

## THIRD PARTIES

## Funding and disclosure overview

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 relates to individuals and entities who participate in local government elections and by-elections.

## What is and is not a third party?

A third party is an individual or an entity who makes a gift to an election participant or conducts campaign activities, such as paying for political advertising.

Registered political parties, associated entities, candidates, groups of candidates, and members of a committee for the election of a candidate or group, are **not** considered third parties.

## Does a third party need to appoint an agent?

An agent is an individual responsible for ensuring an election participant's compliance obligations under the LGEA are met.

Depending upon their circumstances, third parties may need to appoint an agent. Please refer to [Fact sheet 38 – Funding and disclosure overview for agents](#) to determine if your third party needs an agent.

## Do third parties need to be registered?

If a third party spends or intends to spend more than \$6,000 on electoral expenditure during the capped expenditure period, the third party must register with the ECQ for the election.

Please refer to [Fact sheet 32 – Third party registration process](#) for more information about registering a third party.

[Fact sheet 12 – Definition of electoral expenditure](#) contains information and examples of electoral expenditure.

## Do third parties need a dedicated campaign bank account?

Registered third parties must establish a dedicated campaign bank account within 5 business days of registering with the ECQ. All electoral expenditure must be paid from this account.

For more details, please refer to [Fact sheet 33 – Dedicated campaign bank accounts for third parties](#).

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## More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing [fad@ecq.qld.gov.au](mailto:fad@ecq.qld.gov.au).



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## What are the disclosure obligations of third parties?

### DISCLOSURE OF GIFTS AND LOANS MADE AND RECEIVED

If a third party receives a gift of \$500 or more, they must disclose the gift within 7 business days of using it for political expenditure.

If a third party makes a gift of \$500 or more to a candidate, group of candidates, registered political party (for a local government election purpose), or another third party (for a local government election purpose), they must disclose the gift within 7 business days.

For more detail about which gifts and loans require disclosure, please refer to [Fact sheet 35 – Real-time disclosure of gifts received by third parties](#) and [Fact sheet 9 – Disclosure of gifts made](#).

### DISCLOSURE OF ELECTORAL EXPENDITURE

A registered third party must disclose all electoral expenditure incurred for a local government election once their total expenditure reaches \$500. Returns for electoral expenditure must be lodged with the ECQ within 7 business days.

For more details, please refer to [Fact sheet 34 – Real-time disclosure of electoral expenditure by third parties](#).

### ELECTION SUMMARY RETURN

An election summary return must be lodged within 15 weeks after election day for a local government election. The return must state the total amount of all gifts received or made, and all electoral expenditure incurred, for the election.

For more details, please refer to [Fact sheet 14 – Election summary returns](#).

## How do third parties lodge a return?

Disclosure returns are lodged via the ECQ's Electronic Disclosure System (EDS) at [disclosures.ecq.qld.gov.au](https://disclosures.ecq.qld.gov.au).

## Do expenditure caps apply to third parties?

There are limitations (caps) on the amount of electoral expenditure that can be incurred by third parties during the capped expenditure period for a local election.

For further information, refer to [Fact sheet 36 – Expenditure caps for third parties](#).

## Are there prohibited gifts or loans?

Property developers and industry organisations representing property developers are prohibited from making a gift or loan to any entity in an election.

Significant penalties apply to anyone who makes or receives these prohibited donations.

See the [ECQ website](#) for more information.

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## What happens if a mistake is made?

If third party or agent of a third party realises they have incorrectly handled a funding and disclosure obligation, the person should contact the ECQ at [fad@ecq.qld.gov.au](mailto:fad@ecq.qld.gov.au). The Funding and Disclosure team can assist the election participant in amending or fulfilling their obligations. Returns must still be lodged, even if they are late.

## Record keeping

All third parties 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](http://legislation.qld.gov.au). Participants in the electoral process should ensure they understand their obligations under the LGEA.



### RELATED FACT SHEETS

- Fact sheet 8 – Record keeping
- Fact sheet 9 – Disclosure of gifts made
- Fact sheet 12 – Definition of electoral expenditure
- Fact sheet 14 – Election summary returns
- Fact sheet 32 – Third party registration process
- Fact sheet 33 – Dedicated campaign bank accounts for third parties
- Fact sheet 34 – Real-time disclosure of electoral expenditure for third parties
- Fact sheet 35 – Real-time disclosure of gifts and loans by third parties
- Fact sheet 36 – Expenditure caps for third parties
- Fact sheet 38 – Funding and disclosure overview for agents

Fact sheets can be found on the [ECQ website](#).

## More information

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