



# FUNDRAISING CODE

## LIBERAL NATIONAL PARTY OF QUEENSLAND

### FUNDRAISING CODE

#### 1. APPLYING THE CODE

- (a) This Code applies to fundraising practices of the Party generally, including in the following specific areas –
  - (i) the raising or acceptance of financial or other benefits for the LNP, its elected representatives or its endorsed candidates,
  - (ii) the raising or acceptance of financial or other benefits for the Liberal Party of Australia, its elected representatives or its endorsed candidates, and
  - (iii) the raising or acceptance of financial or other benefits for the National Party of Australia, its elected representatives or its endorsed candidates.
- (b) The purpose of the Code is to assist in –
  - (i) preserving the integrity of the Party, its elected representatives, endorsed candidates and members by establishing guidelines for fundraising activities carried on by them or in their interests,
  - (ii) ensuring that fundraising from corporations and major donors is co-ordinated to optimise the benefits to the Party as a whole,
  - (iii) maximising the political effectiveness of funds raised by ensuring that all available funds are declared to the Party and applied in ways that best benefit the objectives of the Party as a whole,
  - (iv) avoiding any real, perceived or potential conflict of interest or duty that could compromise the interests of the Party,
  - (v) facilitating strict compliance with the Constitution,
  - (vi) ensuring accountability and transparency in all financial matters related to the Party, and
  - (vii) ensuring that the Party maintains proper procedures and records to enable full compliance with funding and disclosure legislation and Electoral Commission of Queensland and Australian Electoral Commission requirements.
- (c) The Code applies to all elected representatives and endorsed candidates of the Party, persons acting in their interests, members of the Party and Party employees.
- (d) Elected representatives and endorsed candidates must ensure that their employees and other persons acting in their interests adhere to the Code.
- (e) As a transitional measure, an elected representative, endorsed candidate or party unit with arrangements that are in conflict with the Code must, within 28 days of the adoption of the Code by State Council, declare full details of the engagement to the State Director in writing.

## **2. UNDERSTANDING THE CODE**

- (a) References in the Code to a 'benefit' include a financial benefit of any kind, a gift in kind of property or services, and anything raised or acquired without adequate consideration.
- (b) References in the Code to a 'fundraising activity' are to any event or activity directed to generating or attracting a benefit and include –
  - (i) social functions, gatherings or events (e.g. a breakfast, lunch, dinner etc) where a charge is applied,
  - (ii) sales of any kind (e.g. an auction),
  - (iii) raffles, art unions etc,
  - (iv) boardroom events,
  - (v) meetings with a potential donor, and
  - (vi) requests for donations or other benefits.

It is immaterial whether an event or activity is profitable or intended to be profitable.

- (c) References to a 'party unit' include a party unit as defined in the Constitution and any committee or other group which engages in fundraising activity in the interests of the Party, or an elected representative or endorsed candidate, or a party unit.
- (d) References to the Constitution are to the constitution of the Party.

## **3. CARRYING ON FUNDRAISING ACTIVITIES**

- (a) Subject to paragraphs (a), (b), (c), (d) and (e) members of the Party may engage in any lawful activity for the purpose of raising funds for the Party or a party unit, provided that –
  - (i) the activity is not in contravention of the Constitution or this Code, and
  - (ii) the activity is not in contravention of a direction issued by the State Director.
- (b) Irrespective of any of the provisions of the Code, or of any approval obtained for the purpose of fundraising activity, elected representatives, endorsed candidates and members must not engage in or be associated with fundraising activity which may bring them or the Party into disrepute.
- (c) Elected representatives and endorsed candidates and persons acting in their interests, and members and employees of the Party are prohibited from –
  - (i) accepting a benefit which has attached political conditions (e.g. support for a particular action, decision or attitude),
  - (ii) directly or indirectly providing any benefit or advantage in exchange for a benefit, except in bona fide payment for goods and or services supplied,
  - (iii) except with the approval of the State Director, being directly or indirectly involved in

establishing any supporters club or separate committee or group for purposes which include fundraising for political purposes,

- (iv) establishing a bank account not approved by the State Director for the proceeds of fundraising,
  - (v) except with the approval of the State Director, engaging in a fundraising activity except on behalf of or in the interests of the Party an elected representative, an endorsed candidate or a party unit.
- (d) An elected representative or endorsed candidate and persons acting in their interests must not –
- (i) directly accept or process a fundraising benefit, or
  - (ii) be a signatory to any Party or party unit bank account.
- (e) Without the prior approval of the State Director no elected representative, endorsed candidate or person acting in their interests or member may knowingly accept any benefit from a person if –
- (i) the person has a criminal conviction or is subject to criminal charges,
  - (ii) the person is an undischarged bankrupt or the subject of current bankruptcy proceedings,
  - (iii) the person (being an individual) is not on the Australian electoral roll,
  - (iv) the person (including a corporation or other entity) is not a resident of Australia, or
  - (v) the person is a registered lobbyist.
- (f) It is the duty of Ministers and Shadow Ministers in Opposition, to assist the Party and party units in fundraising activities in consultation with the State Director to the maximum reasonable extent consistent with their other duties.
- (g) The Party operates a Corporate Unit to manage relationships with major corporations and traditional donors to the Party. Before an approach is made to a major corporation or a traditional donor, elected representatives and endorsed candidates and persons acting in their interests, and party units and members must first check with the Corporate Unit, and if the corporation or donor is one with which the Corporate Unit has had dealings, co-ordinate any approach with the director of the Corporate Unit.

#### **4. PROCEEDS OF FUNDRAISING ACTIVITY**

- (a) All benefits derived from or in connection with a fundraising activity carried on by the Party, or an elected representative or endorsed candidate or persons acting in their interests, or a member are the property of the Party.
- (b) Although such benefits are the property of the Party as a whole, they may be deposited and held for use –
  - (i) if raised by a party unit, by that party unit,

- (ii) if raised by or in the interests of an elected representative or endorsed candidate, by the State Electorate Council or the Federal Divisional Council or the Council campaign committee, as the case may be, of the representative or candidate, or
  - (iii) otherwise, as the State Director directs.
- (c) Fundraising activities in the name of an elected representative or endorsed candidate are in all cases taken to be for the purpose of fundraising for the Party or relevant party unit, and not for the individual representative or candidate.
- (d) In all fundraising activities it must be made clear that benefits generated will accrue to the Party or party unit, and not the individual.

## **5. RECORDING AND BANKING**

- (a) Any funds received must be properly receipted, with the following information shown on the receipt –
- (i) the name of the party unit receiving the funds,
  - (ii) the full name of the person providing the funds,
  - (iii) the address of that person, and
  - (iv) the amount received.
- (b) Funds received for a party unit must be deposited promptly to the party unit's segment account in the Party's bank account.

## **6. PROTECTION OF THE PARTY**

The State Director may take possession of any proceeds of fundraising activity or suspend the operation of any party unit account if he or she considers that it is in the Party's best interests to do so if in the opinion of the State Director –

- (a) there is an integrity issue attaching to the use or intended use of a benefit or the operation of the account,
- (b) funds in the account were raised in breach of this Code or the Constitution or a direction of the State Director, or
- (c) a fundraising benefit has not been dealt with in accordance with this Code.