

THIRD PARTY REGISTRATION PROCESS

This fact sheet relates to individuals and entities who incur electoral expenditure in support of candidates or political parties in Queensland State elections and by-elections.

Who needs to register as a third party?

Under Queensland's *Electoral Act 1992*, a third party **must register** with the ECQ if they spend, or someone they authorise spends, cumulatively incur more than **\$6,000** in electoral expenditure during the expenditure cap period for an election (section 297).

For the **2020 State general election**, the **expenditure cap period** commences on 1 August and ends at 6pm on 31 October 2020.

For more information about third party obligations, see [Fact sheet 11 - Information for third parties](#).

When to register as a third party

If a third party intends to spend more than \$6,000 on electoral expenditure within the expenditure cap period, third party registration should be completed as early as possible. Timely registration will assist third parties to meet their obligations and remain compliant with electoral legislation, as there are significant penalties for non-compliance (section 281H).

Applications for registration **must** be submitted before the polling day for an election.

Appointment of an agent for a third party

If a third party is an organisation or entity, an agent for the third party must be appointed (section 208(1)). The agent will then be responsible for ensuring that all disclosure, cap and reporting obligations for the third party organisation are met. (See section 210 for the requirements for appointing a person as an agent).

There are significant penalties for agents and organisations for non-compliance with electoral legislation.

An agent may be appointed if the third party is an individual. Where no agent is appointed, the individual is taken to be the third party's own agent.

The ECQ maintains a register of third party agents. An agent's appointment takes effect when his or her name is entered in the ECQ's register of third party agents and ends when their name is removed.

An agent's name may only be removed from the register if the ECQ is advised in writing that:

- the agent has resigned
- the third party who appointed the agent has revoked the appointment
- the agent has died, or
- the agent is convicted of a funding and disclosure offence.

Should a third party organisation or entity (whether registered or unregistered) not have an agent in place, all obligations under electoral legislation default to the members of the organisation's executive committee (see section 213).

Operating a dedicated State campaign bank account

Under sections 208, 214 and 215, a registered third party **must** maintain a dedicated campaign bank account for gifts, loans and electoral expenditure transactions related to a State campaign.

The account details for the dedicated campaign account must be provided to the ECQ. For further information, refer to [Fact sheet 1 - State campaign bank accounts](#).

How to register as a third party

Registration as a third party can be completed via the ECQ's [Self-Service Portal](#).

The following details will be required as part of the registration process:

- the election event for which the registration applies
- if the third party is an individual:
 - name
 - date of birth
 - address (as shown on the electoral roll)
 - contact details (phone number and email address).
- if the third party is an organisation or entity:
 - name of third party
 - name of contact person
 - ABN or ACN
 - business address of third party
 - contact details of third party (phone number and email address)
 - name of agent
 - address of agent
 - contact details of agent (phone number and email address)
 - the agent's signature to confirm that they accept the appointment.
- dedicated State campaign bank account details (*these can be provided to ECQ on a separate form within 5 business days, if not available at the time of registration*).

Upon acceptance by the ECQ of a third party registration, the third party will be added to the [Register of Third Parties for the 2020 State General Election](#) published on the ECQ website.

Changes to registration and cancellation of registration

The third party must notify the ECQ of any changes to the appointment of an agent or any other details relating to a third party registration **within 28 days**.

Registration details can be changed or updated with the ECQ via the online [Self-Service Portal](#).

Third party registrations are for a specific election event (section 297(1)) and will be cancelled after the conclusion of an election event and if the ECQ is satisfied that all obligations that apply to the third party have ended. Third parties must update their details and re-register for any subsequent election events they intend to participate in.

A third party organisation or entity can cancel their registration by their agent applying to the ECQ.

For more information about registration, obligations and processes for third parties, refer to [Handbook 4 - Election and Disclosure Obligations for Third Parties and Donors for State Election and By-elections](#).