

Prohibited Donors Scheme Fact Sheet 5



WHO IS A CLOSE ASSOCIATE?

In Queensland the Prohibited Donors Scheme bans the making of political donations by property developers to a political party, an elected member or councillor, or a candidate in an election.

A close associate of entities described in the Fact Sheet 'Who is a Property Developer?' is also considered to be a property developer. This includes:

- i. a related body corporate of the property developer; or
- ii. a director or other officer of the property developer; or
- iii. a person with more than 20% of the voting power of the property developer or a related body corporate; or
- iv. a spouse of a person described in ii or iii; or
- v. if the property developer is a trustee, manager or responsible entity in relation to a unit trust – a person who holds more than 20% of the units in the trust; or

- vi. if the property developer is a trustee, manager or responsible entity to a discretionary trust – a beneficiary of the trust; or
- vii. if the property developer or related body corporate is one entity in a stapled security¹, then the other entity in the stapled security is also considered a close associate.

Property developers such as those described above are prohibited donors.

¹ For more information on stapled securities see <https://www.moneysmart.gov.au/investing/complex-investments/stapled-securities>

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 Donor Scheme, please visit www.ecq.qld.gov.au, or contact ECQ on 1300 881 665 or by emailing pds@ecq.qld.gov.au.