

**CANDIDATES, REGISTERED POLITICAL PARTIES,
ASSOCIATED ENTITIES, DONORS**

Political donation caps

Unless otherwise stated, all references to legislation are to the *Electoral Act 1992* (EA). The information in this fact sheet does not replace legislation. If you are concerned about your circumstances, you should seek independent legal advice.

Queensland's electoral laws impose limitations (caps) on the amount or value of political donations which can be made to or accepted by registered political parties or candidates in state elections.

What are political donation caps?

Political donation caps are limitations on the value of political donations that a single donor can give to a registered political party, independent candidate or candidates endorsed by the same registered political party during a donation cap period.

Donors must keep track of the political donations they give to make sure they do not exceed the cap. Registered political parties and candidates must also keep track of the political donations they receive so they do not accept donations of more than the capped amount from any particular donor in a donation cap period.

What is a political donation?

A political donation is any gift or loan given to a registered political party or candidate that, within 14 days, is accompanied by a **donor statement**.

Gifted electoral expenditure is a political donation even if there is no donor statement.

Please see [Fact sheet 5 – Definition of gifts, loans and political donations](#) and [Fact sheet 34 – Gifted electoral expenditure](#) for more information.

What is the donation cap period?

The current donation cap period began on 1 July 2022 and will end on 25 November 2024.

A new donation cap period will begin on 26 November 2024 and end 30 days after the state general election day in 2028.

What is the political donation cap amount?

Between 1 July 2022 and 25 November 2024, a single donor can give up to the following amounts in political donations:

- **\$4,000** to a registered political party
- **\$6,000** to an independent candidate
- **\$6,000** collectively to candidates endorsed by the same registered political party.

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More information

If you need more information relating to Funding, Disclosure and Compliance, please contact ECQ on 1300 881 665 or by emailing fad@ecq.qld.gov.au.



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A political donation must not exceed the cap either by itself or cumulatively with other political donations made by the same donor during the same donation cap period.

What is a donor statement?

Donor statements are written statements which must:

- be completed by the donor of the gift or loan
- name the election participant to which the gift or loan is made
- state that the gift or loan is intended to be used for an electoral purpose
- state the relevant particulars of the donor
- be given to the recipient either with the gift or loan or within **14 days** of when the gift or loan is made.

The definition of relevant particulars can be found in:

[Fact sheet 12 – Real-time disclosure of gifts and loans by registered political parties](#)

[Fact sheet 17 – Real-time disclosure of gifts and loans by candidates](#)

Requirement to notify donors about political donation caps

Registered political parties, candidates or their associated entities must give donors a receipt **within 14 days** of receiving a political donation.

The receipt must:

- state the names of the party, candidate or associated entity and the donor
- acknowledge receipt of the donation
- include an ECQ-approved statement summarising the political donation cap laws.

If the political donation was made to an associated entity, the name of the entity's registered political party or candidate and a statement that the entity should be treated as part of the party or candidate must be included.

ECQ-approved statements can be found in [Fact sheet 26 – Approved statements for political donation receipts](#).

Copies of receipts for all political donations should be retained by both the donor and the recipient. These may assist in demonstrating compliance with political donation caps.

Not all gifts or loans made to political parties or candidates are **political donations**.

Caps only apply to political donations.

More information on state government elections

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Are there caps on gifts and loans that are not political donations?

There are no caps on gifts and loans that do not qualify as political donations (i.e. those that are not accompanied by a donor statement or do not constitute gifted electoral expenditure). Registered political parties and candidates can accept any amount in gifts and loans that are not political donations.

However, gifts and loans that are not political donations **must not be placed into the state campaign bank account** of the candidate or registered political party, and they **must not be used to incur election expenditure** for a state election.

Only political donations (and other allowable amounts) can be deposited into a state campaign bank account and used to incur electoral expenditure during state elections.

For more information about state campaign bank accounts, see:

[Fact sheet 11 – State campaign bank accounts for registered political parties](#)

[Fact sheet 16 - State campaign bank accounts for candidates](#)

[Fact sheet 21 - State campaign bank accounts for third parties](#)



EXAMPLES OF HOW POLITICAL DONATION CAPS APPLY

Example 1

On 1 July 2023, Registered Political Party A accepts a political donation of \$2,000 from Donor Y. The party accepts another political donation of \$2,000 from Donor Y on 3 July 2024. Under the political donation caps, the party is unable to accept any further political donations from that donor until after 25 November 2024.

Registered Political Party A may accept gifts and loans of any amount that are not political donations from Donor Y. These gifts or loans **must not be placed** into the party's state campaign bank account and **cannot be used** to incur electoral expenditure for a state election.

Example 2

On 1 October 2024, independent Candidate R accepts a political donation of \$1,000 from her cousin, Donor L. 10 days later, Candidate R accepts \$5,000 worth of newspaper advertisements (i.e., gifted electoral expenditure) from Donor L.

Candidate R would not be able to accept any further political donations from Donor L until after 25 November 2024.

Candidate R is still able to accept political donations totalling up to \$6,000 each from other donors.

More information on state government elections

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 **CONTINUED EXAMPLES****Example 3**

On 2 February 2024, Donor Bob makes a political donation of \$6,000 to a state election candidate who has been endorsed by Registered Political Party B. Donor Bob is unable to make any further political donations to any other candidate endorsed by Party B until after 25 November 2024.

Donor Bob can still make political donations to the party itself (up to \$4,000) or to other candidates not endorsed by Party B (up to the relevant donation caps).

Donor Bob can also make gifts and loans that are not political donations up to any amount, but the recipients would not be able to use those gifts to incur electoral expenditure for a state election.

Example 4

On 15 July 2024, Donor J splits a political donation of \$6,000 between all the candidates endorsed by Party C. Donor J cannot give more in political donations to Party C's endorsed candidates until after 25 November 2024.

However Donor J is able to make \$4,000 in political donations directly to Registered Political Party C. Donor J can also make political donations to candidates not endorsed by Party C and to other registered political parties. Donor J cannot exceed the relevant donation cap amount.

Donor J may make additional gifts and loans to Registered Political Party C's endorsed candidates IF the gifts and loans are not political donations. Party C's endorsed candidates can not use these additional gifts to incur electoral expenditure.

What happens if a political donation exceeds the cap?

If a registered political party or candidate receives a political donation that exceeds the donation cap, the party or candidate has **6 weeks** to return the political donation.

Likewise, if a donor identifies that she has given a political donation that exceeds the donation cap, the donor has **6 weeks** to request in writing for the amount in excess to be refunded.

Do political donations need to be disclosed?

All gifts and loans including political donations must be disclosed once they reach the disclosure threshold.

More information about disclosure requirements is available:

[Fact sheet 12 – Real-time disclosure of gifts and loans by registered political parties](#)

More information on state government elections

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[Fact sheet 17 – Real-time disclosure of gifts and loans by candidates](#)

[Fact sheet 23 – Disclosure of gifts made to registered political parties and state election candidates](#)

Record keeping

All election participants must keep records for 5 years. This is required to demonstrate compliance in relation to all electoral expenditure, disclosure and state campaign bank account requirements. For more details, see [Fact sheet 4 – Record keeping requirements](#).

Compliance and penalties

The ECQ is responsible for administering and enforcing the EA, which includes penalties for election participants who breach their obligations.

Exceeding political donation caps is an offence under the EA that carries substantial penalties.

In addition to potential prosecution, the ECQ can recover the amount by which the political donation exceeds the cap as a debt to the State.

For further information

This fact sheet mainly refers to part 11 of the EA. The Act is available in full at legislation.qld.gov.au. Participants in the electoral process should ensure they understand their obligations under the EA.



RELATED FACT SHEETS

Fact sheet 4 – Record keeping requirements

Fact sheet 5 – Definition of gifts, loans and political donations

Fact sheet 7 – Definition of electoral expenditure

Fact sheet 11 – State campaign bank accounts for registered political parties

Fact sheet 12 – Real-time disclosure of gifts, loans and political donations by registered political parties

Fact sheet 16 – State campaign bank accounts for candidates

Fact sheet 17 – Real-time disclosure of gifts, loans and political donations by candidates

Fact sheet 21 – State campaign bank accounts for third parties

Fact sheet 23 – Disclosure of gifts made to registered political parties and state election candidates

Fact sheet 26 – Approved statements for political donation receipts

Fact sheets can be found on the [ECQ website](#).

More information on state government elections

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