



Queensland

Electoral (Reporting Periods) Amendment Regulation 2017

Subordinate Legislation 2017 No. 27

made under the

Electoral Act 1992

Contents

		Page
1	Short title	3
2	Commencement	3
3	Regulation amended	3
4	Replacement of s 8A (Period for giving returns under the Act, pt 11, div 7)	3
	8A Period for giving returns by candidates for gifts or loans received—Act, ss 261 and 262	3
	8B Period for giving returns for gifts by third parties that incur expenditure for political purposes—Act, s 263	4
	8C Period for giving returns by third parties for gifts made to candidates—Act, s 264	4
	8D Period for giving returns by third parties for gifts made to political parties—Act, s 265	4
	8E Period for giving returns by entities for large gifts—Act, s 266B	5
5	Replacement of s 10 (Period for giving returns under the Act, pt 11, div 11)	5
	10 Period for giving returns by political parties and associated entities for gifts or loans received—Act, ss 290 and 294	5
	11 Detail to be provided in returns by political parties and associated entities—Act, s 296	5
	12 Approval of procedure for electronic lodgement of returns—Act, s 315A	6

Contents

6	Insertion of new pt 8	6
	Part 8 Transitional provisions for Electoral (Reporting Periods) Amendment Regulation 2017	
16	Gifts or loans received by candidates before the commencement	6
17	Gifts received by third parties that incur expenditure for political purposes that are used before the commencement	7
18	Gifts made by third parties to candidates before the commencement	7
19	Gifts made by entities to political parties before the commencement	8
20	Large gifts made before the commencement	8
21	Gifts or loans received by political parties or associated entities before the commencement	9

1 Short title

This regulation may be cited as the *Electoral (Reporting Periods) Amendment Regulation 2017*.

2 Commencement

This regulation commences on 1 March 2017.

3 Regulation amended

This regulation amends the *Electoral Regulation 2013*.

4 Replacement of s 8A (Period for giving returns under the Act, pt 11. div 7)

Section 8A—

omit, insert—

8A Period for giving returns by candidates for gifts or loans received—Act, ss 261 and 262

- (1) For sections 261(2)(c) and 262(2)(c) of the Act, the day prescribed in relation to a gift or loan received by a candidate during the disclosure period for an election is—
 - (a) for a former candidate who receives a gift or loan before the day (the ***announcement day***) the former candidate announces or otherwise indicates an intention to be a candidate in the election—the seventh business day after the announcement day; and
 - (b) otherwise—the seventh business day after the day the gift or loan is made.
- (2) In this section—

former candidate means a candidate mentioned in section 198(1)(a) of the Act who became a candidate after the start of the disclosure period.

8B Period for giving returns for gifts by third parties that incur expenditure for political purposes—Act, s 263

For section 263(3)(b) of the Act, the day prescribed in relation to a gift received by a third party during the disclosure period for an election is the seventh business day after the day the gift is used as described in section 263(2)(b) of the Act.

8C Period for giving returns by third parties for gifts made to candidates—Act, s 264

- (1) For section 264(2) of the Act, the day prescribed in relation to a gift made during the disclosure period for an election is the seventh business day after the day the gift is made.
- (2) For section 264(5) of the Act, the day prescribed is—
 - (a) for the gift (the *threshold gift*) that first causes the gifts made during the disclosure period for an election to total an amount or value that is equal to or more than the gift threshold amount, and for each gift made before the threshold gift is made—the seventh business day after the day the threshold gift is made; and
 - (b) for each subsequent gift—the seventh business day after the day the gift is made.

8D Period for giving returns by third parties for gifts made to political parties—Act, s 265

- (1) For section 265(2) of the Act, the day prescribed, in relation to a gift made during a reporting period, is the seventh business day after the day the gift is made.
- (2) For section 265(4) of the Act, the day prescribed is—

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- (a) for the gift (the *threshold gift*) that first causes the gifts made during a reporting period to total an amount or value that is equal to or more than the gift threshold amount, and for each gift made before the threshold gift is made—the seventh business day after the day the threshold gift is made; and
 - (b) for each subsequent gift—the seventh business day after the day the gift is made.

8E Period for giving returns by entities for large gifts—Act, s 266B

For section 266B(2)(c) of the Act, the day prescribed is the seventh business day after the day the special reporting event to which the return relates happens.

5 Replacement of s 10 (Period for giving returns under the Act, pt 11, div 11)

Section 10—

omit, insert—

10 Period for giving returns by political parties and associated entities for gifts or loans received—Act, ss 290 and 294

For sections 290(2)(d) and 294(2)(c) of the Act, the day prescribed, in relation to a gift or loan received during a reporting period, is the seventh business day after the day the gift or loan is received.

11 Detail to be provided in returns by political parties and associated entities—Act, s 296

A return given by a party's agent or associated entity's financial controller under section 290(2) or 294(2) of the Act must state the day the gift or

[s 6]

loan the subject of the return was made to the party or associated entity.

12 Approval of procedure for electronic lodgement of returns—Act, s 315A

For section 315A(2)(a), the procedures set out in the document called ‘Procedure for electronic disclosure’ made by the commission on 25 January 2017 are approved.

6 Insertion of new pt 8

After part 7—

insert—

Part 8 Transitional provisions for Electoral (Reporting Periods) Amendment Regulation 2017

16 Gifts or loans received by candidates before the commencement

- (1) This section applies in relation to a gift or loan received by a candidate during the current disclosure period for an election if—
 - (a) the candidate is required to give a return for the gift or loan under section 261 or 262 of the Act; and
 - (b) the gift or loan was received by the candidate before the commencement.
- (2) Despite section 8A, the day prescribed for sections 261(2)(c) and 262(2)(c) of the Act is the seventh business day after the commencement.
- (3) In this section—

current disclosure period means the disclosure

period during which this section commences.

17 Gifts received by third parties that incur expenditure for political purposes that are used before the commencement

- (1) This section applies in relation to a gift received by a third party during the current disclosure period for an election if—
 - (a) the third party is required to give a return for the gift under section 263 of the Act; and
 - (b) before the commencement, the gift was used by the third party as described in section 263(2)(b) of the Act.
- (2) Despite section 8B, the day prescribed for section 263(3)(b) of the Act is the seventh business day after the commencement.
- (3) In this section—

current disclosure period means the disclosure period during which this section commences.

18 Gifts made by third parties to candidates before the commencement

- (1) This section applies in relation to a gift made by a third party to a candidate during the current disclosure period for an election if—
 - (a) the third party is required to give a return for the gift under section 264 of the Act; and
 - (b) the gift was made by the third party before the commencement.
- (2) Despite section 8C, the day prescribed for section 264(2) and (5) of the Act is the seventh business day after the commencement.
- (3) In this section—

current disclosure period means the disclosure

period during which this section commences.

19 Gifts made by entities to political parties before the commencement

- (1) This section applies in relation to a gift by an entity to a registered political party if—
 - (a) the entity is required to give a return for the gift under section 265(2) or (4) of the Act; and
 - (b) the gift was made during the relevant reporting period.
- (2) Despite section 8D, the day prescribed for section 265(2) or (4) of the Act is the seventh business day after the commencement.
- (3) In this section—

relevant reporting period means the period starting on 1 January 2017 and ending on the commencement.

20 Large gifts made before the commencement

- (1) This section applies in relation to a special reporting event that happened during the relevant special reporting period if, immediately before the commencement, a return has not been given to the commission for the event under section 266B.
- (2) Despite section 8E, the day prescribed for section 266B(2)(c) of the Act is the seventh business day after the commencement.
- (3) In this section—

relevant special reporting period means the period starting on 1 January 2017 and ending on the commencement.

21 Gifts or loans received by political parties or associated entities before the commencement

- (1) This section applies in relation to a gift or loan received by a registered political party or associated entity if—
 - (a) the party or entity is required to give a return for the gift or loan under section 290 or 294 of the Act; and
 - (b) the gift or loan was received by the political party or associated entity during the relevant reporting period.
- (2) Despite section 10, the day prescribed for sections 290(2)(d) and 294(2)(c) of the Act is the seventh business day after the commencement.
- (3) In this section—

relevant reporting period means the period starting on 1 January 2017 and ending on the commencement.

ENDNOTES

- 1 Made by the Governor in Council on 23 February 2017.
- 2 Notified on the Queensland legislation website on 24 February 2017.
- 3 The administering agency is the Department of Justice and Attorney-General.

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