

TRANSITIONAL DISCLOSURE RETURNS

This fact sheet relates to announced candidates and sitting councillors, groups of candidates, registered political parties, associated entities and third party campaigners.

New disclosure obligations for sitting councillors and local government election candidates commenced on 20 January 2020.

To transition to the new laws, all sitting councillors and announced candidates must lodge transitional disclosure returns within 14 days of the new laws commencing.

The returns are now available to lodge via the ECQ's [Electronic Disclosure System](#) and must be lodged by **3 February 2020**.

These returns must be lodged:

- even if there is nothing to declare (a 'nil return' is required in this case)
- by each candidate or councillor personally (an agent cannot complete it on a candidate or councillor's behalf), and
- even if the councillor does not intend on contesting the 2020 local government election.

The onus is on all candidates and councillors to know their obligations.

Registered political parties, associated entities, and third party campaigners are also required to lodge a transitional return for their electoral expenditure.

In their returns, candidates and councillors are required to disclose:

1. **all gifts and loans** received (for electoral purposes) of \$500 or more between the start of their disclosure period and 19 January 2020, and

2. **all electoral expenditure** incurred between 1 May 2019 and 19 January 2020.

Transitional gift/loan disclosure return

Councillors and candidates must disclose all gifts and/or loans (other than from a financial institution) of \$500 or more received from the start of their disclosure period.

For most councillors, the disclosure period started 30 days after the last election they contested. If this was the 2016 local government election, the disclosure period started on 18 April 2016.

If a councillor was appointed to fill a vacancy and has never contested a local government election, the disclosure period started on the day they announced their intention to contest the 2020 local government election.

For candidates who have not previously contested a local government election, the disclosure period started on the date they announced or otherwise indicated an intention to contest the 2020 local government election.

For candidates who have contested a Queensland local government election in the last five years, the disclosure period started 30 days after election day for that election.

For the purposes of the transitional returns, for all sitting councillors and announced candidates, the disclosure period ended on 19 January 2020, and a new disclosure period for the 2020 local government election commenced on 20 January 2020.

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.



For those candidates who were operating as a group prior to 20 January 2020, all members of the group must still lodge a transitional gift/loan disclosure return. However, only one candidate in the group (i.e. the person who will act as the group's agent going forward), is required to disclose the gifts/loans. All other candidates in the group should lodge a 'nil' return.

The returns should be lodged on the ECQ's [Electronic Disclosure System](#). Gifts/loans previously disclosed will be pre-filled into the transitional gift/loan return.

For definitions and information about gifts, refer to the **Glossary of Local Government Definitions** on the [ECQ website](#).

Transitional electoral expenditure disclosure returns

Councillors and announced candidates must disclose electoral expenditure incurred between 1 May 2019 to 19 January 2020. If the total value of electoral expenditure incurred is \$500 or more, each individual transaction must be disclosed. If not, the value of electoral expenditure incurred can be disclosed as a lump sum.

Candidates who intend on contesting the 2020 local government election as a group must register as a group first and then have the agent of the group lodge this return. Registered political parties, associated entities and third party campaigners are also required to lodge these returns.

When lodging returns for transactions of electoral expenditure, the following information must be disclosed:

- name and business address of the person who supplied the goods or services
- a description of the goods or service (e.g. advertising, filming)
- the amount of the electoral expenditure

- the date(s) the expenditure was incurred, and
- the purpose for the expenditure.

Third party campaigners must also disclose whether:

- the expenditure was incurred to benefit, support or oppose a particular candidate, group of candidates or political party in the election (and, if so, the name of the candidate, group of candidate or political party), and
- the expenditure was incurred to support or oppose a particular issue in the election (and if so, a description of the issue).

Candidates and groups of candidates are required to attach a bank statement from their dedicated campaign bank account for the entirety of the disclosure period.

Expenditure returns should be lodged on the ECQ's [Electronic Disclosure System](#).

For definitions and information about electoral expenditure, refer to the **Glossary of Local Government Definitions** on the [ECQ website](#).