

HOW DOES THE PROHIBITED DONORS SCHEME AFFECT FEDERAL POLITICAL PARTIES?

In Queensland, a ‘political party’ is defined in the *Electoral Act 1992* to mean an organisation whose constitution has as one of its objects, the promotion of candidates for election to the Queensland Parliament. If a federal party **does not** have as one of its objects the promotion of candidates for election to the Queensland Parliament, it may accept donations from property developers.

However, it cannot act as a conduit for a property developer to provide donations or gifts for the benefit of a Queensland political party. If a federal party **does** have, as one of its objects, the promotion of candidates for election to the Queensland Parliament, then it **cannot** accept donations from property developers.

Furthermore, if a federal political party (which has as one of its objects the promotion of candidates for election to the Queensland Parliament) is also related to a State party in that one is ‘part of the other’, or ‘both are parts of the same political party’, they will be ‘related political parties’. Where federal and State political parties are ‘related political parties’, and at least one of the parties is registered in Queensland, then a gift made to either one of the parties is taken to be a gift to the party registered in Queensland.

Gifts to federal political parties that are ‘related political parties’ to a Queensland political party are required to be disclosed to the ECQ by both the donor and by the Queensland party, and, in this circumstance, cannot include gifts from prohibited donors.

Can federal parties use money provided by property developers on Federal election campaigns in Queensland?

If a federal party is not deemed a ‘political party’ under the above definition it may accept gifts from property developers. It may use those gifts for federal election campaigns anywhere in Australia.

Can federal political parties use money provided by property developers on State election campaigns in Queensland?

No. If a gift is given to a federal party which does not have as one of its objects the election of candidates to the Queensland Parliament, it may not use money provided by a property developer to incur electoral expenditure in Queensland as defined by the *Electoral Act 1992*. See ECQ factsheet ‘What is electoral expenditure?’

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.