

EXPENDITURE CAPS FOR INDEPENDENT CANDIDATES - 2021 UPDATE

This fact sheet relates to candidates who are not endorsed by a registered political party and are contesting State elections and by-elections that take place **after 30 November 2020**.

Under part 11, division 9 of Queensland's *Electoral Act 1992*, there are limitations (caps) on the amount of electoral expenditure that independent candidates (i.e. those not endorsed by a registered political party for this election) can incur during the **capped expenditure period** for a State election.

Electoral expenditure is **cumulative**, meaning it does not matter whether the expenditure was incurred as a single amount, or in smaller amounts which are aggregated. For more information, definitions and examples of electoral expenditure, refer to section 281G, and [Fact sheet 5 - Definition of electoral expenditure](#).

When does the capped expenditure period commence and end?

Under section 280, for an ordinary **general election**, the capped expenditure period starts on the first business day after the last Saturday in the preceding March and ends at 6pm on the polling day for the election.

For a **by-election**, the expenditure cap period commences on the day the writ for the election is issued and ends at 6pm on the polling day for the election.

When do the new cap amounts apply?

The following expenditure cap amounts apply to State general elections and by-elections that take place **after 30 November 2020**, in line with a CPI increase which is applied 30 days after each general election (under section 281F).

What is the expenditure cap amount?

For **general elections** and **by-elections**, the expenditure cap for an independent candidate is **\$90,748.65**.

Expenditure cap amounts are CPI adjusted 30 days after each general election.

Recovery of amounts over the expenditure cap

Under section 281J, non-compliance with the caps during a capped expenditure period for an election is an offence with substantial penalties. In addition to potential prosecution, the ECQ may recover double the value of the expenditure that exceeded the cap amount from the candidate as a debt to the State.