

ALL ELECTION PARTICIPANTS

Definition of gifts and loans

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. Some gifts and loans (known as 'political donations') are also subject to donation caps.

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

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, that is intended for use for an electoral purpose.

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
- gifted electoral expenditure
- 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 to an individual from that individual's own funds (e.g. from a personal bank account) or funds they hold jointly with their spouse
- 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.

Gifts made for federal electoral purposes are not subject to Queensland's disclosure laws, but only if they comply with the *Commonwealth Electoral Act 1918*. Please contact the Australian Electoral Commission (www.aec.gov.au) if you require guidance on federal election matters.

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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.



**Electoral
Commission**
QUEENSLAND

What is gifted electoral expenditure?

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

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.

Fundraising contributions that are \$200 or less are not considered gifts. For fundraising contributions over \$200, only the amount that exceeds \$200 is a gift to which the ordinary disclosure thresholds apply. The \$200 threshold applies on a per-person, per-event basis.

EXAMPLE

A donor pays \$1,500 for 3 tickets to attend a fundraising dinner held by a registered political party. As this amount is a fundraising contribution, the first \$200 is not a gift and does not require disclosure. The remaining \$1,300 is a gift and must be disclosed by both the donor and the party.

What is a sponsorship arrangement?

A sponsorship arrangement means an arrangement between a sponsor and a registered political party that does either of the following:

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

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.

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 **EXAMPLE**

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

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.

Self-funding and 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 or other election account. They may also transfer amounts from a **joint bank account** held with their spouse (which includes a de facto or civil partner).

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.

Note that an amount received from a spouse *other than* from a joint bank account will be considered a gift and is subject to usual disclosure laws.

Gifts made for federal purposes

If a gift is made to a state election participant expressly for a federal electoral purpose, Commonwealth law applies to the gift rather than state disclosure requirements.

Under Commonwealth legislation, a gift made for a federal electoral purpose does not need to be disclosed if the recipient:

- immediately deposits the gift into a bank account used only for federal purposes
- does not transfer or withdraw the gift from the account except to use it for federal purposes or to transfer it to another federal account.

What is a loan?

A loan is any of the following provided by a person or entity, other than 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.

A **commercial loan** is a loan given with an interest rate of at least the Reserve Bank of Australia's cash rate plus 3%. A **non-commercial loan** is a loan given either with no interest or an interest rate that is less than that of a commercial loan. The difference would be considered a gift-in-kind and may require disclosure.

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The definition of a loan was amended on 19 March 2026 to no longer exclude amounts received from financial institutions.

This means loans from financial institutions may now be placed in a state campaign bank account, be used to incur electoral expenditure and are subject to disclosure requirements.

Prohibited gifts and loans

DONATIONS FROM PROHIBITED DONORS

It is unlawful for a registered political party to accept a gift or loan from a property developer, a close associate of a property developer, or an industry organisation representing property developers, unless it is accompanied by a restricted donation statement.

However, members of Parliament and State candidates may accept donations from prohibited donors without a restricted donation statement.

See [Fact sheet 35 – Donations from prohibited donors](#) for more information.

ANONYMOUS DONATIONS

It is unlawful for a candidate to receive anonymous gifts totalling \$200 or more, or anonymous loans totalling \$1,000 or more. This includes instances where the donor's name, address or other required details are not known to the candidate.

It is also unlawful for a registered political party to receive anonymous gifts or loans totalling \$1,000 or more in a single reporting period

If an anonymous gift or loan is received, the amount is payable as a debt due to the State.

GIFTS OF FOREIGN PROPERTY

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

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.

Disclosure of gifts and loans

Election participants may be required to disclose the details of gifts and loans 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](#)

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Political donation caps

Only gifts and loans that meet the definition of ‘political donations’ are subject to donation caps. A gift or loan is a political donation if the donor provides a specific written statement to the recipient known as a ‘donor statement’. Political donations may be placed into a party’s or candidate’s state campaign account and used to incur electoral expenditure.

For more information, please refer to:

- [Fact sheet 5A – Definition of political donations and donor statements](#)
- [Fact sheet 6 – Political donation caps](#)
- [Fact sheet 11 - State campaign bank accounts for registered political parties](#)
- [Fact sheet 16 - State campaign bank accounts for 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.



RELATED FACT SHEETS

Fact sheet 4 – Record keeping requirements

Fact sheet 5A – Definition of political donations and donor statements

Fact sheet 6 – Political donation caps

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 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 sheet 35 – Donations from prohibited donors

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

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