

IS RECEIVING HOSPITALITY A POLITICAL DONATION?

Receiving hospitality

Elected members and councillors are required to engage with their constituents, community organisations, lobby and interest groups. Hospitality, such as light refreshments (e.g. tea, coffee, juice) or a modest meal, may be offered to an elected member or councillor in the course of carrying out their official duties.

Accepting light refreshment is a basic courtesy. Considering the definition of gift in the *Electoral Act 1992* and the *Local Government Electoral Act 2011*, receiving hospitality, perishable foodstuffs or tickets to sporting or cultural entertainment (up to a \$200 non-cumulative value as a guide) in the course of carrying out official duties and attended in an official capacity should not be considered a political donation.

This is generally consistent with the Queensland Ministerial Handbook¹ and the Queensland Parliament Code of Ethical Standards².

Duties as an elected member or councillor

Hospitality may be offered when undertaking duties as an elected member or councillor that include –

- Speaking at a forum organised by constituents; or
- Representing the government at sporting or cultural entertainment events; or

- Preparing and conducting functions/ events about matters of local interest; or
- Holding a government meeting in a privately owned location (e.g. Ekka Cabinet meetings); or
- Meeting with constituents, community organisations, lobby and interest groups.

Hospitality received in such circumstances would not be treated as a political donation.

Duties as a candidate

The Ministerial Handbook or Code of Ethical Standards does not address the activities of a candidate who would not carry out the duties of an elected member or councillor. Tokens of hospitality still wouldn't be considered gifts, but candidates will need to use judgement in determining whether their behaviour is appropriate as well as considering community perceptions.

¹ Section 3.7 of the Ministerial Handbook - <https://www.premiers.qld.gov.au/publications/categories/policies-and-codes/handbooks/assets/ministerial-handbook.pdf?c>

² Section 3.1.4 of the Queensland Parliament Code of Ethical Standards - <https://www.parliament.qld.gov.au/documents/assembly/procedures/CodeOfEthicalStandards.pdf>

More information about prohibited donors

The rules and requirements applying to prohibited donors are determined in the *Electoral Act 1992* and the *Local Government Electoral Act 2011*, which are available at www.legislation.qld.gov.au.

If you have further questions, or would like more information about the obligations relating to the Prohibited Donors Scheme, please visit www.ecq.qld.gov.au, or contact ECQ on 1300 881 665 or by emailing pds@ecq.qld.gov.au.