

## CANDIDATES

## State campaign bank accounts

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.

All state election candidates must:

- **establish** a state campaign bank account with a financial institution
- **use the account to pay for all electoral expenditure**
- **use the account to receive all political donations.**

An associated entity of a candidate must also use the candidate's state campaign bank account to pay for all electoral expenditure and receive all political donations.

See [Fact sheet 27 – Funding and disclosure overview for associated entities](#) for further information about obligations of associated entities.

### When to open a state campaign bank account

Candidates must open a state campaign bank account before they pay for any electoral expenditure or accept any political donations.

If a candidate regularly participates in state government elections, they may keep the same bank account for successive state elections. All disclosure, reporting and audit requirements must be met in full for each election. The bank account **must not** be used to contest local or federal elections.

### When to notify the ECQ of bank account details

Candidates (or their agent) must notify the ECQ of their state campaign bank account details within **5 business days** of nominating as a candidate or announcing their intention to nominate as a candidate.

If any account details change, the ECQ must be notified within 5 business days.

Bank account details can be provided or updated in the ECQ's [Self Service Portal](#).

### What can go into the state campaign bank account?

Only permitted funds can be deposited into a candidate's state campaign bank account.

It is **mandatory** for the following amounts to be deposited:

- political donations (must be deposited within 5 business days of receiving the donor statement)
- money received from disposing of a political donation that was not money
- returns on an investment (if the investment was made from the state campaign bank account)

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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](mailto:fad@ecq.qld.gov.au).



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There are limits on the value of political donations that may be accepted from a single donor. For more information about caps on political donations, please see [Fact sheet 6 – Political donation caps](#).

Other amounts **may** be deposited:

- money transferred from the candidate's own funds (e.g., a personal bank account)
- money contributed from an account the candidate holds jointly with their spouse
- commercial loans, other than those received from financial institutions
- election funding paid to the candidate (this does not include policy development payments for elected members)
- money via a will (or amounts received for the disposal of other property received via a will)
- fundraising contributions of \$200 or less (or the first \$200 of a larger fundraising contribution) per person, per event
- amounts that were in a state campaign bank account for another state election as long as those amounts originally complied with this list.

Gifts or loans from prohibited donors must never be accepted or placed in a state campaign bank account, directly or indirectly.

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

### **What can be paid from a state campaign bank account?**

All electoral expenditure incurred by the candidate **must** be paid from the candidate's state campaign bank account.

All loans received into the state campaign bank account **must** be repaid from the state campaign bank account.

Please see [Fact sheet 7](#) for the definition of electoral expenditure.

### **REIMBURSING REGISTERED POLITICAL PARTIES FOR ELECTORAL EXPENDITURE**

At times registered political parties will pay for electoral expenditure to benefit their state election candidates. This occurs when the party purchases electoral expenditure then invoices their candidate for full or partial payment of the electoral expenditure. The invoiced electoral expenditure is taken to be incurred by the candidate.

If this occurs, the below guidelines must be followed:

- The registered political party may use any of their bank accounts to purchase the electoral expenditure.
- The candidate must pay the party's invoice from the candidate's state campaign bank account.
- The candidate must not transfer payment into the registered political party's state campaign bank account even if that account was originally used to pay for the expenditure. (This type of payment is not permitted under section 216 of the EA.)

### **More information on state government elections**

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## EXAMPLE

A registered political party pays \$5,000 for flyers for 5 of their endorsed candidates, Harry, Jenny, Niko, Jose, and Maria. The party pays for the advertisements out of its general funds account.

The party then invoices each of the 5 endorsed candidates for their share of the expenditure at \$1,000 each. The bank details on the invoice request the money be paid into the party's general funds account.

Jenny receives the invoice and transfers \$1,000 from her state campaign bank account into the requested account.

Jenny is taken to have incurred \$1,000 of electoral expenditure from this transaction. She needs to keep records of this transaction and disclose the electoral expenditure incurred in her election summary return. Jenny also needs to make sure she doesn't exceed her electoral expenditure cap.

## What happens to the account after the election?

Candidates must maintain the state campaign bank account until all obligations relating to political donations, electoral expenditure and loans are fulfilled for the election.

A candidate may keep the same bank account for successive state elections. All disclosure, reporting and audit requirements must be met in full for each election. The bank account **must not** be used to contest local or federal elections.

## Providing bank statements

Candidates must provide a copy of the bank statement for the state campaign bank account with their election summary return.

The statement provided to the ECQ needs to cover the period that:

- starts when the first item of electoral expenditure is incurred for the election or the start of the capped expenditure period, whichever is first
- ends on the day before the election summary return is lodged with the ECQ.

[Fact sheet 8 – Disclosure of electoral expenditure and election summary returns](#) gives more information about election summary returns.

Records relating to the state campaign bank account must be kept and made available to the ECQ for at least 5 years after the election. For further information about record keeping requirements, refer to [Fact sheet 4](#).

## Compliance and penalties

There are significant financial penalties for not complying with the state campaign bank account requirements.

Failure to comply carries a maximum penalty of 200 penalty units (valued at \$30,960 as of 1 July 2023).

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Other penalties apply for failing to keep records or failure to notify the ECQ of state campaign bank account details.

## For further information

This fact sheet mainly refers to part 11, division 3 of the EA. The EA is available in full at [legislation.qld.gov.au](http://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 6 – Political donation caps

Fact sheet 7 – Definition of electoral expenditure

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

Fact sheet 27 – Funding and disclosure overview for associated entities

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

## More information on state government elections

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