Electoral Commission
SOUTH AUSTRALIA



Electoral Commission of South Australia

Election Funding - Advance Funding Guide

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Purpose

This guide assists registered political parties, candidates (including groups of candidates), and their agents in understanding the provisions for advance public funding under Part 13A of the *Electoral Act 1985* (the Act) and relevant sections of the *Electoral Regulations 2024* (Regulations).

The information provided in this guide is general in nature. While the Electoral Commission of South Australian (ECSA) can offer guidance on its administrative approach to Part 13A, it cannot provide legal advice.

Stakeholders should refer to the specific wording of the Act and Regulations and seek independent legal or professional advice for any matters requiring interpretation.

Note: This guide deals only with *advance funding*. Separate guides are available for *administrative expenditure funding*, *policy development funding* and *public funding*.

Summary

Advance funding is available to registered political parties, candidates, and groups participating in a state election who lodge a section 130PF certificate before polling day.

Candidates are subject to expenditure caps, which vary depending on:

- whether they are endorsed or independent.
- whether they are contesting a seat in the House of Assembly (HA) or the Legislative Council (LC).

The general entitlement to public funding under section 130P of the Act is addressed in a separate guide. This entitlement is governed by sections 130P and 130Q of the Act, which outline post-election funding and vote thresholds. This entitlement is only available to candidates who:

- are elected, or
- receive a minimum percentage of votes, and
- provide satisfactory evidence of political expenditure incurred.

Overview

Introduction to advance funding

Advance funding is a new initiative introduced under the *Electoral (Accountability and Integrity) Amendment Act 2024*. It allows eligible political participants to access public funds before polling day to support their state election campaigns.

Entitlement under the Act

Under Part 13A of the Act, advance funding is available to:

- candidates
- groups of candidates
- registered political parties
- independent members of parliament.

Eligibility and application

To receive advance funding, participants must:

- meet specific eligibility criteria, and
- lodge a section 130PF certificate with the Electoral Commissioner prior to polling day.

Types of funding available

Payments are made in instalments and are calculated based on:

- previous election results, or
- a legislated amount.

Different formulas apply for House of Assembly (HA) and Legislative Council (LC) elections.

Important note:

- Advance funding is intended to cover legitimate campaign expenses incurred during the capped expenditure period.
- Strict rules apply regarding eligibility, timing of payments, permitted use of funds, and repayment obligations.
- The Electoral Commissioner may require repayment of funds if entitlement is lower that the advance received.

Eligibility

Advance funding is available to a range of political participants contesting a South Australian state election. To qualify, participants must meet the eligibility criteria outlined in Part 13A of the Act and the Regulations.

Who is eligible?

Advance funding may be claimed by:

- registered political parties
- endorsed candidates
- independent candidates
- groups of candidates (e.g. Legislative Council groups)
- independent members of parliament recontesting their seat.

Important: Only a participant's appointed agent may apply for advance funding. The agent is responsible for lodging the section 130PF certificate and managing the state campaign account. Applications must be submitted before polling day.

Learn more about appointing an agent and the application process on the ECSA website.

Additional eligibility requirements

To be eligible for advance funding, the following conditions must be met:

- A section 130PF certificate must be lodged with the Electoral Commissioner.
- The certificate must be lodged after the capped expenditure period begins and before polling day.
- The participant must have a state campaign account registered with ECSA.
- The participant must be nominated as a candidate or group for the relevant election.

Ineligibility

Advance funding is not available to:

- candidates or groups who fail to lodge a section 130PF certificate on time.
- participants without a registered agent.
- participants who do not contest the election (i.e. are not nominated).

State campaign accounts

A state campaign account is a dedicated financial institution account that must be used by political participants in South Australian state elections to manage donations, public funding, and political expenditure. These accounts are required for candidates, groups, and registered political parties.

Key requirements

- The state campaign account must be established with an authorised deposit-taking institution (ADI).

  A list of ADIs can be found on the APRA Register of Authorised Deposit-taking Institutions.

- The account must be registered with ECSA:
    - The Electoral Commissioner maintains a register of state campaign accounts
    - The account must be listed on the register before it can be used.
    - Agents are responsible for account details, including:
        - Account name and number.
        - Agent responsible for the account.
        - Any other details required by the Electoral Commissioner.

Money that must be deposited

- Public funding payments.
- Advance funding payments.
- Donations received (unless unlawful, not electoral donations or excluded by regulation).
- Funds for political expenditure or reimbursement.
- For mixed-purpose payments, only the portion for political expenditure must be deposited.

Money that must *not* be deposited

- Administrative or policy development payments.
- Transfers from federal campaign accounts under the *Commonwealth Electoral Act 1918*.

Note: If money is mistakenly deposited, it is not an offence, if the agent takes reasonable steps to withdraw it immediately upon becoming aware of the error.

Application process

To receive advance funding, eligible political participants must complete a formal application process. This includes lodging a section 130PF certificate with the Electoral Commissioner and meeting all associated requirements.

How and when to lodge a certificate

When:

- After the capped expenditure period begins
- Before polling day.

How:

- Submit the certificate using the approved form provided by ECSA
- Ensure all required information is complete and accurate
- Lodge via email ecsa.FAD@sa.gov.au.

Once lodged, a section 130PF certificate cannot be withdrawn.

Required documentation

The application must include:

- a completed section 130PF certificate.
- details of the state campaign account.
- confirmation of the agent's appointment.
- any additional information requested by ECSA to verify eligibility.

Deadlines and consequences of late lodgement

On-time lodgement (before polling day):

- Participant may receive payment A and payment B in separate instalments.

Late lodgement (after the writ is issued but before polling day):

- Payments A and B are combined into a single payment.
- Risk of delayed processing.

Failure to lodge before polling day

- Participant is not eligible for advance funding.
- May still qualify for post-election public funding under section 130Q if a certificate is lodged within 14 days after polling day.

Early payment provisions

Under section 130PD of the Act, certain political participants may apply for an early payment of advance funding before the capped expenditure period begins. This provision is designed to assist with campaign-related costs in the lead-up to a general election.

Eligibility

- Registered political parties (excluding *entitled registered parties*)
- Independent candidates.

Payment limit

- Up to 10% of payment A or $100,000, whichever is less.

Timing

Applications may be submitted:

- After 30 days from the polling day of the previous general election
- Before the capped expenditure period begins.

Application requirements

- Submit a verified notice in the approved form as determined by the Electoral Commissioner.
- Include an undertaking that the funds will be used exclusively for political expenditure related to the upcoming election.

Conditions

- The early payment is deducted from payment A.
- All expenditure from the early payment is counted as capped-period expenditure.
- Only one notice may be submitted per general election.

Important notes

- Funds must be deposited into the state campaign account (not to individuals).
- If the candidate or party does not contest the election, or if funds are misuse, repayment may be required under section 130PE.

Payment structure

Advance funding is paid in 2 instalments to assist eligible participants with campaign-related expenses during the election period. The structure and timing of payments are governed by sections 130PA to 130PD of Part 13A the Act.

Instalment breakdown

Payment A:

- 60% of the estimated entitlement (based on the notional amount or legislated set amount).
- Paid after the section 130PF certificate is lodged.

Payment B:

- 20% of the estimated entitlement (based on the notional amount or legislated set amount).
- Paid after the writ is issued and the candidate or group is nominated.

Timing of payments

- Payment A is made as soon as reasonably practicable after the section 130PF certificate is lodged.
- Payment B is made as soon as reasonably practicable after the writ is issued and the candidate(s) are nominated.
- For entitled candidates and groups, payment B is triggered by the nomination of the candidate(s), not the issue of the writ.

Late lodgement

If the section 130PF certificate is lodged after the writ is issued but before polling day:

- Payments A and B are combined into a single payment.
- This may result in delayed access to funds.

Calculations of advance funding

Advance funding is calculated using:

- a notional amount based on previous state election results, or
- a set amount fixed by legislation (e.g. for new or recontesting candidates).

Different formulas apply for House of Assembly (HA) and Legislative Council (LC) elections. These are addressed in their respective sections of this guide.

Important note:

- Advance funding must only be used for legitimate campaign expenditure during the capped expenditure period.
- Repayment may be required if entitlement is lower than the advance received or if funds are misused.

Applicable expenditure caps

Advance funding is subject to expenditure caps as outlined in section 130Z of the Act.

These caps limit the amount of political expenditure that can be incurred by candidates, groups, and parties during the capped expenditure period. The amount of advance funding payable cannot exceed the applicable expenditure cap.

Summary of expenditure caps (2026 indexed)

Participant type	Expenditure cap	Relevant section
Registered political party – LC only	$500,000	130Z(1)(a)
Registered political party – HA only	$75,000 x number of HA districts minus HA candidate allocations	130Z(1)(b)
Registered political party – HA and LC	$75,000 x number of HA districts minus HA candidate allocations plus $100,000 x number of LC candidates (up to 5)	130Z(1)(b)
Endorsed HA candidate	$40,000 (default) or up to $100,000 by agreement with party	130Z(1)(c), 130Z(2)
Endorsed LC candidate (or group)	No individual cap – falls under party's cap	130Z(4)
Independent HA candidate (not endorsed)	$100,000	130Z(1)(d)
Independent LC group (not endorsed)	$100,000 × number of group members (up to 5)	130Z(1)(e)
Independent LC candidate (not endorsed)	$125,000	130Z(1)(f)
Third Party	$450,000	130Z(1)(g)

Key notes:

- Endorsed candidates must operate within the cap allocated by their party.
- Independent candidates and groups have fixed caps based on their nomination type.
- Advance funding payments (under sections 130PA and 130PC) must not exceed the applicable cap.
- Expenditure incurred outside the capped period is not eligible for public funding.

Participants should ensure all campaign spending complies with these limits. Breaches may result in repayment obligations or penalties under the Act.

House of Assembly - advance funding

Advance funding for candidates contesting seats in the House of Assembly is calculated based on either a notional amount (for recontesting candidates) or a designated amount (for new candidates). The funding is paid in 2 instalments and is subject to eligibility and vote threshold requirements.

Eligibility and vote threshold

To retain advance funding after the election, HA candidates must:

- be nominated before polling day.
- receive at least 4% of first preference votes.
- comply with all record-keeping and expenditure requirements.

Payment structure

Payment A:

- 60% of the notional amount (or set amount if not recontesting).
- Paid after the section 130PF certificate is lodged.

Payment B:

- 20% of the notional amount (or set amount if not recontesting).
- Paid after the writ is issued and the candidate or group is nominated.

Note: if the certificate is lodged after the writ is issued but before polling day, payments A and B are combined.

How it's calculated

Notional amount = (eligible votes from previous election x per-vote amount) minus deductible amount (section 130Q).

Funding is determined based on the estimated entitlement under section 130P. This estimate is calculated using previous state election results to derive a notional amount, or by applying a fixed amount as set out in legislation.

Advance funding by recipient

Recipient	Payment A	Payment B
Registered political party (including LC minor party)	▪ 60% notional amount	▪ 20% notional amount
Entitled registered political party (endorsed candidates who are not current or former MPs)	▪ 60% notional amount (recontesting) ▪ $2,500 per candidate (indexed, not recontesting)	▪ 20% notional amount (recontesting) ▪ $2,500 per candidate (indexed, not recontesting)
Independent member or group (current or former MPs)	▪ 60% notional amount	▪ 20% notional amount
Entitled candidate or group (not endorsed by a party and not a current/former MP)	▪ 60% notional amount (recontesting) ▪ $2,500 per candidate (indexed, not recontesting)	▪ 20% notional amount (recontesting) ▪ $2,500 per candidate (indexed, not recontesting)

All amounts are indexed to 2026 values unless otherwise stated.

***Note:** Candidates who have already provided 20 nominators don't need to supply them again.*

Legislative Council - advance funding

Advance funding for candidates and groups contesting seats in the LC is calculated based on either a notional amount (for recontesting groups or candidates) or a designated amount for new participants. The funding is paid in 2 instalments and is subject to eligibility and vote threshold requirements.

Eligibility and vote threshold

To retain advance funding after the election, LC candidates must:

- be nominated before polling day.
- receive at least 2% of first preference votes.
- comply with all record-keeping and expenditure requirements.

Payment structure

Payment A:

- 60% of the notional amount (or set amount).
- Paid after the section 130PF certificate is lodged.

Payment B:

- 20% of the notional amount (or set amount).
- Paid after the writ is issued or nominating/grouping is confirmed (whichever applies).

Note: if the certificate is lodged after the writ is issued but before polling day, payments A and B are combined.

How it's calculated

Notional amount = eligible votes from previous LC election x per-vote amount (section 130P).

Special rules apply to:

- Newly registered parties (between 2 LC elections)
- Minor parties using votes from the 2 preceding LC elections.

Advance funding by recipient

Recipient	Payment A	Payment B
Entitled registered political party	▪ 60% notional amount (recontesting) ▪ $2,500 per candidate (indexed, max 6 candidates)	▪ 20% notional amount (recontesting) ▪ $2,500 per candidate (indexed, max 6 candidates)
Other registered political party	▪ 60% notional amount	▪ 20% notional amount
Independent LC candidate (current or former MP)	▪ 60% notional amount	▪ 20% notional amount
Group of LC candidates (includes current or former MP)	▪ 60% notional amount	▪ 20% notional amount
Entitled LC group (not endorsed by a party)	▪ 60% notional amount (recontesting) ▪ $2,500 per candidate (indexed)	▪ 20% notional amount (recontesting) ▪ $2,500 per candidate (indexed)
Entitled LC candidate (not endorsed by a political party)	▪ 60% notional amount (recontesting) ▪ $2,500 per candidate (indexed)	▪ 20% notional amount (recontesting) ▪ $2,500 per candidate (indexed)

All amounts are indexed to 2026 values unless otherwise stated.
***Note:** Candidates who have already provided 250 nominators don't need to supply them again.*

Use of funds

Advance funding is intended to support legitimate campaign-related expenses incurred during the capped expenditure period. Participants must ensure that all spending complies with the Act, the Regulations, and any guidance issued by the Electoral Commissioner.

Permitted uses

Advance funding may be used for the following campaign-related purposes:

- Production, display, and distribution of electoral matter.
- Stationery and postage directly related to campaign communications.
- Mobile phones used primarily for campaign purposes.
- Employment of campaign staff during the capped expenditure period.
- Office accommodation and associated costs, excluding party headquarters.
- Advertising, including production, publishing, and distribution.

All expenses must be directly related to the election campaign and fall within the capped expenditure period.

Prohibited uses

Advance funding must not be used for:

- general administration or operational costs unrelated to the campaign.
- party headquarters expenses.
- personal expenses or payments to individuals not engaged in campaign activities.
- expenditure incurred outside the capped expenditure period.

Misuse of public funding may result in repayment obligations, penalties, or other compliance action.

Record-keeping

Participants must maintain detailed records of all expenditure funded by advance payments, including:

- Invoices and receipts.
- Contracts or agreements.
- Staff employment records.
- Advertising proofs and distribution logs.

These records may be requested by ECSA for audit or compliance purposes.

Repayment of funds

Advance funding is provided on the basis of estimated entitlement. After the election, the actual entitlement is calculated under section 130P of the Act. If the advance exceeds the final entitlement, or if certain conditions are not met, a repayment may be required.

Deductions from final entitlement

Under section 130PE(1), any advance funding received under sections 130PA–130PD is deducted from the final public funding entitlement calculated under section 130P. These deductions are part of the repayment framework established in section 130PE.

If the final entitlement is less than the total advance received, the excess must be repaid.

When repayment is required

The Electoral Commissioner may require repayment of advance funding if:

- the candidate, group, or party does not contest the election (unless the Commissioner is satisfied there was a valid reason).
- the participant fails to meet the vote threshold:
  - **House of Assembly:** Must receive at least 4% of first preference votes
  - **Legislative Council:** Must receive at least 2% of first preference votes.
- the participant is not entitled to post-election funding under section 130Q.
- the registered political party ceases to operate or is deregistered before polling day.
- an overpayment occurs due to incorrect estimates or ineligible expenditure.

These provisions are outlined in section 130PE of the Act.

By-elections

Advance funding is also available for House of Assembly by-elections, subject to specific eligibility and payment conditions. These provisions are outlined in section 130PB of the Act.

Eligibility

Advance funding may be provided to:

- Entitled registered political parties that endorse a candidate in the by-election
- Entitled candidates, whether endorsed or independent

To receive funding, the participant's agent must lodge a section 130PF certificate with the Electoral Commissioner before polling day.

Payment structure

Advance funding for by-elections is paid as a single instalment of 80% of the estimated entitlement.

Recipient	Payment
Entitled registered political party (endorses a candidate)	▪ 80% of the notional amount (if recontesting) ▪ Designated amount (if not recontesting)
Entitled candidate (not endorsed by a party)	▪ 80% notional amount (if recontesting) ▪ Designated amount (if not recontesting)

Notional amount: Based on eligible votes received in the previous election (general or standalone district election).

Designated amount: The lesser of:

- $50,000 ÷ number of endorsed candidates (2026 indexed), or
- $5,000 (2026 indexed).

Expenditure caps

Advance funding provided for HA by-elections is subject to the same expenditure caps outlined in section 130Z of the Act. Candidates and parties must ensure that all campaign spending during the capped expenditure period does not exceed their applicable cap. For by-elections, the relevant caps are:

- **Entitled candidate (not endorsed):** $100,000
- **Endorsed HA candidate:** $40,000 (default) or up to $100,000 by agreement with party
- **Registered political party:** $75,000 X number of HA districts contested in the by-election minus HA candidate allocations

Note on third parties:

While third parties may incur political expenditure during a by-election, they are not eligible to receive advance funding under section 130PB of the Act. However, they remain subject to the general expenditure cap of $60,000 (2026 indexed) as outlined in section 130Z(1)(g).

Advance payments must not exceed these limits. Any breach may result in repayment obligations or penalties under the Act.

Disclosure period

The disclosure period for a House of Assembly by-election runs from the date the vacancy is announced until 30 days after polling day.

Certificate requirements

- A section 130PF certificate must be lodged before polling day.
- If missed, a section 130Q certificate may be lodged within 14 days after polling day.
- Payments are made to the state campaign account, not to individuals.
- Payments are made as soon as reasonably practicable after the certificate is lodged.

Compliance and auditing

Participants who receive advance funding are subject to compliance obligations under the Act and the Regulations. These obligations ensure that public funds are used appropriately and transparently.

Record-keeping requirements

All participants must maintain accurate and complete records of:

- campaign-related expenditure funded by advance payments.
- invoices, receipts, and contracts for goods and services.
- staff employment records and payment details.
- advertising materials and distribution logs.
- bank statements for the state campaign account.

Records must be retained for at least 4 years after polling day and be made available to the Electoral Commissioner upon request.

Auditing and review

ECSA may:

- Audit campaign expenditure to verify compliance with funding rules.
- Request supporting documentation for any claimed expenses.
- Investigate potential misuse of public funds or breaches of the Act.

Participants may be required to repay funds if:

- expenditure is found to be ineligible.
- records are incomplete or inaccurate.
- the participant fails to meet vote thresholds or other eligibility criteria.

Penalties for non-compliance

Failure to comply with funding conditions may result in:

- repayment of advance funding.
- loss of future funding eligibility.
- referral for investigation under electoral or criminal law.

ECSA encourages all participants to seek professional advice and maintain strong financial governance throughout the campaign period.

Glossary of key terms

Term	Definition
Advance funding	Funding provided before polling day to eligible political participants to support campaign-related expenses, conditional on lodging a certificate under section 130PF.
Agent	A person appointed to manage financial matters and lodge disclosure returns on behalf of a party, candidate, group, third party, or associated entity.
Capped expenditure period	The period during which expenditure caps apply: Begins 1 July before a general election or on the day a by-election is announced and ends 30 days after polling day.
130PF certificate	A certificate lodged by an agent to apply for advance funding. It must be submitted before polling day and cannot be withdrawn once lodged.
130Q certificate	A certificate that may be lodged within 14 days after polling day if the 130PF certificate was not submitted in time. It relates to post-election funding entitlements.
Designated amount	A fixed amount of funding available to new or non-recontesting candidates or parties, as specified in the Regulations.
Entitled candidate	A candidate who is not endorsed by a registered political party and is not a current or former member of parliament at the time of the dissolution of parliament.
Entitled registered political party	A registered political party that endorses candidates who are not current or former members of parliament at the time of the dissolution of parliament.
Expenditure cap	The maximum amount of political expenditure permitted during the capped expenditure period, varying by participant type and election.
Notional amount	An estimated funding amount calculated based on the number of eligible votes received at a previous election multiplied by the per-vote funding rate.
Political expenditure	Generally, means expenditure incurred for the dominant purpose of creating or communicating electoral matter. For further information, see the *Political Expenditure Guide* and Part 13A of the Act.
Recontesting	A status assigned to a candidate or party that has previously contested an election, allowing them to receive funding based on past vote performance (notional amount).
Third party	An individual or entity other than a candidate, group, or registered political party that incurs political expenditure or receives electoral donations. Third parties are subject to a separate expenditure cap but are **not** eligible for advance funding.

Related guides

Separate guides are available for the following funding streams:

- Administrative Funding Guide – entitlement for operational and compliance costs.
- **Advance Funding Guide – entitlement to receive funding prior to election expenditure.**
- Policy Development Funding Guide – entitlement to support the formulation of party policies.
- Public Funding Guide – entitlement based on vote share and campaign expenditure.



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