

CANDIDATES**Funding and disclosure overview**

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.

Who is a candidate?

A candidate is a person whose nomination as a candidate for an election has been certified by a returning officer.

A candidate also includes a person who:

- is an elected member of Queensland parliament
- has announced or publicly indicated an intention to be a candidate in an election
- has otherwise indicated their intention to be a candidate in the election, including for example by accepting a gift made for an electoral purpose.

Candidates can either nominate as independent candidates or be endorsed by a registered political party.

Should a candidate appoint an agent?

An agent is an individual responsible for ensuring an election participant's compliance obligations under the EA are met. A candidate may appoint an agent (with that person's consent) or act as their own agent.

For further information for and about agents, please refer to [Fact sheet 28 – Funding and disclosure overview for agents](#).

What is an associated entity?

Associated entities are controlled by, or operate for the benefit of, a candidate for an election. Associated entities may also be controlled by or operate wholly or to a significant extent for the benefit of a registered political party. There are specific regulations that apply to associated entities that the candidate and the entity need to be aware of.

Refer to [Fact sheet 27 – Funding and disclosure overview for associated entities](#) for further details.

Does a candidate need a state campaign bank account?

All candidates must open a state campaign bank account. All electoral expenditure must be paid from this account, and all political donations must be deposited into the account.

For more information, please refer to [Fact sheet 16 – State campaign bank accounts for candidates](#).

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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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What disclosure obligations do candidates have?

DISCLOSURE OF GIFTS AND LOANS

Candidates or their agents must disclose all gifts and loans of \$1,000 or more received during their disclosure period. Candidates must lodge their disclosure returns within 7 business days of reaching the \$1,000 threshold.

All future gifts and loans received from the same donor must also be disclosed within 7 business days. If a disclosable gift or loan is received during the 7 days before the election, a return must be lodged within 24 hours.

Gift and loan disclosures are lodged as returns in the ECQ's Electronic Disclosure System (EDS) at disclosures.ecq.qld.gov.au.

For more information, please refer to [Fact sheet 17 – Real-time disclosure of gifts and loans by candidates](#).

DISCLOSURE OF ELECTORAL EXPENDITURE

All electoral expenditure incurred by a candidate must be disclosed to the ECQ.

Electoral expenditure is disclosed in the election summary return following the election.

For more information, please refer to [Fact sheet 8 – Disclosure of electoral expenditure and election summary returns](#).

ELECTION SUMMARY RETURN

Within 15 weeks of election day, candidates must lodge an election summary return. This return **must** be completed even if the candidate was not elected, spent no money on their campaign or received no gifts and loans.

In the election summary return, all electoral expenditure incurred must be disclosed along with all gifts or loans given to candidates, including those under the \$1,000 threshold.

Candidates also must upload statements from their state campaign bank account. Election summary returns are lodged in EDS at disclosures.ecq.qld.gov.au.

For more information, please refer to [Fact sheet 8 – Disclosure of electoral expenditure and election summary returns](#).

Are there expenditure caps for state government elections?

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

See [Fact sheet 14 – Expenditure caps for registered political parties and endorsed candidates](#) and [Fact sheet 18 – Expenditure caps for independent candidates](#) for more details.

Are there donation caps for state government elections?

There is a limit on the value of political donations that can be given to or accepted by candidates during state elections.

Please refer to [Fact sheet 6 – Political donation caps](#) for more details.

More information on state government elections

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Are any gifts prohibited?

It is unlawful to accept a gift or loan from a property developer or an industry organisation representing property developers. See the [ECQ website](#) for more information.

It is unlawful for a candidate to receive anonymous gifts or loans totalling \$200 or more. This includes gifts or loans where the name, address or other required details of the donor are not known to the candidate.

It is also prohibited for a candidate to receive a gift of foreign property (including money).

What happens if a mistake is made?

If a candidate or another election participant realises they have incorrectly handled a funding and disclosure obligation, they should contact the ECQ at fad@ecq.qld.gov.au. The Funding and Disclosure team can assist the election participant in amending or fulfilling their obligations. Returns must still be lodged, even if they are late.

What are a candidate's record keeping obligations?

All candidates must keep records for at least 5 years. This is required to demonstrate compliance in relation to all electoral expenditure, disclosure, and state campaign bank account requirements. Refer to [Fact sheet 4 – Record keeping requirements](#) for more information.

Compliance

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

The compliance framework is available on the [ECQ's website](#).

For further information

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

More information on state government elections

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.



RELATED FACT SHEETS

Fact sheet 4 – Record keeping obligations

Fact sheet 6 – Political donation caps

Fact sheet 8 – Disclosure of electoral expenditure and election summary returns

Fact sheet 14 – Expenditure caps for registered political parties and endorsed candidates

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 18 – Expenditure caps for independent candidates

Fact sheet 27 – Funding and disclosure overview for associated entities

Fact sheet 28 – Funding and disclosure overview for agents

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

More information on state government elections

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