

Procedure for Electronic Lodgement of Returns

Version 2.0

Approval



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Electoral Commissioner

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Version history

Version	Notes	Author	Date of Change
1.0	Initial Release	Director of Real-time Disclosure Project	January 2017
2.0	Updated for <i>Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Act 2019</i>	Director, Funding, Disclosure & Compliance	October 2019 (with effect from 20 January 2020)

Introduction

1. Background

The Electoral Commission of Queensland (ECQ) is required to administer and promote compliance with the disclosure obligations imposed on electoral participants by the *Electoral Act 1992* and the *Local Government Electoral Act 2011*. This is achieved through the utilisation of the ECQ's Electronic Disclosure System (EDS), which allows all electoral participants to lodge their disclosure returns online, in real-time.

2. Scope

These procedures describe how donors, candidates, registered political parties, third parties, publishers and broadcasters access the EDS to lodge returns in accordance with their obligations in the:

- *Electoral Act 1992*;
- *Electoral Regulation 2013*;
- *Local Government Electoral Act 2011*; and
- *Local Government Electoral Regulation 2012*.

These procedures relate to lodgement of the following returns:

- reporting gifts given or received;
- reporting loans received;
- reporting electoral expenditure incurred;
- periodic (calendar-based) returns;
- election summary returns; and
- transitional returns

It does not cover submission of funding claims, which are not accommodated by the EDS.

Paper-based disclosure forms have also been retained for use by individuals that do not have access to the internet. To request a paper form, contact the ECQ's Funding and Disclosure Unit on 1300 881 665 between the hours of 9am and 5pm Monday to Friday, or email fad@ecq.qld.gov.au.

3. Additional information

Detailed assistance in the use of the EDS, information on related procedures, and general disclosure information may be found in:

- the EDS online user manual;
- EDS screen help and tips;
- ECQ's [Funding and Disclosure webpage](#); and
- ECQ [handbooks and guides](#).

Procedures

1. Becoming a registered user of the EDS

Purpose

EDS can be accessed from the self-service portal of the ECQ's Election Management System (EMS), after first authenticating using the Queensland Government's Identity Management service, QGov. If not yet registered with QGov, users will need to register an account using a dedicated email address that is not shared with anyone else.

Procedure

Users are required to complete the following steps to register in the EMS before completing any of the other procedures in this document. Users who already have an EMS account are not required to register a new account. If a user is:

1. An individual donor:

- (a) access the EMS through the ECQ's website (www.ecq.qld.gov.au); and
- (b) register as an individual.

2. A representative of an organisation (including associated entities):

- (a) access the EMS through the ECQ's website (www.ecq.qld.gov.au);
- (b) register as an individual; and
- (c) add details about the organisation/s being represented.

3. An announced candidate*:

- (a) access the EMS through the ECQ's website (www.ecq.qld.gov.au); and
- (b) register as an announced candidate in EMS.

4. A candidate:

- (a) Access the EMS through the ECQ's website (www.ecq.qld.gov.au) after certification of nomination. The user's account will automatically be linked to their candidacy.

5. An agent of a registered political party, state candidate, or group of local government candidates:

- (a) Access the EMS through the ECQ's website (www.ecq.qld.gov.au) after the party, agency appointment, or group of candidates has been registered. The user's account will automatically be linked to their appointment as agent.

*An announced candidate is a person who has announced or otherwise indicated an intention to nominate for a state or local government election without yet having their nomination certified.

2. Lodging a real-time return about gifts given or received

Purpose

This procedure is to be used by all individuals or entities (and/or their agents/representatives, if applicable) to lodge a real-time return regarding a gift they have given or received. Gifts given may be referred to as 'political expenditure' in legislation. The terms 'gifts' and 'political expenditure' are defined in the *Electoral Act 1992* and the *Local Government Electoral Act 2011*. This procedure includes lodging a return for gifts of foreign property.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields; and
5. Submit the return.

3. Lodging a real-time return about electoral expenditure incurred

Purpose

This procedure is to be used by all individuals or entities (and/or their agents/representatives, if applicable) to lodge a real-time return regarding electoral expenditure incurred. The term 'electoral expenditure' is defined in the *Electoral Act 1992* and the *Local Government Electoral Act 2011*. Real-time returns for electoral expenditure incurred are only required for local government elections.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields; and
5. Submit the return.

4. Lodging a real-time return about loans received

Purpose

This procedure is to be used by all candidates, groups of candidates, registered political parties and associated entities (and/or their agents/representatives, if applicable) to lodge a real-time return about loans they have received.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields; and
5. Submit the return.

5. Lodging a periodic return

Purpose

This procedure is to be used by agents of registered political parties and financial controllers of associated entities to lodge periodic returns. A periodic return is one that is due on a calendar

basis, such as every six months. Users must lodge all returns required by Procedures 2 – 4 (above) before lodging their periodic return.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields;
5. Attach a copy of a valid audit certificate or request an audit certificate waiver; and
6. Submit the return.

6. Lodging an election summary return

Purpose

This procedure is to be used by candidates, groups of candidates, third parties, registered political parties and associated entities (and/or their agents/representatives, if applicable) to lodge an election summary return. An election summary return is one that is due following a state or local government election of any description. Users must lodge all returns required by Procedures 2 – 4 (above) before lodging their election summary return.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields;
5. Attach a copy of a valid audit certificate or request an audit certificate waiver (if applicable);
6. Attach a copy of the bank statement/s for the dedicated campaign account (if applicable); and
7. Submit the return.

The *Electoral Act 1992* and the *Local Government Electoral Act 2011* outline whether an audit certificate or bank statement is required.

7. Lodging an election summary return – publishers & broadcasters

Purpose

This procedure is to be used by publishers and broadcasters to lodge an election summary return following a state government election.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;

4. Complete all applicable fields; and
5. Submit the return.

8. Lodging a transitional return

Purpose

This procedure is to be used by incumbent councillors (as at 20 January 2020) to lodge their Transitional Gift and Expenditure returns, following the commencement of the funding & disclosure provisions introduced in the *Local Government Electoral (Implementing Stage 2 of Belcarra) and Other Legislation Amendment Act 2019*.

These returns are also required to be lodged by any person whose disclosure period for the 2020 Quadrennial Election would ordinarily start before 20 January 2020, but for the transitional provisions contained in sections 216-218 of the *Local Government Electoral Act 2011* (as amended).

Users must lodge all returns required by Procedures 2 – 4 (above) before lodging their transitional returns.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields; and
5. Attach a copy of the bank statement/s for the dedicated campaign account (if applicable), or request a bank statement waiver; and
6. Submit the return.

9. Lodging a request to amend a return

Purpose

This procedure is to be used to request an amendment to a return which has previously been lodged.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the self-serve portal. Users will be prompted to log in to QGov, using the registered username and password;
2. In the summary page, find the return that requires amendment;
3. Use the action button to the right of the return to select 'Request to Amend';
4. Explain what requires amendment or deletion and provide evidence/justification for the change; and
5. Submit the request.

After submission, the return will be identified as 'Pending' in the user's summary page and immediately removed from public view. The ECQ will investigate the request and action it accordingly.