

Third-party campaigners

Third-party campaigners in ACT Legislative Assembly elections

A third-party campaigner is a person or entity that incurs \$1,000 or more in electoral expenditure during the disclosure period for an ACT election who is **not** involved with a political party, an MLA, an associated entity, a candidate, a broadcaster, a publisher, an Australian government body or the ACT Legislative Assembly.

Third-party campaigner obligations

A person or entity, as a third-party campaigner, is subject to a range of legal requirements and restrictions.

Electoral expenditure cap

There is an expenditure cap that limits the amount of money that can be spent on an election campaign for an ACT Legislative Assembly election by political participants in an election year.

The capped expenditure period for an ACT Legislative Assembly election is the period from **1 January in an election year until the end of polling day**. In 2016 the capped expenditure period commences on 1 January 2016 and ends on 15 October 2016. The expenditure cap only applies to electoral expenditure incurred in relation to an ACT Legislative Assembly election during this period.

For the 2016 election the electoral expenditure cap for third-party campaigners is \$40,000, indexed annually thereafter.

If an entity breaches the cap on electoral expenditure, the entity is liable to pay a penalty to the Territory equal to twice the amount by which the electoral expenditure cap has been exceeded.

More detailed information can be found on the [Electoral expenditure cap fact sheet](#).

Reporting obligations – disclosure of electoral expenditure and gifts received

Each third party campaigner must complete and lodge with the Electoral Commissioner an election return showing details of electoral expenditure incurred during the capped expenditure period.

A third party campaigner may also be required to detail gifts received.

The obligation to submit details of gifts received arises if:

- The third-party campaigner received from someone else one or more gifts totalling \$1,000 or more, all or part of which was used to:
 - Enable the third-party campaigner to incur electoral expenditure during the disclosure period; or
 - Reimburse the third-party campaigner for incurring electoral expenditure during the disclosure period.

The period relevant to reporting gifts received is the period 31 days after the last election and 30 days following the current election. For the 2016 election this is the period from 20 November 2012 until 14 November 2016.

Election returns are required to be lodged with the Commissioner within 60 days after polling day. For the 2016 election the due date is 14 December 2016.

For further information [view the Electoral Commission's election funding, expenditure and financial disclosure handbook - 2016 election](#)

Authorisation of electoral matter

Any material, in printed or electronic form, containing matter that falls within the definition of "electoral matter" must include an authorisation statement. This provision applies at all times, not only during an ACT Legislative Assembly election campaign.

For further information, see the [Authorising electoral material fact sheet](#).