

## STATE CAMPAIGN BANK ACCOUNTS – REGISTERED POLITICAL PARTIES

This fact sheet relates to registered political parties and their associated entities. All references to legislation are to the *Electoral Act 1992*, as in force from 1 July 2022. The information in this fact sheet does not replace legislation. If you are concerned about your obligations, you should seek independent legal advice.

All registered political parties must:

- **establish** a dedicated State campaign bank account with a financial institution,
- **use the account to pay for all electoral expenditure**, and
- **use the account to receive all political donations**.

An associated entity of a registered political party must also use the party's State campaign bank account to pay for all electoral expenditure and receive all political donations.

See [Fact Sheet 19](#) for further information about an associated entity's obligations.

### When to notify the ECQ of bank account details

Registered political parties must notify the ECQ of their State campaign account details within **five business days** of registering as a political party.

Bank account details can be provided by completing [Form QSG16A](#).

If any State campaign account details change, the ECQ must be notified within **five business days** of the change.

Bank account details can be updated by completing [Form QSG16A](#).

### What can go into a State campaign account?

Only permitted amounts can be deposited into a registered political party's State campaign account. These are:<sup>1</sup>

- political donations (**this is mandatory** and must occur within five business days of the donor statement being received)<sup>2</sup>,
  - **not all gifts/loans are political donations**. See [Fact Sheet 4](#) for further information.
  - **there is a limit** on the value of political donations that a political party can accept from a single donor. See [Fact Sheet 20](#) for further information.
- amounts received from disposing of a political donation that was not money (**this is mandatory**)<sup>3</sup>,
- amounts that are a return on an investment, as long as the investment was made from the State campaign account (**this is mandatory**)<sup>4</sup>,
- loans, other than those received from financial institutions,
- amounts of election funding paid to the party (this does **not** include policy development payments),
- amounts received as money via a will,
- amounts received for the disposal of other property received by the recipient via a will,

<sup>1</sup> See Part 11, Division 3, Subdivisions 2 and 3

<sup>2</sup> See section 219(2)

<sup>3</sup> See section 221(2)

<sup>4</sup> See section 218(2)

More information

For more information relating to funding and disclosure obligations, please visit the ECQ's website at [www.ecq.qld.gov.au](http://www.ecq.qld.gov.au), call 1300 881 665, or email [fad@ecq.qld.gov.au](mailto:fad@ecq.qld.gov.au).

- fundraising contributions of \$200 or less (or the first \$200 of a larger fundraising contribution), per person, per event,
- up to \$500 in membership or affiliation fees per person per calendar year,
- amounts paid by an elected member of the Queensland Parliament as a compulsory levy under a registered political party's constitution, and
- amounts that were in a State campaign account for another State election, as long as those amounts complied with this list.

#### One-off transitional arrangement

The following amounts may also be deposited into a party's State campaign account, as a special one-off transition arrangement if the party was registered on 1 July 2022:<sup>5</sup>

- Amounts held by the party on 1 July 2022.
- Proceeds from the disposal of property, or a return on investment, if the property or investment was held by the party before 1 July 2022.
- If the party purchased further property or made further investments using the proceeds from the disposal of property or investments held before 1 July 2022 – proceeds from the disposal of that property or return on investment.

#### **What can be paid from the State campaign account?**

All electoral expenditure which is to be incurred (i.e. distributed) by the registered political party **must** be paid from party's State campaign account.<sup>6</sup>

All loans received into the State campaign account **must** be repaid from the State campaign account.<sup>7</sup>

It is common for registered political parties to purchase electoral expenditure for their State election endorsed candidates and then invoice those candidates for payment of that electoral expenditure (or that candidate's share of the electoral expenditure).

Where this occurs, the electoral expenditure is incurred by the candidate, not the party. Therefore, the transaction can be accomplished in the following way:

- The registered political party may pay for the candidate's electoral expenditure from any of their bank accounts, but not their State campaign account (because the electoral expenditure will be incurred by the relevant candidate);
- The State election candidate must pay the registered political party (i.e. pay for the electoral expenditure) from the candidate's State campaign account.
- The payment from the candidate must be paid into an account other than the registered political party's State campaign account.

If a registered political party chooses to pay for a candidate's electoral expenditure from the registered political party's State campaign account, the candidate's money cannot be used to reimburse the registered political party's State campaign account, as such a payment is not one permitted under section 216.

#### **How long must a State campaign account stay open?**

Registered political parties must maintain the State campaign account for a specific election until all obligations relating to political donations, electoral expenditure, and loans are fulfilled.

Registered political parties may maintain the same bank account for successive State elections. A new account does not have to be opened and closed for each election event. However, all disclosure, reporting and audit requirements must be met in full for each election.

All statements and records relating to a State campaign account must be kept, and made available to the ECQ on request, for a period of **five years after the record is made**.<sup>8</sup>

<sup>5</sup> See section 440A

<sup>6</sup> See section 221A

<sup>7</sup> See section 217

<sup>8</sup> See section 305D

## Providing bank statements

Registered political parties must provide a copy of the bank statement for their State campaign account with their periodic and election summary returns.<sup>9</sup>

In relation to an election summary return, the statements provided to the ECQ must cover the period that:

- starts when the first item of electoral expenditure is incurred for the election, or the start of the capped expenditure period, whichever is the earlier date, and
- ends on the day before the election summary return is lodged with the ECQ.

In relation to a periodic return, the statements provided to the ECQ must cover the entire reporting period.

## Offences and penalties

The maximum penalty for failing to comply with State campaign account requirements is 200 penalty units.<sup>10</sup>

Other penalties apply for failing to keep records or notify the ECQ about State campaign account details.

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<sup>9</sup> See sections 283(3) and 290(5)

<sup>10</sup> See sections 215 – 220A