



ELECTION AND DISCLOSURE GUIDE FOR REGISTERED POLITICAL PARTIES

VERSION 3: APRIL 2024



**Electoral
Commission**
QUEENSLAND

The Electoral Commission of Queensland (ECQ) is the independent statutory authority responsible for the impartial conduct of State, local, and industrial elections. It also works to ensure that election participants comply with funding and disclosure requirements, set out in the *Electoral Act 1992* (the Act), and the Electoral Regulation 2013 (the Regulation).

These legal requirements promote transparency and fairness, and include (amongst others):

- disclosing gifts and loans made and received,
- disclosing electoral expenditure incurred,
- use of State campaign bank accounts,
- enforcement of political donation caps,
- enforcement of expenditure caps, and
- enforcement of prohibited donor laws.

This handbook is a compilation of fact sheets to help registered political parties and associated entities comply with their disclosure obligations at State elections and by-elections, as well as those obligations which occur all year round.

The ECQ can undertake a range of actions to ensure and enforce compliance, including conducting compliance reviews and audits, issuing penalty infringement notices (fines), recovering amounts as debts due to the State, and commencing prosecutions.

Disclaimer

The ECQ's publications are not legal advice, nor are they intended as a substitute for the Act or Regulation. The ECQ recommends that stakeholders refer to the Act and Regulation, and if necessary, seek independent legal advice in relation to their election and disclosure obligations.

The Act and Regulation are available on the Queensland legislation website: www.legislation.qld.gov.au.

Assistance and enquiries

The ECQ's Funding and Disclosure team is available to provide general guidance and information in relation to election and disclosure compliance matters. The ECQ will not provide specific legal, financial or other professional advice. All electoral participants should seek their own legal advice if they are in doubt and how the law treats their particular circumstances.

REGISTERED POLITICAL PARTIES

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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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REGISTERED POLITICAL PARTIES**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.

What is a registered political party?

A registered political party is a political party that is registered under the *Electoral Act 1992*. The registration of political parties makes their roles in relation to elections transparent to the public. If a political party wishes to nominate candidates for an election, the political party must be registered with the ECQ.

The register of political parties can be viewed at <https://www.ecq.qld.gov.au/donations-and-expenditure-disclosure/register>.

Registered political parties must adhere to regulations and reporting obligations in relation to gifts, loans and expenditure incurred on election campaigns.

What is an associated entity of a registered political party?

Associated entities of registered political parties:

- are controlled by the party or a group of its endorsed candidates
- or
- operate wholly or to a significant extent for the benefit of the party or a group of its endorsed candidates
- or
- operate for the dominant purpose of promoting the party or a group of its endorsed candidates.

Associated entities of registered political parties need to be aware of electoral expenditure and political donation caps that apply to their party, because the funds they spend or receive may affect their party's caps.

This fact sheet provides information **only** for registered political parties. For information about associated entities, see [Fact sheet 27 – Funding and disclosure overview for associated entities](#).

Does a registered political party need to appoint a special agent for state elections?

The appointed agent for a registered political party is listed on the [Register of Political Parties](#). This agent is responsible for ensuring an election participant's compliance obligations under the EA are met.

See [Fact sheet 28 – Funding and disclosure overview for agents](#) for further information about who can be an agent and their responsibilities.

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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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Do registered political parties need a state campaign bank account?

Yes – all registered political parties must establish a state campaign bank account and use it to pay for all electoral expenditure and receive all political donations.

This account must be separate from the party's dedicated campaign bank account for local elections.

Parties that regularly endorse candidates in state elections may keep the same campaign bank account for successive state elections.

For more information, please refer to [Fact sheet 11 – State campaign bank accounts for registered political parties](#).

What disclosure obligations do registered political parties have?

DISCLOSURE OF GIFTS AND LOANS RECEIVED

Gifts and loans of \$1,000 or more received during a reporting period must be disclosed to the ECQ within 7 business days. During the 7 days prior to election day, gifts and loans need to be disclosed 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.

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

DISCLOSURE OF ELECTORAL EXPENDITURE INCURRED

All electoral expenditure incurred by a registered political party for an election 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

Agents of registered political parties must give an election summary return within 15 weeks after election day for a state election. The return must disclose all electoral expenditure incurred for the election and include a copy of the bank statement for the party's state campaign bank account and an audit certificate.

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 any gifts prohibited?

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

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.

It is also unlawful for a registered political party to receive anonymous gifts or loans totalling \$1,000 or more. This includes gifts or loans where the name, address or other required details of the donor are not known.

Registered political parties may not accept gifts of foreign property (including money).

Are there expenditure caps for state government elections?

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

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

Are there donation caps for state government elections?

There are limitations (caps) on the value of political donations that can be given to or accepted by a party and their endorsed candidates during state elections.

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

What happens if a mistake is made?

If an election participant realises they have incorrectly handled a funding and disclosure obligation, the participant 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 is a registered political party's record keeping obligations?

All registered political parties 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 Act 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 requirements

Fact sheet 6 – Political donation caps

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

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 14 – Expenditure caps for registered political parties and endorsed 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

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.

REGISTERED POLITICAL PARTIES

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 registered political parties 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 registered political party must also use the party'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 notify the ECQ of bank account details

Registered political parties must notify the ECQ of their state campaign bank account details within **5 business days** of registering as a political party.

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 [Political Party Self Service Portal](#).

What can go into the state campaign bank account?

Only permitted amounts can be deposited into a registered political party'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)
- amounts received from disposing of a political donation that was not money
- amounts that are a return on an investment (if the investment was made from the state campaign bank account)

There are limits on the value of political donations that may be accepted from a single donor. Please refer to [Fact sheet 6 – Political donation caps](#) for more information.

Other amounts that **may** be deposited include:

- commercial loans which are not received from financial institutions
- amounts of election funding paid to the party (this does not include policy development payments)
- amounts received as money via a will (or amounts received for the disposal of other property received via a will)

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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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- fundraising contributions of \$200 or less (or the first \$200 of a larger fundraising contribution) per person, per event
 - up to \$500 in membership or affiliation fees per person per calendar year
 - amounts paid by an elected member of the Queensland Parliament as a compulsory levy under a registered political party's constitution
 - 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.

ONE-OFF TRANSITIONAL ARRANGEMENT

Under section 440A of the EA, the following amounts may be deposited into a party's state campaign bank account as a one-off transition arrangement if the party was registered on 1 July 2022:

- amounts held by the party on 1 July 2022
- proceeds from the disposal of property or a return on investment (if the property or investment was held by the party before 1 July 2022)
- if the party purchased further property or made further investments using the proceeds from the disposal of property or investments held before 1 July 2022, proceeds from the disposal of that property or return on investment.

What can be paid from a state campaign bank account?

All electoral expenditure incurred by the registered political party **must** be paid from the party'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.

When this happens, 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's payment must not be deposited 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

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.

 **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 does the party do with the account after the election?

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

A registered political party 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

Registered political parties must provide a copy of the bank statement for the state campaign bank account with their periodic and election summary returns.

For the election summary return, the statements provided to the ECQ need 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 earlier,
- ends on the day before the election summary return is lodged with the ECQ.

For a periodic return, the statements provided to the ECQ must cover the entire reporting period.

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](#).

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.

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).

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. 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 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.

REGISTERED POLITICAL PARTIES

Real-time disclosure of gifts, loans & political donations

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.

What gifts and loans need to be disclosed?

Registered political parties and their associated entities must disclose any gifts or loans of \$1,000 or more received during a reporting period.

The \$1,000 threshold applies to a single gift or loan as well as cumulative amounts if multiple gifts or loans are received from the same donor.

For disclosure purposes, all political donations are gifts or loans.

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

What is a reporting period?

There are 2 reporting periods each year:

- 1 January to 30 June
- 1 July to 31 December

What is real-time disclosure of gifts and loans?

Queensland has real-time disclosure laws which means gifts and loans are disclosed throughout the reporting period.

Registered political parties must disclose a gift or loan within **7 business days** of receipt.

During the 7 days prior to election day, gifts and loans must be disclosed within **24 hours** of receipt.

How are gifts and loans disclosed?

Gifts and loans must be disclosed to the ECQ in a return. Returns are lodged online via the ECQ's Electronic Disclosure System (EDS) at disclosures.ecq.qld.gov.au.

The public can view returns immediately after they have been lodged.

Do registered political parties need to give anything to their donors?

Real-time disclosure is a dual obligation. Both the recipient of a gift or loan and the donor are required to disclose their gifts.

Parties who receive a gift or loan that must be disclosed in real-time have the obligation to advise the donor in writing that the donor also must lodge a return disclosing the gift or loan.

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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 is included in a return?

Each real-time return must include the following details:

- the value of the gift or loan
- the date it was made
- the **relevant particulars** of the donor
- the **relevant particulars** of the original source of the gift or loan (if applicable)
- whether or not the gift or loan is a political donation.

If the gift or loan is a political donation and is received by an electoral committee for an electoral district, the return must also include the name of the electoral district.

Returns for loans must include the terms and conditions of the loan.

What are relevant particulars?

The relevant particular of an entity are:

- if the entity is an **unincorporated association** – the names and addresses of the members of the executive committee (however described) of the association
- if the entity is a **trust fund or foundation** – the names and addresses of the trustees of the fund or foundation, or the title or other description of the trust fund or the name of the foundation
- **otherwise** – the name and address of the entity.

Who is the original source of a gift or loan?

If someone makes a gift or loan to another person or entity for the main purpose of enabling the recipient to make a gift or loan to an election participant, the first person is referred to as the 'original source' of the gift or loan.

The relevant particulars of the original source as well as those of the person who made the gift or loan directly to the election participant, must be disclosed in returns lodged with the ECQ.

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.



RELATED FACT SHEETS

Fact sheet 4 – Record keeping requirements

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

Fact sheets can be found on the [ECQ website](http://ecq.qld.gov.au).

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.

**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

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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

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.

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

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.

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

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.

[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

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.

ALL ELECTION PARTICIPANTS**Approved statements for political donation receipts**

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.

Registered political parties, candidates and associated entities are required to provide donors who have made a political donation with a receipt. This receipt must include an ECQ-approved statement. The statement varies depending upon the recipient of the donation.

This fact sheet contains the approved statement for each election participant.

Please see [Fact sheet 5 – Definition of gifts, loans and political donations](#) and [Fact sheet 6 – Political donation caps](#) for more information about political donations.

Approved statement for registered political parties

The below statement is approved for use by registered political parties.

‘This gift has been accepted as a political donation. It is an offence to make political donations totalling more than \$4,000 to, or for the benefit of, the same registered political party between 1 July 2022 and 25 November 2024.

If you have already made \$4,000 in political donations to this political party during that period, you must not make further political donations to this registered political party.

If you believe you have exceeded the \$4,000 political donation cap, you may request a refund of the excess political donation within 6 weeks of the gift being made. Alternatively, we may refund you the excess amount within that timeframe to avoid breaching the donation cap laws.’

Approved statement for endorsed candidates and electoral committees

The below statement is approved for use by:

- candidates who are endorsed by a registered political party
- electoral committees that are established by a registered political party to help elect a candidate in an electoral district.

‘This gift has been accepted as a political donation. It is an offence to make political donations totalling more than \$6,000 to, or for the benefit of, candidates endorsed by the same registered political party, during a candidate’s donation cap period.

If you have already made \$6,000 in political donations to endorsed candidates of the same registered political party during that period, you must not make further political donations to candidates endorsed by the party.

If you believe you have exceeded the \$6,000 political donation cap, you may request a refund of the excess political donation within 6 weeks of the gift being made.

Alternatively, a candidate (or candidates) may refund you the excess amount within that timeframe to avoid breaching the donation cap laws.’

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.



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QUEENSLAND

Approved statement for independent candidates

The below statement is approved for use by candidates who are not endorsed by a registered political party.

'This gift has been accepted as a political donation. It is an offence to make political donations totalling more than \$6,000 to, or for the benefit of, an independent candidate for an election during a candidate's donation cap period.

If you have already made \$6,000 in political donations to me during that period, you must not make further political donations to that same candidate.

If you believe you have exceeded the \$6,000 political donation cap, you may request a refund of the excess political donation within 6 weeks of the gift being made.

Alternatively, I may refund you the excess amount within that timeframe to avoid breaching the donation cap laws.'

Approved statement for associated entities of a registered political party

The below statement is approved for use by associated entities of a registered political party.

'This gift has been accepted as a political donation. As an associated entity, we are treated as being part of <<NAME OF ASSOCIATED POLITICAL PARTY>>. Because of this, it is an offence to make political donations totalling more than \$4,000 to, or for the benefit of, us or our associated registered political party between 1 July 2022 and 25 November 2023.

If you have already made \$4,000 in political donations during that period, you must not make further political donations.

If you believe you have exceeded the \$4,000 political donation cap, you may request a refund of the excess political donation within 6 weeks of the gift being made.

Alternatively, we may refund you the excess amount within that timeframe to avoid breaching the donation cap laws.'

Approved statement for associated entities of a candidate

The below statement is approved for use by associated entities of a candidate.

'This gift has been accepted as a political donation. As an associated entity of <<NAME OF CANDIDATE>>, we are treated as one entity. Because of this, it is an offence to make political donations totalling more than \$6,000 to, or for the benefit of, us, <<NAME OF CANDIDATE>>, or any other candidate endorsed by <<NAME OF REGISTERED POLITICAL PARTY>> during a candidate's donation cap period.

If you have already made \$6,000 in political donations during that period, you must not make further political donations.

If you believe you have exceeded the \$6,000 political donation cap, you may request a refund of the excess political donation within 6 weeks of the gift being made.

Alternatively, the associated entity (or entities) or candidate (or candidates) may refund you the excess amount within that timeframe, to avoid breaching the donation cap laws.'

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.

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 information about record keeping requirements.

Compliance

The ECQ is responsible for administering and enforcing the EA, which includes penalties for election participants who breach their notification obligations. The compliance framework is available on the ECQ's website.

For further information

This fact sheet mainly refers to part 11, division 6 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 6 – Political donation caps

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.

ALL ELECTION PARTICIPANTS

Disclosure of electoral expenditure & election summary returns

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 required to disclose electoral expenditure?

Electoral expenditure must be disclosed by all registered political parties, candidates, associated entities and registered third parties (including third parties who should have registered) for a state election.

Please see [Fact sheet 7 – Definition of electoral expenditure](#) for what counts as electoral expenditure.

When is electoral expenditure disclosed?

All electoral expenditure incurred for an election must be disclosed in an **election summary return**. The return is due within 15 weeks after election day.

Even if an election participant did not incur any electoral expenditure, an election summary return must still be lodged.

What is an election summary return?

Election summary returns are lodged after election day. They disclose all electoral expenditure incurred for the election. Candidates must also disclose all gifts and loans received, if any, in their election summary return.

If an election participant has appointed an agent, the agent is responsible for completing and submitting the election summary return.

Election summary returns must be given to the ECQ within 15 weeks after election day.

Who needs to give an election summary return?

All election participants must lodge an election summary return. This includes independent and endorsed candidates, registered political parties, associated entities and registered third parties.

An election summary return must be given even if the participant incurred no electoral expenditure or received no gifts or loans.

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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 do I need to disclose in an election summary return?

The information disclosed in an election summary return depends upon your role during the election. If no gifts or loans were received or electoral expenditure incurred, an election summary return must be submitted stating that fact.

CANDIDATES (BOTH INDEPENDENT AND ENDORSED)

A candidate must disclose:

- each item of electoral expenditure incurred
- total value of all gifts and loans received
- total number of entities that made those gifts and loans
- bank statement from state campaign bank account that:
 - starts when the first item of electoral expenditure is incurred for the election or the start of the capped expenditure period (whichever is earlier)
 - ends on the day before the election summary return is finished.

REGISTERED POLITICAL PARTIES

A registered political party must disclose:

- each item of electoral expenditure incurred
- bank statement from state campaign bank account that:
 - starts when the first item of electoral expenditure is incurred for the election or the start of the capped expenditure period (whichever is earlier)
 - ends on the day before the election summary return is finished
- audit certificate covering the election.

ASSOCIATED ENTITIES

Associated entities must disclose:

- each item of electoral expenditure incurred
- bank statement from their associated candidate or party's state campaign bank account that:
 - starts when the first item of electoral expenditure is incurred for the election or the start of the capped expenditure period (whichever is earlier)
 - ends on the day before the election summary return is finished.

REGISTERED THIRD PARTIES

Registered third parties (and third parties that should be registered) must disclose:

- each item of electoral expenditure incurred
- bank statement from state campaign bank account that:
 - starts when the first item of electoral expenditure is incurred for the election or the start of the capped expenditure period (whichever is earlier)
 - ends on the day before the election summary return is finished.

What details of electoral expenditure must be disclosed?

All electoral expenditure, including expenditure incurred outside the capped expenditure period, must be disclosed in the election summary return.

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.

Each item of electoral expenditure needs to be disclosed with the following information:

- a description of the goods or services
- the amount of expenditure
- the date the expenditure was incurred
- the name and address of the person who supplied the goods or services.

For more details on what qualifies as electoral expenditure, please see [Fact sheet 7 – Definition of electoral expenditure](#).

For more information on the capped expenditure period and expenditure caps, refer to:

- [Fact sheet 14 – Expenditure caps for registered political parties and endorsed candidates](#)
- [Fact sheet 18 – Expenditure caps for independent candidates](#)
- [Fact sheet 24 – Expenditure caps for third parties](#)

How do I submit an election summary return?

Election summary returns are submitted through the [Electronic Disclosure System](#) (EDS).

The ECQ provides a templated Excel spreadsheet to help election participants record their electoral expenditure throughout their campaign.

Completing this spreadsheet means you can use the bulk upload function of EDS to prefill your election summary return instead of lodging a return for each item of electoral expenditure separately.

The template is available in the [Help & Downloads](#) section of EDS.

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

The ECQ is responsible for administering and enforcing the EA, which includes penalties for election participants who breach their disclosure obligations. The compliance framework is available on the ECQ's website.

For further information

This fact sheet mainly refers to part 11, division 10 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.

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 requirements

Fact sheet 7 – Definition of electoral expenditure

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

Fact sheet 18 – Expenditure caps for independent candidates

Fact sheet 24 – Expenditure caps for third parties

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.

REGISTERED POLITICAL PARTIES

Expenditure caps for registered political parties and endorsed 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 registered political parties and their endorsed candidates contesting state elections and by-elections, as well as the agents and associated entities of the party or candidate.

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 registered political party and their endorsed candidates to exceed their expenditure caps 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 registered political parties and endorsed candidates amongst others.

If a party or 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](#).

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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 is the expenditure cap amount?

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

REGISTERED POLITICAL PARTIES

For the **2024 state general election**, the expenditure cap for a registered political party is:

- per electoral district – **\$95,964.09**

and

- in total across Queensland – **\$95,964.09** multiplied by the number of electoral districts in which the party endorses a candidate.

For a **by-election**, electoral expenditure incurred by a registered political party will count towards their endorsed candidate's expenditure cap. Political parties and their endorsed candidate must not collectively spend more than the candidate's cap of **\$90,748.65**.

EXAMPLE

Registered Political Party A endorses candidates in 67 electoral districts for the 2024 state general election. This means that the maximum amount the party can spend in electoral expenditure for the election is \$6,429,594.03 (67 electoral districts multiplied by \$95,964.09).

The maximum amount the party can spend in relation to any 1 of the 67 districts is \$95,964.09.

ENDORSED CANDIDATES

For the **2024 state general election**, the expenditure cap is **\$60,499.10** for candidates endorsed by a registered political party. This amount is in addition to the \$95,964.09 per electoral district that can be incurred by the party.

For a **by-election**, the expenditure cap is **\$90,748.65** for candidates endorsed by a registered political party. Electoral expenditure incurred by both the candidate and the registered political party counts towards the cap amount.

Elected members

If a Member of Parliament who is a member of a registered political party incurs electoral expenditure during a capped expenditure period but does not nominate as a candidate for the next election, the expenditure will count towards the party's cap for that electoral district.

Electoral expenditure relating to an electoral district

Electoral expenditure relates to an electoral district if the expenditure is incurred for advertising or election material that is communicated to voters in that district and not mainly communicated to voters outside that district.

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.

This does not apply to electoral expenditure incurred to carry out an opinion poll or research. Such expenditure will count equally towards all electoral districts where the party has endorsed a candidate.

EXAMPLES

Example A

Registered Political Party Y purchases \$12,000 in radio advertising from Station 104BAM which broadcasts across 4 electoral districts in Queensland. The party has endorsed a candidate in 3 of these districts.

The cost of the radio advertising is divided between the 3 electoral districts and \$4,000 is counted against the party's capped expenditure amount in each of these districts. Party Y may incur an additional \$91,964.09 in each of the 3 districts.

Example B

Registered Political Party M endorses candidates in 17 electoral districts across the state of Queensland. During the capped expenditure period, Party M commissions opinion polls to be done in several electoral districts. This costs \$17,000.

The cost of the opinion polling is split across all 17 electoral districts where the party has endorsed a candidate. Assuming no other electoral expenditure has been incurred, the party may incur an additional \$94,964.09 in each of the 17 districts.

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 registered political party's or 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.

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.

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. 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.

**REGISTERED POLITICAL PARTIES &
ASSOCIATED ENTITIES**

Periodic returns

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.

What is a periodic return?

Periodic returns are reports lodged at the end of every reporting period. They cover amounts received, paid and any debts incurred by the registered political party or associated entity.

Who needs to submit a periodic return?

All registered political parties and associated entities must lodge a periodic return within 8 weeks of the end of each reporting period. This includes associated entities of state and local government candidates and groups of candidates if the entity was associated with the candidate or group at any time during the reporting period.

What is a reporting period?

There are 2 reporting periods each year:

- 1 January to 30 June
- 1 July to 31 December

What is included in a periodic return?

Each periodic return must include:

- the total amount received by the registered political party or associated entity during the reporting period,
- the total amount paid by the registered political party or associated entity during the reporting period, and
- the total outstanding amount of all debts incurred by the registered political party or associated entity, as at the end of the reporting period.

For registered political parties and associated entities of registered political parties or state candidates, periodic returns must also include the relevant particulars of:

- each entity from which the political party or associated entity received \$1,000 or more (either as a single amount or cumulatively) during the reporting period,
- each entity to which the political party or associated entity paid \$1,000 or more (either as a single amount or cumulatively) during the reporting period, and
- each entity to which the political party or associated entity owes \$1,000 or more during the reporting period.

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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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For associated entities of local candidates and groups of candidates, periodic returns must also include the relevant particulars of:

- each entity from which the associated entity received \$500 or more (either as a single amount or cumulatively) during the reporting period
- each entity to which the associated entity paid \$500 or more (either as a single amount, or cumulatively) during the reporting period
- the total amount outstanding at the end of the reporting period of all debts incurred by or for the entity.

See [Fact Sheet 12 – Real-time disclosure of gifts and loans by registered political parties](#) for the definition of relevant particulars.

BANK STATEMENTS

Registered political parties must provide a copy of the bank statement for the party's state campaign bank account with the periodic return. The statement needs to cover the entire reporting period. Bank statements are not published.

Refer to [Fact sheet 11 – State campaign bank accounts for registered political parties](#) for more information.

AUDIT CERTIFICATES

Periodic returns must be accompanied by an audit certificate. The audit certificate must state:

- The auditor was given full and free access at all reasonable times to the records related to a matter required to be disclosed in the return.
- The auditor examined the relevant accounts and documents that the auditor considered material for giving the certificate.
- The auditor received all information and explanations requested in relation to any matter required to be stated in the certificate, subject to the qualifications, stated in the certificate (if any).
- The auditor has no reason to think that any statement in the declaration is not correct.

Auditors who become aware of any matter that it reasonably likely to constitute a contravention of part 11 of the EA or of part 6 or part 9, division 5 of the *Local Government Electoral Act* must give ECQ written notice within 7 days.

An auditor who provides an audit certificate for a return must not be nor ever have been a member of a political party. The auditor must possess any of the following qualifications:

- registration as an auditor under the *Corporations Act 2001*
- membership of CPA Australia Ltd (ACN 008 392 452) and entitlement to use the letters CPA or FCPA
- membership of the Institute of Public Accountants Ltd (ACN 004 130 643) and entitlement to use the letters MPA or FIPA
- membership of Chartered Accountants Australia and New Zealand (ARBN 084 642 571) and entitlement to use the letters CA or FCA.

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.

REQUESTS FOR AUDIT CERTIFICATE WAIVER

A registered political party or associated entity may request the ECQ waive the requirement to give an audit certificate. The ECQ may grant the request if it considers the cost of obtaining an audit certificate to be unreasonable.

How to lodge a periodic return

Periodic returns can be lodged in the Electronic Disclosure System at disclosures.ecq.qld.gov.au.

Record keeping

All election participants must keep records for 5 years. This is required to demonstrate compliance in relation to all electoral expenditure, political donation, disclosure and reporting 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 maximum penalty for not complying with these requirements is 100 penalty units (valued at \$15,480 as of 1 July 2023).

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.



RELATED FACT SHEETS

Fact sheet 4 – Record keeping requirements

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

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

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.

ALL ELECTION PARTICIPANTS

Authorisation of election matter

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 relates to any person who authors any material able or intended to influence an elector in relation to voting at an election or to otherwise affect the result of an election during a state election or by-election period.

Election matter is subject to a range of regulations which carry penalties for non-compliance.

How-to-vote cards

How-to-vote cards have specific regulations covering their design, authorisation and distribution. A fact sheet covering these regulations will be available closer to the election.

What is election matter?

Election matter means anything that can or intends to:

- influence an elector in relation to voting at an election

or

- affect the result of an election.

It includes, but is not limited to advertising via:

- radio
- television
- cinema
- social media
- internet
- email
- signs
- text message
- newspapers
- magazines
- billboards
- pamphlets
- flyers
- letters
- corflutes
- opinion polls or research

Does the author of election material have to be named?

Any person who prints, publishes, distributes or broadcasts election material **during an election period** must ensure an authorisation is stated on the material.

Material can be authorised by any person.

The authorisation must show the **name** and **address** of the person authorising the material. It must be a physical address (typically the person's own residential address). This address must not be a post office box.

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.



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When is the election period?

The election period begins on the day after the writ for an election is issued and ends at 6pm on election day.

The ECQ does not regulate authorisation of election material outside of the election period.

Examples of correct authorisations:

- On **written** material, an authorisation stating: '*Authorised by Bob Smith, 1 Queen Street, Brisbane*'.
 - The text must be of sufficient size to be clearly legible by a voter who wishes to read the authorisation in a way the material is intended to ordinarily be read, and must not be obstructed by other objects such as screws or stickers.
 - On a double-sided, printed item like a flyer, the authorisation only needs to be printed on one side.
- On a **television** advertisement, a visual and spoken authorisation at the end of the advertisement.
- On a **radio** advertisement, a spoken authorisation stating the authoriser's name and address at the end of the advertisement.
- On a **social media** profile or page, an authorisation should be placed in a prominent position on the page. For example, for a Facebook page set up for an election campaign, the authorisation should be stated clearly in the top banner, page details or by adding an impressum to the page.
- On a **social media post, digital advertisement or digital banner**, every post does not need to be authorised, but it is important to ensure that election material that can be shared, forwarded or reposted carries an authorisation.
 - An authorisation should be embedded in an image or video so that any subsequent viewer can identify the authoriser.
 - If the full text of the authorisation does not fit in a post or advertisement, a link to a website that clearly identifies the authoriser is acceptable.
- On a **website** or **app**, an authorisation should be placed on each webpage on a campaign-specific website. For a general website, the authorisation would only need to be placed on webpages containing election matter.
- In a **robocall** (unsolicited, automated telephone messaging), a spoken authorisation at the end of the call.
- In an **email**, the authorisation should be in the signature block.
- In a **text message**, if an authorisation cannot be included in the text message itself, it should clearly refer to another document or notice (so they can properly be considered one message) and contain a link to that second part of the message so it is easily accessible to the recipient. The second part of the message must contain the authorisation information.

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.

Election signage

The display of election signage next to local and state-controlled roads is regulated by the Department of Transport and Main Roads. Information on election signage and state-controlled roads can be obtained from the Department of Transport and Main Roads: qld.gov.au/transport/safety/signs/election-signs.

Local councils determine the rules that apply to election signage and advertising devices (such as corflutes) next to local roads, private property and on some state-controlled roads in their area.

The ECQ is responsible for regulating the display of election signage around polling booths during the early voting period and on election day. Please refer to state government [Fact sheet 2 – Election signage at polling places](#) for further information.

All individuals and organisations planning to display election signage should make themselves aware of the rules relating to the quantity and placement of signs, and the timeframes during which they can be displayed.

If permissions are needed to display election signage, be sure to receive them before displaying any election signage.

There are significant penalties for non-compliance with election signage regulations including fines and prosecution.

Record keeping requirements

All election participants must keep records of their election advertising. A **copy of the advertisement or election material must be kept** along with:

- a description of the audience to which the election material was distributed, published or broadcast
- if the distribution, publication or broadcast relates to an electoral district, the name of the electoral district.

A comprehensive review of records required to be kept from an election can be found in [Fact sheet 4 – Record keeping requirements](#). Records may be kept in paper or electronic form and must be kept for 5 years from the date the record is made.

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 2 – Election signage at polling places

Fact sheet 4 – Record keeping requirements

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.

ALL ELECTION PARTICIPANTS

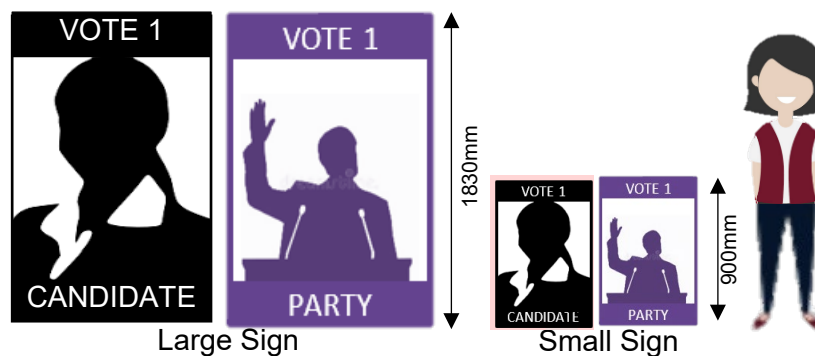
Election signage at polling places

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.

The size, quantity and placement of election signage at polling places for state elections and by-elections is regulated. All election participants must ensure they are familiar with signage regulations before displaying any signs at a polling place. They also must make sure that all signage is compliant with political advertising regulations and carries an appropriate authorisation.

What is an election sign?

Election signs seek to influence a person's vote or otherwise affect the result of an election, or they are the colour or colours ordinarily associated with a registered political party. This includes bunting, streamers and continuous flexible signs including 1 or more pieces joined together.



Permitted sizes:

- Large signs measure up to 1830mm x 1220mm on each side.
- Small signs measure up to 900mm x 600mm on each side.
- Signs can be in portrait or landscape orientation.

How many signs can I put up at an early voting (pre-poll) voting office?

Candidates, registered political parties and third parties may display up to **2 small signs** within each designated area at an early voting location during voting hours.

All signage displayed at an early voting location must be removed by 6pm on the last day of early voting even if the location is a polling place on election day.

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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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How many election signs can I put up at an ordinary polling booth on election day?

CANDIDATES AND REGISTERED POLITICAL PARTIES

Candidates and registered political parties may display up to **6 signs** in each designated area on election day. A maximum of 4 of these may be large signs. Signage must not be displayed before 5am on election day.

Registered political parties and their endorsed candidates share a combined sign quota.

	✓	4 LARGE SIGNS + 2 SMALL SIGNS = QUOTA
	✓	2 LARGE SIGNS + 4 SMALL SIGNS = QUOTA
	✓	4 LARGE SIGNS + 2 SMALL SIGNS = QUOTA
	✗	5 LARGE SIGNS + 1 SMALL SIGN = OVER QUOTA

THIRD PARTIES

On election day, third parties may display up to 4 signs in each designated area on election day. A maximum of 2 of these can be large signs.

As with all other election participants, any sign displayed by a third party must be authorised.

	✓	2 LARGE + 2 SMALL SIGNS = QUOTA
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ASSOCIATED ENTITIES

Signs displayed by associated entities are included within the quota that applies to the candidate or registered political party that they support.



	✓	4 LARGE SIGNS + 2 SMALL SIGNS = QUOTA
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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.

A-FRAME SIGNS

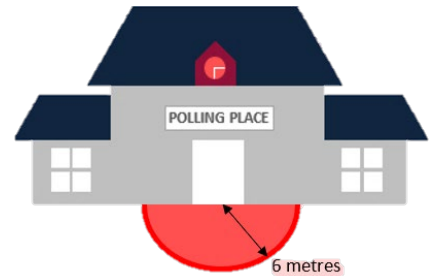
An A-frame sign is considered **1 sign** no matter if the sides are the same or different.



1 A-FRAME = 1 SIGN

Where can I place election signs?

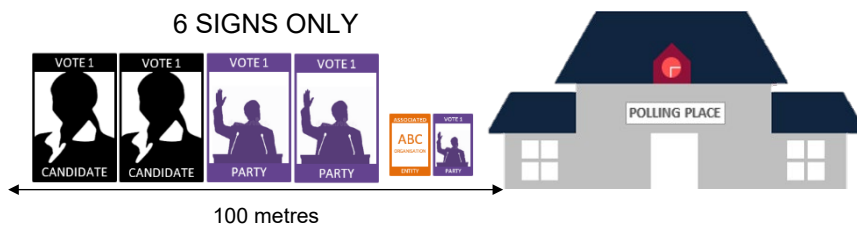
All election signage must be at least **6 metres** away from the entrance to a building used for voting.



What is the designated area?

The designated area for a polling place extends 100 metres from the building where people are voting.

Candidates and parties have a quota of up to 6 signs in the designated signage area around the polling place.



Election signs within the designated area at polling places do not need to be accompanied by a campaign representative.

Only signage relating to the **primary election** held at the polling place may be displayed. The election for the district where the polling booth is located is always considered the primary election. For a general election, the ECQ will declare which other elections are considered primary elections for each polling place where voting is taking place for more than one electoral district.

In the event of any inconsistency between State and local laws regulating election signage, State laws take precedence. The ECQ is responsible for ensuring election participants comply with State laws about signs.

What can I attach election signs to?

Election signage can be standalone or can be attached to a building, fence or other permanent structure. Permission from the owner must be granted prior to placing an election sign on private or government property.

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.

What is not considered an election sign?

The below items are not considered an election sign:

- an official sign placed by authorised ECQ staff
- an item of clothing being worn by a person
- an umbrella or portable shade structure
- a small item such as a lapel pin, badge, hat, pen or pencil or a sticker.

ECQ staff responsibilities

ECQ staff may request the removal of any signage that does not comply with regulations.

Authorisation of election material

All election material and signage must be authorised during an election period.

Please see [Fact sheet 1 – Authorisation of election material](#) for more details.

For further information

This fact sheet mainly refers to part 10 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 1 – Authorisation of election material

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.

ASSOCIATED ENTITIES**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.

This fact sheet is for associated entities of registered political parties or candidates in state government elections.

What is an associated entity?

An associated entity:

- is controlled by a registered party (or a group of candidates endorsed by the party) or candidate

or

- operates wholly or to a significant extent for the benefit of a registered political party (or a group of candidates endorsed by the party) or candidate

or

- operates for the dominant purpose of promoting a registered political party (or group of candidates endorsed by the party) or candidate.

For **registered political parties**, an associated entity is not:

- a candidate endorsed by the party for the election
- a related political party
- a federal or interstate branch or division of the party.

For **candidates**, an associated entity is not:

- another candidate who is endorsed by the same registered political party
- the associated entity of a registered political party who endorsed the candidate
- an electoral committee formed to help the candidate's election campaign.

Agents and associated entities

If a registered political party or candidate in an election has an associated entity, the agent of the party or candidate must take all reasonable steps to inform the associated entity about its obligations such as those regarding donations, expenditure, reporting and disclosure.

The agent must establish and maintain appropriate systems to support the associated entity in complying with its obligations.

Do associated entities need their own state campaign bank account?

An associated entity must use the state campaign bank account of its registered political party or candidate. All electoral expenditure must be paid from this account and all political donations must be paid into this 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.



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For more information on state campaign bank accounts for state elections, refer to:

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

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

Do electoral expenditure caps apply to associated entities?

When an associated entity spends money during a capped expenditure period, the electoral expenditure incurred counts towards the expenditure cap of the registered political party or candidate with which it is associated.

Both the associated entity and the party or candidate must ensure they do not collectively exceed the expenditure cap. Significant penalties apply for failure to comply with these laws.

For more information on expenditure caps, please refer to the relevant fact sheet:

[Fact sheet 14 – Expenditure caps for registered political parties and endorsed candidates](#)

[Fact sheet 18 – Expenditure caps for independent candidates](#)

Do political donation caps apply to associated entities?

When an associated entity receives a political donation, the donation is taken to be received by the registered political party or candidate with which it is associated. Political donations received by an associated entity will count towards the registered political party's or candidate's donation cap.

Any political donations received by an associated entity must be paid into the state campaign bank account of the party or candidate within 5 business days of receiving the donor statement.

Both the associated entity and the party or candidate must ensure they do not collectively exceed the political donation cap.

For more information about the political donation caps, please refer to [Fact sheet 6 – Political donation caps](#).

Disclosure obligations of associated entities

DISCLOSURE OF GIFTS, LOANS, AND POLITICAL DONATIONS RECEIVED

Associated entities must disclose all gifts, loans and political donations received of \$1,000 or more. Returns for gifts, loans and political donations must be lodged with the ECQ within 7 business days or within 24 hours if the gift is received within 7 days before election day.

For more information on disclosure of gifts, loans and political donations, refer to the following fact sheets:

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

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

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.

DISCLOSURE OF ELECTORAL EXPENDITURE INCURRED

All associated entities must give an election summary return within 15 weeks after election day. The return must state all electoral expenditure incurred (or if none was incurred).

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

PERIODIC RETURNS

All associated entities must lodge a periodic return if they were associated with a registered political party or candidate at any time during a reporting period (January 1 – 30 June or 1 July – 31 December).

[Fact sheet 13 – Periodic returns](#) has more information to review.

Record keeping

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

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 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 2 – Election signage

Fact sheet 4 – Record keeping requirements

Fact sheet 6 – Political donation caps

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

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 13 – Periodic 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 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.

AGENTS

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.

This fact sheet relates to agents of participants in state elections and by-elections who may be acting on behalf of candidates, registered political parties or third parties.

What is an agent?

An agent is the person responsible for ensuring an election participant's funding, disclosure and reporting obligations under the EA are met.

Election participants and their agents have a responsibility to familiarise themselves with all relevant and current legislative provisions. Failure to do so cannot be used as an excuse for failing to comply with any legislative requirement.

The agent is responsible for fulfilling an election participant's funding and disclosure obligations under the EA. The agent is also liable for any penalties associated with non-compliance with those obligations.

What are an agent's responsibilities?

An agent is responsible for:

- ensuring all disclosure returns for gifts, loans, and expenditure are lodged by the due date before, during and after the election
- ensuring all information contained in the returns is complete and accurate
- ensuring their participant maintains a state campaign bank account for the election
- ensuring their participant complies with caps on electoral expenditure and political donations
- informing their participant (and any of their associated entities) about the obligations that apply to them under the EA
- establishing and maintaining appropriate systems to support their participant (and any of their associated entities) to comply with their obligations
- informing donors about their disclosure obligations under the EA
- maintaining records for 5 years after the election, demonstrating that they have taken reasonable action as an agent to fulfil their above responsibilities
- responding to the ECQ about any matters which arise in respect of their participant's compliance (before, during, and after the election).

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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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While agents are responsible for these obligations, election participants also have an obligation to ensure agents do not give information to the ECQ that the participant knows to be false or misleading. The ECQ recommends that an agent ensures their participant/s review any completed returns before they are submitted.

The ECQ has provided a range of [fact sheets and handbooks](#) so election participants can be familiar with their disclosure, expenditure cap, political donation cap and state campaign bank account obligations during the election. Agents should refer to the information for their relevant election participant to understand their obligations.




Who can be an agent?

An agent must be an adult who has consented to their appointment in writing and signed a declaration that they are eligible for appointment.

Any person who has been convicted of an electoral funding or financial disclosure offence against the EA is not eligible for appointment as an agent.



Appointment of agents

This table summarises Part 11, Division 2 of the EA which sets out the election participants that either **must** or **may** appoint an agent and when they should do so.

Election participant	Requirement to appoint an agent:		Information about appointment
	MUST	MAY	
Individual candidate			Notification to the ECQ is only required if the candidate chooses to appoint an agent. An agent can be appointed via Form FAD3B found at ecq.qld.gov.au/factsheets .
Registered political party			Registered political parties must appoint an agent under s206 of the EA. An agent can be appointed via Form FAD3A found at ecq.qld.gov.au/factsheets .
Registered third party (an individual)			Notification to the ECQ is only required if the registered third party (individual) chooses to appoint an agent. An agent can be appointed via Form FAD3C found at ecq.qld.gov.au/factsheets .

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.

Election participant	Requirement to appoint an agent:		Information about appointment
	MUST	MAY	
Registered third party (not an individual)			If a registered third party is not an individual, they must include a notice of the appointment of an agent with their application to ECQ for registration for an election under section 208 of the EA.
Unregistered third party			Notification to the ECQ is only required if the unregistered third party chooses to appoint an agent. An agent can be appointed by contacting the ECQ.

Change or removal of agents

If circumstances change and the agent is no longer able to perform their duties, they can give the ECQ a signed notice stating that they have resigned as the agent. An agent can also be removed if the entity that appointed the agent provides the ECQ with a signed notice stating that the agent's appointment has ceased. Once an agent resigns or is removed, a new agent can be appointed.

If, at any time, an agent is not appointed for a registered political party or a third party organisation – both of which must have an agent – then each member of the executive committee assumes responsibility for obligations under the EA including any penalties which may be imposed for non-compliance. Notice of appointment of another agent must be given to the ECQ within 28 days.

Record keeping

All agents must keep records for 5 years. This is required to demonstrate compliance in relation to all legislative requirements. See [Fact sheet 4 – Record keeping requirements](#) for further details.

Compliance

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

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

For further information

This fact sheet refers mainly 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.

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 requirements

Fact sheet 9 – Funding and disclosure overview for registered political parties

Fact sheet 15 – Funding and disclosure overview for candidates

Fact sheet 19 – Funding and disclosure overview for third parties

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.

ALL ELECTION PARTICIPANTS**Record keeping requirements**

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 obligations, you should seek independent legal advice.

All election participants are responsible for keeping full and accurate records relevant to their election funding and disclosure requirements.

Good record keeping practices promote accountability and transparency and increase public confidence in election campaigning in state government. Records help to protect election participants should the integrity of their financial reporting be reviewed during or after an election campaign.

Failure to keep relevant election records is **unlawful** and may result in enforcement action.

What records need to be kept?

Election participants (and their associated entities) must keep complete and accurate records about:

- gifts (donations) made or received
- political donations (including donor statements)
- loans made or received
- electoral expenditure incurred
- other campaign expenses
- state campaign bank accounts
- election funding claims (if applicable)
- policy development payments (if applicable)
- disclosure returns
- payment, source of funding, costs, dates, times and methods of distribution or publication of all electoral advertising
- any other matters required to be stated in a disclosure form.

In general terms, the following items should be kept:

- bank statements
- invoices
- receipt books
- deposit books
- cheque books
- general ledgers
- notices
- copies of advertisements or election material.

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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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Records must include any information necessary to demonstrate compliance with election funding and disclosure obligations under legislation.

Clear audit trails are essential to substantiate all financial transactions. Keeping detailed information and documents ensures the election participant can demonstrate that they have fully complied with their election and disclosure obligations.

How do records need to be kept?

All records must be in English, be accurate and be held in a way that allows the ECQ to examine them conveniently and properly for audit or compliance purposes.

Records may be kept in paper or electronic form. It is strongly recommended that paper records are also saved electronically. Copies of all electronic records should be regularly backed up in a separate location.

Records must be kept by:

- the person who makes the record
- or
- the person who (with the authority of the election participant) the record is transferred to in the ordinary course of business or administration.

How long should records be kept?

Records must be kept and made available to the ECQ for inspection for at least **5 years** after the record was made.

All election participants are subject to ECQ compliance reviews and may be asked to provide evidence to satisfy the ECQ that disclosure requirements have been properly met.

Tips for good record keeping

Good record keeping supports full and accurate disclosure. It is strongly recommended that election participants:

- record gifts, loans and electoral expenditure as soon as practical after they are received or incurred so they are not overlooked or forgotten
- save any paper records electronically to ensure they are not destroyed
- keep comprehensive records in an orderly format for easy and quick retrieval
- regularly back-up electronic records
- ensure their records are up-to-date.

Specific requirements for records of political donations, gifts and loans

RECORDS OF POLITICAL DONATIONS

A candidate or registered political party who receives a political donation must include the information below as part of their record:

- the relevant particulars of the person who made the political donation
- the date the political donation was made
- the value or amount of the political donation

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.

- if the political donation is not money, how the value of the donation was determined under section 201B of the EA
- the donor statement
- a copy of the receipt given to the person who made the political donation
- if the political donation was made by an entity that is not the source of the political donation:
 - that fact
 - the relevant particulars of the entity that is the source of the political donation
- if the political donation was a loan:
 - the relevant particulars of the entity that made the loan
 - the amount of the loan
 - the terms and conditions of the loan
 - the donor statement
 - if the loan was received from a registered industrial organisation
 - the name of the organisation
 - the names and addresses of the members of the executive committee of the organisation
 - if the loan was made to or for the benefit of an electoral committee, the electoral district
- if the political donation was gifted electoral expenditure:
 - how the electoral expenditure benefits the recipient
 - how section 200B(1)(b)(i or ii) applies
 - any consideration provided by the recipient
 - a copy of the invoice (if any)
 - details of any arrangement between entities that led to the expenditure (if any)
 - a donor statement (if any)
- if the political donation was returned or refunded (in full or in part):
 - the date the refund or return was made
 - the amount or value returned or refunded
 - if non-monetary, how the value was determined under section 201B of the EA.

RECORDS OF GIFTS AND LOANS TO CANDIDATES AND REGISTERED POLITICAL PARTIES

A candidate or registered political party who receives a gift or loan that is not a political donation must include the information below as part of their records:

- the relevant particulars of the person who made the gift or loan
- the date the gift or loan was made
- the amount or value of the gift or loan
- for a record about a gift, how the value of the gift was determined under section 201B of the EA
- if the gift or loan was made by an entity that is not the source of the gift or loan:
 - that fact
 - the relevant particulars of the entity that is the source of the gift or loan
- if the gift was refunded or returned in full or in part
 - the date the refund or return was made
 - the amount or value returned or refunded
 - if non-monetary, how the value was determined under section 201B of 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.

- for a loan:
 - the relevant particulars of the entity that made the loan
 - the amount of the loan
 - the terms and conditions of the loan
 - if the loan was received from a registered industrial organisation
 - the name of the organisation
 - the names and addresses of the members of the executive committee of the organisation.

POLITICAL DONATIONS, GIFTS AND LOANS MADE BY ELECTION PARTICIPANTS TO OTHER ELECTION PARTICIPANTS

If a candidate or registered political party makes a political donation, gift or loan to another participant in the election, the following information must be kept in the record:

- the relevant particulars of the giver
- the date the political donation, gift or loan was made
- the amount or value of the political donation, gift or loan
- for non-monetary political donations or gifts, how the value of the gift is worked out under section 201B of the EA
- for a loan, the terms and conditions of the loan
- for a political donation or gift that is returned or refunded in full or in part
 - the date the return or refund was made
 - the amount or value returned or refunded
 - if non-monetary, how the value was determined under section 201B
- if electoral expenditure was gifted
 - how the electoral expenditure benefits the recipient
 - how section 200B(1)(b)(i or ii) applies
 - any consideration provided by the recipient
 - a copy of the invoice (if any)
 - details of any arrangement between entities that led to the expenditure (if any).

GIFTS MADE TO OR FOR BENEFIT OF A THIRD PARTY

If a gift is made to, or for the benefit of, a third party for the election that the third party is required to lodge a return for, the following information must be included in the record:

- the relevant particulars of the person who made the gift
- the date the gift was made
- the value of the gift
- for non-monetary gifts, how the value of the gift is worked out under section 201B of the EA
- if the gift was made by an entity that is not the source of the gift:
 - that fact
 - the relevant particulars of the entity that is the source of the gift
- if the gift was refunded or returned in full or in part:
 - the date the refund or return was made
 - the amount or value returned or refunded

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.

- if non-monetary, how the value was determined under section 201B of the EA
- if electoral expenditure was gifted to the third party:
 - how the electoral expenditure benefits the third party
 - how section 200B(1)(b)(i or ii) applies
 - any consideration provided by the recipient
 - a copy of the invoice (if any)
 - details of any arrangement between entities that led to the expenditure (if any).

Register of non-monetary gifts

All election participants are required to maintain a register of non-monetary gifts (that is gifts of items other than money).

This register must contain:

- the value of the gift
- the date the gift was received
- a description of the gift
- relevant particulars of the person who made the gift.

If the gift has been disposed of, the register needs to include the date of disposal and the amount received.

Specific requirements for records of electoral expenditure

The following details must be included in records of electoral expenditure incurred by a candidate or registered political party at any time or by a third party during the capped expenditure period:

- the amount of electoral expenditure
- the date the amount was paid
- description of the goods or services
- the name and business address of the person who supplied the goods or services
- the day the goods or services were supplied or provided
- the day the goods were first used for a campaign purpose during a capped expenditure period (if applicable)
- a copy of the invoice or receipt
- if electoral expenditure benefits another election participant:
 - how the expenditure benefits the other participant
 - how section 200B(1)(b)(i or ii) applies
 - a copy of the invoice (if any) issued to the other participant
- if section 281B applies, details of how the expenditure relates to the electoral district.

RECORDS OF ELECTORAL ADVERTISING

Specific records must be kept relating to the printing, publishing or broadcasting of advertisements and other election material.

The record must contain:

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.

- a copy of the advertisement or election material
- the audience to which the material was distributed, published or broadcast
- the name of the electoral district if the material relates to the election for a specific district.

Records for state campaign bank accounts of candidates and registered political parties

FOR AMOUNTS PAID INTO THE ACCOUNT

When amounts are paid **into** the state campaign bank account, the following information must be included in the record of the deposit:

- the amount
- the type of the amount (or each part of the amount) as specified in section 216(2)
- the information necessary to show how the amount is of the type specified.

FOR AMOUNTS PAID FROM THE ACCOUNT

When amounts are paid **from** the state campaign bank account, the following information must be included in the record of the payment:

- the amount
- if the amount is electoral expenditure incurred, reimbursement for electoral expenditure or a loan repayment, all details necessary to show that fact.

Register of members

Registered political parties must maintain a current register of the names of all members and affiliates.

What are relevant particulars?

The relevant particulars of an entity are:

- if the entity is an **unincorporated association** – the names and addresses of the members of the executive committee (however described) of the association
- if the entity is a **trust fund or foundation** – the names and addresses of the trustees of the fund or foundation, or the title or other description of the trust fund or the name of the foundation
- **otherwise** – the name and address of the entity.

Is there a penalty for not keeping adequate records?

Failure to keep relevant election records may incur a penalty of 20 penalty units (valued at \$3,096 as of 1 July 2023).

Failure to keep accurate records of advertisements or other election material may incur a penalty of 20 penalty units (valued at \$3,096 as of 1 July 2023).

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.

For further information

This fact sheet mainly refers to part 11 of the EA and the Electoral Regulation 2013. The Act and Regulation are available in full at legislation.qld.gov.au. Participants in the electoral process should ensure they understand their obligations under the EA and ER.



RELATED FACT SHEETS

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

Fact sheet 7 – Definition of electoral expenditure

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

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

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

Fact sheet 22 – Real-time disclosure of gifts received by third parties

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

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.

ALL ELECTION PARTICIPANTS

Definition of gifts, loans and political donations

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 relates to candidates, registered political parties, associated entities, third parties and donors who make or receive gifts or loans.

Generally, any gifts or loans made to or by these election participants must be disclosed.

It is important for election participants (including donors) to familiarise themselves with the definitions of gifts, loans and political donations to ensure they comply with disclosure laws and donation caps.

There is a difference between an ordinary gift or loan and a political donation. Disclosure obligations apply to all three: gifts, loans and political donations.

What is a gift?

A **gift** is a transfer of money, property or a service given without receiving something of equal or adequate value in return.

A **non-monetary gift** (or gift-in-kind) is a gift of any goods or services other than money.

A gift includes:

- money given to an election participant
- services provided at no or below cost
- electoral expenditure gifted to an election participant
- uncharged interest or an amount forgiven on a loan
- the part of a fundraising contribution that exceeds \$200
- an amount (other than a commercial loan) given to a registered political party by a federal or interstate branch or division or by a related political party
- an amount paid or service provided to a registered political party under a sponsorship arrangement.

A gift does **not** include:

- property transferred under a will
- a fundraising contribution of \$200 or less, or the first \$200 of a larger fundraising contribution
- membership fees paid to a registered political party
- an amount transferred from an individual's own funds (e.g. from a personal bank account) to the individual's own 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.



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- an amount contributed from an account an individual holds jointly with their spouse (this does **not** include amounts given to the spouse by a prohibited donor) to the individual's own state campaign bank account
- volunteer labour or incidental or ancillary use of a volunteer's vehicle or equipment
- gifts made in a private capacity for an individual's personal use, unless the gift is used for an electoral purpose.

What is a fundraising contribution?

A fundraising contribution is an amount paid as an entry fee or other payment entitling someone to participate in or benefit from a fundraising venture or function.

An example of a fundraising contribution includes a raffle ticket or an amount paid for an item at a fundraising auction.

The first \$200 of a fundraising contribution from a single donor may be deposited into a state campaign bank account.

If the same donor makes a fundraising contribution of more than \$200, the excess amount must not be placed in a campaign bank account unless a donor statement (defined below) is obtained.

What is gifted electoral expenditure?

Please see [Fact sheet 34](#) for the definition of gifted electoral expenditure.

Volunteer labour

Volunteer labour is generally not considered a gift. Even so, if a person provides a service that they normally provide on a commercial basis at a reduced or no cost, that would be considered a gift.

EXAMPLE

A campaign volunteer who also operates a printing business prints 100 flyers and gives them to a candidate at no cost. The flyers are a gift and could also be a political donation.

Gifts given in a private capacity

Gifts made in a private capacity for an individual's personal use are not gifts for electoral purposes unless any part of the gift is used for an electoral purpose. The part used for an electoral purpose would be considered a gift.

Sponsorship arrangements

Sponsorship arrangements are defined in section 200A of the EA. The arrangement is between a person (the sponsor) and a registered political party.

More information on state government elections

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A sponsorship arrangement:

- establishes a relationship of sponsorship, approval or association between the sponsor and the party (whether or not for commercial gain)

or

- confers a right on the part of the sponsor to associate the sponsor or the sponsor's goods or services with one or more of the following
 - the party
 - a fundraising or other venture or event of the party
 - a program or event associated with a venture or event of the party.

Under the arrangement, it does not matter whether the sponsor is entitled to:

- be acknowledged as a sponsor
- advertising or marketing rights
- supply the sponsor's goods or services
- another benefit (such as entry to a particular event or function).

Funds from a joint bank account

A candidate or third party individual may pay an amount from their personal funds into their own state campaign bank account. This is considered **self-funding** (i.e., not a gift), and there is no limit on the amount that can be transferred from personal funds. These amounts do not require disclosure as gifts.

Amounts transferred from a **joint bank account** held by an individual and their spouse (which includes a de facto or civil partner) into the individual's own state campaign bank account are not considered to be gifts and do not require disclosure.

Self-funding and joint funds cannot be used to conceal gifts that are otherwise not permitted (e.g., prohibited gifts from property developers or amounts that would be subject to caps).

Significant penalties apply for circumventing electoral laws.

What is a loan?

A loan is any of the following provided by a person or entity, other than a financial institution or by use of a credit card:

- an advance of money
- provision of credit or another form of financial accommodation
- payment of an amount for, on behalf of, or at the request of, an entity, if there is an express or implied obligation to repay the amount
- another transaction that is in effect a loan of money.

If a loan's terms do not include an interest rate of at least the Reserve Bank of Australia's cash rate plus 3%, the difference would be considered a gift-in-kind and may require disclosure.

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.

What is a political donation?

A political donation is any gift or non-commercial loan given to a registered political party or candidate that is accompanied by a donor statement.

A donor statement is a written document which must:

- be completed by the donor of the gift or loan
- name the election participant (the registered political party or candidate) given the gift or loan
- state the gift or loan is intended to be used for an electoral purpose
- detail the relevant particulars of the donor of the gift or loan
- be given to the recipient with the gift or loan or **within 14 days** after the gift or loan is made.

A non-commercial loan is a loan given either with no interest or with an interest rate that is less than the Reserve Bank of Australia's cash rate plus 3%.

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

Political donations are the only gifts that can be deposited into a candidate's or registered political party's state campaign bank account and used to pay for electoral expenditure.

Caps are imposed on political donations. You can refer to [Fact sheet 6 – Political donation caps](#) for more information.

What are relevant particulars?

The relevant particulars of an entity are:

- if the entity is an **unincorporated association** – the names and addresses of the members of the executive committee (however described) of the association
- if the entity is a **trust fund or foundation** – the names and addresses of the trustees of the fund or foundation, or the title or other description of the trust fund or the name of the foundation
- **otherwise** – the name and address of the entity.

Regulations about particular gifts

ANONYMOUS GIFTS

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

It is also unlawful for a registered political party to receive anonymous gifts totalling \$1,000 or more.

If an anonymous gift is received, an amount equal to the amount, or value, of the gift(s) is payable to the State.

GIFTS OF FOREIGN PROPERTY

It is unlawful for a candidate or registered political party to receive a gift of foreign property.

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.

The location of the property immediately before the gift or transfer took place determines whether it is Australian or foreign property. Gifts of Australian property acquired in exchange for foreign property remain foreign property.

An amount equal to the amount or value of a foreign gift is payable to the State unless the gift is returned within 6 weeks of receipt.

GIFTS FROM PROHIBITED DONORS

Property developers and industry organisations representing property developers are prohibited from making a gift, loan, or political donation to or for the benefit of a political party, candidate or other entity in an election.

Significant penalties apply for anyone who makes or receives these prohibited donations. Penalties could include fines, prosecution and/or the recovery of those amounts as a debt to the State.

See the [ECQ website](#) for further information about prohibited donors.

Disclosure of gifts and loans

Election participants may be required to disclose the details of gifts, loans and political donations they receive.

Details about disclosure obligations 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](#)
- [Fact sheet 22 – Real-time disclosure of gifts and loans received by third parties](#)
- [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. Refer to [Fact sheet 4 – Record keeping requirements](#).

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.

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 requirements

Fact sheet 6 – Political donation caps

Fact sheet 7 – Definition of electoral expenditure

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

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

Fact sheet 22 – Real-time disclosure of gifts received by third parties

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

Fact sheet 34 – Gifted electoral expenditure

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.

ALL ELECTION PARTICIPANTS

Definition of electoral expenditure

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.

The term 'electoral expenditure' has a specific meaning for State elections and by-elections. It affects disclosure obligations, election funding claims, electoral expenditure caps and sometimes political donation caps.

Not all campaign expenses are electoral expenditure. It is important to consider whether a particular campaign expense is electoral expenditure. If an expense is electoral expenditure, participants must determine who has incurred the expenditure.

Election participants must ensure they do not exceed the caps on electoral expenditure.

See [Fact sheet 8](#) for information about disclosure of electoral expenditure.

See [Fact sheets 14, 18 and 24](#) for information about electoral expenditure caps.

What is electoral expenditure?

Under section 199 of the EA, electoral expenditure is incurred for a campaign purpose and includes GST. It includes:

- costs of designing, producing, printing, broadcasting, or publishing any kind of material for an election including (but not limited to):
 - advertisements broadcast at a cinema, on radio or television or on the internet
 - direct marketing through the post office or email
 - flyers, billboards, brochures, signs, or how-to-vote cards
- distribution costs for election material such as the cost of postage, couriers or sending SMS messages
- costs of opinion polling or research
- fees for contracted services related to an activity mentioned above (e.g., payments for experts or consultants, the provision of data, etc.).

Expenditure is incurred for a campaign purpose if it does any of the following:

- promotes or opposes a political party in relation to an election
- promotes or opposes the election of a candidate
- otherwise influences voting at an election.

For example, expenditure is incurred for one of the above purposes if, in relation to an election, the material produced:

- expressly promotes or opposes:
 - political parties or candidates who advocate, or do not advocate, a particular policy or issue

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- political parties or candidates who have, or do not have, a particular position on a policy or issue
- candidates who express a particular opinion
- expressly or implicitly comments about a political party, elected member or candidate or in relation to an electoral district
- expresses a particular position on a policy, issue, or opinion, if the position is publicly associated with a political party or candidate (even if the party or candidate is not mentioned).

Expressly urging electors to vote for or against a candidate or party is not the sole defining feature of electoral expenditure. Election material using images, branding, slogans or identifying a person as a candidate can serve a campaign purpose and therefore represent electoral expenditure.

The purpose of the election material is the primary concern: does the material promote a candidate or registered political party in relation to a state election? If the answer is yes, the election material is electoral expenditure.

Incidental expenses for minor consumables such as screws/nails, zip ties, washers, etc. are not considered electoral expenditure. Larger items, such as stakes (for displaying signs on roads, etc.) are considered electoral expenditure and must be disclosed under the election participant's disclosure requirements.

What is not electoral expenditure?

Electoral expenditure does not include:

- employing staff for a campaign purpose (excluding consultants depending upon their role)
- campaign materials for the election of members of a Parliament outside Queensland or the election of councillors (which is regulated by the *Local Government Electoral Act 2011*)
- factual advertising that relates mainly to the administration of a registered political party—for organisational purposes or to select candidates for endorsement
- expenses for which an elected member receives (or is entitled to receive) an allowance or entitlement.

How is electoral expenditure determined?

Sometimes the ECQ may need to determine if a particular piece of election material is the product of electoral expenditure. In addition to the criteria laid out above, the following factors may be considered in these situations:

- organiser's intent when producing the materials
- words and images used
- timing and placement of the material
- colours, slogans, logos, etc. used in the material
- whether the material was required to be authorised under the EA

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- any external information which may provide additional context (such as correspondence or contracts between the supplier of the goods and the election participant)
- any other relevant factors.

Electoral expenditure incurred by third parties

Monies spent by a third party are electoral expenditure if the dominant purpose for that spending is a campaign purpose.

Third party expenditure is not considered electoral expenditure if the dominant purpose of the expenditure is another purpose, such as educating or raising awareness about a public policy issue. This is true even if the expenditure also (and incidentally) achieves a campaign purpose.

Third parties that incur, or are planning to incur, more than \$6,000 in electoral expenditure have additional obligations and must register with the ECQ.

See [Fact sheet 19 and 20](#) for more information about third parties and electoral expenditure.

When is electoral expenditure incurred?

Under section 281 of the EA, electoral expenditure is incurred when the relevant goods or services are supplied or provided. **It does not matter when the expenditure is invoiced or paid.**

For example:

- The costs of broadcasting or publishing an advertisement are incurred when the advertisement is transmitted.
- Expenditure on the production and distribution of election material, such as flyers, is incurred when the material is first distributed.

If electoral expenditure is used to obtain goods for the dominant purpose of being used for a campaign purpose in 1 or more elections, the electoral expenditure is taken to have been incurred when the goods are first used for a campaign purpose during a capped expenditure period.

This provision only applies to goods (e.g. physical campaign materials) and not to services (such as producing or designing a television or radio advertisement).

Electoral expenditure is incurred when the relevant goods are first used for a campaign purpose during a capped expenditure period for an election.

The date the expenditure is invoiced or paid does not matter.

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.

If election material is used in the capped expenditure periods for 2 or more elections (e.g., the 2020 and 2024 state general elections), they will only count as incurred expenditure during the **first** capped expenditure period.

When election material is procured but never used or distributed (e.g., due to withdrawal from the election or errors in printing), electoral expenditure is not incurred.

EXAMPLES

Example A

A prospective candidate orders and pays for the design and production of 50 corflutes in February 2024. The corflutes are supplied in July 2024, and the candidate's team puts them up around the electoral district starting on 19 September 2024. The electoral expenditure is incurred on 19 September 2024.

Example B

The Silver Party arranges to publish an election advertisement on social media on 1 September 2024. The Silver Party receives an invoice for the advertisement on 4 September 2024, which is paid on 5 September 2024. The electoral expenditure is incurred when the advertisement is published on 1 September 2024.

Example C

In April 2024, a potential candidate commissions the design of flyers to hand out while going door-to-door. The flyers are delivered and paid for in September 2024, but by then, the potential candidate has decided not to contest the election and destroys the flyers. No electoral expenditure has been incurred.

Example D

In early 2024, Janice approves the design of new corflutes and orders 25 of them for her upcoming campaign. The corflutes are delivered and paid for in June 2024.

On 13 September 2024, Janice and her volunteers put up 12 corflutes around her electoral district. The electoral expenditure is incurred on 13 September 2024 when the corflutes are first used for a campaign purpose during the capped expenditure period for the election.

However, because only 12 corflutes were used for a campaign purpose, the amount of electoral expenditure incurred is the value of 12 corflutes.

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.

 **EXAMPLES CONTINUED****Example E**

On 13 September 2024, Janice and her volunteers put up 12 corflutes around her electoral district. The electoral expenditure is incurred on 13 September 2024 when the corflutes are first used for a campaign purpose during the capped expenditure period for the election.

However, because only 12 corflutes were used for a campaign purpose, the amount of electoral expenditure incurred is the value of 12 corflutes.

Incurring electoral expenditure for another participant

If an election participant (the first participant) incurs electoral expenditure that benefits a second election participant (the recipient), the electoral expenditure is incurred by the first participant.

However, the recipient incurs the electoral expenditure if both the following are satisfied:

- The expenditure is made with the recipient's authority or consent, or if the material produced by the expenditure is accepted by the recipient

and

- The first participant invoices the recipient for payment of the expenditure.

'Gifted' electoral expenditure

When a person gifts goods or services produced by electoral expenditure to an election participant, the expenditure is considered to have been incurred by the recipient of the gift.

Please see [Fact sheet 34 – Gifted electoral expenditure](#) for further details.

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

The ECQ is responsible for administering and enforcing the EA, which includes penalties for election participants who breach their disclosure obligations. The compliance framework is available on the ECQ's website.

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.

For further information

This fact sheet mainly refers to part 11, division 9 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 8 – Disclosure of electoral expenditure and election summary returns
- Fact sheet 14 – Expenditure caps for registered political parties and endorsed candidates
- Fact sheet 18 – Expenditure caps for independent candidates
- Fact sheet 19 – Funding and disclosure overview for third parties
- Fact sheet 20 – Third party registration process
- Fact sheet 24 – Expenditure caps for third parties
- Fact sheet 25 – Election funding claims
- Fact sheet 34 – Gifted electoral expenditure

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

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.

ALL ELECTION PARTICIPANTS**Gifted electoral expenditure**

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.

A common occurrence during state elections is when election material is created or paid for by someone other than the election participant who benefits from the material. When this happens, determining who incurred the electoral expenditure can be difficult.

Under certain circumstances, electoral expenditure may be 'gifted' to an election participant. It is important for election participants to understand whether they have received gifted electoral expenditure as this may impact their disclosure requirements and caps for the election.

Please refer to [Fact sheet 7 – Definition of electoral expenditure](#) for more information about what is electoral expenditure and when it is incurred.

What is 'gifted' electoral expenditure?

Electoral expenditure is 'gifted' to an election participant if these 3 conditions are met:

1. The expenditure benefits the election participant.
2. The expenditure is incurred with the authority or consent of the participant, or the election material produced is accepted by the participant.
3. The person who originally incurred the expenditure does not receive payment or does not invoice the participant for the amount within 7 days of the events outlined.

Electoral expenditure that is gifted to an election participant under these conditions is taken to be incurred by the election participant.

If the expenditure was incurred through an arrangement with 2 or more election participants, the value of the expenditure is divided by the number of participants to determine the amount of gifted electoral expenditure per participant.

No matter when the expenditure is incurred, the 'gift' of electoral expenditure applies at the completion of the 3 points outlined above.

Gifted electoral expenditure is taken to be incurred by the election participant who benefited from the expenditure.

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Does gifted electoral expenditure count towards the election caps?

If incurred during the capped expenditure period, gifted electoral expenditure will count towards the electoral expenditure cap of the election participant who benefits from the expenditure.

If the participant is a candidate or registered political party, the gifted electoral expenditure will also count towards their political donation caps. Gifted electoral expenditure is considered a political donation regardless of whether it is accompanied by a donor statement.

Please refer to the relevant fact sheets on the [ECQ's website](#) for more information about state election caps.

How is gifted electoral expenditure disclosed?

Gifted electoral expenditure must be disclosed as **both** a gift received and as electoral expenditure incurred by the election participant who benefits from the expenditure.

The person who gifted the electoral expenditure is also required to disclose it as a gift made to the participant.

Election participants who have received gifted electoral expenditure must take the following steps:

- If the value of the gifted expenditure (along with any other donations made by the donor during the reporting period) is \$1,000 or more –
 - disclose it as a gift-in-kind (political donation) within 7 business days
 - give a receipt within 14 days to the person who gifted the expenditure outlining the political donation caps and the person's requirement to disclose the gift.
- Regardless of the value – disclose the gifted electoral expenditure in their election summary return. (When completing the election summary return, there is an option to identify electoral expenditure as gifted expenditure.)

Please refer to the relevant fact sheets and user guides on the [ECQ's website](#) for more information about disclosing gifts and electoral expenditure.

Gifted electoral expenditure must be disclosed as both a gift (political donation) and as electoral expenditure.

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.

EXAMPLE

Candidate Su has a professional photographer friend who offers to take some photos of her and her family for use in promotional campaign material. The photographer estimates the value of these shots to be \$1,200 and does not invoice Candidate Su for the cost.

This is gifted electoral expenditure. The expenditure is taken to be incurred by Candidate Su.

Candidate Su must disclose the amount as **both** a gift and as electoral expenditure. Because the value of the gift is \$1,000 or more, both Candidate Su and the photographer must disclose the gift within 7 business days of Candidate Su accepting the photographs. The electoral expenditure must be disclosed in Candidate Su's election summary return following the election.

If the photos are used for a campaign purpose during the capped expenditure period, it will count towards Candidate Su's electoral expenditure cap. As gifted electoral expenditure is considered a political donation, the photographer may only give an additional \$4,800 (i.e. up to the cap amount) in political donations to Candidate Su.

What if the election participant doesn't consent to the expenditure?

If the election participant who benefits from the electoral expenditure does not authorise, consent to, or accept the expenditure or any election material resulting from it, the expenditure will be attributed to the person who paid for it and **not** the election participant.

The expenditure will not count towards the election participant's election caps, and they will not need to disclose it in any form.

The expenditure will count towards the electoral expenditure cap of the person who paid for it (if it was incurred during the capped expenditure period). Depending on the value, the person may also need to register as a third party for the election and disclose the expenditure in an election summary return.

For more information about third parties, please refer to [Fact sheet 19 – Funding and disclosure overview for third parties](#).

Electoral expenditure that benefits an election participant but is not authorised, consented to, or accepted by them is taken to be incurred by the person who paid for the expenditure.

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.

EXAMPLE

A non-profit organisation produces social media content advocating for the Silver Political Party and their endorsed candidates. The non-profit organisation then boosts this content as advertising.

The non-profit organisation did not collaborate with the Silver Party nor their candidates when creating the advertisements and did not seek their consent or assistance.

The electoral expenditure is taken to be incurred by the non-profit organisation and will count towards its electoral expenditure cap. If the non-profit organisation is (or should be) a registered third party, the expenditure must also be disclosed in an election summary return.

What if an election participant incurs electoral expenditure on behalf of another election participant?

There may be circumstances in which one election participant (e.g. a registered political party) incurs electoral expenditure on behalf of another election participant (e.g. a candidate).

Electoral expenditure that is gifted from one election participant to another election participant is taken to be incurred by the first election participant **unless** the following conditions are met:

1. The recipient authorises, consents to or accepts the expenditure.

AND

2. The first election participant invoices the recipient for payment of the expenditure.

If the above steps are taken, the expenditure is taken to be incurred by the recipient. It will count towards the recipient's electoral expenditure cap (if incurred during the capped expenditure period) and will need to be disclosed by the recipient as electoral expenditure in their election summary return.

EXAMPLES

EXAMPLE A

The Silver Party spends \$1,000 on party-branded t-shirts. The Silver Party distributes the t-shirts evenly to 4 of its endorsed candidates. The candidates and their volunteers wear the t-shirts out while campaigning. The Silver Party subsequently invoices each candidate \$250 for the t-shirts.

The electoral expenditure is taken to be incurred by the candidates. It will count towards their electoral expenditure caps (if the shirts were worn during the capped expenditure period) and must be disclosed in their election summary returns.

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.

 **EXAMPLES CONTINUED****EXAMPLE B**

Registered Third Party A spends \$10,000 on a television advertisement that advocates a vote for Candidate Su in the election. The advertisement is authorised by Candidate Su. Registered Third Party A does not invoice Candidate Su for payment of the advertisement.

The electoral expenditure is taken to be incurred by Registered Third Party A. It will count towards its electoral expenditure cap (if the advertisement was aired during the capped expenditure period) and must be disclosed in its election summary return.

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

The ECQ is responsible for administering and enforcing the EA, which includes penalties for election participants who breach their disclosure 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 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 12 - Real-time disclosure of gifts, loans and political donations by registered political parties

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

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

Fact sheet 18 – Expenditure caps for independent candidates

Fact sheet 19 - Funding and disclosure overview for third parties

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

Fact sheet 24 – Expenditure caps for third parties

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.

**CANDIDATES AND REGISTERED
POLITICAL PARTIES**

Election funding claims

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.

Eligible registered political parties and candidates in state elections can apply for the reimbursement of their electoral expenditure. This is referred to as election funding and is calculated based on the first preference votes received.

Who is eligible for election funding?

A candidate can receive election funding if they received at least 4% of the total number of formal first preference votes in their electoral district.

A registered political party is eligible to receive election funding if the party's endorsed candidate receives at least 4% of the total number of formal first preference votes in their electoral district.

How is the amount of election funding calculated?

Election funding paid to eligible candidates and registered political parties is the **lesser** of the following:

- The election funding rate multiplied by each first preference vote received by eligible candidates.

or

- The amount of claimed electoral expenditure accepted by the ECQ.

What are the election funding rates?

For state elections and by-elections held during the 2023-24 financial year, the election funding rates are:

- for candidates – **\$3.22** for each formal first preference vote
- for registered political parties – **\$6.44** for each formal first preference vote for each eligible candidate.

Election funding rates are recalculated on 1 July each year.

What expenses can be claimed for election funding?

Only **electoral expenditure** can be claimed for election funding.

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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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Pages 5 and 6 of this fact sheet contain a non-exhaustive list of what is and isn't considered electoral expenditure. Please see [Fact sheet 7 – Definition of electoral expenditure](#) for further details on how electoral expenditure is determined.

Goods which are purchased for the intention of being resold as merchandise (e.g., to raise funds for a political party) are not considered to be for a campaign purpose when making an election funding claim. Claimable expenditure must always be for a campaign purpose.

There is not a specific timeframe for incurring claimable electoral expenditure.

Can GST be included in my funding claim?

If the candidate or entity that purchased the electoral expenditure is registered with the Australian Taxation Office (ATO) for GST purposes, the candidate or entity may **not** include GST in their election funding claim.

How do I make a funding claim?

The candidate or the agent of the registered political party or candidate can submit a claim for election funding by lodging the appropriate form within 20 weeks after election day.

- [Form QSG14A](#) (political parties)
- [Form QSG14B](#) (candidates)

What should be included in a claim?

All electoral expenditure included in a funding claim must be itemised on the form. Documentation is needed for each item of expenditure. **Electronic copies of all records are preferred.**

Tax invoices must be dated, show the recipient details and include a description of the goods or services provided. Purchase orders and order requisitions are not acceptable.

If electoral expenditure is claimed for the production, distribution, publishing or broadcasting of advertisements or election material (such as newspaper advertisements, flyers or pamphlets), a copy of the advertisement or material must be included when submitting the claim form.

All supporting documentation needs to be legible and clearly specify which item of expenditure it refers to. All items claimed must have a clear link to the election or an explanation of how the item relates to the election.

How ECQ determines funding claims

The ECQ will generally approve a claim if:

- the claim is for electoral expenditure
- the electoral expenditure was incurred for the election
- the registered political party or candidate is entitled to the claim.

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.

The ECQ will generally reject a claim if the item claimed:

- does not meet the definition of electoral expenditure
- is not electoral expenditure incurred by the registered political party or candidate for the election
- is not substantiated by supporting documentation which satisfies the ECQ
- exceeds the maximum entitlement.

Requesting a review of a claim outcome

If a funding claim is refused, the ECQ will advise the claimant of the outcome in writing and provide the reasons for refusal.

A candidate or the party's or candidate's agent may request a reconsideration of a rejected claim by applying to the ECQ in writing. Applications for review must be made within 28 days of notification of the claim's rejection.

Upon receiving a reconsideration request, ECQ will review the funding claim. Once a decision is made, a notice will be provided to the candidate or the party's or candidate's agent giving the decision and reasons for it.

How will I receive my election funding payment?

An independent candidate's election funding payment will be deposited into the candidate's state campaign bank account.

A registered political party's election funding payment will be deposited into the party's state campaign account.

An endorsed candidate's election funding payment will be deposited into the candidate's state campaign bank account unless the candidate has directed the ECQ to make the payment to the registered political party. Payment directions are optional and can be made when providing the candidate's state campaign bank account details to ECQ.

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.

Failure to keep relevant election records carries a maximum penalty of 20 penalty units (valued at \$3,096 as of 1 July 2023).

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

For further information

This fact sheet mainly refers to part 11, division 4 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 5 – Definition of gifts, loans and political donations

Fact sheet 7 – Definition of electoral expenditure

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

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

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

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.

Examples of what can be claimed as electoral expenditure:

- Newspaper advertising
- Radio advertising
- Television advertising
- Social media advertising e.g., paying for boosting posts
- Graphic design for campaign advertising
- Cost of producing advertising
- Cost of displaying advertising e.g., billboards, cinema
- Printing costs for election material
- Delivery costs for distributing election material
- Vehicle signage
- Campaign banners and bunting
- Printing of candidate business cards (if specifically for campaign)
- Campaign website design, hosting fees, domain name
- Campaign photography e.g., candidate headshots for use in advertising
- Election-specific clothing, including branded T-shirts and caps for campaign workers
- Branded marquee or shade structure
- Stakes (e.g. for road signage)
- Research/opinion poll-related costs
- Provision of data or fees for consultants for a contracted service that is related to one of the activities listed above (Note: consultant fees are considered electoral expenditure, however, wages for campaign staff are not)

Examples of what cannot be claimed as electoral expenditure

Endorsed candidates cannot submit an election funding claim for the same electoral expenditure that is being claimed by their registered political party.

- Minor consumables (e.g. screws, washers, zip ties, etc.)
- Candidate nomination fees
- Political party memberships and fees
- Coffee, snacks, food, and drinks
- Alcohol
- Gifts or donations
- Memberships, subscriptions, bank fees
- Goods or merchandise purchased for the intention of reselling for fundraising purposes
- Costs associated with processing postal vote applications received from electors
- Reply-paid envelopes mailed with postal vote applications
- Gift cards, or expenses paid by gift cards
- Stationery, office supplies, printer consumables
- Lease of PO box
- Penalties, fines, late fees, or administration fees
- Wages for campaign workers
- Legal fees
- Insurance
- Non-branded clothing
- Dry cleaning
- Mobile phone usage/call costs
- Newspapers or magazines

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.

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- Capital expenditure e.g., purchase of cars, trailers, phone handsets and accessories, eskies, microphones, bikes, fixtures/modifications to cars/bikes, drones, cameras, office equipment and office furniture
 - IT equipment - laptops, printers, hard drives, and other accessories
 - Thank you-gifts for volunteer workers
 - Office rent and utilities
 - Market stall fees for campaigning
 - Tickets to non-election related events
 - Candidate or campaign launch event or party
 - Meals while campaigning
 - Catering for public campaigning event e.g., barbeque for constituents
 - Costs for spouses, family members or guests who are participating in campaigning
 - After-parties or celebrations after polling closes
 - After polling day expenditures e.g., thank you cards for constituents
 - Expenses already claimed for other elections
 - Items that exceed the maximum entitlements
 - Items that are not substantiated by supporting documentation

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.

REGISTERED POLITICAL PARTIES**Preselection ballots & candidate endorsements**

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.

What is a preselection ballot?

Preselection is the process by which a political party chooses a candidate to endorse for a particular election. A preselection ballot occurs when members of the party vote in a poll for the purposes of preselecting a candidate for endorsement.

Notifying the ECQ of preselection ballots

A party's registered officer must give the ECQ written notice at least **7 days before voting** starts in a preselection ballot for a state or local election.

For a state election, a party's registered officer must advise the ECQ within **30 days after election day** about whether a preselection ballot was held to choose a candidate.

Even if a party did not conduct a preselection ballot as part of the preselection process, the ECQ must be notified.

For more information on preselection ballots, refer to the [Preselection Ballot Handbook](#).

Notifying the ECQ of endorsement

No matter what selection method is used, the registered officer of the party must notify the ECQ of a candidate's endorsement.

Registered officers of a political party must notify the ECQ **within 7 days** if:

- the party endorses a person to be a candidate for an election
- the party proposes to endorse a candidate for an election (e.g. by publicly announcing an intention to endorse a person as a candidate, or incurring electoral expenditure for the benefit of a person as an election candidate)
- the party changes its endorsement or proposed endorsement of a person before election day
- an elected member stops being a member of the party.

To do this, the registered officer of the party must complete [Form FAD2A – Endorsement of a candidate by a registered political party](#).

The ECQ will contact the candidate or member as soon as practicable after receiving a notice of endorsement or change to endorsement from the 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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Notifying the ECQ of a withdrawn endorsement before nominations open

The registered officer of a registered political party must notify the ECQ **within 7 days** if the party withdraws or changes its endorsement of a candidate prior to nominations. The ECQ also must be notified within 7 days if the party decides to endorse a candidate in a different electorate than originally chosen.

To do this, the registered officer must complete [Form FAD2B – Withdrawal of endorsement of a candidate by a registered political party](#).

Notifying the ECQ of a withdrawn endorsement after an endorsed candidate is nominated

The registered officer of a registered political party must notify the ECQ as soon as possible if changing or withdrawing the endorsement of a nominated candidate.

This is so the ECQ can advise the candidate of their changed situation quickly.

If the notice of withdrawal is given to the ECQ **before** the close of nominations, the candidate's nomination is automatically withdrawn.

If the notice is provided to the ECQ **after** nominations have closed, the candidate's name will still appear on the ballot paper next to the party's name.

To withdraw the endorsement of a nominated candidate, the registered officer must complete [Form FAD2B – Withdrawal of endorsement of a candidate by a registered political party](#).

The ECQ will contact the candidate as soon as practicable after receiving a notice of withdrawal of their endorsement by the party.

Offences and penalties

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

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 Act 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.

CANDIDATES

Nominating as a candidate for a state election

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 relates to the nomination process for state elections in Queensland. This process is managed by the Electoral Commission of Queensland (ECQ).

In Queensland, you can be nominated as an independent candidate or as an endorsed candidate of a registered political party.

Who can be a candidate?

You may be nominated as a candidate for the Legislative Assembly of Queensland if you are:

- an adult Australian citizen living in Queensland
- enrolled on the electoral roll for any electoral district in Queensland
- **not** a disqualified person under section 64 of the [Parliament of Queensland Act 2001](#).

A disqualified person includes someone who is, for example, serving a prison sentence, has been convicted of bribery, treason or certain electoral offences, or is an undischarged bankrupt.

The ECQ cannot provide legal advice to prospective candidates. If you are in any doubt regarding your eligibility, please consult the relevant legislation or seek independent legal advice.

It is your responsibility to ensure that you are eligible for nomination. The ECQ cannot give eligibility advice.

When can I lodge my nomination?

The nomination period commences the day after the writ for the election is issued. This will be published on the [ECQ's website](#).

Nominations must be lodged before **midday** on the last day of the nomination period.

Late or incomplete nominations cannot be accepted. You should lodge your nomination as soon as possible to allow for any errors or omissions to be corrected within the nomination period.

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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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How can I lodge my nomination?

Nominations must be lodged on the approved nomination form along with a \$250 deposit before **midday** on the day nominations close. The approved nomination form can be accessed via the [ECQ's website](#).

If you are endorsed by a registered political party, your party's registered officer is responsible for lodging your completed nomination form directly with the ECQ's head office.

If you are not endorsed by a registered political party, you can lodge your nomination form with either the Returning Officer for your electoral district or the ECQ's head office. Contact details for Returning Officers and their office locations will be available on the [ECQ's website](#) following the issue of the writ.

What do I need to provide with my nomination?

CONSENT AND DECLARATION (ENDORSED CANDIDATES)

If you are endorsed by a registered political party, you will need to sign a Consent and Declaration form to consent to your nomination. This can be obtained from your party's registered officer or is available as Form 5a on the [ECQ's website](#).

You should ensure that the Consent and Declaration form and all other required information is provided to the registered officer of your political party in advance of the nomination process.

NOMINATOR DETAILS (INDEPENDENT CANDIDATES)

If you are not endorsed by a registered political party, you must be nominated by at least 6 people who are enrolled on the electoral roll in the electoral district you intend to contest. None of your nominators can have nominated another candidate for the election.

You will need to collect the details and signatures of your nominators on your nomination form. The credentials of your nominators will be checked against the electoral roll. The ECQ recommends you submit more than 6 nominators in case 1 or more are not eligible electors.

STATE CAMPAIGN BANK ACCOUNT DETAILS

All candidates must have a state campaign bank account for the election. The account details must be provided to the ECQ on the nomination form or within 5 days of nomination.

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

NOMINATION DEPOSIT

A deposit of \$250 must be lodged with the ECQ or the Returning Officer at the time of nomination. Deposits can be paid via BPoint, cash, bank cheque or electronic funds transfer.

Nomination deposits are refunded to candidates who are successfully elected or who receive at least 4% of the total number of formal votes.

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.

Late or incomplete nominations **cannot** be accepted.

What happens after I nominate?

After the close of nominations, the names of nominated candidates will be displayed in the Returning Officer's office and published on the ECQ's website.

Generally, information provided in a nomination form will be published on the ECQ's website until the conclusion of the election. Some information will be held by the ECQ as part of the nomination process but will not be disclosed to the public:

- residential address of a candidate who is a silent elector
- details of the state campaign bank account, including BSB and account number, name of account and financial institution, of the candidate.

The Returning Officer will conduct a draw to determine the order that candidates' names appear on the ballot paper. You will be advised of the time and location of the ballot draw by the Returning Officer.

You will be able to access a copy of the Queensland electoral roll for the electoral district you are contesting. The roll will show the names and addresses of electors in the district as at the date of roll closure. The addresses of silent electors are not released.

For further information

This fact sheet mainly refers to part 7, division 2 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.



RELATED FACT SHEETS

Fact sheet 16 – State campaign bank accounts for candidates

Fact sheets can be found on the [ECQ website](http://ecq.qld.gov.au).

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.

ALL ELECTION PARTICIPANTS**Offences relating to electoral advertising**

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 relates to any person who undertakes advertising as part of a Queensland state general election or by-election.

Offences relating to electoral advertising

Section 185 of the EA prohibits any person from:

- distributing anything that is intended or likely to mislead an elector about the ways of voting during an election period
- distributing anything that purports to be a representation of a ballot paper during an election period, if it's likely to induce an elector to cast an informal vote.

Distribution in this instance means via publication, print, broadcast or online. Any such distribution of misleading election materials or how-to-vote cards is an offence under section 185 of the EA which carries a maximum penalty of 40 penalty units (\$6,192 as of 1 July 2023).

Election material distributed during an election period must also be property authorised under section 181 of the EA. See [Fact sheet 1 – Authorisation of election material](#) for more information.

The distribution of how-to-vote cards is permitted under the EA, provided they meet the requirements set out in sections 182 and 183 of the EA. It is an offence for a person to distribute a how-to-vote card that was not submitted to and accepted by the ECQ.

Distribution of a how-to-vote card that has not been accepted by the ECQ carries a maximum penalty of 20 penalty units (\$3,096 as at 1 July 2023). Keep in mind that not everything distributed at a polling booth will be a how-to-vote card – it could be ordinary election material which does not require ECQ approval.

The ECQ's compliance approach

It is common for the ECQ to receive complaints about electoral advertising which discusses another candidate. However, the ECQ has a limited remit to investigate these matters.

Section 185 of the EA limits the ECQ to only investigating conduct which involves knowingly publishing (in print or online) a false statement of fact about the personal character or conduct of a candidate, for the purpose of affecting the election of the candidate.

Investigations of this nature can take significant time and are unlikely to be resolved before election day. Further information about how these matters are prioritised can be found in the ECQ's [compliance approach](#).

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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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Investigations of this nature will need to establish:

1. The published material contained a false statement of fact (as opposed to an opinion)
2. That the statement of fact was about a candidate's *personal* character or conduct (as opposed to their professional or public character or conduct)
3. The publisher's intent in publishing the material was to affect the election of that candidate (and not for some other purpose)
4. The person who published the material *knew* it contained a false statement of fact.

It is not sufficient to demonstrate that the statement of fact was incorrect – the motives and knowledge of the publisher must be established to substantiate an offence against section 185 of the EA.

Who to contact about potential breaches

Electoral participants may also be subject to laws enforced by other government agencies. The ECQ does not regulate:

- decisions of members of parliament made in their capacity as elected officials
- the behaviour or conduct of candidates or their workers when behaviour does not affect the conduct of the election
- content of political advertising (other than ensuring proper authorisation or the matters above)
- the placement of signs except around polling places
- complaints about corrupt conduct.

Any person who wishes to report potential non-compliance (including self-reporting) should contact the relevant authority, including:

Issue	Contact
Disclosure and bank account requirements (including notifications about potential non-compliance)	Electoral Commission of Queensland Funding, Disclosure and Compliance fad@ecq.qld.gov.au 1300 881 665
Expenditure caps	
Political donation caps	
Prohibited donations	
Accessing and using the Electronic Disclosure System	
Third-party campaign activity (including registration of third parties)	
Authorisation of election material	
Placement of signs at polling places	
Candidate / candidate worker conduct	

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.

Issue	Contact
Stolen or damaged election signs	Queensland Police Service
Placement of election signs other than at polling places	On local roads – the local council On a State controlled road – Department of Transport and Main Roads (www.qld.gov.au/transport/safety/signs/election-signs)
Complaints about corrupt conduct	Crime and Corruption Commission www.ccc.qld.gov.au
Complaints about online abuse or bullying	eSafety Commissioner www.esafety.gov.au

For further information

This fact sheet mainly refers to part 10, division 2 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.



RELATED FACT SHEETS

Fact sheet 1 – Authorisation of election material
Fact sheet 2 – Election signage

Fact sheets can be found on the [ECQ website](http://ecq.qld.gov.au).

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.

ALL ELECTION PARTICIPANTS

Conduct of campaign workers and media at polling places

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.

There are laws relating to the conduct of people at polling places for a state election. Anyone campaigning near a polling place needs to be aware of the rules that apply to them.

A polling place includes a polling booth or another place at which voting takes place, such as a hospital or nursing home.

What rules apply to campaign workers at polling places?

Candidates and registered political parties may have campaign workers who interact with voters at polling places. Campaign workers must **not**:

- prevent the entry and exit of voters from polling places
- canvass for votes inside a polling place or within 6 metres of its entrance
- wear or display any campaign material (e.g. t-shirts, hats, badges) inside a polling place or within 6 metres of its entrance.

Campaign workers, other than scrutineers, may only enter a polling place to cast their own vote. Any campaign material must be covered or removed before entering the polling place.

Scrutineers are formally appointed by candidates to observe aspects of the election process. They are allowed to enter a polling place only to perform their functions as a scrutineer. For more information on the appointment and functions of scrutineers, please refer to [Fact sheet 33 – Scrutineers](#).

Volunteers and workers must not campaign within 6 metres of the entrance to a polling place.

What are the rules for photographers or media?

Anyone arranging for photographers and/or media to visit a polling place should contact the ECQ in time for arrangements to be made with the relevant Supervisor.

The media and/or photographers must observe certain requirements as stipulated by the Returning Officer or Supervisor.

Photographers and members of the media or their equipment are not to hinder, inconvenience or delay any election staff or voters. The total secrecy of the vote must be maintained at all times. Only authorised persons may enter a polling place.

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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.



For further information

This fact sheet mainly refers to part 10, division 3 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.



RELATED FACT SHEETS

Fact sheet 1 – Authorisation of election matter
Fact sheet 2 – Election signage at polling places
Fact sheet 33 – Scrutineers

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.

CANDIDATES**Scrutineers**

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.

What is a scrutineer?

A scrutineer is someone who is formally appointed by a candidate to observe certain aspects of the election process.

The ECQ welcomes scrutineers as their presence helps to ensure the election is fair and transparent.

How are scrutineers appointed?

Candidates may appoint 1 or more scrutineers for the election by lodging [Form 11 – Scrutineer Appointment](#) with a polling place Supervisor or the Returning Officer for their electoral district.

Scrutineers will receive a copy of their appointment form as well as a scrutineer badge and bib, which they must wear at all times while carrying out scrutineering duties.

Scrutineers must be formally appointed by a candidate to observe election procedures like voting and counting.

Where are scrutineers allowed to go?

Scrutineers are allowed to be present:

- anywhere people are voting
- for the sealing and unsealing of ballot boxes
- at the scrutiny of declaration envelopes
- anywhere electronically assisted voting procedures are taking place
- anywhere votes are being counted.

Before and during voting, 1 scrutineer is allowed to be present for each Issuing Officer at the polling place. When declaration envelopes are being examined or votes are being counted, 1 scrutineer is allowed to be present for each member of ECQ staff at the premises.

The Returning Officer will advise candidates of the times and locations of election activities where scrutineers may be present.

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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 are scrutineers allowed to do?

Scrutineers **may**:

- observe the operations and conduct of election staff
- inspect ballot boxes, observe their sealing and sign as a witness
- object to the entitlement of a person to vote
- record details of electors who vote at the election
- observe election staff assisting a voter who needs help
- if and as requested, assist a voter by explaining, reading or marking their ballot paper
- challenge the formality of a ballot paper at a count or recount
- object to the count of a vote for a particular candidate
- countersign endorsements on any parcels of ballot papers or the statement of first preference votes.

Scrutineers **must not**:

- compromise the secrecy of the vote
- communicate with any person in a polling place except in the performance of their specific duties as a scrutineer
- canvass for votes inside a polling place or within 6 metres of its entrance
- wear or display any campaign material (e.g. t-shirts, hats, badges) inside a polling place or within 6 metres of its entrance
- touch ballot papers or declaration envelopes (unless specifically requested by a voter)
- touch or help carry any election material or ballot boxes while attending places of electoral visits, declared institutions or mobile polling booths
- be aggressive, vexatious or intimidating to election staff, voters or other scrutineers.

Failure to comply with these rules or the reasonable directions of ECQ election staff may result in a scrutineer being excluded from a polling place or counting centre.

For further information

This fact sheet mainly refers to part 7, division 3 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.

RELATED FACT SHEETS

Fact sheet 32 – Campaign workers and media at polling places

Fact sheets can be found on the [ECQ website](http://ecq.qld.gov.au).

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.