

Prohibited Donors Scheme Fact Sheet 7



WHAT IS MEANT BY REGULAR?

The Prohibited Donors Scheme bans the making of political donations by property developers. Property developers are engaged in business that **regularly** involves the making of relevant planning applications in connection with the development of land, and with the ultimate purpose of the sale or lease of the land for profit.

Regular can be understood to mean: periodic, recurring, continuous or with precedent.

No specific quantity of relevant planning applications, or timeframe in which they are made, can be attributed to the definition of regular. Planning applications differ in size and complexity and a project may require a single planning application to cover various aspects of a development (e.g. reconfiguring a lot, material change of use, operational works). Alternatively, each of those aspects may be covered in separate planning applications.

Due to the nature of their development projects, some property developers may submit planning applications numerous times per year in the course of their business, while property developers engaged in large-scale projects may only submit planning applications every few years. For the purposes of considering if an individual or entity is a property developer, both of these scenarios may be considered regular.

How does the Electoral Commissioner decide if an individual or entity regularly makes planning applications?

The Electoral Commissioner will decide whether an individual or entity is a property developer and has made an unlawful political donation based on the facts and circumstances of the case.

More information about prohibited donors

The rules and requirements applying to prohibited donors are determined in the *Electoral Act 1992* and the *Local Government Electoral Act 2011*, which are available at www.legislation.qld.gov.au.

If you have further questions, or would like more information about the obligations relating to the Prohibited Donor Scheme, please visit www.ecq.qld.gov.au, or contact ECQ on 1300 881 665 or by emailing pds@ecq.qld.gov.au.