

GROUPS OF CANDIDATES

Group registration process

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 groups of candidates and their agents participating in local elections and by-elections.

COMPLIANCE WARNING

Failure to register as a group of candidates before engaging in group campaign activities is an offence that carries substantial penalties. It is an integrity offence under the *Local Government Act 2009*.

What is a group of candidates?

Two or more candidates may form a group to campaign collectively in a local government election, execute common policies and achieve shared goals if elected to council. Candidates who form a group are also able to pool their electoral expenditure caps.

Candidates **must** register as a group with the ECQ before engaging in group campaign activities. Applications for registration can be made up to the day before election day.

Groups of candidates must re-register for every election they wish to campaign collectively in.

What are group campaign activities?

Group campaign activities are carried out in an intentionally coordinated way by two or more candidates as follows:

- using a common platform to promote the election of the candidates (e.g. promoting the same political policies)
- using the same advertisements, campaign slogans, brands, images or how-to-vote cards
- using other material that promotes the election of the candidates
- participating in the same fundraising activities or events
- sharing the same resources for election campaigns (other than volunteers), and/or
- sharing gifts or loans.

Some examples of group campaign activities are:

- a candidate erecting electoral signs with the names or images of one or more other candidates
- a candidate giving a donation to another candidate or group of candidates during a campaign
- a candidate gifting an amount of electoral expenditure to another candidate
- a candidate publishing a notice or letter on a website encouraging electors to vote for another candidate or group of candidates

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- a candidate handing out another candidate's election material (including how-to-vote cards).

Restrictions on group campaign activities apply to unopposed candidates as well as councillors who have decided not to run in the current election.

This means retiring councillors must not coordinate with new candidates in any of the above activities. Retiring councillors are welcome to endorse candidates but must not intentionally coordinate with those new candidates by carrying out any of the above activities.

For a by-election, restrictions on group campaign activities also apply to sitting councillors. If sitting councillors wish to campaign with a candidate or candidates running in the by-election, they must register as a group with that candidate/candidates.

It is an offence for candidates to engage in group campaign activities without being registered as a group.

This offence is an integrity offence under the *Local Government Act 2009*. A successful prosecution may result in disqualification from being a councillor, as well as a maximum penalty of 100 penalty units (\$16,130 as at 1 July 2024).

Unplanned activities that may result in candidates having the same outcomes would not be considered group campaign activities. For example, if two candidates independently choose to campaign on the same issue, but do not share policy documents, resources, advertising, or financially assist one another, the ECQ would be unlikely to consider those candidates to be engaging in group campaign activities.

What are the requirements for group membership?

Candidates can only be a member of one group, and groups can only contest an election in one local government area. Each group may only have one mayoral candidate.

Candidates who are endorsed (or are intending to be endorsed) by a registered political party are not permitted to be a member of a group but are free to engage in group campaign activities.

When can a group of candidates register?

Candidates may apply to register a group at any time up to the day before election day. Registration is complete when the ECQ publishes notice of approval on its website.

Applications for registration that are received before the close of nominations for an election will result in the group's name appearing next to the candidates' names on the ballot paper. Applications received after the close of nominations will result in the group's name not appearing on the ballot paper.

All members of the group must still be nominated as candidates for the election, even if the group is already registered for the election.

How can a group of candidates register?

Candidates may apply to register a group online via the ECQ's [Self Service Portal](#) (SSP). All proposed group members will need to sign the application form. The form will also ask for the name of the group.

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The group's application form must include the details of the group's dedicated campaign bank account. An agent for the group also needs to be appointed as part of the registration process.

Changing or winding up a group

Changes to a group's membership may be made at any time up to the day before election day. However, changes made after the close of nominations will not be reflected on the ballot paper.

If adding a new candidate to the group, the existing group must not engage in group campaign activities with the new candidate until the proposed change has been approved and registered by the ECQ. Any change to a group's membership must not result in only one candidate remaining in the group.

A group of candidates may wind up (deregister) their group at any time before election day. Once a group is deregistered, the candidates in the group must not engage in group campaign activities.

If either a change to a group's membership is made or a group is deregistered during the capped expenditure period, there will be implications for electoral expenditure caps for all candidates impacted by the change. See [Fact sheet 24 – Expenditure caps for groups of candidates](#) for further information.

Changing the group's details or to deregister the group can be done online at [SSP](#).

Groups of candidates are automatically dissolved after election day.

Record keeping

All groups of candidates must keep records for five years. This is required to demonstrate compliance in relation to all electoral expenditure, disclosure, and dedicated campaign bank account requirements.

See [Fact sheet 8 – 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 website](#).

For further information

This fact sheet mainly refers to part 4, division 2 and part 6 of the LGEA. The LGEA is available in full at [legislation.qld.gov.au](#). Participants in the electoral process should ensure they understand their obligations under the LGEA.

More information

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RELATED FACT SHEETS

Fact sheet 18 – Real-time disclosure of electoral expenditure for candidates, groups of candidates, and registered political parties

Fact sheet 23 – Dedicated campaign bank accounts for groups

Fact sheet 24 – Expenditure caps for groups of candidates

Fact sheet 25 – Real-time disclosure of gifts and loans by agents of groups of candidates

Fact sheet 38 – Funding and disclosure overview for agents

Fact sheets are available on the [ECQ website](#).

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