

## ALL ELECTION PARTICIPANTS

## Ban on political donations from prohibited donors

Unless otherwise stated, all references to legislation are to the *Local Government Electoral Act 2011* (LGEA). The information in this fact sheet does not replace legislation. If you are concerned about your obligations, you should seek independent legal advice.

On 19 March 2026, Queensland's electoral laws were amended to allow property developers and their close associates to make political donations for state electoral purposes. However, the ban on political donations from prohibited donors still applies for **local government elections**.

This fact sheet relates to candidates, groups of candidates, political parties, associated entities, third parties and donors who participate in local elections and by-elections.

### What is the ban on political donations?

Queensland's local government electoral laws ban **political donations** from being made by or received from **prohibited donors**.

It is also illegal to ask someone to make a political donation on behalf of a prohibited donor.

### Who is a prohibited donor?

A prohibited donor includes:

- a property developer
- a close associate of a property developer
- an industry representative organisation with property developers as the majority of its members.

Please see [Fact sheet 42 – Definition of prohibited donors, property developers and close associates](#) for further information.

Individuals or entities that are unsure about whether or not they are a prohibited donor may apply to the ECQ for a determination. See [Fact sheet 44 – Applications for a prohibited donor determination](#).

### What is a political donation?

A political donation is any gift or loan made to:

- a councillor or mayor
- a candidate or group of candidates in a local government election
- a political party (unless it is a **restricted donation** – see next page)
- another entity to make or reimburse a gift to any of the above, or to incur electoral expenditure for a local government election.

### Political donations from prohibited donors are strictly prohibited.

For more definitions, please refer to [Fact sheet 10 – Definition of gifts and loans](#) and [Fact sheet 12 – Definition of electoral expenditure](#).

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#### More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing [fad@ecq.qld.gov.au](mailto:fad@ecq.qld.gov.au).



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## FUNDRAISING CONTRIBUTIONS

All fundraising contributions (including amounts under \$200) are political donations and are unlawful if made by a prohibited donor. This includes payments for entry fees, raffle tickets or purchases of merchandise.

While it is permissible for a prohibited donor to attend a fundraising event for free, they cannot pay for any costs associated with hosting or organising the event (e.g. venue costs).

## PARTY MEMBERSHIP FEES

Fees paid for political party membership or affiliations are political donations if the total amount paid exceeds \$1,000 in a calendar year.

## PERSONAL GIFTS

Gifts made in a private capacity for personal use are not considered political donations. However, if any part of the gift is later used for electoral expenditure or for a councillor to carry out their duties, then that part of the gift is considered a political donation.

## HOSPITALITY

The ECQ does not consider acts of hospitality (e.g. light refreshments or a modest meal) to be political donations. These may be accepted from a prohibited donor in the course of a councillor carrying out their official duties or attending an event in an official capacity.

The value of such acts of hospitality should not exceed \$200 (non-cumulative) as a guide.

## STATE DONATIONS

The ban on prohibited donor donations for state elections was lifted on 19 March 2026. This means prohibited donors may lawfully donate to Queensland members of Parliament and state candidates. Prohibited donors may also make **restricted donations** to political parties for state electoral purposes (see below).

## FEDERAL DONATIONS

Prohibited donors are allowed to make donations for federal electoral purposes provided the recipient places the amount in a federal bank account and only uses it for a federal purpose.

## What is a restricted donation?

A prohibited donor may lawfully make a gift or loan to a political party if they notify the party that the donation must not be used for a local election purpose. These donations are called restricted donations.

To make a restricted donation, the donor must give the political party a **restricted donation statement**. This statement must:

- be in writing
- be made by the donor of the gift or loan
- state the **relevant particulars** of the donor
- state that the gift or loan is made with the intention that it is not used for a **local government electoral purpose**
- be given to the recipient when the gift or loan is made.

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The **relevant particulars** are:

- the name and address of the donor
- if the donor is an **unincorporated association** – the names and addresses of the members of the executive committee (however described) of the association
- if the donor is a **trust fund or foundation** – the names and addresses of the trustees, or the title or description of the trust fund or the name of the foundation.

A **local government electoral purpose** is a purpose that relates to a local government election. To avoid doubt, the ECQ strongly encourages restricted donation statements to clearly state that the donation is made with the intention that is not used for a local election purpose. It should also clearly identify the donation to which the statement is being made.

Restricted donations must not be used for a local election purpose. Registered political parties must not deposit a restricted donation into their local campaign bank account.

Penalties apply to unlawful use of restricted donations. The ECQ can also recover twice the amount of the donation as a debt to the State.

Gifts or loans accompanied by a restricted donation statement are called restricted donations.

It is legal for a prohibited donor to give a restricted donation to a political party provided it is not used for a local election purpose.

#### DISCLOSURE OF RESTRICTED DONATIONS

Restricted donations are subject to the same disclosure laws that apply to other gifts and loans. Donations of \$500 or more (cumulative) must be disclosed in real-time by the donor. More details can be found in [Fact sheet 9 – Disclosure of gifts made](#).

If a restricted donation of \$1,000 or more is made to a registered political party, state disclosure laws also apply to both the donor and the party. Please refer to:

- [State Fact sheet 12 – Real-time disclosure of gifts and loans by registered political parties](#)
- [State Fact sheet 23 – Disclosure of gifts made to registered political parties and candidates](#).

#### RESTRICTED DONATIONS AND POLITICAL DONATION CAPS

Political donation caps will apply to a restricted donation if it is accompanied by **both** a restricted donation statement **and a donor statement**.

A donor statement is a separate written statement made by the donor that allows the political party to use the amount specifically for **state electoral expenditure**.

For more information about political donations, see:

- [State Fact sheet 5A – Definition of political donations and donor statements](#)
- [State Fact sheet 6 – Political donation caps](#).

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 **EXAMPLE**

A property developer wants to donate to The Bronze Party ahead of the 2028 state general election. The party wants to use the donation to pay for their election flyers.

The property developer must give both a **restricted donation statement** and a **donor statement** to The Bronze Party with their donation.

The donation cannot be used for a local election purpose and must not be deposited into the party's local campaign bank account. The donation is subject to disclosure laws and political donation caps.

## Compliance

Except where accompanied by a restricted donor statement and for a political party, it is unlawful for:

- a prohibited donor to make a political donation
- a person to make a political donation on behalf of a prohibited donor
- a person to accept a political donation that was made (wholly or in part) by or on behalf of a prohibited donor
- a prohibited donor to solicit a person to make a political donation
- a person to solicit, on behalf of a prohibited donor, another person to make a political donation
- a political party to use a restricted donation for a local government electoral purpose
- a political party to deposit a restricted donation into its local campaign bank account
- a person to knowingly participate<sup>1</sup>, directly or indirectly, in a scheme<sup>2</sup> to circumvent any of the above unlawful activities.

Penalties for committing any of the above offences will vary depending on the circumstances. Penalties may include fines of up to 400 penalty units (\$66,760 as at 1 July 2025) for some offences, 1,500 penalty units (\$250,350 as at 1 July 2025) for others, or potential terms of imprisonment ranging from two to 10 years.

As well as these criminal provisions, the ECQ has the power to recover the value of the donation made from the recipient as a debt due to the State. In instances where the recipient knew it was unlawful to receive the donation, then the amount to be recovered is double the value of the donation.

If a prohibited donor makes a donation to a political party without also giving a restricted donor statement, the donation will be unlawful even if the donation is not used for a local electoral purpose. This is because donations made by prohibited donors without a restricted donor statement are political donations, which are unlawful.

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<sup>1</sup> 'Participate' is expressly defined to include 'enable, aid or facilitate entry into, or the carrying out of, a scheme, and organise or control a scheme'.

<sup>2</sup> 'Scheme' is expressly defined to include 'arrangement, agreement, course of conduct, promise or undertaking, whether express or implied'.

### More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing [fad@ecq.qld.gov.au](mailto:fad@ecq.qld.gov.au).

## For further information

This fact sheet mainly refers to part 6, division 1A of the LGEA. The Act is available in full at [legislation.qld.gov.au](http://legislation.qld.gov.au). Participants in the electoral process should ensure they understand their obligations under the LGEA.



### RELATED FACT SHEETS

Fact sheet 10 – Definition of gifts and loans

Fact sheet 12 – Definition of electoral expenditure

Fact sheet 42 – Definition of prohibited donors, property developers and close associates

Fact sheet 44 – Applications for a prohibited donor determination

State Fact sheet 12 – Real-time disclosure of gifts and loans by registered political parties

State Fact sheet 23 – Disclosure of gifts made to registered political parties and candidates.

State Fact sheet 5A – Definition of political donations and donor statements

State Fact sheet 6 – Political donation caps

Fact sheets can be found on the [ECQ website](#).

### More information

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