

## INDEPENDENT CANDIDATES

### Expenditure caps for independent candidates

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.

This fact sheet provides information about expenditure caps for candidates not endorsed by a registered political party who are contesting state elections and by-elections, as well as the agents and associated entities of the candidate (if any).

#### What are expenditure caps?

Expenditure caps are limitations on the amount of electoral expenditure that can be incurred during the capped expenditure period for a state election.

It is unlawful for a candidate to exceed their expenditure cap during the capped expenditure period.

The caps apply to electoral expenditure which has a specific meaning for state elections and by-elections. See [Fact sheet 7 – Definition of electoral expenditure](#) to understand more about what is and what is not electoral expenditure.

#### Who do expenditure caps apply to?

Expenditure caps apply to independent candidates among others.

If a candidate has an associated entity, that entity is subject to the same expenditure cap.

For further information about associated entities, please refer to [Fact sheet 27 – Funding and disclosure overview for associated entities](#).

#### When do expenditure caps apply?

Expenditure caps apply to electoral expenditure incurred during a capped expenditure period for an election. The capped expenditure period starts on:

- 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.

The date electoral expenditure is paid for or invoiced is not necessarily when it is *incurred*.

For more information about when expenditure is incurred, see [Fact sheet 7 – Definition of electoral expenditure](#).

#### What is the expenditure cap amount?

The expenditure cap varies depending upon the type of election and participant.

For an independent candidate, the cap is **\$90,748.65** for both the 2024 state general election and by-elections.

Version: April 2024

#### 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).



**Electoral  
Commission**  
QUEENSLAND

## 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 reporting requirements. Refer to [Fact sheet 4 – Record keeping requirements](#) for more information.

## Compliance and penalties

Incurring electoral expenditure which exceeds a candidate's electoral expenditure cap is an offence that carries substantial penalties including potential prosecution.

Twice the amount of the excess expenditure may also be recovered by the ECQ as a debt to the State.

## For further information

This fact sheet mainly refers to part 11, division 9 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 7 – Definition of electoral expenditure

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

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).