

Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025

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GPO Box 3123
Brisbane QLD 4001

Level 2
North Tower Green Square
515 St Pauls Terrace
Fortitude Valley QLD 4006

Tel.: **07 3360 6060**
Toll-free: 1800 061 611
(in Queensland outside
Brisbane)

Fax: 07 3360 6333

mailbox@ccc.qld.gov.au
www.ccc.qld.gov.au

ABN 32 164 714 360



23 December 2025

Committee Secretary
Justice, Integrity and Community Safety Committee
Parliament House
George Street
Brisbane Qld 4000

Via email: JICSC@parliament.qld.gov.au

Dear Committee Secretary,

RE: *Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025*

The Crime and Corruption Commission ("the CCC") makes this submission to the Justice, Integrity and Community Safety Committee on the *Electoral Laws (Restoring Electoral Fairness) Amendment Bill 2025* ("the Bill").

The CCC notes the purpose of the Bill is to:

- Prohibit persons serving a sentence of imprisonment or detention of one year or longer from voting at State elections and referendums and local government elections;
- Apply existing caps on political donations for State elections to financial years;
- Remove the ban on political donations from property developers and related industry bodies for State elections, as well as refining and targeting the ban for local government electoral purposes (including through closing loopholes and anti-circumvention measures);
- Allow loans from financial institutions to be used for electoral expenditure for State elections, broadening electoral funding sources to include regulated lenders;
- Enhance the independence of registered political parties by enabling them to conduct preselection ballots without the oversight of the Electoral Commission of Queensland (ECQ); and
- Change authorisation requirements for election materials and how-to-vote cards for State elections to apply to the period 12 months before an ordinary general election (rather than the current period of 26 days) and to allow post office boxes or other prescribed addresses to be used.

CCC Belcarra Report (October 2017)

Pursuant to section 5(3) of the *Crime and Corruption Act 2001* (“the CC Act”) the CCC has a responsibility to investigate corrupt conduct.¹ The CCC also has *inter alia* functions to prevent corruption (section 23 of the CC Act) and to raise standards of integrity and conduct in units of public administration, including the Legislative Assembly and local governments (section 33 of the CC Act).² The CCC also possesses “an overriding responsibility to promote public confidence in the integrity of units of public administration” (section 34(d) of the CC Act).

In September 2016, the CCC commenced Operation Belcarra following complaints about candidate conduct during the 2016 Queensland local government elections. In furtherance of the CCC’s corruption functions, the investigation’s aims were to:

- Determine whether candidates had committed offences under the *Local Government Electoral Act 2011* (“LGE Act”) that could constitute corrupt conduct; and
- Examine practices that may create actual or perceived corruption risks or undermine public confidence in local government integrity, with a view to identifying strategies and reforms to reduce these risks and strengthen public trust.

The CCC’s investigation revealed widespread non-compliance with legislative obligations relating to local government elections and political donations, largely attributed to deficiencies in the legislative and regulatory framework.

The resulting Belcarra Report³ made 31 recommendations to improve equity, transparency, integrity, and accountability in Queensland local government elections and decision-making. The Queensland Government supported, or supported in principle, all 31 recommendations.⁴

CCC submission to the Bill

The CCC considers that aspects of the changes proposed in the Bill are a significant departure from Queensland’s robust political donations framework and are out-of-step with reforms introduced to manage risks associated with political influence, and perceptions of it.

The risks associated with political donations have been well-documented, as too are community perceptions of corruption by elected officials.⁵ The CCC’s 2025 Corruption Perceptions Survey⁶ highlighted the importance of ensuring government decision-making is, and is seen to be, fair, impartial and free from influence. Concerns about bribery or receiving gifts and benefits that may influence public sector decisions was considered one of the highest risk areas by community members surveyed.⁷

¹ See section 15 of the CC Act for the definition of ‘corrupt conduct’.

² See section 20 of the CC Act for the definition of ‘unit of public administration’.

³ Crime and Corruption Commission (2019), [Operation Belcarra: A blueprint for integrity and addressing corruption risk in local government](#)

⁴ Queensland Parliament (2019), [Government response - Operation Belcarra report: A blueprint for integrity and addressing corruption risk in local government](#).

⁵ Crime and Corruption Commission (2025), [Corruption Perceptions Survey 2025 – Queensland Community Report](#), see pg. 38 (79% of those surveyed were ‘very concerned’ or ‘fairly concerned’ by corruption by elected officials).

⁶ Ibid.

⁷ Ibid, pg. 44.

While political donations are a legitimate exercise of the freedom of political association and expression, the CCC referred to the particular risk of actual or perceived corruption in Queensland local government in Operation Belcarra.⁸

The CCC's observes that the increased risks of actual or perceived corruption in relation to political donations which may arise from the Bill will occur during the significant period in the lead up to the 2032 Brisbane Olympic Games. Queensland is entering a period of increased investment in property and infrastructure development driven by population growth, economic diversification, with major sporting and other events. There is concern that the reintroduction of property developer donations could exacerbate real and/or perceived risks of undue or improper influence, particularly as developer interests align closely with major projects.

Queensland currently has a strong political donations framework as a result of significant reforms introduced at the state and local government level following CCC Operation Belcarra. The Bill proposes to repeal Part 11, Division 8, Subdivision 4 of the *Electoral Laws Act 1992* that prohibits property developer political donations to political parties and candidates in an election at a state-level. At the local government level, the Bill proposes to amend section 13A(a)(i) of the *Local Government Electoral Act 2011* (Qld) by refining the property developer ban to permit property developer political donations to political parties under the following circumstances:

- A property developer may make a 'restricted donation' to a political party;
- A 'restricted donations' means a gift or loan that (a) is made by a prohibited donor to a political party; and (b) is accompanied by a restricted donation statement;
- A restricted donation statement is a legal document required to be provided by the donor to the recipient that *inter alia* states the gift or loan is made with the intention that it is not used for an electoral purpose. Electoral purpose is to be defined as meaning a purpose that relates to an election.
- It is unlawful for a person to use a restricted donation for an electoral purpose (section 194A imposes maximum penalty of 400 penalty units or 2 years imprisonment).

The CCC considers that caution is required, to ensure that the proposed changes in the Bill go no further than its intended outcomes, and do not allow any avenue for property developer donations to benefit candidates at local government elections. The CCC notes in particular that:

- The Bill will alter the provisions around donations to create distinct and different requirements at the state and local government level. There is a risk that this may create confusion and uncertainty and lead to non-compliance, whether intended or otherwise.
- The 'restricted donation' responsibilities imposed on property developer donors by the Bill apply to donations which are not for 'a purpose that relates to an election'. This general form of words leaves open a broad range of local government purposes for which property developers could make donations which are not for an electoral purpose and are effectively sanctioned by the Bill.
- A similar risk is identified in the anti-circumvention measures in s127AA of the Bill. The requirement to separately collect and account for property developer donors' 'restricted donations' does not avoid the prospect that the receiving party could then allocate other

⁸ Above n3, pg. 77-78.

commensurate funding to a local government candidate giving rise to an indirect benefit, or at least the perception of influence.

- The Bill changes are coupled with an increase in real terms on the cap for political donations. With the change to the political donations cap period from an electoral term to a financial year, this effectively quadruples the sum that property developers, along with all other political donors, may donate in an election cycle.

The CCC submits the introduction of enhanced disclosure and transparency requirements for property developer gifts and benefits as part of the Bill would assist in addressing these concerns. This could be achieved through requiring that all donations from property developers be disclosed via the Electoral Commission of Queensland's Electronic Disclosure System, regardless of the value of the donation, and that the origin from a property developer be clearly identifiable and traceable.

I note that the Committee will conduct a public hearing in relation to the Bill on 16 January 2026. Should a CCC representative not be available to attend that hearing, we would be happy to elaborate and respond to any queries in writing if required.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'B A Barbour', with a stylized flourish at the end.

Bruce Barbour
Chairperson