

Procedure for Electronic Lodgement of Returns

Version 3.0

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)
3.0	Updated for <i>Local Government Electoral and Other Legislation (Expenditure Caps) Act 2023</i>	Director, Funding, Disclosure & Compliance	May 2023 (with effect from 28 June 2023)

This procedure has been considered to ensure compatibility with the 23 protected rights under the *Human Rights Act 2019* and is deemed compatible.

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* (the EA) and the *Local Government Electoral Act 2011* (the LGEA). 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.

2. Scope

These procedures describe how agents, donors, candidates, registered political parties, third parties, financial controllers (of associated entities), publishers and broadcasters access the EDS to lodge returns in accordance with their obligations in the EA and the LGEA (including relevant subordinate legislation).

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; and
- election summary returns.

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

3. Additional information

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

- ECQ's Funding and Disclosure webpage; and
- ECQ's handbooks and guides.

Procedures

1. Becoming a registered user of the EDS

Purpose

The EDS can be accessed from the ECQ's Self-Service Portal (SSP), after 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 SSP before completing any of the other procedures in this document. Users who already have a SSP account are not required to register a new account. If a user is:

1. An individual:

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

4. A candidate:

- (a) access the SSP 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, candidate, group of local election candidates, or a third party:

- (a) if the agent already has a SSP account – access the SSP through the ECQ's website (www.ecq.qld.gov.au) after the ECQ has processed the agent appointment documentation.
- (b) if the agent does not have a SSP account – register a SSP account through the ECQ's website (www.ecq.qld.gov.au) using the same details provided to the ECQ as part of the agent appointment documentation.

*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. The term 'gift'

is defined in the EA and the LGEA. 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 SSP;
2. On 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 EA and the LGEA.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the SSP;
2. On 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 individuals or 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 SSP;
2. On 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 SSP;
2. On the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields;
5. Attach any additional documentation required by the EA or LGEA; and
6. Submit the return.

6. Lodging an election summary return

Purpose

This procedure is to be used by individuals or 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 SSP;
2. On the summary page, click 'Lodge return';
3. Choose the relevant options and select the applicable form;
4. Complete all applicable fields;
5. Attach any additional documentation required by the EA or LGEA; and
6. Submit the return.

7. Lodging an election summary return – publishers and broadcasters

Purpose

This procedure is to be used by publishers and broadcasters (and/or their representatives, if applicable) to lodge an election summary return following a state or local government election of any description.

Procedure

1. Users are to access the EDS from the 'Lodge disclosure returns' option within the SSP;
2. On 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 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 SSP;
2. 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 (if necessary); 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 respond accordingly.