

DONORS**FINANCIAL DISCLOSURE FACTSHEET**

Disclaimer: This factsheet is a general overview provided by the Northern Territory Electoral Commission (NTEC) and should not substitute legal advice. Unless specified otherwise, all references are to the Electoral Act 2004 (NT), effective from 1 July 2021. Please consult the legislation and seek independent legal advice as necessary.

Why are there financial disclosure requirements?

Financial disclosure requirements were updated in 2020 to:¹

- establish a transparent electoral expenditure and disclosure regime
- increase the transparency of election campaigns
- reduce undue influence in the electoral process
- promote the accountability of, and compliance by, registered parties, elected members, candidates, associated entities, third party campaigners, and donors.

Definition of a donor

A donor is a person or entity that provides a gift (including gifts in kind) to an electoral participant. If a donor provides an aggregate of \$1,500 or more to a candidate or party during a financial year, they must submit a gift return to the NTEC.²

- Factsheet 9 defines gifts, volunteer labour, the gift aggregation period, and record-keeping requirements.
- The *Gifts and Electoral Expenditure Guidelines* provide examples and guidance.

When do donors have to submit gift returns?

Donors providing \$1,500 or more (including gifts-in-kind) to a candidate or registered party over a financial year (1 July to 30 June) must submit a donor return within 60 days of the end of the financial year.³

Donor returns are due on:

- 29 August 2024 for gifts from 1 July 2023 to 30 June 2024
- 29 August 2025 for gifts from 1 July 2024 to 30 June 2025.

What is included in donor returns?

The approved forms for donor returns is on the NTEC website. Returns must include the:

- value of the gift(s)
- date of the gift(s)
- name of the party or candidate who received the gift(s).

¹ See section 175S

² See sections 193, 194

Published 19 April 2024

Page 1 of 2

³ See sections 193, 194



What obligation do parties and candidates have?

Before 1 August after the end of the relevant financial year, parties and candidates must inform qualifying donors in writing about the requirement to submit a donor return.⁴

Record-Keeping requirements

Financial records relating to elections must be retained for 4 years starting on election day, and records relating to annual returns must be retained for 4 years beginning on the day after the last day when the return must be given to the Commission.⁵ For further details see factsheet 15.

Offences and Penalties

The NTEC applies a constructive compliance approach to its regulatory activities, providing electoral participants with resources and information to support compliance with their obligations. Where education does not address non-compliance or where the NTEC believes an offence has been committed, the NTEC can undertake a range of actions to ensure and enforce compliance. For further details see factsheet 16.

Version	Date	Author	Changes made
2.0	19 April 2024	Chris Brack, Financial Disclosure and Compliance Manager	Updated for 2024 Territory Election

⁴ See sections 196, 196A

⁵ See section 220