

## ELECTION FUNDING CLAIMS - 2021 UPDATE

This fact sheet relates to candidates and registered political parties who contest a State election and by-election **from 2021 onwards**.

**NOTE: The definition of electoral expenditure for the purposes of election funding claims has been amended since the 2020 State general election. There have been changes to what expenditure may now be claimed. Candidates and registered political parties should familiarise themselves with the new entitlements as outlined below.**

Under part 11, division 4 of the *Electoral Act 1992* (the EA), eligible registered political parties and candidates in State elections, following an election, can apply for reimbursement of electoral expenditure for an election up to a certain amount, based on each first preference vote they receive or the amount of expenditure that they claim and is accepted by the ECQ. This is referred to as 'election funding'.

### Eligibility

A registered political party is eligible to receive election funding if a candidate whom the party endorses receives at least 6% of the total number of formal first preference votes made in an election.

A candidate is eligible to receive election funding if the candidate receives at least 6% of the total number of formal first preference votes made in an election.

### Amounts payable

The amount of election funding to be paid to eligible registered political parties and independent candidates is **the lesser of** the following:

- the current election funding rate for each first preference vote received by eligible candidates; or
- the amount of electoral expenditure claimed by a candidate or by a registered political party that is accepted by the ECQ.

### Election funding rates

For by-elections held between 1 July 2021 and 30 June 2022, the election funding rate is:

- \$1.679 for candidates per formal first preference vote, and
- \$3.361 for registered political parties per formal first preference vote for each eligible candidate.

New election funding rates are expected to come into effect on **1 July 2022** under the provisions of the *Electoral and Other Legislation (Accountability, Integrity and Other Matters) Amendment Act 2020*.

The new rates for State by-elections held after 1 July 2022 are expected to be:

- \$3.00 for candidates per formal first preference vote, and
- \$6.00 for registered political parties per formal first preference vote for each eligible candidate.

Additionally, the percentage of formal first preference votes required to be eligible for election funding is expected to be reduced from 6% to 4% from 1 July 2022.

More information about these changes will be published on the ECQ website prior to their commencement in 2022.

### Electoral expenditure

Electoral expenditure, for the purpose of election funding, is expenditure incurred by a political party or candidate for the purposes of a campaign for the election

**whether or not the expenditure is incurred during the expenditure cap period** for the election.

Claimable expenditure can be incurred at any time during the election cycle, however, its direct relationship to an election campaign must be demonstrated.

The definition of electoral expenditure for the purpose of claiming election funding has changed since the 2020 State general election.

Refer to [Fact sheet 5 - Definition of electoral expenditure](#) for more information about what may be claimed as electoral expenditure.

Only claims for electoral expenditure that are accepted by the ECQ will be paid.

### **Making a claim**

To receive election funding, the party agent or candidate must:

- lodge a claim within 20 weeks after election day for which the electoral funding is sought
- make a claim by using the relevant form:
  - [Form QSG14A](#) (registered political parties) or
  - [Form QSG14B](#) (candidates).

The claim must state electoral expenditure incurred for an election, and for which funding is sought, for each item claimed and must include relevant supporting documentation.

### **What to include in a claim**

Each item of electoral expenditure referred to in a claim must be accompanied by supporting documentation. **Electronic copies of all records are preferred.**

Tax invoices must be dated showing recipient details and a description of the goods or services provided. Purchase orders and order requisitions will not be accepted.

Claims for expenditure for the production, distribution or publishing/broadcasting of advertisements and election material (e.g. newspaper advertisements, flyers and pamphlets) must include a copy of the advertisement or election material.

All supporting documentation must be legible and clearly specify which item of expenditure it refers to. Claims for items where there is no clear link or explanation of how an item related to a campaign will not be paid.

### **Determining a claim**

The ECQ will approve payment for election funding if the ECQ is satisfied that:

- the claim is for electoral expenditure, as defined under section 199 of the EA, and
- the electoral expenditure was incurred for the election, and
- the registered political party or candidate is entitled to the claim.

The ECQ will reject a claim if:

- the item claimed does not meet the legislated definition of electoral expenditure under section 199 of the EA, or
- the item is not electoral expenditure that was incurred by the registered political party or candidate for the election, or
- the item is not substantiated by supporting documentation which satisfies the ECQ, or
- the item exceeds the maximum entitlement.

### **Appealing a claim**

If the ECQ refuses a claim, it will advise the candidate or party agent making the claim in writing and include the reasons for rejection of the claim.

The agent of the party or candidate may apply in writing requesting the ECQ to reconsider a rejected item and providing reasons for the application. Applications must be made within 28 days after the candidate or agent is notified the claim is rejected.

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## **Reconsideration of a claim**

The ECQ will reconsider a claim and provide the party agent or candidate with a notice stating the decision on the reconsideration and the reasons for the decision.

## **Receiving a payment**

A claim by an independent (non-endorsed) candidate will be paid to the candidate or their agent.

A claim by a party agent on behalf of a registered political party will be paid to the party.

A claim by an endorsed candidate will be paid to the candidate unless the candidate has directed the ECQ to make the payment to the registered political party. Payment directions are optional and are made when the candidate's dedicated State campaign bank account details are provided to the ECQ.

## **Record keeping**

Records in relation to a claim for election funding must be kept and made available to the ECQ for inspection for five years. Failure to keep relevant election records may incur a maximum penalty of 20 penalty units for each offence. (From 1 July 2021, one penalty unit is valued at \$137.85).

### Examples of what can be claimed as electoral expenditure:

- Newspaper advertising
- Radio advertising
- Television advertising
- Social media advertising e.g. paying for post boosts
- Graphic design for campaign advertising
- Cost of producing advertising
- Cost of displaying advertising e.g. billboards, cinema
- Printing costs for election material
- Delivery costs for distributing election material
- Vehicle signage
- Campaign banners and bunting
- Printing of candidate business cards (if specifically for campaign)
- Campaign website design, hosting fees, domain name
- Campaign photography e.g. candidate headshots for use in advertising
- Election-specific clothing, including branded T-shirts and caps for campaign workers
- Branded marquee or shade structure
- Consumable hardware for displaying election signage e.g. A-frames, timber stakes, screws, cable ties. (Note this does not include tools).
- Research/opinion poll-related costs
- Electorate maps
- Provision of data or fees for consultants for a contracted service that is related to one of the activities listed above. (Note that consultant fees are considered electoral expenditure, however, wages for campaign staff are not).

### Examples of what cannot be claimed as electoral expenditure:

- Candidate nomination fees
- Political party memberships and fees
- Coffee, snacks, food and drinks
- Alcohol
- Gifts or donations
- Memberships, subscriptions, bank fees

- Gift cards, or expenses paid by gift cards
- Stationery, office supplies, printer consumables
- Lease of PO box
- Fines, late fees or administration fees
- Wages for campaign workers
- Legal fees
- Insurance
- Non-branded clothing
- Dry cleaning
- Mobile phone usage/call costs
- Newspapers or magazines
- Capital expenditure e.g. purchase of cars, trailers, phone handsets and accessories, eskies, microphones, bikes, fixtures/modifications to cars/bikes, drones, cameras, office equipment and office furniture
- IT equipment - laptops, printers, hard drives and other accessories
- Thank you gifts for volunteer workers
- Office rent and utilities
- Market stall fees for campaigning
- Tickets to non-election related events
- Candidate or campaign launch event or party
- Meals for candidates while campaigning
- Catering for public campaigning event e.g. barbeque for constituents
- Costs for spouses, family members or guests who are participating in campaigning
- After-parties or celebrations after polling closes
- After polling day expenditures e.g. thank you cards for constituents
- **Expenses already claimed for other elections**
- **Items that exceed the maximum entitlements**
- **Items that are not substantiated by supporting documentation**
- **Endorsed candidates cannot claim for the same expenditure that is being claimed by their party.**