

Terms of Reference for Consultancy to Develop a Discussion Paper on Tax Exemption to Increase the Sustainability of Civil Society Organizations (CSOs) through Charitable Status in Tanzania.

1. Introduction and Background

The African Philanthropy Network (APN) organized a two-day workshop from 17th – 18th December 2024 aimed to discuss the possibility for enhancing the sustainability of CSOs a need to consider establishing a Philanthropy Observatory and Innovation Hub (P-Hub) in Tanzania. This loose coalition of the willing, shall be established by APN members and other CSAs to serve as safe space and platform for dialogues among CSOs, as well as between CSOs and the Government and the private sectors. The P-Hub would have two intertwined specific objectives:

- a. to increase the awareness of governments in Tanzania on the importance of facilitating donations to CSAs and to adopt laws and regulations that enable domestic philanthropic giving; and,
- b. to increase awareness of individual and institutional donors on the potential of giving as a driver for social and systems change and increase donations to CSAs that drive community-led development and promote respect for human rights.

At the end of this workshop, participants identified “**tax and tax incentives**” as a policy area that requires further attention, if one is to increased resources for CSOs to effectively implement social justice work (which is systemic) and for their sustainability. Further discussion on strategic actions for implementation in 2025, pointed on the charitable status on CSOs as one of the areas to focus.

The expected outcome is, on one side, enhance collaboration among CSOs; on the other, strengthened partnerships between CSAs and key development stakeholders, particularly, Governments and the Private Sector - through the recognition of community philanthropy as a durable strategy for nation development.

To this background, the APN seeks to engage a consultant to analyze the challenges and opportunities for CSOs in accessing Charitable Status under the Commissioner of the Tanzania Revenue Authority (TRA). This initiative aims to empower CSAs with evidence information that can enable them to initiate dialogue with the Government, particularly, the TRA Authority.

2. Objectives of the Assignment

The hire a consultant who shall conduct a situation analysis and prepare a “Discuss Papers on Charitable Status“ for CSOs awareness and consultation with the relevant Government Authorities. Specifically, the consultant will focus on the following objectives:

- a. Highlight the existing opportunities for CSOs to acquire a Charitable Status;
- b. Identify and analyze the challenges and barriers for CSOs to acquire a Charitable Status currently;
- c. Proposes actions and effective strategies for engaging with relevant Government Authorities.

3. Methodology and Scope of Work

The main methodology for undertaking this consultancy is a desk review of existing government policies and study reports. The consultant is expected to undertake consultations with key authorities and selected beneficiary CSOs.

Scope of Work

The consultant will undertake the following tasks:

- i. Review of existing situation

Review the current legal and regulatory framework governing tax exemptions for CSOs in Tanzania.

- Identify provisions within the framework that support or hinder the attainment of charitable status.
 - List the key benefits and conditions from obtaining the Charitable Status
 - Analyze lessons and good practices on CSI on the continent and beyond, what is working for CSAs?
 - Share experiences from selected (about 2-3) CSOs benefitting from the Charitable Status
- ii. Analysis of information:
- Conduct an analysis of what is working and what does not work with regard to Government, and CSOs.
 - Conduct an assessment of the operating and legal environment for CSOs who have accessed and those without the Charitable Status.
- iii. Development of Discussion Paper:
- Provide an analysis of the current situation (strengths, weakness, opportunities, and threats) for CSOs to obtain the Charitable Status.
 - Identify and list major challenges and lessons learned
 - Propose actionable recommendations with a roadmap for CSOs to engage on promoting the Charitable Status in Tanzania.
- iv. Stakeholder Consultations:
- Prepare and present key findings to stakeholders for validation (with APN support).
 - Incorporate stakeholder feedback into the final document and submit to APN secretariat.

4. Deliverables

The consultant is expected to deliver the following:

- i. An inception report detailing the methodology, work plan, and timeline.
- ii. A draft Discussion Paper.
- iii. A paper presentation for the stakeholder's validation.
- iv. A final document "Discussion Paper"

5. Timeline

The consultancy must be completed within 4 weeks, commencing on 3rd February 2025.

6. Required Qualifications

The ideal consultant should possess the following qualifications:

1. Advanced degree in law, public policy, development studies, or related fields.
2. Demonstrated expertise in policy analysis and legal review
3. Strong understanding of the Tanzanian socio-economic and policy context.
4. Proven experience in conducting research and drafting policy or discussion papers.
5. Excellent analytical, writing, and facilitation skills.

7. Application Process

Interested consultants are invited to submit the following:

1. A technical proposal outlining their understanding of the assignment, methodology, and work plan.
2. A financial proposal with a detailed budget.

3. CV(s) of the consultant highlighting relevant experience.
4. At least two samples of similar work completed.

8. Submission Deadline

Applications must be submitted by 28th January 2025 to vacancy@afriphilanthropy.org Only submissions within the deadline will be considered.

9. Evaluation Criteria

Applications will be evaluated based on the following criteria:

1. Understanding of the assignment and proposed methodology (40%)
2. Relevant qualifications and experience (30%)
3. Quality of previous work (20%)
4. Financial proposal (10%)