

# Ethics, integrity, and elected officials: State General Election candidates

## Understanding your obligations while standing for election



This fact sheet provides advice for **all candidates standing for election** during an election period. Standing for election can be complicated because there are many rules governing the process and breaching these rules may constitute corruption.

Corruption is the abuse of power for private gain. It can include deliberate acts of corruption and unintentional failures to act.

This fact sheet will help explain these issues so you can meet your obligations and avoid actions or inactions that may result in penalties.

The information in this fact sheet is sourced from the [Electoral Act 1992](#), the [Ministerial Code of Conduct](#), and the [Ministerial Handbook](#).

## Standing for election

### Ethical and legal obligations

Elected officials are obligated to act in ways that meet the public trust by exercising judgement and making decisions that will put the interests of the public ahead of their own personal interests.

During an election campaign, integrity is demonstrated by acting honestly, upholding the principles of democracy in all electoral and voting processes, and ensuring transparency around accepting campaign funding, gifts, and benefits so the public has confidence that no-one person or group will be favoured because of the funding or gifts.

Specific obligations and processes for candidates are detailed in the [Electoral Act 1992](#). Failure to adhere to the requirements in the [Electoral Act 1992](#) may result in fines, or in more serious cases could be a criminal offence under the [Criminal Code Act 1899](#).

For the conduct of an elected official to amount to corrupt conduct, it must involve a criminal offence.

## Upholding the democratic process

Legal obligations apply to all candidates seeking election. Candidates should familiarise themselves with these obligations and the associated penalties.

It is illegal to:

- encourage or incite any other person to, or to personally make any false or misleading statements about another candidate
- make any false or misleading statements or implications (e.g. using logos, symbols, or images) that a candidate has the support of a person or organisation
- print, publish, distribute, or broadcast anything intended or likely to mislead an elector about how to vote at an election;
- vandalise, destroy, steal, or otherwise interfere with election material or ballot papers
- breach any Act or Regulation in relation to the conduct of elections or voting in an election.

It is illegal to threaten, use any force or deception, or offer a bribe or inducement to:

- a candidate or potential candidate — to influence their decision to stand or the way they conduct their campaign;
- a voter — to influence the exercising of their vote;
- an ineligible person — to encourage them to vote at an election.

All published election materials, whether printed, broadcast, or electronic must include proper attribution and authorisation. Candidates should consult the [Electoral Act 1992](#) for details.

Attempting to harm an opponent's reputation by making a false allegation of corrupt conduct to the Crime and Corruption Commission (CCC) is a breach of the [Crime and Corruption Act 2001 \(CC Act\)](#).

Allegations which are later found to be false may end up being investigated, which is a waste of public money. The allegations can unfairly damage reputations, could compromise the election process and can also negatively affect public perceptions of the person who made the allegations. Anyone with genuine concerns should inform the CCC confidentially, and the complaint will be treated seriously and handled with discretion.

More guidance is provided in the Code of Ethical Standards for the [Legislative Assembly of Queensland: Code of Conduct for Election Candidates \(Appendix 4\)](#).

## Ensuring transparency of campaign funding

There are specific laws about publicising the details of gifts and donations received by each candidate during a campaign and about how these are recorded and managed.

These laws provide transparency about where candidates obtain their support so voters can make an informed voting decision.

There are areas where candidates have record-keeping and reporting responsibilities. Candidates should consult the [Electoral Act 1992](#) and the [Electoral Commission of Queensland](#) for details.



## How to manage corruption risks while standing for election

Each candidate needs to know the rules that will affect them, their campaign, and the activities of everyone associated with running that campaign.

Election candidates represent interest groups and individual voters who share common views with the candidate. Interest groups and voters often express their support through contributions to the candidate's campaign in the form of active support or funds.

While attracting active support and campaign funds is allowed, except for when those donations relate to property developers, acceptance of a 'contribution' above or outside the permitted limits may:

- create a perception that you are taking a bribe;
- create a perception of undue influence;
- create an obligation in the donor or you as the recipient;
- consciously or unconsciously influence your decisions;
- compromise your independence, impartiality, or reputation;
- unfairly disadvantage others through your influenced decisions.

Similarly, attempting to influence the electoral process through electoral manipulation or vote rigging to bring about an election result is a violation of the principles of democracy, is fraudulent, and reduces voters' confidence in the candidate's integrity and in the election itself.

Each candidate is responsible for ensuring their campaign is conducted in accordance with the [Electoral Act 1992](#), and failure to do so may attract significant fines or penalties.

To minimise the risk of breaching the [Electoral Act 1992](#) it is important that candidates understand how to conduct their campaign with integrity and adhere to the rules.



### Candidates should:

- Ensure bank accounts, recording, monitoring, and reporting mechanisms are in place before you commence your campaign.
- Know the limits and thresholds that apply to expenditure, gifts, and donations, as well as the mandatory disclosure and returns requirements for the electoral campaign.
- Carefully consider the source and potential implications of accepting donations being offered, even when a donation is within the prescribed limits.
- Ensure due diligence checks are carried out on people and organisations who support your campaign, and that you are satisfied representing their views and interests and the views and interests of those they represent.
- Ensure there are independent checks to confirm that all donations are appropriate, have been recorded, and that the required returns are submitted within the legislated time limits.
- Set clear expectations and boundaries with people or organisations seeking to financially support your campaign and ensure they understand the legal restrictions that apply.
- Ensure all campaign statements are accurate and factually correct before release, and any statements are a true and honest account.

Further advice about any of these matters is available from the [Electoral Commission of Queensland](#).



## Caretaker Period

In the lead up to an election, the government assumes a caretaker role from the time of the dissolution of the Legislative Assembly. The caretaker period ends when the election result is clear or, if there is a change of government, when the new government is sworn in. [The 2024 State General Election: Guidelines on the Caretaker Conventions provide guidance to Ministers, the Opposition, Members of Parliament, candidates contesting the election and public servants about how the business of government should be conducted during the caretaker period.](#)

The Caretaker Conventions are aimed at maintaining the neutrality of the public sector and provide advice on and guidelines for how public sector should engage with the Opposition and candidates. The guidelines also detail matters government should refrain making decisions on, including those that commit or bind the incoming administration such as significant appointments; major policy implementation; major contracts and grants. If these conventions apply to you, it is important you are aware of what you can and cannot do not during this period to avoid putting your integrity and that of your campaign at risk.

### Funding your campaign

#### DO

- ✓ Make sure people or organisations seeking to financially support the campaign understand the legal restrictions that apply.
- ✓ Establish recording, monitoring, and reporting mechanisms before you commence your campaign.
- ✓ Record and declare all gifts, donations or loans given to you for electoral purposes.
- ✓ Make sure political donations are processed through a dedicated state campaign bank account.

#### DON'T

- ✗ Accept anonymous gifts valued at or above \$200.
- ✗ Accept gifts of foreign property during the election period.
- ✗ Exceed any legally prescribed caps on electoral expenditure or political donations for your electoral campaign.
- ✗ Accept political donations from property developers and industry bodies which have property developers as the majority of their members. It's illegal to make or accept these donations.
- ✗ Accept a loan valued at \$1,000 or more, which does not meet the conditions prescribed in the [Electoral Act 1992](#).

### Conducting your campaign

#### DO

- ✓ Ensure campaign statements and published election materials are correct, and that statements are true and honest and can be defended if challenged.
- ✓ Ensure campaign materials are properly authorised with a name and street address.
- ✓ Perform due diligence checks on those people and organisations who support your campaign.

#### DON'T

- ✗ Threaten, use any force or deception, or offer a bribe or inducement to:
  - a candidate or potential candidate — to influence their decision to stand or the way they conduct their campaign
  - a voter — to influence the exercising of their vote
  - an ineligible person — to encourage them to vote at an election
  - election staff including polling booth workers, head-office staff, returning officers, or count assistants.
- ✗ Engage in or encourage or incite any other person to make, publish, or distribute false or misleading statements or information about:
  - you or another candidate;
  - how to vote at an election;
  - interfering with election material or ballot papers.
- ✗ Ask for or accept any inducement from anyone to stand or not to stand as a candidate.
- ✗ Attempt to harm an opponent's reputation by making a false or frivolous corruption allegation to the CCC. If you do so, you may face investigation as such allegations can compromise the election process, unfairly damage reputations and waste public money.