CANDIDATES, GROUPS OF CANDIDATES AND **REGISTERED POLITICAL PARTIES**

Real-time disclosure of electoral expenditure

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.

This fact sheet applies to candidates, groups of candidates, and registered political parties as well as their agents and associated entities.

COMPLIANCE WARNING

Failure to disclose electoral expenditure within the time required is an offence under the LGEA. The ECQ issued over 380 fines to candidates in the 2020 local government elections for not complying with their disclosure requirements.

When an election participant incurs electoral expenditure of \$500 or more, a return disclosing the expenditure must be given to the ECQ.

Electoral expenditure is cumulative: it does not matter whether the expenditure was incurred in small amounts or all at once. Once the \$500 threshold has been reached, all previous and future expenditure must be disclosed regardless of value.

If the election participant has an agent, the agent is responsible for completing the returns.

What is real-time disclosure?

All election participants who incur \$500 or more in electoral expenditure must give the ECQ a return within **7 business days** of the expense being incurred.

If there are 7 or fewer business days before the election when the expense is incurred, the return must be given within **24 hours**.

When is the electoral expenditure incurred? Electoral expenditure is usually incurred when the election material is supplied or when the material is first used for a campaign purpose. For more details, please refer to <u>Fact sheet 12 – Definition of electoral expenditure</u>.



EXAMPLES

Example 1

Candidate A incurs electoral expenditure of \$750 on Monday when they begin

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If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecg.gld.gov.au.





EXAMPLES CONTINUED

Example 2

Wednesday, Group Q incurs another \$200 of electoral expenditure. Because the

Example 3

electoral expenditure by launching a social media ad campaign. Candidate B has

What is electoral expenditure?

'Electoral expenditure' refers to money spent for a campaign purpose including but not limited to:

- designing, producing, printing, broadcasting, or publishing election material
- distributing election material
- carrying out an opinion poll or research
- contracted services relating to one of the above activities.

Please refer to <u>Fact sheet 12 – Definition of electoral expenditure</u> for more information.

How do I lodge a return?

Disclosures should be lodged in the ECQ's Electronic Disclosure System (EDS) at disclosures.ecq.qld.gov.au/.

Each expenditure return requires:

- the name and address of the person who supplied the goods or services
- a description of the goods or services
- the amount of the electoral expenditure
- when the expenditure was incurred
- the purpose of the expenditure.

The ECQ publishes electoral expenditure disclosures on its website.

What is the election summary return?

In addition to real-time disclosure, election participants must lodge an election summary return before the deadline of 15 weeks following election day.

For more information about election summary returns, see Fact sheet 14 - Election Summary Returns.

Record keeping

All election participants must keep records for 5 years. This is required to demonstrate compliance in relation to all electoral expenditure, disclosure, and dedicated campaign bank account requirements. Refer to Fact Sheet 8 for more information about record keeping requirements.

Compliance

The ECQ is responsible for administering and enforcing the LGEA, which includes penalties for election participants who breach their disclosure obligations.

The compliance framework is available on the **ECQ's website**.

For further information

This fact sheet mainly refers to part 6 of the LGEA. The Act is available in full at legislation.qld.gov.au. Participants in the electoral process should ensure they understand their obligations under the LGEA.

RELATED FACT SHEETS

Fact sheet 29 – Expenditure caps for registered political parties

All fact sheets can be found on the **ECQ's website**.