

EXPENDITURE CAPS FOR THIRD PARTIES

This fact sheet relates to third parties who participate in State elections and by-elections that take place **after 30 November 2020**. All references to legislation are to the *Electoral Act 1992*. The information in this fact sheet does not replace legislation. If you are concerned about your obligations, you should seek independent legal advice.

There are limitations (caps) on the amount of electoral expenditure that can be incurred during the capped expenditure period for a State election.

The expenditure cap amount differs depending on whether a third party is registered with the ECQ for an election.

See [Fact Sheet 14](#) for information about what is a third party and when they must be registered for an election.

See [Fact Sheet 8](#) for information about what is and what is not electoral expenditure.

What is the capped expenditure period?

The capped expenditure period starts on¹:

- For the 2024 State general election – Tuesday, 2 April 2024.
- For a by-election – the day the writ for the election is issued.

The capped expenditure period ends at 6pm on election day for both general elections and by-elections.

What is the expenditure cap amount?

For the 2024 State general election, the expenditure cap for a registered third party is:

- **\$90,748.65 per electoral district**, and
- a total of **\$1,043,087.97** across Queensland.

For a by-election, the expenditure cap for a registered third party is **\$90,748.65**.

Electoral expenditure relating to an electoral district

Electoral expenditure relates to an electoral district if the expenditure is for advertising or other election material that is communicated to electors in the district and is not mainly communicated to electors outside that district.²

However electoral expenditure does not relate to an electoral district if it is incurred to carry out an opinion poll or research.

Unregistered third parties

A third party which is not registered with the ECQ for an election **must not** incur more than \$6,000 (either as a single amount or cumulatively) in electoral expenditure towards the election during the capped expenditure period.³

If a third party does incur more than \$6,000 in electoral expenditure and does not register before election day, the unregistered third party will still need to fulfil additional disclosure obligations.

Refer to [Fact Sheet 9](#) for further information about these disclosure obligations.

Recovery of amounts over the expenditure cap

Non-compliance with electoral expenditure caps is an offence that carries substantial penalties, including potential prosecution.

An amount which is up to double that of the excess expenditure may also be recovered as a debt to the State.⁴

¹ See section 280

² See section 281B

³ See section 281H

⁴ See section 281J

More information

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