the office of councillor shall hold office until the day of the next ordinary election.