

Classification: OFFICIAL

FAD / **FUNDING AND  
DISCLOSURE  
REFORM**

# Federal Accounts Guideline



**AEC**

Australian Electoral Commission

Published by the Australian Electoral Commission

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## Purpose

The Federal Accounts Guideline (the guideline) provides clear, practical direction to external parties, such as registered political parties (RPPs), members of the House of Representatives, Senators, candidates, associated entities (AEs), nominated entities (NEs), significant third parties (STPs), third parties (TPs) and their financial controllers or agents, on how to comply with the federal account requirements in Division 2A of Part XX of the *Commonwealth Electoral Act 1918* (Electoral Act).

The objectives of this guideline are to:

- ensure that relevant electoral expenditure and gifts for federal purposes are managed through compliant federal accounts
- promote consistent and lawful financial practices across all regulated entities involved in federal elections
- support transparency and integrity in the federal electoral funding and disclosure scheme, and
- reduce the risk of non-compliance, which can result in civil penalties.

The intended audience of this guideline is:

- all entities and individuals required by the Electoral Act to use federal accounts for federal electoral purposes, including RPPs (and their State branches), members of the House of Representatives, Senators, candidates, AEs, NEs, STPs, and TPs, and
- financial controllers, agents, and other responsible persons managing federal accounts on behalf of these entities.

## Important information

The guideline uses text boxes to highlight important information. Each text box is prefaced with a symbol. For example:



**WARNING.** A warning symbol indicates information about a legal obligation under the Electoral Act.



**USEFUL TIP.** An information symbol indicates a useful tip



**DUE DATE.** A clock symbol indicates a due date.

# Legislation

Legislative provisions referenced in the guideline are from the Electoral Act as amended by the *Electoral Legislation Amendment (Electoral Reform) Act 2025*.



These guidelines are for the funding and disclosure scheme that commences on 1 January 2027. For information on the current scheme see the [Financial Disclosure](#) page.

## Commonwealth Electoral Act 1918

| Part XX     |                                   |
|-------------|-----------------------------------|
| Division 2A | Use of federal accounts           |
| Division 5C | Compliance and enforcement powers |

# Disclaimer

The information in this publication is intended to provide general guidance only. It does not constitute legal, financial, or other professional advice. Persons and entities should seek their own professional advice to find out how the Electoral Act applies to their particular circumstances. The AEC has made every reasonable effort to provide current and accurate information, but it does not make any guarantees regarding the accuracy, currency, or completeness of that information. Parties who wish to re-publish or otherwise use the information in this publication must check this information for currency and accuracy prior to publication.

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# Introduction

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Division 2A of Part XX of the Electoral Act provides for federal accounts, which are bank accounts for managing specific financial activities, related to an applicable federal purpose, of RPPs, members of the House of Representatives, Senators, candidates, AEs, NEs, STPs, and TPs.

The obligations associated with these accounts are designed to ensure transparency and monitoring in the handling of electoral expenditure. Certain electoral expenditure, such as expenditure for campaign advertising, materials, and related costs, must be paid for from a federal account. Similarly, certain election funding received from the AEC, including both regular post-event funding and advanced election funding, must be deposited into a federal account. By centralising electoral transactions in this way, federal accounts help maintain clear records and support compliance with the Electoral Act.

## Roles and responsibilities

### RPPs, members of the House of Representatives and Senators, candidates, AEs, NEs, STPs, And TPs

- **Maintain a federal account:** establish and operate a dedicated federal account/s for all electoral expenditure and gifts for a federal purpose.
- **Correct use of funds:** ensure relevant election funding, gifts for a federal purpose, and other permitted credits are deposited into the account, and withdrawals are only for electoral expenditure.
- **Compliance:** adhere to legislative requirements under sections 292FA to 292FC of the Electoral Act.

### Persons subject to obligations such as party agents, candidate agents, and financial controllers

- **Transaction oversight:** ensure gifts are appropriately deposited and funds are used for electoral expenditure unless otherwise permitted.
- **Record-keeping:** maintain accurate records of deposits, withdrawals, and supporting documentation for audit and reporting.

# Federal accounts

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## What is a federal account?

A federal account is an account, kept in Australia with an authorised deposit-taking institution (ADI) (as defined by the *Banking Act 1959*), where:

- the only amounts deposited into the account are amounts to be used for a federal purpose
- the only amounts withdrawn or transferred from the account are amounts withdrawn or transferred for a federal purpose or transferred to another federal account.



**Federal purpose** means the purpose of incurring electoral expenditure or creating/communicating electoral matter (section 287 of the Electoral Act).

**Electoral expenditure** and **electoral matter** are defined by section 287AB and section 4AA of the Electoral Act respectively.

## Who must use federal accounts?

Federal accounts are required for:

- RPPs (including State branches)
- members of the House of Representatives and Senators
- candidates in an election
- AEs
- NEs
- STPs, and
- TPs.

During the relevant periods specified in the Electoral Act, these entities or persons must use their federal account/s for all their electoral expenditure, and all monetary gifts made for a federal purpose must be credited into them (see 'Table of obligations' and section 292FA of the Electoral Act for further details).

## When is a person considered a candidate in an election?

For the purposes of Part XX of the Electoral Act, a person is considered a candidate in an election beginning on the earliest of the following days:

- the day the person announces that they will be a candidate in the election
- the day the person nominates as a candidate in the election
- the day the person receives a gift for a federal purpose in relation to the person's campaign as a candidate that exceeds the disclosure threshold
- the day that the total amount or value of all gifts for a federal purpose received by the person in relation to the person's campaign as a candidate, from the same person or entity, exceeds the disclosure threshold, or
- the day the person incurs electoral expenditure for the purposes of the person's campaign as a candidate that exceeds the disclosure threshold.

A person ceases to be a candidate at the end of seven (7) days after the polling day in the election.

## Table of obligations

Each type of entity or person listed below is subject to different requirements as to the relevant responsible person and the period in which they are required to use their federal account/s:

| Entity type                                       | Responsible person                                        | Period account required                                                                                             |
|---------------------------------------------------|-----------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------|
| RPP                                               | Agent of the party                                        | While party is registered                                                                                           |
| Member of the House of Representatives or Senator | The member of the House of Representatives or the Senator | While the person is a member of the House of Representatives or a Senator                                           |
| Candidate in an election                          | Agent of the candidate                                    | While a candidate in the election                                                                                   |
| AE                                                | Financial controller                                      | While entity is an AE                                                                                               |
| NE                                                | Financial controller                                      | While entity is an NE                                                                                               |
| STP                                               | Financial controller                                      | While entity is an STP                                                                                              |
| TP                                                | The third party                                           | Beginning on the day in the calendar year the person/entity becomes a TP and ending at the end of the calendar year |

The **responsible person** must take all reasonable steps to ensure that each relevant gift of money is credited to a federal account in the relevant period and that only required or permitted amounts are credited to that account. If the responsible person fails to do so, they may be liable for a civil penalty.

The agent of an RPP is under an additional obligation to ensure that, where the AEC pays an amount of election funding claimed under section 298D or 298E to the RPP by cheque, the amount of the cheque is credited to the relevant federal account within seven (7) days.

## Types of federal accounts

There are four compliant types of federal accounts that the AEC must be notified of:

- an existing federal account kept for the purposes of Part XX of the Electoral Act *before* the commencement of section 292FB – Kinds of federal accounts to be used
- an existing federal account kept for the purposes of Part XX of the Electoral Act not required to have been in existence *before* the commencement of section 292FB – Kinds of federal accounts to be used
- a newly opened federal account established for the purposes of Part XX of the Electoral Act, or
- a federal account that meets any additional requirements prescribed by the regulations.



A person or entity required to keep a federal account may keep more than one federal account.

The Electoral Act specifies what qualifies as a federal account for each type of entity or person:

- **RPPs** – may use the party's existing federal account/s (in existence before the commencement of section 292FB – Kinds of federal account to be used), a newly opened federal account, or a federal account compliant with the regulations.
- **State branches of RPPs** – same structure: existing branch federal account (in existence before the commencement of section 292FB – Kinds of federal accounts to be used), new branch federal account, or a federal account compliant with the regulations.
- **Members of the House of Representatives and Senators** – may use an RPP's federal account, their former candidate federal account, a new member/Senator federal account, or a federal account compliant with the regulations.
- **Candidates** – may use an RPP's federal account, a new candidate-specific federal account, or a federal account compliant with the regulations.
- **AEs, NEs, STPs, TP**s – may use an existing federal account (in existence before the commencement of section 292FB – Kinds of federal accounts to be used), a new federal account, or a federal account compliant with the regulations.

Please refer to section 292FB of the Electoral Act for further guidance on what type of federal accounts are allowed.

## Setting up and using federal accounts

The responsible person must open a dedicated federal account with an ADI in Australia before incurring electoral expenditure. They must ensure all electoral expenditure, monetary gifts, and claimed amounts of election funding are processed through this account.

Where a federal account/s is set up for a person who was a candidate in an election that resulted in the person being elected a member of the House of Representatives or a Senator, that person can continue to use the same federal account.

The responsible person must not mix State/Territory and federal electoral funds – federal accounts must be used for federal purposes only.

## What must be paid into and from federal accounts?

Section 292FA of the Electoral Act requires that:

- all **electoral expenditure** (money spent on federal election campaigns, advertising, etc.) must be paid from a federal account
- all gifts of **money received for a federal purpose** (e.g., donations for election campaigns) must be credited into a federal account
- certain **election funding** must be credited to a federal account
- only amounts otherwise required or permitted by the Electoral Act (such as loans, bequests, interest, or transfers from other federal accounts) can be credited to a federal account (see 'Permitted credits to federal accounts').

While a monetary gift made for a federal purpose may be received into an account other than a federal account, it **must** be credited to a federal account prior to it being used for electoral expenditure. These amounts must also be credited to a federal account by the conclusion of the relevant period specified in column 3 of the table in section 292FA(1) of the Electoral Act.

The AEC recommends that the responsible person credit monetary gifts to a federal account as soon as practicable to ensure immunities from state and territory electoral laws regarding the receipt and retention of monetary gifts, and their related disclosure laws, apply.

**Electoral expenditure** is incurred for the dominant purpose of creating or communicating electoral matter. Where expenditure is incurred to create or communicate electoral matter, in addition to other reasons, the dominant purpose of the expenditure must be considered.

Please refer to sections 287AB and 4AA of the Electoral Act for further details on what is considered electoral expenditure.

Expenses that may be associated with electoral expenditure in relation to an election may include, but are not limited to:

- **Advertising and promotional material:** costs for TV, radio, print, and digital advertisements intended to influence voting behaviour.
- **Social media campaigns:** paid content or boosted posts on platforms like Facebook, Instagram, or X (Twitter) promoting or opposing candidates or parties.
- **Direct mail and leaflets:** printing and distributing brochures, flyers, or letters to electors (including stationery and postage).
- **Market research and polling:** surveys or focus groups conducted to shape electoral messaging.
- **Website and digital content:** development and hosting of websites or online platforms used for electoral communication.
- **Campaign staff and office accommodation:** employing campaign staff and providing office accommodation for campaign staff or candidates.
- **Campaign travel and accommodation:** travel and accommodation for candidates and campaign staff engaged in an election campaign.

Expenditure by an entity or person may be apportioned to the extent that it is 'electoral expenditure'.

A gift given for a **federal purpose** means a gift given for the purpose of incurring electoral expenditure or creating or communicating electoral matter.

**Election funding** is payable to eligible political parties, candidates and Senate groups to reimburse them for electoral expenditure. If you are one of these entity types and believe you may be eligible for election funding, please see the **Election Funding Guideline**.

If the responsible person becomes aware that an amount has been incorrectly credited to a federal account, the responsible person must ensure that an equal amount is transferred out of the account within six (6) weeks of the responsible person becoming aware.

### Example – taking action for an amount incorrectly credited

A registered political party credits \$2,500 to their federal account on 1 September. On 10 October, the party agent becomes aware that the amount was originally given to the party for an administrative purpose and should not have been credited to the federal account.

Under section 292FA(7) of the Electoral Act, the party agent must ensure that an equal amount (\$2,500) is transferred out of the federal account within six (6) weeks of becoming aware of the error. Since the party agent became aware on 10 October, the transfer must occur by 21 November (six weeks from 10 October).

## Permitted credits to federal accounts

Permitted credits to federal accounts include certain types of interest, loans, bequests, and certain transfers between federal accounts (e.g., between core members of the same RPP expenditure group as defined by section 302ALF of the Electoral Act).

There are specific rules within the Electoral Act and obligations may vary regarding permitted credits. Readers should consult sections 292FAA to 292FAE of the Electoral Act for guidance particular to their circumstances.

## Contributions by candidates and sitting members of the House of Representatives and Senators to the federal accounts held by their respective RPPs

An RPP can accept money from its endorsed candidates or sitting members of the House of Representatives or Senators into its federal account, as long as:

- the money comes from the candidate, member, or Senator's own funds
- the person making the payment is either a current candidate for the party or a sitting member of the House of Representatives or Senator from the party
- if the payer is a candidate, the money is for their election campaign that calendar year
- the payments must be for federal purposes.

However, these payments must not exceed the **annual gift cap** on how much each candidate or member can contribute to the party's federal account.

Subject to certain requirements, an independent candidate, member, or Senator can also put their own money into their federal account, but only up to the annual gift cap each year.

## Capped amounts of subscriptions, affiliations, and levies for AEs, STPs, and TPs

An AE, STP, or TP can credit its federal account/s with certain payments received from individuals or organisations, including:

- membership subscriptions
- affiliation fees
- annual levies paid by elected officials or employees.

Such payments are generally treated as gifts.

However, there are annual limits on how much each person or entity can pay into federal accounts:

- for **peak representative bodies**, the total is capped at **four times the annual gift cap** per year
- for **all others**, the total is capped at the **annual gift cap** per year.



A peak representative body represents the shared interests of the organisations which form its members, branches, or affiliates. It may also be an STP, AE, or TP.

See the definition of a peak representative body provided in section 287(1) of the Electoral Act for further relevant details.

### Example – peak representative bodies

The Australian Trade Coalition (ATC) is a third party that qualifies as a peak representative body under Part XX. The annual gift cap for the calendar year is \$50,000 (within the meaning of Division 3A). Because ATC is a peak representative body, the limit is four times the annual gift cap. Therefore, the maximum total amount that any single donor may have credited to ATC's federal account in a calendar year is \$200,000.

## Record-keeping and compliance

Responsible persons are required to keep records capable of demonstrating compliance with relevant provisions related to federal accounts. For example, details of transactions into and out of the federal account. Responsible persons are responsible for taking all reasonable steps to ensure that only permitted amounts under the Electoral Act are credited to a federal account. Responsible persons must remove any credits that are not permitted under the Electoral Act within six (6) weeks of becoming aware of the ineligible credit.

RPPs, AEs, NEs, and STPs must provide details of federal accounts in their application for registration.

## Notification and investigation

When a federal account is first used (for expenditure or to receive a monetary gift), the responsible person must notify the Electoral Commission in writing within seven (7) days, commencing the day after the account was first used.

This written notice must set out the details of that federal account. Further, for accounts opened on or after 1 January 2026, the notice must state if the federal account had a balance of \$20,000 or more on the day before the notice is given.

Any federal account opened after 1 January 2027 with a balance of \$20,000 or more on the day before the notice is given will result in the AEC conducting a mandatory investigation in relation to the federal account.



Failure to comply with Electoral Act requirements in relation to federal accounts may result in liability for a civil penalty (up to 200 penalty units per contravention).