

Campaign donations and expenditure

The Queensland Government is pursuing a rolling reform agenda to strengthen the transparency, accountability and integrity measures that apply to the system of local government and elections in Queensland. This means some of the legal requirements for candidates have changed since the local government elections in 2016.

This fact sheet provides information to act as a guide for local government election candidates. Detailed information and handbooks are also available on the Electoral Commission of Queensland (ECQ) website at www.ecq.qld.gov.au. You should also refer to the *Local Government Electoral Act 2011*.

Dedicated bank accounts

You must use a dedicated bank account for all expenses and donations received in support of your campaign. All incoming funds and outgoing expenses must be deposited into and paid out solely from this account. Note that credit cards cannot be used for election expenses.

You will be required to provide the account details to the ECQ when you nominate. Following the election, you will be required to provide a full bank account statement for your entire disclosure period showing all deposits and expenses for your campaign.

Ban on donations from property developers

Queensland law bans political donations from property developers and industry bodies that have property developers as the majority of their members. It is illegal to make or accept these prohibited donations.

Donations disclosures

If you have previously been a candidate for a local government election within the past five years, your donations disclosure period starts 30 days after your last election. If you are a first-time candidate, your disclosure period starts on the day you first publicly announce you are intending to be a candidate. The disclosure period for all candidates ends 30 days after the election.

If you expect to receive donations (including loans or gifts) for your campaign worth \$500 or more during the disclosure period, you are required to register with the ECQ's Electronic Disclosure System to make your real-time donation disclosures.

Donations can already be disclosed at any time; however, from 20 January 2020 you will be required to disclose all new donations within seven business days of receiving the donation. You will also be required to submit a one-off 'transitional' return disclosing all existing donations by 3 February 2020.

Donations may include:

- ▶ gifts or loans
- ▶ being provided with free or low-cost services such as printing or free advertising.

Financial donors are also required to disclose the donation directly to the ECQ. As a candidate, you have a legal obligation to make sure anyone who is a donor to your campaign is also aware of their own obligation to disclose. All disclosures must be made via the ECQ's Electronic Disclosure System, which can be accessed via the ECQ website.

Expenditure disclosures

If you spend a total of more than \$500 during your campaign, you must keep full records of all campaign expenditure from 1 May 2019 onwards. However, the expenditure cannot be disclosed until new laws commence on 20 January 2020.

From 20 January 2020, you will be required to disclose any new expenditure within seven business days. You will also be required to submit a one-off 'transitional' return disclosing all existing expenditure by 3 February 2020.

You must keep records of costs for both creating and distributing the following expenditure items:

- ▶ all forms of advertising, including promoted social media posts
- ▶ flyers, signage or other printed materials
- ▶ how-to-vote cards
- ▶ any other materials that advocate a vote for or against a candidate, such as stickers, clothing, badges, pens or other merchandise
- ▶ conducting election research such as opinion polling.

For each expenditure item relating to your campaign you must record:

- ▶ the name and business address of the person who supplied the goods or services
- ▶ a description and the value of the goods or services
- ▶ the date
- ▶ the purpose or use of the goods or services.

Last seven business days

During the last seven business days of the election, all donations are required to be disclosed within one business day.

After-election return

You will be required to lodge an election summary return to ECQ within 15 weeks after the election. This information is then published publicly on the ECQ website. Providing the election summary return and your bank statement for the disclosure period enables better auditing of electoral financial records and greater transparency.

Notice of disclosure to the public

If you expect to receive donations (including gifts or loans) for your campaign worth \$500 or more during your donations disclosure period, you are required to take reasonable steps to notify the public. The notification should advise that you have accepted political donations and are required to disclose the details of all donations to the ECQ in your summary disclosure return after the election.

Examples of steps you could take to notify the public include:

- ▶ publishing a notice on a website (e.g. a campaign website you are using to promote your campaign, or across your social media profiles)
- ▶ putting the notice on a brochure or printed materials you distribute.

A sample notice you can adapt depending on your situation is below. For more specific details about your obligation to notify the public about your donations, see section 122 of the *Local Government Electoral Act 2011*.

Sample notice:

REQUIREMENT TO DISCLOSE DONATIONS

As a candidate for the local government elections receiving donations totalling \$500 or more, details of donations are required to be publicly disclosed to the Electoral Commission of Queensland within 7 days of receipt and are available to view on the ECQ website. Following the election, a return is required to be provided to the ECQ listing the relevant details of each donation.

More information

dlgrma.qld.gov.au/candidates

ecq.qld.gov.au

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