

Donation States - country notes

Annex to the Donation States report

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Methodology

As part of a pro-bono legal project supported by Trustlaw, coordinated by DLA Piper and conducted with Doulah & Doulah, General Electric Company, and Grünkorn & Partner Law Co., Ltd, lawyers were asked to answer the following questions for each of the 26 nations in our study. Initial responses were received throughout 2014 and CAF conducted further research to corroborate and expand upon the information received throughout 2015. All information was accurate as of the time of validation but this lengthy process raises the prospect that the legal and tax environment may have changed in some nations before publication. Some effort has been made to check for recent changes and to our knowledge the information contained in this annex is up to date as of 2 March 2016.

Lawyers were asked to complete the framework below with information relating to their country of expertise and to answer questions as directly as possible before providing more detail with the hope that this would aid comparability. The framework required that each question be answered for both individual donors and corporate donors.

Lawyers were instructed to answer each question in the framework whilst adhering to the following guidance;

1. *Are any tax incentives for charitable giving available?*

The purpose of this question is simply to assess whether any tax incentives exist at all for individuals and companies.

2. *Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is included/excluded?*

The purpose of this question is to identify whether incentives are universal or whether they are used to encourage giving to certain causes or certain types of organisations.

3. *What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.*

This question seeks to establish what proportion of income/corporation tax individuals/companies are able to claim back/be exempt from. We would also like to know whether incentives stay at the same rate in each different tax band (where tax is proportionate to income). It would also be useful to know the top rate of income/corporation tax.

4. *Is there a minimum gift value to receive incentives? If yes, please provide details.*

We would like to know whether incentives are available for gifts of all sizes. If there is a lower limit on the value of gifts on which individuals/companies can claim tax credit/exemption, please provide details.

5. *Are incentives offered through tax deduction or tax credit?*

Please indicate whether tax incentives are administered through a deduction of the amount of income that is subject to tax (tax deduction) or by reducing the amount of tax that the state levies (tax credit).

6. *Do tax incentives for charitable giving apply for donations to charities operating abroad or to foreign based organisations? Are there exceptions?*

We would like to know whether individuals/companies are able to claim tax incentives when giving to charitable organisations which are based domestically but operate partly or wholly abroad or operate entirely in a different country.

7. *Is there a cap on how much can be claimed in incentives? If yes then please provide details.*

Is there a limit on how much can be claimed in tax incentives by individuals/companies? What is this limit? Is the limit a fixed sum or a proportion of income?

8. *Can tax incentives be applied to donations of goods and services?*

Can tax incentives be claimed on goods, services and other non-cash gifts such as physical items donated, use of property, professional expertise and time or other financial assets such as stocks and shares?

Tax and income levels

Information on tax rates and data used to produce an approximation of an “ordinary donor” has been collected by CAF from a variety of sources but principally the International KPMG, Labour Organisation and the World Bank and various national statistics offices and national revenue agencies. In approximating the income and tax liability of an ordinary donor we have made a number of assumptions;

- I. that in most cases an “ordinary donor” would best be approximated by establishing a national median income;
- II. that the median income would only be a viable approximation when such an income was sufficient to reasonably enable a donor to afford to make a US\$100 donation;
- III. that when the median income was insufficient in a given country, the average income - skewed upwards as it is by the wealthiest in society – would be used instead

Whilst we acknowledge that this presents a somewhat inconsistent methodology, we believe it allows for a useful approximation of what might be considered an internationally comparable “ordinary donor”.

Argentina

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes. There is no distinction between legal persons (individuals or companies)	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Tax incentives are available on charitable contributions made to the following: national, provincial and municipal tax authorities; tax-exempt organizations; religious institutions; authorized mutual aid societies; charitable organizations; trade union organizations; physical training schools; educational, scientific, literary and artistic institutions.</p> <p>To gain tax exempt status, and to be able to receive donor incentivised gifts, an organisation must apply to the Federal Tax Authorities (Administración Federal de Ingresos Públicos, or "AFIP").</p> <p>A donation to a tax-exempt civil association or foundation qualifies for deductibility only if the organization's principal purpose is one of the following but other causes are often permissible in practice (ITL Article 81(c)):</p> <ul style="list-style-type: none"> • Not-for-profit charitable medical assistance, including the care and protection of children, the aged, the handicapped, and the disabled; • Scientific and technology research certified by the Technology and Science Secretary from the Education and Culture Ministry; • Scientific research on economic, political, and social matters related to the development of political parties' plans; or • For educational institutions, (1) systematic schooling leading toward a degree at a school certified by the Education and Culture Ministry, or (2) courses offered without charge that seek to promote cultural values. 	
3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of	<p>Donations are fully tax deductible subject to the cap outlined below.</p> <p>Average of 5th & 6th decile income rates in Argentina according to the International Labour Organisation equates to \$2,129 in current exchange rates. This would suggest an "ordinary" earner would be liable to a tax rate of 19%. The</p>	<p>Donations are fully tax deductible subject to the cap outlined below.</p> <p>Corporation tax is 35%</p>

income/corporation tax is.	top tax rate is 35%	
4. Is there a minimum gift value to receive incentives? If yes please provide details.	No	
5. Are incentives offered through tax deduction or tax credit?	Tax deduction	
6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?	There are no rules regarding this point. To the extent the local entity receiving the charity is recognized as exempt by the Argentinian tax authorities it should be enough.	
7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.	Cap on charitable giving is set at a 5% on the taxable income, therefore a person with tax loses cannot deduct any amount.	As from 1992 the deduction is limited to the 5% of the net taxable profits. The surplus cannot be transferred to future fiscal years. During our research we heard that the cap may vary depending on whether some industries have specific incentive regimes though we could not locate examples.
8. Can tax incentives be applied to donations of goods and services?	No	

Australia

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	100% tax deduction for donations to approved charities (with Deductible Gift Recipient 1 or 2 status).	100% tax deduction for donations to approved charities (with Deductible Gift Recipient 1 or 2 status).
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Recipient must have Deductible Gift Recipient status (DGR1 or DGR2). This is determined by the Australian Taxation Office. Approximately 28,000 charities/organisations have this status in Australia.</p> <p>There are approximately 600,000 not-for-profit organisations in Australia and the majority of these do not have DGR1 or DGR2 status and payments made to these organisations are not tax deductible.</p> <p>General categories under which organisations can apply for DGR status are:</p> <ul style="list-style-type: none"> • health • education • research • welfare and rights • defence • environment • the family • international affairs • sports and recreation • cultural organisations • fire and emergency services • ancillary funds 	
3. What is the percentage value of incentives as a proportion of rate of	100% tax deduction available. Individuals are taxed on a sliding scale with the top tax rate being 45% for Australian tax residents plus there is a Medicare levy of 1.5% of taxable income. The median gross income of Australia,	100% tax deduction available. Corporate tax rate is 30%.

tax? Please also tell us what the top rate of income/corporation tax is.

according to the Australian Bureau of Statistics in 2012 was, taking into account part time workers about US\$36,700 at current conversion rate. This puts a median earner on the boundary between tax rates of 19% and 32.5%.

Deductions are not available where the donation adds to or creates a tax loss and the excess cannot be carried forward to future years.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

\$2 minimum gift value.

\$2 minimum gift value.

5. Are incentives offered through tax deduction or tax credit?

Tax deduction.

Tax deduction.

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

The area of donations to overseas charities is complicated. To obtain a tax deduction, gifts must be made to an Australian charity that has official accreditation to send money overseas. Typically these charities have an Overseas Aid Gift Fund for this purpose. There are approximately 40 charities in Australia with this accreditation. The funds are only able to be sent for use on projects in developing countries (the Australian government has issued a list of approved developing countries).

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

An individual can only claim a tax deduction equal to the taxable income. Any excess is not tax deductible and cannot be carried forward to future years.

No limit.

8. Can tax incentives be applied to donations of goods and services?

There are special rules for tax deductibility applying to gifts of property, trading stock, shares, cultural and heritage items. Testamentary gifts (made under a will) are not tax deductible. These special rules also include monetary limits on some categories.

Bangladesh

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes	Yes
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>No, incentives are not available when giving to all domestic charities/not for profit entities. Incentives are available only for giving to specific purposes as follows to institutions recognized by the Government:</p> <ul style="list-style-type: none"> • Any sum paid as donation by an assessee to a charitable hospital which is established out side the city corporation area one year before such payment and is approved by the Board for this purpose 11A, 6th Schedule-B, ITO • Any sum paid as donation by an assessee to an organization set up for the welfare of retarded people, established at least one year before such payment and is approved by the Social Welfare Department and by the Board for this purpose 11B, 6th Schedule-B, ITO • Any sum paid by an assessee as Zakat to the Zakat Fund or as donation or contribution to a charitable fund established by or under the Zakat Fund 	<p>No, incentives are not available when giving to all domestic charities/not for profit entities. Incentive is available only for giving to specific purposes as follows to institutions recognized by the Government: SRO-229/Law/Tax/2011</p> <ul style="list-style-type: none"> • Donation paid through Governmental institutions as relief to people affected by natural calamities • Donation for establishment and management of Old Home • Donation to social welfare organizations engaged in welfare of mentally or physically handicapped • Donation to educational organization involved in providing education to rootless children • Donation to organization engaged in housing projects for slum dwellers • Donation to organization engaged in campaign for female rights and against dowry

Ordinance, 1982¹³, 6th Schedule-B, ITO

- Any sum paid by an assessee as donation to any socio-economic or cultural development institution established in Bangladesh by the Aga Khan Development Network²¹, 6th Schedule-B, ITO
- Any sum paid by an assessee as donation to a philanthropic or educational institution which is approved by the Government for this purpose²², 6th Schedule-B, ITO
- Any sum paid by an assessee as donation to a national level institution set up in memory of the liberation war²⁴, 6th Schedule-B, ITO
- Any sum paid by an assessee as donation to a national level institution set up in memory of Father of the Nation²⁵, 6th Schedule-B, ITO
- Any sum paid by an assessee as donation to Prime Minister's Higher Education Fund²⁶, 6th Schedule-B, ITO

- Donation to organization engaged in maintaining and rehabilitation of orphans and rootless children
- Donation to organization engaged in research and establishment of the value of freedom fight and assisting maintenance of livelihood of freedom fighters.
- Donation to organization engaged in establishing sanitized toilets in Chittagong Hill tracts, char and river erosion areas
- Donation to organization engaged in providing remedies to cancer, leprosy, cataract and cleft lip
- Donation to organization engaged in treatment and service to acid burnt
- Donation to specialized hospitals (e.g. cancer, liver, kidney, Thalassamia, eye, cardiac etc.) engaged in providing free
- Donation to public universities
- Donation to Government recognized educational institutes for stipend / financial benefit to poor and/or freedom fighters' children
- Donation for establishment of lab providing ICD education or for spreading English learning to Government or MPO educational institutes
- Donation to institutions engaged in providing technical or vocational training to non-skilled or semi-skilled for export of manpower.
- Donation to institutions engaged in developing sports infrastructure in national level
- Donation to a national level institution set up in memory of the liberation war
- Donation to a national level institution set up in memory of Father of the Nation
- Donation to Prime Minister's Higher Education Fund

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Exemption is available at a rate of 15% of the donation allowed

Mean monthly income in Bangladesh in 2010 according to the World Bank was US\$51.67 taka which equates to an annual salary of US\$620.04. Though the average income will likely be heavily skewed by high income inequality, the fact that Bangladesh has seen an average growth of 6% since 2010, this figure seems like a useful approximation of an “ordinary” income. At this level of income, no tax is due. Indeed, it seems unrealistic to consider a person with such a low income to be any approximation of an “ordinary donor” as they would be unlikely to have sufficient a discretionary income to make donations. Instead we will use the GNI per capita (PPP) in 2014 according to the World Bank of BDT259,546.69 (US\$3,340) as our approximation, for all its limitations.

Income tax starts at 10% and is charged on income above 222,000 taka for men and 275,000 taka for women. Averaged out between the sexes this equates to BDT246,845 (US\$3,176).

For individuals, the top rate of income tax is 30%

No	No
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Exemption is available at a rate of 10% of the donation allowed

- Corporation tax =
- Not listed Mobile Operators– 45%
- Listed Mobile Operators– 40%
- Listed Cigarette Companies – 40%
- Not listed Cigarette Companies – 45%
- Listed Cigarette Companies – 40%
- Insurance, Bank and Investment Companies – 42.5%
- Merchant Bank – 37.5%
- Other not publicly traded companies – 37.5%
- Other publicly traded companies – 27.5%

4. Is there a minimum gift value to receive incentives? If yes please provide details.

5. Are incentives offered through tax deduction or tax credit?

Tax deduction

<p>6. <i>Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</i></p>	<p>No, unless such charities operating abroad are declared so eligible by the Government</p>	
<p>7. <i>Is there a cap on how much can be claimed in incentives? If yes then please provide details.</i></p>	<p>Yes, the minimum between BDT15m and 30% of the taxable income. 44(2), ITO</p>	<p>Yes, 10% of the minimum between BDT80m and 20% of the taxable income. SRO-229/Law/Tax/2011</p>
<p>8. <i>Can tax incentives be applied to donations of goods and services?</i></p>	<p>The charitable donation may be provided to procure certain goods or services but the direct donation of good or services is not admissible.</p>	

Brazil

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes.	Yes.
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>No. Charities that do not have projects approved by the Government related to certain causes cannot receive tax incentive gifts.</p> <p>1) Federal tax incentives are available to domestic charities that accomplish some requirements and have a specific project previously approved by the Government related to its mission and regarding one of the following causes:</p> <ul style="list-style-type: none"> • child and adolescents • sports • culture • audiovisual • elderly • handicapped • cancer <p>2) State and Municipal tax incentives are available to domestic charities depending on each State or City. São Paulo's Municipality regulates tax incentives related to culture.</p>	<p>No. Charities that do not have a social mission or that do not have projects approved by the Government related to certain causes cannot receive tax incentive gifts.</p> <p>1) Federal tax incentives are available to domestic charities that accomplish some requirements and that:</p> <p>a) have its mission focused on one or more social causes (broad scope):</p> <ul style="list-style-type: none"> • social assistance • culture • education • health • nutrition • environmental • volunteering • economic development • poverty • humans rights • peace, ethics, citizenship and democracy • religious institutions with social work • research for social/economic/environmental development <p>b) have a specific project previously approved by the Government related to its mission and regarding one of the</p>

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

1. **Federal tax incentive** is given through the Income Tax. Income tax top rate is 27.5%. Maximum tax benefit:
- up to 6% of the tax is deductible for donation to the following projects: child and adolescents , sports, culture, audiovisual, elderly;
 - up to 2% of the tax is deductible for donation to handicapped and cancer projects.

2. **Municipal tax incentive:**
IPTU (tax over real state property) top rate is 1.5%.
ISS (tax on service) top rate is 5%.

- Tax benefit: full exemption of IPTU if the real state property is freely lent to a cultural not-for-profit organisation.
- Tax deduction of IPTU and ISS: 20% of the tax due for donation to cultural projects.

following causes:

- child and adolescents
- sports
- culture
- audiovisual
- elderly
- handicapped
- cancer

2) **State and Municipal tax incentives** are available to domestic charities depending on each State or City. São Paulo's State regulates tax incentives related to culture and sports e.g. São Paulo's municipality regulates tax incentive related to culture.

1. **Federal tax incentive** is given through the Corporate Income Tax (IRPJ) and Social Contribution on Profit (CSLL).
Top rate of IRPJ is 25%. Top rate of CSLL is 9%.

a) Donation to organisations with a social mission is deductible limited to 2% of the gross income.

b) Donation to organisations with projects previously approved by the Government have the following maximum tax benefits:

- 1% of the IRPJ is deductible for donation to child, adolescent and elderly cause (in these cases the gift goes to a fund and then is re-granted to the organization);
- 4% of the IRPJ is deductible for donation to cultural and audiovisual projects;
- 2% of the IRPJ is deductible for donation to handicapped and cancer projects;
- 1% of the IRPJ is deductible for donation to sports

Taxes

The average between the 5th and 6th percentile average monthly incomes in Brazil (according to the International Labour Organization) is 978 Real, which equates to an annual approximation of an “ordinary” persons income of US\$3,832.08. Such a person would fall below the lowest income tax bracket in Brazil. The lowest tax bracket is 7.5%. Given that this income is unlikely to allow a sufficient enough discretionary income to allow donations of a size that a donor would see value in claiming a tax incentive, we will instead use GNI per capita (PPP) data for 2014 from the World bank which was US\$15,900. Working out at BRL4,158.38 per month, such a tax payer would be liable to pay 22.5% tax.

projects.

2. State tax incentive:

ICMS (VAT) top rate is 25%. Tax benefit: from 0.01% to 3% of the tax is deductible for donation to cultural or sports projects.

3. Municipal tax incentive:

IPTU (tax over real state property) top rate is 1.5%.
ISS (tax on service) top rate is 5%.

- Tax benefit: full exemption of IPTU if the real state property is freely lent to a cultural not-for-profit organisation.
- Tax deduction of IPTU and ISS: 20% of the tax due for donation to cultural projects.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

No.

No.

5. Are incentives offered through tax deduction or tax credit?

There are tax deductions for federal and municipal taxes. Tax credit is not common but in the State of São Paulo the consumer can donate a credit of the ICMS (VAT) tax to a charity (e.g.). In this case, the VAT is not levied directly onto the consumer. But the legislation gives the consumer an ICMS credit, paid in cash, if the consumer require to the ICMS tax payer the purchase invoice, in order to avoid tax evasion. The consumer can donate such tax credit to social assistance, cultural or health not-for-profit organisation, who receives the payment of the tax credit directly by the State Government.

There are tax deductions for federal, state and municipal taxes and they are more common.

Tax credit is not common but in the State of São Paulo the consumer can donate a credit of the ICMS (VAT) tax to a charity (e.g.). In this case, the VAT is not levied directly onto the consumer. But the legislation gives the consumer an ICMS credit, paid in cash, if the consumer require to the ICMS tax payer the purchase invoice, in order to avoid tax evasion. The consumer can donate such tax credit to social assistance, cultural or health not-for-profit organisation, who receives the payment of the tax credit directly by the State Government.

<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>Yes, tax incentives are applicable to charities operating also abroad but that are based in Brazil (donation must be in Brazil). There are no tax incentives when giving to charitable organisations which are based domestically but have its whole operation abroad or operate entirely in a different country.</p>	<p>Yes, tax incentives are applicable to charities operating also abroad but that are based in Brazil (donation must be in Brazil). There are no tax incentives when giving to charitable organisations which are based domestically but have its whole operation abroad or operate entirely in a different country.</p>
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<p>The cap on how much an individual can claim in incentives per year is 8% of federal income tax per year across all donations though the highest cap on a single cause is 6% (see above).</p> <p>The cap on donation of ICMS (VAT) credit is 3% of the ICMS over the sale to the consumer.</p> <p>The cap on donation of IPTU and ISS to cultural projects is 20% of the tax due.</p> <p>There is no cap to the IPTU tax incentive for the lending of a real state property to cultural not-for-profit organisation.</p>	<p>The cap on how much a company can claim in incentives per year of federal corporate income tax per year is 4% to cultural and audiovisual projects; more 4% for child and youth cause; more 2% for cancer and handicapped projects. (See answer to question 3).</p> <p>The cap on donation of ICMS (VAT) credit is 3% of the ICMS over the sale to the consumer.</p> <p>The cap on donation of IPTU and ISS to cultural projects is 20% of the tax due.</p> <p>There is no cap to the IPTU tax incentive for the lending of a real state property to cultural not-for-profit organisation.</p>
<p>8. Can tax incentives be applied to donations of goods and services?</p>	<p>Yes.</p>	<p>Yes.</p>

Canada

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes, in Canada, tax incentives for charitable giving exist for individuals and corporations.	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Tax incentives are only available for gifts made to qualified donees, which are:</p> <ul style="list-style-type: none">• Registered charities;• Registered Canadian amateur athletic associations;• Registered national arts service organisations;• Listed housing corporations in Canada set up only to provide low-cost housing for the aged;• Listed municipalities in Canada;• Listed municipal or public bodies performing a function of government in Canada;• The United Nations and its agencies;• Universities outside Canada listed in Schedule VIII of the Income Tax Regulations that ordinarily include students from Canada;• The Government of Canada, a province, or a territory; and• Listed foreign charitable organisations to which Her Majesty in Right of Canada has made a gift and have been registered. <p>To be officially registered with the Canada Revenue Agency (CRA) charities must set out their charitable purposes. The CRA identifies four charitable purposes; relief of poverty, advancement of education, advancement of religion and certain other purposes that benefit the community in a way the courts have said is charitable. This fourth category recognises a broad range of purposes such as the protection of human rights and environmental concerns.</p>	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Depending on the province in which the individual resides, the tax credit ranges from 20.5% to 35% for the first \$200 of donations and 40.16% to 53% (highest rate of tax) thereafter. This can result in an incentive value of between 40% and 60% of the donation which equates to a 100% deduction above the first \$200 for all and more than 100% on large donations for lower rate tax payers.

Depending on the province/provinces in which the corporation resides and the type and/or size of the corporation, the corporate tax rate in Canada ranges from 13% to 26.5%. Since the corporate tax donation incentive is a deduction from income, the tax benefit of the donation ranges from 11% to 26.5%.

According to Statistics Canada, the median income for individuals in 2012 was CAN\$31,320 (US\$25,580.29). This approximation of an “ordinary donor” would be liable to pay an income tax rate of 15%. However, as there are differing and significant provincial taxes levied in different provinces in Canada, we are using the example of an Ontario based donor. Such a donor would pay 5.05% income tax in Ontario. The highest rate of tax an individual would be liable to pay in Ontario would be 46.16% (33% in federal taxes and 13.16% in provincial taxes).

To gain a full picture of the value of corporate deductions for charitable giving in Canada it is necessary to delve further. Federal corporation tax is nominally 38% but is subject to reductions and abatements. After such reductions the rate is 15% (and just 11% for small businesses with taxable capital below CAN\$15 million). Provincial corporation tax rates vary but if we focus on Ontario, as we have with individual tax rates, we find a rate of 11.5% (and 4.5% for small businesses). This gives a combined tax rate of 26.5% (and 15.5% for small businesses).

4. Is there a minimum gift value to receive incentives? If yes please provide details.

There is no minimum gift value to receive incentives as long as an official donation receipt was issued by the donee. As an administrative practice, donees may not automatically issue official donation receipts unless specifically requested by the donor if the gift was less than the minimum threshold set by the donee (typically \$20).

5. Are incentives offered through tax deduction or tax credit?

For individuals, the incentive is a tax credit.

For corporations, the incentive is a tax deduction.

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

The tax incentive is available regardless of where a Canadian registered charity operates. The charity may make gifts to other qualified donees, or carry on its own activity abroad. Since few foreign organizations are qualified donees, most Canadian charities operating abroad must do so in the form of actively delivering their own programs.

It is possible to claim tax deductions against donations made to CSOs in the United States of America due to an income tax treaty between the two countries. Donors may claim incentives against their US income.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

The annual cap for corporations and individuals is a proportion of their net income for the year and depending on the type of gift, as follows:

- Cash – 75%
- Gifts to Crown (excludes political parties) – 75%
- Life insurance policy – 75%
- Certified cultural property – no limit
- Ecological property – no limit
- Qualifying securities (generally include publicly traded shares, shares/units of mutual funds and certain type of debt obligations) – 75% plus 25% of taxable capital gain
- Capital property – 75% plus 25% of taxable capital gain

Cap on donations made in an individual's will in the year of death on all gifts is 100% of net income. Unused donations can be carried forward 5 years.

8. Can tax incentives be applied to donations of goods and services?

Gifts in kind qualify as charitable donations. The value of the donation is equal to the fair market value of the gift at the time of donation. A gift in kind refers to a gift of property (other than cash) such as capital property, personal-use property, a leasehold interest, a right of any kind whatever, a licence, and financial assets such as stocks and shares. A gift in kind does not include a gift of services.

China

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	The donation can be deducted from the taxable income, however with a cap of 30% of the taxable income.	The donation can be deducted from the taxable income, however with a cap of 12% of the taxable income.
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Incentives are available for some qualified charities/not for profit entities. According to the Public Welfare Donations Law, NPOs of all legal forms must acquire the status of “public benefit social organizations” in order to be eligible to receive incentivised donations. Public benefit purposes can, according to Article 3, include;</p> <ul style="list-style-type: none"> • Disaster relief, poverty alleviation, assistance to the handicapped, and assistance to social organizations in needy circumstances; • Education, scientific, cultural, public health, and athletic undertakings; • Environmental protection and construction of public facilities; and • Other public benefit undertakings promoting social development and progress. <p>However, many organisations in China that have a public benefit purpose are not able to gain formal public benefit status and as such are not eligible for incentives.</p> <p>Individuals can claim tax deductions for charitable contributions but in practice, this can be difficult. Implementation of laws has been neither widely publicised nor fully implemented. Many tax officials are unaware of the incentives and without the necessary expertise, an individual may find claiming deductions impossible.</p>	<p>Generally speaking, companies find it easier to claim tax deductions than individuals. An increase in the cap from 3% to 12% has seen a marked increase in corporate contributions in recent years.</p> <ul style="list-style-type: none"> • Donation income received by NPOs is exempt from corporate income tax. • Charitable giving made by an enterprise is allowed to be deducted with the cap up to 12% of its annual accounting profit if: <ul style="list-style-type: none"> ○ The giving is made through charitable non-governmental organizations or governments above the county level and its departments; and

- It is made for programs for prescribed public welfare.
- The Ministry of Finance (MOF) and the State Administration of Taxation (SAT) also published rulings on specific cases when there were significant natural disasters (such as for the 2008 Wenchuan earthquake) or specific events (such as for the Beijing Olympics game and Shanghai Expo), allowing the full amount of the giving made for these specific cases to be deducted before the corporate income tax, plus exempting the relevant stamp duties as well as vehicle purchase tax.
- The MOF and the SAT also published some rulings to exempt donation income received by specific funds under certain encouraged programs (such as environment protection programs) from corporate income tax.

The MOF and the SAT also published rulings to exempt import taxes (including custom duty, import VAT and import consumption tax etc.) on charitable giving for certain uses, e.g. on relief materials/supplies, for purposes of education and etc.

Generally speaking, the abovementioned incentives are available for all NPOs and enterprises making charitable giving; however, the incentives under the specific case rulings apply only to the organizations specifically indicated in the rulings (e.g. specific funds as mentioned above).

<p>3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.</p>	<p>Donations are fully deductible but subject to a cap against taxable income as detailed below.</p>	<p>Donations are fully deductible but subject to a cap against taxable income as detailed below.</p>
<p>4. Is there a minimum gift value to receive incentives? If yes please provide details.</p>	<p>No</p>	<p>No</p>
<p>5. Are incentives offered through tax deduction or tax credit?</p>	<p>Tax deduction. The donation can be deducted from the taxable income.</p>	<p>The above-listed incentives are either a direct exemption of corporate income tax or an allowed deduction.</p>
<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>Only the donation to the domestic charities/not for profit entities is eligible for tax incentives.</p>	<p>The incentives apply for donations made through charitable non-governmental organizations or governments above the county level and its departments. The organizations must be registered with the Civil Affairs Administration in China, but the regulations do not specify or restrict where they operate.</p>
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<p>The cap is 30% of the taxable income. i.e., the donation can be deducted from the taxable income and the deduction should be less than 30% of the taxable income.</p>	<p>Companies can only claim deductions value up to 12% of their annual profits.</p>

8. Can tax incentives be applied to donations of goods and services?	No	The relevant regulations categorize donations as monetary assets and non-monetary assets, without providing further detailed guidelines. Goods and physical items should fall within this scope, however, our research has been unable to establish whether services, intangibles and financial assets can qualify.
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Egypt

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes - a deduction for tax purposes for qualifying donations.	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Tax deductions are only available for qualifying organizations. The qualifying organizations are as follows:</p> <p>Unlimited deduction:</p> <ul style="list-style-type: none"> • Central government, local government and other government owned entities <p>Deduction limited to 10% of taxable income:</p> <ul style="list-style-type: none"> • Charitable Societies and NGOs established under Egyptian Law • Schools/Universities and hospitals that are under Egyptian government supervision • Research and Development Organizations <p>There are no deductions allowed from income earned from employment.</p> <p>The Law on Associations and Foundations (Law 84 of 2002) allows the creation of associations and foundations. Organisations pursuing “general interest” purposes may be recognized as “associations of public benefit” by presidential decree enabling donors to make tax effective gifts. However, neither the criteria for deciding nor the process for applying for such status is clearly defined in the law.</p>	

In practice, organisations which are considered controversial or likely to be critical of government policy may find it difficult to gain public benefit status. Law 84 prohibits “political activities” and though this appears to relate to political parties it has been used to justify the rejection of applications for public benefit status of some organisations.

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Donations to qualifying organisations are deductible up to 10% of taxable income.

In 2008 the average monthly per capita income in Egypt according to the World Bank was US\$114.02 in 2005 US\$ adjusted for purchasing power parity. This equates to a rough approximation for the annual income of an “ordinary donor” of US\$1,368.24. Income tax on such a figure would be 10%. However, given growth since 2005, and the fact that such a figure would not provide enough discretionary income to reasonable allow a donor to make a sizable enough donation to go to the effort to claim an incentive, we might instead take the GNI per capita (PPP) figure from the World Bank for 2014 of EGP86,228. (US\$11,020). Such an income would be taxed at 20%.

Corporation tax in Egypt is set at 25%.

The top rate of income tax in Egypt is 25%.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

No there is no minimum donation required to qualify for the tax deduction.

5. Are incentives offered through tax deduction or tax credit?

Tax deduction

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?	No	Generally, the tax deduction is only available for institutions within Egypt and that are set up under Egyptian law.
7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.	10% of taxable income	10% of taxable income
8. Can tax incentives be applied to donations of goods and services?	The law does not include any prohibition on donations of non-cash items. However in practice during tax audits tax inspectors will require substantial documentation to support the valuation of donated goods and services.	

France

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes	Yes
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>In France there are two types of public benefit status;</p> <p>Organisme d'interet general (general interest) These organizations can receive donor incentivized gifts by simply registering with their local authority but they must be exclusively committed to one of the following purposes; the pursuit of scientific or medical research, the provision of aid and welfare services, or if the organisation is a cultural or family association or affiliated to a federation recognised as a public utility.</p> <p>Association d'utilit� publique (public utility) These organizations can also receive donor incentivized gifts as well as additional tax benefits but they are also subject to higher reporting requirements and restrictions on uses of funds. Gaining official recognition as a public utility organization allows for a broader range of charitable purposes. Public utility status is conferred upon associations and foundations pursuant to a decision of the Conseil d'Etat. In France, there is no definition of public benefit purpose in civil law and public utility organisations are free to follow any cause within the law that is in the general interest (i.e. it does not only benefit a closed group).</p>	
3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.	<p>Individuals are able to claim a 75% credit against income tax liability on donations totalling up to €521. Incentives above the €521 threshold are calculated at 66% of the donation but limited at 20% of total taxable income. Donations to certain causes (such as supplying free meals for persons in difficult situations) can retain a 75% credit on tax liability above the €521 threshold.</p> <p>According to the International Labour Organization, the average of the fifth and sixth average monthly income deciles in 2011 was €2,257.5. This is a good approximation of what we might consider to be an "average donor".</p>	<p>Corporation tax in France is valued at 33% of profits. Companies can claim a tax credit of 60% of tax liability totalling not more than 0.5% of annual turnover.</p> <p>Estate tax: art pieces and donation to eligible organization may benefit from tax reduction on estate tax</p>

Converted to an annual figure in US\$ we get a figure of US\$30,752.52. An individual earning this salary would be liable to pay 30% income tax.

Whilst the highest rate of income tax in France is 45%, a Wealth Tax (ISF) is levied in France that ranges from 0.5% of the value of assets starting at €900,000 and reaching 1.5% on assets over €10,000,000. A 75% reduction in Wealth Tax is available up to. €50,000. Donors choosing to reduce Wealth Tax liability cannot also claim credit against income tax.

4. Is there a minimum gift value to receive incentives? If yes please provide details.	No	
5. Are incentives offered through tax deduction or tax credit?	Credit	
6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?	<p>The Persche ruling by the European Court in 2009 sets a precedent meaning that donations to not for profit organisations in other EU member states should technically be eligible for French tax payers.</p> <p>In addition, France has signed treaties on gifts and estates that have specific provisions for not for profit organisations with Austria, Finland, Italy, Spain, Sweden, U.S.A. and Switzerland.</p>	Applicable to French and EU organizations
7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.	20% of taxable income	0.5% of turnover

8. Can tax incentives be applied to donations of goods and services?

N/A except for donation

Germany

	Individuals	Companies
<p>1. Are any tax incentives for charitable giving available?</p>	<p>Yes, individuals can deduct 100% of tax liability for donations up to 20% of their income</p>	<p>Yes, businesses can deduct 100% of tax liability for donations up to 20% of their income or 0.004 of their turnover to charities and NPOs within certain limits and subject to certain conditions from their tax base.</p>
<p>2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?</p>	<p>Only donations to state or municipality owned bodies or authorities qualify as well as donations to organizations which fulfil certain criteria, such as: exclusively) being a charitable, church or other non-profit organization, seeking no own economical interest, articles and management in line with charitable nature etc. Included are those organisations which get an affirmative assessment of the German tax authorities that they are tax exempt organizations. Excluded are all others, particularly organizations who support sport, cultural activities which are leisure-related, animal breeding, gardening etc.)</p> <p>Associations and foundations can gain accreditation from the tax authorities and receive donor incentivised gifts if they meet one of the three tax privileged definitions in the German Tax Code.</p> <p>1. Public benefit</p> <p>To be considered as delivering a public benefit, an organisation must demonstrate that “its activities aim to support the general public materially, intellectually, or morally.” It must also show that it does not benefit a closed group or family. A list of twenty-five public benefit purposes are provided that is reasonably comprehensive; science and research, religion, public health, young and old people, art and culture, historical monuments, education and vocational training, environment and nature, public welfare, relief for people persecuted on political, racial or religious grounds, life saving, fire prevention, occupational health and safety, disaster control and civil defence as well as of accident prevention, internationalism, of tolerance in all areas of culture and of the concept of international understanding, the protection of animals, development cooperation, consumer protection, welfare for prisoners, equal rights for women and men, the protection of marriage and the family, crime prevention, sport, local heritage, traditional and agricultural heritage, the general advancement of democratic government, active citizenship. In addition, organisations that pursue other purposes can apply to be accredited as public benefit organisations.</p> <p>2. Benevolent</p>	

Such organisations will be committed to either; the support of people who are dependent on the support of other due to their physical, mental or emotional state, or people whose means is less than four times the social welfare rate (five times for single persons and heads of households).

3. Religious

A wide range of religious purposes are considered charitable including building, maintenance, provision of religious services, administrations, training and staff costs.

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Incentives for charitable giving are fully deductible for individuals, though they are subject to a cap.

Deductions for charitable contributions are fully deductible, though they are subject to caps as a proportion of income or turnover.

The average of the fifth and sixth decile incomes in Germany in 2010 according to the International Labour Organisation was €3,116. Annualised this equates to an approximate income for an “ordinary donor” of €37,392 (US\$41,943). Such a person would fall into the 14% tax bracket, regardless of marital status despite differing bands for single and married people in Germany. The highest rate of income tax in Germany is 45%

It is not possible to state clearly a national corporation tax rate for Germany as a whole. A flat rate of 15% across Germany, as is a solidarity surcharge of 5.5% on the 15% for the purpose of funding reunification. As such, a national corporation tax of 15.825% exists. However, municipalities impose trade taxes at differing rates. As such, an average corporation tax of 29.65 (according to KPMG) is probably the most useful approximation.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

No

No

5. Are incentives offered through tax deduction or tax credit?

Deduction

Deduction,

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

Deductibility of donations also applies to charities/organizations registered abroad if located within the EU or EEA and if the organization would be tax exempt in Germany under the charity rule if it were German. If the organization is a state or municipality owned body or authority and solely fulfils the charitable activity outside Germany then it must either support German individuals or its activity must be suitable to positively impact Germany's reputation.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

Capped at 20% of income. Deductions which exceed this limit can be carried forward to the next fiscal year. In addition, an individual donor can deduct up to €1,000,000 for a donation to the endowment of a foundation with qualifying purposes. The deduction can be taken in the year of donation and/or divided over the following nine years.

Capped at the highest of 20% of taxable income or 0.4% of turnover. Deductions which exceed this limit can be carried forward to the next fiscal year.

8. Can tax incentives be applied to donations of goods and services?

Goods can be deducted against taxable income but services and the usage of property cannot. .

India

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes, tax incentives are available to all tax payers (including individuals and companies).	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Incentives are available for donations made only to those funds and institutions which are formed for Charitable Purposes and other designated purposes as well as those made to certain universities, academic institutions those are engaged in certain notified projects in areas of technology, agriculture, etc. In either case, the funds / institutions, and the universities etc. as the case may be, have to be approved by the federal government, and the projects in the latter case notified by it. Charitable Purpose includes relief of the poor, education, medical relief, preservation of environment (including watersheds, forests and wildlife) and preservation of monuments or places or objects of artistic or historic interest), and the advancement of any other object of general public utility. Any activity, trade, business or commerce for any pecuniary consideration cannot be regarded as advancement of any other object of general public utility regardless whether the application or retention of such consideration is made for any charitable purpose, unless the consideration falls below a threshold of INR2.5 MM in a year.</p> <p>Other designated purposes would include relief from natural disasters, promotion of communal harmony, minority community interests, family planning, culture, children welfare, sports, armed forces welfare, etc.</p>	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

As per Indian tax laws (Income Tax Act Section 80G), tax incentives to the donors are provided as a deduction to their taxable income, and not as a direct credit to their tax obligations. Donations made to approved charities (in form of funds, trusts, other institutions set up for Charitable Purposes and other designated purposes) are available as deductions either to the extent of 100% or 50% of the donations, depending on the concerned charity, from the total income of the taxpayer/donor

Generally, when donors donate to 80G registered organisations they will be entitled to deduct 50% of the value of that donation from their taxable income. However donations to government charities such as the Prime Minister's National Relief Fund; the Prime Minister's Armenia Earthquake Relief Fund; the Africa (Public Contributions – India) Fund; and the National Foundation for Communal Harmony enable to donor to claim 100% of the value of the donation against taxable income (subject to caps).

Under Section 35AC of The Income Tax Act, donors may deduct 100% of their donations against taxable income when making contributions to certain priorities such as drinking water projects, home building for the poor; and school building in poor areas. Section 35CCB of the Act also allows 100% deductions on donations to associations and institutions carrying out programs of conservation of natural resources. In addition, Section 35(1) (iii) of the Act allows a deduction of 175% is offered for contributions to a research association or a university, college or other institution) specifically for research, and 125% for contributions specifically for "research in social science or statistical research."

The average of the fifth and sixth decile income figures reported by the International Labour Organisation in 2012 was INR 4,627.75 per month. This gives us a useful approximation of an annual income for what might be considered an approximation of a median income of INR 55,533 (US\$ 873.44). At that income level, such a person would not be taxed as the lowest tax band of 10% comes in at INR 200,000 (US\$ 3,145.67). Given the low median income in India, we might usefully take a 10% tax rate as that which would be paid by someone who could reasonably be expected to be an ordinary donor of money to charities in India.

The highest rate of tax for individuals is 30%.

Another category of donations, refers to contributions made by businesses alone (carried under whatever juridical form) to approved universities, government, and other public institutions for prescribed projects undertaken by them in areas of R&D, agriculture, skill developments, etc. All such contributions carry a weighted deduction from the business income of the taxpayer that can range from 100% to 200% of the relevant contribution. Further, any resulting NOL from such deductions can be set off and carried forward under the relevant provisions of the Code

The highest rate of corporation tax for domestic companies (for 2014-15) is 33.99%. Whilst for foreign companies with a Permanent Establishment (PE) or Branch in India the rate of tax can be up to 43.26%.

<p>4. Is there a minimum gift value to receive incentives? If yes please provide details.</p>	<p>No, there is no minimum value of contributions that a person could make as donations or incur as business expenditure to claim tax incentive.</p>
<p>5. Are incentives offered through tax deduction or tax credit?</p>	<p>Incentives are offered by way of deduction of amount contributed while computing taxable Income.</p>
<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>No. Generally, tax incentives are only available for institutions registered in India and applying income in India. Under the Indian laws, incomes derived by charitable institutions themselves are generally exempt where the incomes are applied for</p> <ul style="list-style-type: none"> • Charitable purposes in India or • Charitable purposes outside India for promoting “international welfare in which India is interested.” <p>The phrase within quotes is not defined, and the Revenue has the discretion of its interpretation. This can lead to controversy on the exemption of the income of a charity engaged in such activities. Such controversy can lead to cancelation or revocation of the government approval of the concerned charity that will in turn lead to loss of any deduction to a donation / contribution made to it by a taxpayer from the date of such cancelation.</p>
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<p>Some donations, depending on the concerned charities, have a secondary cap of 10% taken in aggregate, of the taxpayer’s total income. In any event, even without such secondary cap, the deductions under this category cannot exceed the total (100%) taxable income of the taxpayer/donor.</p>
<p>8. Can tax incentives be applied to donations of goods and services?</p>	<p>No. Tax incentives are not granted for donations in kind.</p>

Ireland

	Individuals	Companies
<p>1. Are any tax incentives for charitable giving available?</p>	Yes	Yes
<p>2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?</p>	<p>In order for a donation to qualify for tax relief it must be made to an eligible charity or an approved body. Approved bodies include:</p> <ul style="list-style-type: none"> Educational institutions approved by the Minister for Education and Science Bodies approved for the observance of the Universal Declaration of Human Rights or the implementation of the European Convention for the protection of Human Rights and Fundamental Freedoms <p>There is no legal framework for the registration of civil society organisations in Ireland though in order to receive tax incentives, they must obtain charitable status. In order to obtain approval, the charity must satisfy the Tax authorities that:</p> <ul style="list-style-type: none"> It has been established for charitable purposes. In this regard, the activity undertaken by the organization must relate to either the relief of poverty, the advancement of education, the advancement of religion or other works of a charitable nature which are beneficial to the community; and Its income is applied for charitable purposes only. <p>Charitable purposes are listed in the Charities Act 2009 as;</p> <p>(a) the prevention or relief of poverty or economic hardship; (b) the advancement of education; (c) the advancement of religion; and (d) any other purpose that is of benefit to the community.</p> <p>The fourth category, “any other purpose of benefit to the community” is actually more narrowly defined as to the advancement of;</p> <ul style="list-style-type: none"> community welfare, including the relief of those in need by reason of youth, age, ill-health, or disability; community development, including rural or urban regeneration; civic responsibility or voluntary work; health, including the prevention or relief of sickness, disease, or human suffering; 	

- conflict resolution or reconciliation,
- religious or racial harmony and harmonious community relations;
- the natural environment;
- environmental sustainability;
- the efficient and effective use of the property of charitable organizations;
- relief of suffering of animals;
- the arts, culture, heritage, or sciences; and
- the integration of those who are disadvantaged, and the promotion of their full participation in society

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

In the case of individuals, the relief will be given to the eligible charity/approved body rather than to the donor on a “grossed up” basis. The donation received by the eligible charity/approved body will therefore be treated as if it was received net of income tax and the charity/approved body can therefore apply to the Tax authorities for a refund of the income tax element after the end of the tax year at a value of 31% of the gift. The refund given will not however exceed the total income tax paid by the donor in that particular year.

Corporate donations are fully deductible subject to caps. Corporation tax is levied at two different rates;

- 12.5% for trading income unless the income is from an excepted trade* in which case the rate is 25%
- 25% for non-trading income (e.g. investment income, rental income)

The median income in Ireland in 2015, according to the Central Statistics Office was €28,500 (US\$ 31,968.45) which would incur a tax rate of 20%.

The highest rate of tax in Ireland is 40% (2015-16) for income over a certain threshold (which differs depending on a person’s circumstances).

4. Is there a minimum gift value to receive incentives? If yes

As outlined above, in order to qualify for relief, a minimum donation of €250 must be made to any one eligible charity or approved body annually.

<p>please provide details.</p>	<p>Qualifying donations made by an individual are subject to an annual limit of €1,000,000. Where there is an association between the donor and the eligible charity/approved body at the time that the donation is made e.g. the donor is an employee of the eligible charity/approved body, the tax relief will be restricted to 10% of the total income of the individual for the relevant year.</p>	<p>No annual limit applies for corporate donations.</p>
<p>5. Are incentives offered through tax deduction or tax credit?</p>	<p>In the case of donations from individuals, deductions are obtained by the eligible charity/approved body through a refund of tax paid by the donor. From the point of the individual this is essentially a tax credit.</p>	<p>In the case of corporate donations, relief takes the form of a tax deduction.</p>
<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>Non-resident charities based in a European Economic Area / European Free Trade Association country will be granted approval by the Tax authorities once they meet the necessary conditions, as outlined above.</p>	
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<p>As outlined above, qualifying donations made by an individual are subject to an annual limit of €1,000,000 and there is a restriction when there is an association between the donor and the eligible charity/approved body.</p>	
<p>8. Can tax incentives be applied to donations of goods and services?</p>	<ul style="list-style-type: none"> ○ The donation (subject to the above minimum threshold) must be in the form of money or designated securities or a combination of both. ○ Designated securities include shares and debentures which are quoted on a recognized stock exchange. ○ Provision of any other goods or services would not qualify for relief. 	

Italy

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes	Yes
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>There are two principle types of incentives on offer for charitable gifts in Italy:</p> <ul style="list-style-type: none"> • Tax credit - a taxpayer may deduct, from gross tax, a certain percentage of the amount donated, up to a maximum of 2065 euro. (According to article 15 of Presidential Decree 917/86) • Deduction from income - An Italian tax liable individual donors can deduct from his/her income tax donations to ONLUS for an amount not exceeding 2% of the total declared income up to 70,000 euro per year. (According to the Law no. 80/2005) <p>However, a number of supplementary rules and exceptions – some differing depending on the type of donor - apply for gifts to certain organisation types and causes which are detailed below.</p> <p>Additionally, individual donors are able to claim either tax credits or tax deductions depending on the type/legal status of the beneficiary organisation or the cause for which the donation is made.</p> <p>Tax credits of 19% the donation (subject to cap) are available on donations to the following;</p> <ul style="list-style-type: none"> • Donations to the State, a Region, a local authority, a public institution, a foundation or an association which - without any profit purpose - carries out studies/research of a relevant interest in the cultural and artistic field • Donations to public institutions, non-profit foundations and associations with exclusive 	<p>Italian companies are able to claim tax deductions (subject to caps) on the following;</p> <ul style="list-style-type: none"> • Donations and contributions to Non Governative Organizations • Donations to companies with the exclusive interest in the field of education, instruction, social assistance, health care, religion • Donations and contributions to Non Governative Organizations • Donations to companies located in the South of Italy with the exclusive interest in the scientific research • Contributions to private entities operating as radio transmitters at a EU level • Donations to the State, a public institution, a

- interest in performing arts
- Membership fees paid to mutual aid entities, with the aim of guarantee the members with an aid in case of sickness, inability to work, oldness, death
- Donations to Social Promotional Associations (APS)
- Donations to schools (public and private) if used for IT innovation, school constructions, implementation of new trainings

Existing legal not-for-profit entities are able to qualify as ONLUS (Organizzazioni non lucrative di utilità sociale) enabling donors to receive a higher, flat tax credit of 26% of the value of the donation made (below the cap), replacing their ability to enable donors to claim 19% tax credits under any qualifying criteria under which they may previously have qualified.

Purposes under which an organisation might be able to qualify for ONLUS status are;

- Social and Socio-sanitary help and assistance.
- Sanitary assistance.
- Charitable donations.
- Education.
- Instruction
- Sport for amateurs
- Protection of the cultural historical heritage.
- Protection of the environment.
- Protection of arts.
- Protection of civil rights.
- Enhancement of the scientific research as specified by the law.

Income tax deduction (subject to cap) is available on

foundation or an association which - without any profit purpose - carries out studies/research of a relevant cultural and artistic value

- Donations to a public entity, o foundation, a non-profit association with the exclusive interest in performing arts
- Donations to not for profit entities (ONLUS)
- Donations to foundations, associations and other entities involved in humanitarian initiatives if located in States not belonging to the OECD
- Cost for employees who render services to non for profit entities
- Donations to Social Promotional Associations (APS)
- Donations to the State, a Region, a local authority, a public institution, a foundation or an association which uses such donations for institutional purposes and/or for carrying out cultural and art programs
- Donations to entities aimed at managing and protecting natural parks,/natural reserves
- Donations to the State, a Region, a local authority, a public institution, a foundation or an association aimed at the realization of scientific programs for health care
- Donations to schools aimed at the IT innovation, school constructions, new trainings
- The supply of food and medicines to non for profit entities (ONLUS) that does NOT give rise to revenues (i.e. exclusion from taxation)
- The supply of goods with some defects (i.e. no longer available to be sold ordinarily) to non for profit entities (ONLUS) that does NOT give rise to revenues (i.e. exclusion from taxation)

Non-Italian companies are able to claim uncapped tax credits on 19% of donations on the following;

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

donations to;

- Donations to entities aimed at managing and protecting natural parks,/natural reserves
- Non Governative Organizations (specific meaning includes mutuals, trade unions, political parties and pressure groups etc)
- Donations to the State, public entities, associations/foundations with the aim of protecting the environment
- Donations to the State, a public institution, a foundation or an association which - without any profit purpose - carries out studies/research of a relevant interest in the cultural and artistic field
- Donations to public institutions, no-profit foundations and associations with exclusive interest in performing arts
- Membership fees paid to mutual aid entities, with the aim of guarantee the members with an aid in case of sickness, inability to work, oldness, death
- Donations to Social Promotional Associations (APS)

Non Italian companies can also claim a tax deduction (subject to cap) on donations and contributions to Non Governative Organizations.

Tax deductions are 100% deductible subject to caps whilst tax credits are generally fixed at 26% for ONLUS organisations. However, a number of different rates apply in certain circumstances which are detailed below.

Donations to ONLUS organisations (see above definition) qualify for a tax credit of 26% of the value of the donation (subject to cap).

Donations to studies/research of a relevant interest in the cultural and artistic field, performing arts, to Social Promotional Associations (APS), to schools (for building, It and training) as well as membership fees paid to mutual aid entities are subject to a credit of 19% of the donation (subject to cap).

Donations to Non Governative Organisations, Universities, public and private research entities, national parks/resources and environmental protection are fully tax

Donations by Italian companies are fully tax deductible (subject to caps).

Non-Italian companies receive tax credits on donations to studies/research of a relevant interest in the cultural and artistic field, performing arts and to Social Promotional Associations (APS), as well as membership fees paid to mutual aid entities are subject to an uncapped tax credit of 19% of the donation.

Corporation tax is 31.4%

deductable (subject to caps).

According to Eurostat, the median income in Italy in 2012 was €16,029 (US\$17,960.65). This means that a person that we might call an “ordinary donor” would fall into the 27% tax bracket which comes in at €15,000. Tax below that threshold is 23%.

The highest rate of Income tax in Italy is 43%

4. Is there a minimum gift value to receive incentives? If yes please provide details.

No

No

5. Are incentives offered through tax deduction or tax credit?

A mixed system of tax credits and tax deduction is in place for Italian donors.

Deduction, though it is a mixed system for non-Italian companies.

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

The Persche ruling means that it should be possible to give tax efficiently to organisations based anywhere in the ECC.

Article 15, para. 1, sub i-bis of TUIR, provides a tax credit for donations to “humanitarian initiatives carried out by... foundations identified by a specific Governmental Decree in countries not belonging to the OECD

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

There are essentially two alternative caps that both individuals and companies can choose between in Italy for donations to ONLUS organisations:

- Tax credits are capped at €2,065. (According to article 15 of Presidential Decree 917/86)
- Tax deductions are capped at 2% of the total declared income up to €70,000 per year. (According to the Law no. 80/2005)

However, a number of supplementary rules and exceptions apply for gifts to certain organisation types and causes which are detailed below.

There is no cap on the 19% tax credits for donations to schools (for building, IT and training) or studies/research of a relevant interest in the cultural and artistic field. There are also no limits on deductions for donations to Universities, public and private research entities, as well as to public entities with the sole aim to manage and protect the national/regional parks.

Other percentage caps

- A cap of 2% of annual taxable income applies to tax credits for gifts to performing arts causes.
- A cap of 2% of annual taxable income also applies to tax deductions against donations and contributions to Non Governative Organizations and religious institutions.

Financial value cap

- A cap at €1,291.14 applies to the tax credit of 19% of tax due on membership fees to mutuals.
- A cap at €1,500 applies to the tax credit of 19% of tax due on donations to non-professional sport associations.
- A cap at €2065.83 applies to the tax credit of 19% of tax due donations to Social Promotional Associations (APS).
- A cap at €2065.83 applies to the 26% tax credit

There are no limits to deductions for Italian companies on;

- The supply of food and medicines to non for profit entities (ONLUS) does NOT give rise to revenues (i.e. exclusion from taxation)
- Donations to the State, a Region, a local authority, a public institution, a foundation or an association aimed at the realization of scientific programs for health care
- Donations to entities aimed at managing and protecting natural parks,/natural reserves
- Donations to the State, a Region, a local authority, a public institution, a foundation or an association which uses such donations for institutional purposes and/or for carrying out cultural and art programs
- Donations to the State, a public institution, a foundation or an association which - without any profit purpose - carries out studies/research of a relevant cultural and artistic value

Other percentage caps

- Deductibility is capped at 2% of annual taxable income for donations and contributions to Non Governative Organizations, to companies with the exclusive interest in the field of education, instruction, social assistance, health care, religion and to performing arts causes.

8. Can tax incentives be applied to donations of goods and services?

on tax due on donations to ONLUS organisations.

- Deductibility is capped at 1% of annual taxable income for donations to private entities operating as radio transmitters at an EU level.

Mixed limits

Deductibility is capped at the lower value of 2% of annual taxable income and €2,065.83 for donations to ONLUS organisations, non-OECD humanitarian causes and Social Promotional Associations (APS).

The only incentives that are capped for non-Italian companies come in the form of a 2% cap on deductibility against annual income for donations to performing arts and Non Governative Organizations.

Donation of goods are allowed to the State, a Region, a local authority, a public institution, a foundation or an association which - without any profit purpose - carries out studies/research of a relevant interest in the cultural and artistic field and to Non Governative Organizations.

Incentives are available to corporations for;

- The supply of food and medicines to non for profit entities (ONLUS) does NOT give rise to revenues (i.e. exclusion from taxation)
- The supply of goods with some defects (i.e. no longer available to be sold ordinarily) to non for profit entities (ONLUS) does NOT give rise to revenues (i.e. exclusion from taxation)

Japan

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes there are tax incentives for donations.	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>For individual donors, donation eligibility for tax incentives is very limited and designation/authorization of some form by the government is required for the charities.</p> <p>For individual donors, the incentives are limited to donations made to certain types of organizations that have obtained designation/authorization of some form by the government.</p> <p>1) Tax deduction - donations qualifying as a deduction for individual tax purposes are limited to the following:</p> <ul style="list-style-type: none"> A. Donations to the national & local governments B. Donations to institutions for educational, scientific or other public purposes as designated by Minister of Finance C. Donations to certain institutions for scientific study or research specifically provided for in the tax regulations D. Donations to Specified Public Interest Facilitating Corporations (SPIPCs) (established per certain laws) E. Donations to Special Nonprofit Corporations that have been authorised by the National Tax Administration. F. Donations to political parties or organizations (where the donations are qualified under certain conditions and made by 2014) <p>An SNC must pass the Public Support Test in order to be eligible to gain the status required to allow it to receive donor incentivised gifts. This test requires that the organisation can prove it has received donations worth</p>	<p>For corporate donors, the incentives are available on all donations in the form of tax deduction, but the deductible amount is capped by the size of the donor's share capital and taxable income. A donation to a 100% related party is fully nondeductible, and a donation to 50% or more offshore related party is fully nondeductible. Enhanced beneficial treatments are available for donation to organizations that meet certain conditions (such as becoming Authorized NPO, etc).</p>

3,000 yen (\$24) from at least 100 people within a financial year. An SNC must also have as its primary purpose, one of the following public benefit causes as described in the 1998 Special Nonprofit Corporation Promotion Law (SNC Law);

- health, medical treatment, or welfare;
- social education;
- community development;
- science, culture, the arts, or sports;
- conservation of the environment;
- disaster relief;
- community safety;
- human rights or promotion of peace;
- international cooperation;
- gender issues;
- youth;
- development of information technology;;
- promotion of economic activities;
- education and employment;
- consumer rights;

SPIPCs. As well as being subject to heightened governance requirements, these organisations must engage in one of the following activities;

- Provision of grants for those who do research concerning the experiment study concerning the science and technology (limited to those pertaining to the natural sciences)
- Provision of grants for those who do the outstanding research about the various areas of the Liberal Arts and Sciences
- Grants for education in schools prescribed in the School Education Act Article 1 (definition)

- Provision or lending of scholarship to the students or pupils
- Operating the business concerning the improvement and dissemination of art (limited to the payment of the grant).
- Operating the business concerning the preservation and utilization of cultural goods prescribed in article 2, paragraph 1 of Cultural properties protection law (Year 1950 Act No. 214) (definitions) (limited to the payment of the grant.)
- Gifting of funds contributing to the economic assistance to developing countries and regions (including technical cooperation)
- Provision of grants for those who have received the order from the State or regional government concerning said operations by the Corporation whose principal purpose is the operations concerning the protection and breeding of wild animals and plants in view of the environmental conservation (or equivalent including as prescribed by the Ordinance of the Ministry of finance)
- Operation for the preservation and utilization of the outstanding natural environment to preserve the natural environment (limited to the payment of the grant)
- Promotion of land greening business (limited to the payment of the grant)
- Grants for the business aiming for the social welfare

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

For individual donors, the incentives are limited to donations made to certain types of organisations and in principle, the total of the creditable donations and deductible donations is subject to a ceiling of 40% of the total assessable income.

The International Labour Organisation only has fifth decile monthly income figures which will likely undervalue our approximation of the earnings of an “ordinary donor”. Taking the monthly fifth decile figure of JPY257,200 as our basis we find that an “ordinary donor” might be expected to earn JPY3,086,400 (US\$24,904.99). This would put them in a tax bracket of between JPY1.pfm and JPY3.3m which means they would be paying 10% income tax. If we were to assume a greater income we would likely be in the JPY3.3m – JPY6.95m tax bracket, which is set at 20%. The highest rate of tax for Individual taxpayers is 40%.

On top of the above income taxes, all citizens pay prefectural tax (4% of income) and Municipal income tax (6% of income).

For corporate donors, tax deduction for donations is in general capped annually at the total of 0.625% of taxable income + 0.0625% of paid-in capital and capital surplus unless the donation meet certain conditions, in which case the cap may be increased.

Corporations are subject to an array of taxes and rebates depending on a number of different factors but the net rate of tax for 2015 is effectively 33.06%.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

For individual donors, there also is no minimum gift value requirement, but in general there is an annual JPY 2,000 threshold for determining deductible/creditable amount.

There is no minimum gift value requirement for corporate donors.

5. Are incentives offered through tax deduction or tax credit?

For individual donors, the incentive could either be tax deduction or a tax credit to the extent certain requirements are met.

Only tax deduction is available for corporate donors.

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

Eligibility for international tax incentive is very limited and designation/authorization of some form from the government is required for the charities in order to enjoy the tax incentives.

Corporate donors are entitled to deducting any kind of donation expense to the extent of the applicable cap. Note, however, that donation to 100% related party is fully non-deductible, and donation to 50% or more offshore related party is fully non-deductible.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

For individual donors, the incentives are available as either tax deduction or tax credit. In principle, the total of the creditable donations and deductible donations is subject to a ceiling of 40 percent of the total assessable income.

For corporate donors, the incentives are available as tax deduction in the following manner. If the amount of donations and contributions to the second category exceeds the limit, the excess amount is treated as ordinary donations in the third category. Please note that the donation to 100% related party is fully non-deductible, and donation to 50% or more offshore related party is also fully non-deductible.

- 1) Donations to the national & local governments or donations to institutions for educational, scientific or other public purposes as designated by Minister of Finance – 100% of the amount paid is deductible
- 2) Donations to Specified Public Interest Facilitating Corporations (established per certain laws) & Authorized NPOs (established per Act to Promote Specified Nonprofit Activities) – deduction is capped annually at 3.125% of taxable income + 0.1875% of paid-in capital and capital surplus
- 3) Donations to other than above – deduction is capped annually at 0.625% of taxable income + 0.0625% of paid-in capital and capital surplus

8. Can tax incentives be applied to donations of goods and services?

For individual donors, again, the scope of eligibility for individual donors to receive incentives is quite limited. In the case of contributing non cash assets, any capital gains need first to be determined on the assumption that such assets have been transferred at fair market value (which constitutes taxable income), and then apply tax deduction or credit for the fair market value of the asset if the donation meets tax requirements. If the tax donation requirements are not met, the individual donor may end up paying tax on the capital gain. It is unlikely that services would qualify as donation for individual donors.

Tax deduction for donation of goods and services should be available for corporate donors to the extent of their deductible cap governed by the size of the donor's share capital and taxable income.

Mexico

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	The Mexican Income Tax Law allows resident individuals and companies the deduction of donations made to certain authorized organizations.	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Tax incentives are available when giving to organizations authorized to receive donations. Organizations are eligible for the referred authorization if engaged in certain publicly beneficial activities and comply with certain rules and conditions established in the Mexican Tax Laws and Regulations. Organizations that may apply for the authorized status include:</p> <ul style="list-style-type: none">• Civil Associations• Civil Organizations• Private Assistance Institutions• Foundations• Trusts formed exclusively to perform the authorized activities listed below <p>In addition, donations to the Federal Government, States and Municipalities as well as to non-profitable decentralized agencies and international organizations in which Mexico is a full member represent a deductible item. Authorized activities for organizations requesting authorization to receive donations include:</p> <ul style="list-style-type: none">• Social Assistance• Educational• Scientific or technological Investigation• Cultural• Ecological• Preservation of endangered species• Economic Support• Scholarships• School enterprise programs	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Donations are fully deductible against annual taxable income (subject to cap).

Donations are fully deductible against annual taxable profit (subject to cap).
Corporation tax is 30%

According to the World Bank, Mexico's GNI per capita was MXN156,698.63 (US \$9,940) in 2013. In the absence of reliable data on average salaries by decile or median income this is the most workable approximation of a "ordinary donor" salary we are able to utilize. Such a salary would be in the 21.36% tax bracket (from MXP10,298.36 to 20,770.30). The top rate of income tax is 35%

4. Is there a minimum gift value to receive incentives? If yes please provide details.

There is no lower limit on the value of the donations to claim a tax deduction.

5. Are incentives offered through tax deduction or tax credit?

Tax incentive is offered through a tax deduction. Donations are considered as a deductible item if those meet the following requirements:

- May only be deducted in the year in which the donation is made.
- In the case of donations of assets if those have been deducted as cost of sales, the donation shall not be deductible.
- Authorized organizations that received the donation must be included in the list of persons authorized to receive donations published by the Tax Administration Service in the current fiscal year.
- Donations to educational institutions shall be deductible when such institutions are public or private with authorization or official certification in the terms of the General Education Law.
- Donors must obtain a valid invoice supporting the donation made, this invoice must include:
 - Name, address and tax ID number of the authorized organization
 - Date and place of issuance
 - Name, address and tax ID number of the donor
 - Quantity, value and description of the goods donated or the amount of the donation
 - Indication that the transaction constitutes a donation and that will be used to accomplish the purpose for which the authorized organization was formed
 - Number and date of the authorization granted to the organization
 - In the case of donations in kind, a sentence indicating that if those goods were previously deductible, the

donation will not be deductible

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

Donations to international organizations in which Mexico is a full member and formed exclusively to perform the authorized activities listed above, represent a deductible item.

In addition, an organization authorized to receive donations, may request and additional authorization to receive deductible donations abroad in accordance with international treaties.

In this case, authorized organizations shall not receive more than one-third of their income from leases or interest, dividend or royalties or from activities not related with their corporate purpose.

Mexico – USA Treaty

For the purpose of Article 22 (2), of the Tax Treaty between Mexico and the United States, authorized organizations to receive deductible donations may also apply for the authorization to receive donations deductible under the terms of the convention.

In this case the Article 22 (2) indicates the following:

“2. if the Contracting States agree that a provision of Mexican law provides standards for organizations authorized to receive deductible contributions that are essentially equivalent to the standards of United States law for public charities:

- a) an organization determined by Mexican authorities to meet such standards shall be treated, for purposes of grants by United States private foundations and public charities, as a public charity under United States law, and*
- b) contributions by a citizen or resident of the United States to such an organization shall be treated as charitable contributions to a public charity under United States law.*

However, contributions described in subparagraph (b) shall not be deductible in any taxable year to the extent that they exceed an amount determined by applying the limitations of the laws of the United States in respect to the deductibility of charitable contributions to public charities (as they may be amended from time to time without changing the general principle hereof) to the income of such citizen or resident arising in Mexico. The preceding sentence shall not be interpreted to allow in any taxable year deductions for charitable contributions in excess of the amount allowed under the limitations of the laws of the United States in respect to the deductibility of charitable contributions.”

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

Individuals making donations to authorized organizations can deduct up to 7% of their prior year's taxable income, before applying any authorized personal deduction.

Corporations based in Mexico making donations to authorized organizations can deduct up to 7% of the prior year's taxable profit.

When donations are made on behalf of the Federal Government, the States, Municipalities, or their decentralized agencies, the deductible amount shall not exceed 4% of the taxable income or taxable profit respectively. In any case the total deduction limit, considering both donations, shall not exceed the 7% mentioned.

8. Can tax incentives be applied to donations of goods and services?

Deductible donations to authorized organizations can be made in the following forms:

- Cash
- Merchandise, raw materials, finished or semi-finished products
- Land
- Negotiable instruments representing title to goods (except merchandise and raw materials, semi-finished or finished products)
- Other negotiable instruments
- Gold or silver pieces having had standing as national or foreign currency
- The pieces denominated "Troy ounces"
- Shares
- Fixed assets
- Artistic or historic monuments, in terms of the Federal Law on Archaeological, Artistic and Historic Monuments and Zones, donated to the Federal Government, the Federal District, a Federal Entity or a Municipality or to a decentralized public agency of any of the foregoing.

In case of donations in kind, the amount of the donation shall equal the original acquisition value updated by inflation or the asset's basis, computed in terms of the Mexican Income Tax Law.

On fixed assets, the amount donated shall be the pending depreciation balance updated by inflation.

In cases of movable property or assets not included above, the amount donated shall equal the updated acquisition value.

Donations made to authorized organizations in exchange for access to any event or granting the right to receive any good, service or benefit and donations of services are considered as non-deductible items.

Nigeria

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	No	Yes
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	N/A	<p>The Companies Income Tax Act (CITA) 2004 included a narrow range of charitable purposes for which companies could make tax deductible donations. These included public funds, statutory, ecclesiastical, charitable, benevolent, educational and scientific institutions.</p> <p>The Fifth Schedule of CITA 23(1) (c) is subject to amendment by the Finance Minister who in 2011 expanded the Schedule of charitable purposes for which companies can make deductible donations significantly. The amendment includes;</p> <ul style="list-style-type: none"> • Promotion or defence of human rights • Women empowerment and development • Re-orientation, rehabilitation, welfare support service for orphans, widows, physically challenged, refugees and all categories of persons that may require social or economic rehabilitation and transformation • Youth empowerment and development • Leadership and Resource Development • Promotion of National Unity and Patriotism • Promotion of Social and Economic Development • Accident prevention and control activities • Information system development and Awareness • Creation of awareness for transparency in governance and electoral processes

		<ul style="list-style-type: none"> • Promotion of national unity and patriotism • Museum development and promotion of sports, arts and culture • Rendering assistance in the provision of safe water, electricity, infrastructure and agricultural development • Any professional body established under an Act of the National Assembly for the regulation and practice of the profession.
<p>3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.</p>	<p>The GNI per capita of Nigeria in 2013 was NGN539,290 (US\$2,710). This likely exaggerates our approximation of an “ordinary donor” but it represents the best reliable data point available. A person on that salary would find themselves in the 19% tax bracket. Top rate of tax is 24%</p>	<p>Tax rate in Nigeria is 30%. The restrictions are as detailed in 1 above. There is only a single corporate tax rate in Nigeria (rates are not graduated for companies).</p>
<p>4. Is there a minimum gift value to receive incentives? If yes please provide details.</p>	<p>N/A</p>	<p>No</p>
<p>5. Are incentives offered through tax deduction or tax credit?</p>	<p>N/A</p>	<p>Deduction</p>

<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>N/A</p>	<p>The law is silent about scope of operations of the charities. But this must be a body established or registered in Nigeria.</p>
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<p>N/A</p>	<p>Donations to specified bodies which have been identified in the schedule to the tax law are allowed for tax purposes. The donation should not exceed 10% of the total profits of the company for the year. The Donations in this instance can only be claimed if they are not capital in nature. Donations to Universities and other tertiary or research institutions for research or any developmental purpose or as an endowment out of the profits for the period of the company. The restriction in this instance is 15% of total profits or 25% of tax payable in the year whichever is higher. There is no restriction in this instance on the nature of the donation (can be a capital or revenue expenditure)</p>
<p>8. Can tax incentives be applied to donations of goods and services?</p>	<p>N/A</p>	<p>The nature of the donations depends on the body to which the donation is being made. The law restricts donations to bodies in the schedule of charitable purposes to non-capital expenditure. However, donations to universities and other research institutions can be capital or non-capital in nature.</p>

Peru

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Under general rules donations are not deductible for IT purposes. Donations are deductible provided the beneficiary is duly registered with the Tax Authority. The deduction is limited up to certain amount.	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Individuals and companies can gain tax deductions for charitable giving to organisations that have registered successfully with the correct authorities. To be eligible for such status, organisations must pursue one of the following purposes;</p> <ul style="list-style-type: none">• Charity• social assistance or well-being• education• culture• science• art• literature• athletics• health• indigenous cultural and/or historical patrimony or other “similar objectives” <p>Individuals can deduct donations in favour of non profit organizations duly and previously registered before the Tax Administration (SUNAT): Registro de Entidades Perceptoras de Donaciones, con beneficio tributario. Certification is granted for three years and organisations must re-register to continue to keep their tax exemption and offer tax deductibility to donors. Both the beneficiary organisation and the donor must provide information to SUNAT in order for deductions to be granted.</p>	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Donations are fully deductible up to 10% of the net taxable income.

General Corporate income tax rate for 2015-16 is 28%. Donations are deductible up to 10% of the net taxable income.

The International Labour Organisation reports that the average incomes for the fifth and sixth gross income deciles in Peru in 2012 were PEN945.40 and PEN 1,130.40 respectively. Averaging the two to create an approximate median income gives us an annual figure of PEN 12,454.80 (US\$3,914.15) which we will use as our “ordinary donor” income estimate. Such a donor would pay an income tax rate of 15% in a simple progressive tax system with 2 bands (with the higher band being 30%).

4. Is there a minimum gift value to receive incentives? If yes please provide details.

No

No

5. Are incentives offered through tax deduction or tax credit?

Tax deduction

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

Tax deductions are allowed if the beneficiary is registered with the Tax Authority. To get that registration the beneficiary must operate within the country.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

Donations are deductible up to 10% of the net taxable income.

8. Can tax incentives be applied to donations of goods and services?

Donations apply only on goods.

Philippines

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes	Yes
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>YES, tax incentives are available to entities donating to accredited non-stock, non-profit corporations (NSNP)/Non-government organizations (NGO). Accredited NSNP/NGOs are those issued with Certificate of Accreditation by the Philippine Council for NGO Certification, Inc. (PCNC).</p> <p>Top be accredited, an organisation must have one of the following purposes; Religious, charitable, scientific, athletic, cultural, rehabilitation of veterans or social welfare. Furthermore, to be accredited as an "NGO" an organisation must more narrowly be formed to pursue exclusively one or more of the following purposes; scientific; research; educational; character-building; youth and sports development; health; social welfare; cultural; or charitable (Tax Code Section 34(H)(2)(c)(1))</p> <p>The accredited NGO shall make utilization directly for the active conduct of the activities constituting the purpose or function for which it is organized and operated, not later than the fifteenth (15th) day of the third month after the close of the accredited NGOs taxable year in which contributions are received, unless an extended period is granted by the Secretary of Finance, upon recommendation of the Commissioner.</p> <p>For this purpose, the term "utilization" shall have the meaning as defined under Sec. 1(c) of these Regulations.</p> <ul style="list-style-type: none"> • The level of administrative expenses of the accredited NGO, shall, on an annual basis, not exceed thirty percent (30%) of the total expenses for the taxable year; • All the members of the Board of Trustees of the non-stock, non-profit corporation, organization or NGO do not 	

receive compensation or remuneration for their service to the aforementioned organization.

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Section 3 of Revenue Regulations (RR) 13-98, implementing Section 34 (H) of the PH Tax Code provides that donations from individuals who derive their income from a trade, business or profession to accredited non-stock, non-profit corporations/NGOs shall be entitled to deduct their full tax liability up to certain limits as discussed below (7.).

Section 3 of Revenue Regulations (RR) 13-98, implementing Section 34 (H) of the PH Tax Code provides that donations to accredited non-stock, non-profit corporations/NGOs shall be entitled to deduct their full tax liability up to certain limits as discussed below (7.).

Corporate tax rate is 30%.

As no data is available on the median income in The Philippines, the best approximation of an “ordinary donor” is GNI per capita, which according to the World Bank is PHP155,582.60 (US\$3,440). An individual earning such a salary would find themselves in a tax band running from PHP 140,000 to PHP 250,000 which would result in a tax rate of 25%. The tax rate below that is 20%.

The top rate of tax in the Philippines is 32%

4. Is there a minimum gift value to receive incentives? If yes please provide details.

No

No

5. Are incentives offered through tax deduction or tax credit?

Deduction

Deduction

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

Again, for as long as the donation is made to an accredited NSNP/NGO, it will be entitled to the tax incentives discussed above.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

- *Limited Deductibility. — Donations, contributions or gifts actually paid or made within the taxable year to accredited non-stock, non-profit corporations shall be allowed limited deductibility in an amount not in excess of ten percent (10%)*
- *Full Deductibility. — Donations, contributions or gifts actually paid or made within the taxable year to accredited NGOs shall be allowed full deductibility, subject to the above (2.) conditions.*

- Limited Deductibility. — Donations, contributions or gifts actually paid or made within the taxable year to accredited non-stock, non-profit corporations shall be allowed limited deductibility in an amount not in excess of five percent (5%) for a corporate donor, of the donor's income derived from trade, business or profession as computed without the benefit of this deduction.
- Full Deductibility. — Donations, contributions or gifts actually paid or made within the taxable year to accredited NGOs shall be allowed full deductibility, subject to the above (2.) conditions.

8. Can tax incentives be applied to donations of goods and services?

The amount of any charitable contribution of property other than money shall be based on the acquisition cost of said property.

Poland

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes, tax incentives for charitable giving are available in Poland.	
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Additionally, natural persons (PIT taxpayers) can decide about “donating” 1% of their income tax due for a given year to a public benefit organization listed on a list provided by a competent Minister. Any public benefit organization can apply, if it provides annual public reports on their activities and are not under liquidation or bankruptcy procedure – which should safeguard that trustworthy organizations receive such an additional incentive. The 1% amount is transferred by the tax authorities based on the taxpayer’s instruction in the annual tax return.</p>	<p>In principle, tax incentives in form of a deduction from taxable base (CIT or PIT) apply to donations for all charities/not for profit, non-governmental entities resident in Poland or in other EU/EEC Member States carrying out public benefit activities (the scope of such activities is defined quite broadly by the Polish Public Benefit Activity Act and include various areas deemed as relevant for the public benefit, including among others charities and support for disabled people, innovation and technological development, maintaining ethnic traditions or cultural development, promotion of Poland and Polish culture or cooperation within the EU).</p> <p>The Law on Public Benefit Activities and Volunteerism (Article 4/1) lists the following activities as purposes under which an organisation can qualify as a Public Benefit Organisation and hence receive donor incentivised gifts;</p> <ol style="list-style-type: none">1. social care;2. charitable activities;3. sustaining national tradition, cultivating Polishness;4. activities for the sake of national minorities;5. protection and promotion of health;6. activities for the sake of the handicapped;7. promotion of employment;8. protection and promotion of women’s rights;9. activities that support economic development, including the development of entrepreneurship;10. activities supporting the development of communions and local communities;

11. science and humanities, education and upbringing;
12. tourism and leisure of children and adolescents;
13. culture, arts, protection of national heritage and tradition;
14. promotion of sports;
15. natural environment and animal welfare and the protection of environmental heritage;
16. public order and social safety and prevention of social pathologies;
17. promotion of knowledge and skills for the state defence;
18. protection and promotion of human rights and freedoms, as well as activities supporting the development of democracy;
19. protection of people and emergency rescuing;
20. humanitarian assistance;
21. protection and promotion of consumer rights;
22. activities for the sake of the European Integration and development of relations and cooperation among nations;
23. promotion and organization of volunteerism;

Activities that provide technical support, training, information and/or financial assistance to non-governmental organizations and units mentioned in art. 3 par. 3, within the scope of points 1–23.

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

In the case of natural persons (PIT taxpayers), individuals can deduct the amount of donation for public benefit and donations for religious and blood donors purposes. The deduction cannot exceed 6 % of the annual net income of particular individual.

The PIT rates applicable in Poland are 18% on annual net income of up to PLN 85 528 (around USD 28 500), and 32% above that amount. The median income in Poland in 2012 according to Eurostat was PLN 20,849 (US\$ 5547.16).

Additionally, each individual can give 1 % of its tax due to the public benefit organization from the aforementioned list.

Legal entities (CIT taxpayers) are entitled to deduct the amount (value) of the donation not exceeding 10 % of their annual net income. Additionally, the legal entities can donate to religious organizations. However, the sum of donations for public benefit activity and religious purposes cannot jointly exceed 10 % of their annual net income. Since in Poland only one flat 19 % tax rate applies, the tax incentive depends on the amount of the taxable income. As it is a deduction from taxable base, which is subject to 19% CIT, the proportion would be 10% (or in other words, the limit is 1.9% of tax due).

4. Is there a minimum gift value to receive incentives? If yes please provide

There is no minimum gift value for applying for tax incentive

details.

5. Are incentives offered through tax deduction or tax credit?

The incentives are offered through a tax deduction (deduction from income subject to tax). However, individuals can additionally instruct the tax authorities to transfer 1 % of the tax due for a selected charity (tax credit).

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

The tax incentives apply for donation for charities established in European Union and European Economic Area operating in Poland or abroad.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

The individuals no more than 6 %.

Legal entities can deduct no more than 10 % of their annual net income.

8. Can tax incentives be applied to donations of goods and services?

Yes, Polish law beside the cash donations allows for tangible donations (goods, financial assets and similar). The donator can deduct 10 % (6 % in respect of Individuals) of the market value of the donated goods (including non-deductible VAT).

Russia

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Donations made to NGOs are tax exempt up to 25% of annual taxable personal income	Relief is available on VAT for the gift of services, goods and property rights to NGOs but there are no deductions available on corporate income tax.
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Donations are fully deductible up to a cap of 25% of taxable income to charitable organisations, socially oriented NGOs or other NGOs that work in the areas of;</p> <ul style="list-style-type: none"> • Science • Culture • Amateur physical culture and sports • Education • Healthcare • Human rights • Social and legal support of citizens • Emergency relief • Protection of environment and animal protection • Religious organisations • Towards NGOs' endowments 	Relief on VAT for gifts of goods, property and services is granted when given to charities, socially-oriented NGOs, religious organisations, for building endowments and to NGOs working in the areas of science, culture, sports, education, healthcare, human rights, social and legal support of citizens, emergency and environment protection.
3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.	<p>Donations to qualifying organisations can be fully deducted against charitable income subject to a cap at 25% of taxable income.</p> <p>According to data from the International Labour Organisation, the average of the 5th and 6th decile average annual incomes in Russia in 2013 was RUB256,800 (US\$4,539.89) in 2013. This gives us a good approximation of an "ordinary donor" income.</p> <p>Personal income tax is levied at a flat rate of 13% regardless of income. Foreign residents are taxed at a rate</p>	For companies, 100% of VAT can be deducted on donations to qualifying organisations. VAT rate is from 0 to 18% depending on transaction, most frequent is 18%. Corporation tax is 20%.

<p>4. Is there a minimum gift value to receive incentives? If yes please provide details.</p>	<p>of 30%. No</p>	<p>No</p>
<p>5. Are incentives offered through tax deduction or tax credit?</p>	<p>tax deduction – an individual pays the tax and after the end of FY fills in a declaration and receives the tax back</p>	<p>tax credit (the tax is not payable in the first place)</p>
<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>For giving to domestic NGOs incentives are not limited. For giving to foreign NGOs this is not clearly regulated, the only stated condition is that the activities of the NGO should be within the scope of Russian legislation.</p>	
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<p>Donations are capped at 25% of net income.</p>	<p>NO</p>
<p>8. Can tax incentives be applied to donations of goods and services?</p>	<p>No. Individuals can claim tax on cash donations only</p>	<p>Applies to goods, services and property rights only</p>

Saudi Arabia

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	No. Saudi Arabian citizens and nationals of other Gulf Cooperation Council members (GCC) who are resident in Saudi Arabia are not subject to income tax. Therefore there is no opportunity to incentivise giving through the tax system.	Yes. The Saudi tax law allows unlimited tax deduction for charitable contribution to not for profit organizations established under Saudi law.
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	n/a	<p>The deduction is granted only for contributions to not for profit organizations established under Saudi law. Civil society organizations in Saudi Arabia can be either a "charitable society" or a "charitable foundation." Permissible activities include helping the poor, improving residences, providing financial aid to needy people; youth employment activities; and providing healthcare, educational and social services.</p> <p>Saudi and GCC companies are subject to a 2.5% mandatory zakat (charitable giving under Islamic duty) which is collected and distributed by the state.</p>
3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.	<p>n/a</p> <p>For foreign nationals (not from GCC states) the top rate of tax is 30%.</p> <p>Saudi and GCC nationals resident in Saudi Arabia are subject to a 2.5% mandatory zakat (charitable giving under Islamic duty) which is collected and distributed by the state.</p>	<p>Corporate donations are fully deductible against taxable income.</p> <p>The corporate tax rate is 20% but the tax rate for those (both Saudi and non-Saudi) working in the exploitation of the natural gas sector is 30% whilst for those involved in the production of oil and hydrocarbons it is 85%.</p>
4. Is there a minimum gift value to receive incentives? If yes please provide	n/a	No

details.		
5. Are incentives offered through tax deduction or tax credit?	n/a	Tax deduction
6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?	n/a	The only condition included in the tax is that it be organized under Saudi law.
7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.	n/a	Unlimited deduction
8. Can tax incentives be applied to donations of goods and services?	n/a	The tax law and regulations do not include any restrictions on whether the donation should be in cash or in kind

Singapore

	Individuals	Companies
<p>1. Are any tax incentives for charitable giving available?</p> <p>2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?</p>	<p>Yes</p>	<p>Yes</p>
	<p>Donations to Institutions of Public Character (IPCs) qualify for tax incentives. However, not all registered charities are IPCs. Donations made to a charity without approved IPC status is NOT tax-deductible.</p> <p>Legitimate charitable purposes include;</p> <ul style="list-style-type: none"> • Relief of poverty; • Advancement of education; • Advancement of religion; or <p>Other purposes beneficial to the community, which include commonly recognised ones such as :</p> <ul style="list-style-type: none"> • Promotion of health; • Advancement of citizenship or community development; • Advancement of arts, heritage or science; • Advancement of environmental protection or improvement; • Relief of those in need by reason of youth, age, ill-health, disability, financial hardship or other disadvantages; • Advancement of animal welfare; and • Advancement of sport, where the sport promotes health through physical skill and exertion. <p>In order to become an IPC an organisation must have one of the above purposes but this alone does not qualify a charity to gain IPC and to receive donor incentivised gifts. To become an IPC, an organisation must be beneficial to the community in Singapore as a whole, and not confined to sectional interests or group of persons based on race, creed, belief or religion, unless otherwise approved by the Minister.</p> <p>The IPC must also be administered by governing board members, at least half of whom are independent and citizens of Singapore.</p>	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

It was announced in Budget 2009 and 2010 that all donations that qualify for double tax deductions and made in calendar year 2009 and 2010 (i.e. 1 January 2009 to 31 December 2010) would temporarily qualify for 2.5 times tax deduction.

To encourage greater charitable giving in Singapore as the economy recovered, the Minister for Finance announced in Budget 2011 that tax deduction of 2.5 times will be extended for another 5 years to donations made from 1 January 2011 to 31 December 2015. The 2.5 times deduction has subsequently been extended by another 3 years to 31 December 2018.

The Government has additionally decided to increase the tax deduction for qualifying donations from 250% to 300% of the amount of donation made in 2015 (up to December 31st 2015)

Tax deduction is deducted against statutory income (which includes employment, trade income, etc) before arriving at assessable income.

Resident individual tax rates are progressive. From 0% for income below SG\$20,000 to a maximum of 20% for income above SG\$320,000. The gross median annual income in 2014 was SG\$45,240 (US\$33,196.00) according to the Singapore Ministry of Manpower. Such an individual would pay 7% income tax on in a tax band from SG\$40,000 to SG\$80,000.

A company is taxed at a flat rate on its chargeable income regardless of whether it is a local or foreign company. From 2010, the tax rate is 17%.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

There is no minimum gift value to receive incentives. However, some IPCs have specified a minimum donation amount.

5. Are incentives offered through tax deduction or tax credit?

Tax deduction is given for donations made in the preceding year. For example, if an individual makes a donation in 2015, tax deduction will be allowed in his tax assessment for the Year of Assessment (YA) 2016.

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

No. If the donations or gifts are for a "foreign charitable purpose", they are not tax deductible even though they are made to an approved Institution of a Public Character (IPC). For example, donations made to some overseas relief funds managed by an approved IPC are not tax deductible.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

There is no cap as the deduction is technically unlimited. However, if deductions exceed taxable income, they must be carried over for a maximum of 5 years.

8. Can tax incentives be applied to donations of goods and services?

Gifts to museums which have obtained the Approved Museum Status with the National Heritage Board (NHB) are tax-deductible. The artefact has to be deemed a worthy collection item and supported by the National Heritage Board (NHB). Sculptures or work of art donated for public display to the National Heritage Board (NHB) or any of its approved recipients from qualify for tax deduction. Donors must apply to NHB to assess the value of the donated sculptures or public art.

Gifts of land or buildings to approved IPCs from are tax-deductible.

Gifts of shares listed on the Singapore Exchange (SGX) or of units in unit trusts traded in Singapore, to approved IPCs are tax-deductible. Only applies to individual donors.

Gifts of computers (including computer hardware, software, accessories and peripherals such as monitors, printers, and scanners) to prescribed educational, research or other institutions and all IPCs in Singapore are tax-deductible. Only applies to corporate donors.

South Africa

	Individuals	Companies
<p>1. Are any tax incentives for charitable giving available?</p> <p>2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?</p>	Yes	Yes
	<p>There is a Tax Exemption Unit (TEU) within the South African Revenue Services that approves organizations applying for Public Benefit Organization (PBO) status and issues reference numbers to PBOs and other qualifying institutions that qualify for section 18A approval. Organizations carrying on listed public benefit activities may qualify for an income tax exemption, but only certain PBOs are also approved to issue section 18A receipts.</p> <p>A PBO or other qualifying organization may only issue section 18A receipts from the date that the TEU has confirmed that the organization qualifies for section 18A approval and has issued it a reference number.</p> <p>In order to qualify for section 18A approval the organization must carry on specified public benefit activities listed in Part II of the 9th Schedule to the ITA. The qualifying activities are categorized as:</p> <ul style="list-style-type: none"> Welfare and humanitarian Healthcare Education and development Conservation, environment and animal welfare (only certain activities are included in this category) Land and housing (only certain activities are included in this category) <p>Certain conduit PBOs providing funds or assets to PBOs carrying on the above activities may also qualify for section 18A status.</p> <p>In order to qualify for the income tax deduction the donee organization must be approved and must issue a qualifying receipt to the donor. The section 18A receipt must include the following details:</p> <ul style="list-style-type: none"> The reference number of the organization issued to it by the TEU for purposes of section 18A. The date of the receipt of the donation. The name and address of the organization issuing the receipt to which enquiries may be directed. 	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

- The name and address of the donor.
- The amount of the donation or the nature of the donation if not in cash.
- Certification that the receipt is issued for the purpose of section 18A and that the donation will be used exclusively for the activities which are approved for section 18A purposes.

Tax is deductible against taxable income (100% up to cap) excluding any retirement fund lump sum benefit and any retirement fund lump sum withdrawal benefit and before taking into account any deduction for medical and dental expenses.

Tax is deductible against taxable income (100% up to cap).

The GNP per capita of South Africa in 2014 according to the World Bank is worth ZAR 84,078.25 (US\$6,800) in 2015 money. This figure is hugely skewed by income inequality but given that South Africa is a relatively poor nation, an individual earning the median income would be unlikely to be in a position to make donations. As such, the GNI per capita figure is a helpful approximation of someone who might be considered an "ordinary donor". Such an individual would still find themselves in the lowest tax band of 18%.The top rate of tax in South Africa is 41%.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

No

No

5. Are incentives offered through tax deduction or tax credit?

Deduction

Deduction

<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>No</p>	<p>Generally, the income tax deduction is only available for institutions that carry on public benefit activities in South Africa. There are some exceptions for institutions undertaking qualifying conservation activities in a transfrontier area involving Mozambique and Swaziland as well as South Africa.</p>
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<p>Limited to 10% of taxable income.</p>	<p>Limited to 10% of taxable income.</p>
<p>8. Can tax incentives be applied to donations of goods and services?</p>	<p>Donations of property in kind may also qualify for a deduction. Donations of property made in kind include the following:</p> <ul style="list-style-type: none"> • A financial instrument provided it is a share in a listed company or is issued by a financial institution as defined in section 1 of the Financial Services Board Act 97 of 1990; • Trading stock which forms part of the business undertaking or trading activity conducted by the donor; • An asset used by the donor in conducting a trade but which is not trading stock; • An asset which is not trading stock or used in the business of the donor such as personal assets; and • Property which is purchased, manufactured, erected, installed or constructed by or on behalf of the donor. <p>A deduction will not be allowed for the donation of:</p> <ul style="list-style-type: none"> • Any property in kind which constitutes or is subject to any fiduciary right, usufruct or other similar right or which consists of an intangible asset or financial instrument (unless the financial instrument meets the requirements set out above); and • Services or expertise. <p>The quantum of the deduction for donations of property in kind must be determined as follows:</p> <ul style="list-style-type: none"> • Property that constitutes a financial instrument which is trading stock, the lower of fair market value on the date of the donation or the value of the trading stock for income tax purposes; • Property that forms part of trading stock of the taxpayer the value of the trading stock for income tax purposes; • Property that is an asset used in the taxpayer's trade, the lower of the fair market value on the date of donation or the cost to the taxpayer less any allowance (other than an investment allowance) deducted from the income of that taxpayer for that asset; 	

- Property that is not trading stock and not a business asset, the lower of the fair market value on the date of the donation or the cost to the taxpayer less depreciation using the 20% reducing balance method in the case of deterioration of movable property; and
- Property that is purchased, manufactured, erected, assembled, installed or constructed by or on behalf of the taxpayer to form the subject of the donation, the lower of the fair market value on the date of the donation or the cost to the taxpayer.

Turkey

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes.	Yes.
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>As per Article 89 of ITL, the individuals are able to deduct 5% of the charitable giving made to following beneficiaries:</p> <ul style="list-style-type: none"> • the public administrations under government budget or with special budget • special provincial administrative bodies • municipalities and villages • foundations that are granted tax exemption by the Cabinet of Minister • the associations that work for public interest <p>To receive donor incentivised gifts (and also to be exempt from income tax) associations and foundations must apply to the Council of Ministers for public benefit status (associations) or tax exempt status (foundations) under the following categories;</p> <ul style="list-style-type: none"> • Health • social aid • education • scientific research and development • culture • environmental protection <p>Currently the number of organisations that have successfully applied for and received public benefit status/tax exempt status from the Council of Ministers is very low. Only 5% of foundations have tax exempt status, and only 0.04% of associations have the public benefit status.</p>	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Donations are fully deductible against income tax up to capped limits. However, the tax exemption is only applicable if the donor is an income tax filer. Those who work for an employer and whose income tax is paid by the employer are not eligible for this tax exemption. This radically reduces the number of people who can claim incentives and disproportionately favours the wealthy.

Donations are fully deductible against income tax up to capped limits.

As per Article 32/1 of CTL, corporate tax shall be collected at a rate of 20% over the corporate gains.

As per Article 103 of ITL, income tax rates differ according to amount of the income. For the fiscal year of 2014, the highest income tax rate is 35%, whereas, the lowest income tax rate is 15%. Though it is likely to be significantly higher than the median income of Turkey, which would be a truer picture of an “ordinary” earner, the GNP per capita (PPP) figures for 2014 according to the World Bank gives us a sense of a moderately aspirant middle classed person who could feasibly afford to make charitable contributions. Someone earning this sum - TRL 50,375 (US\$19,040) - would be taxed at 27%.

4. Is there a minimum gift value to receive incentives? If yes please provide details.

There is not a gift value to receive incentives.

5. Are incentives offered through tax deduction or tax credit?

Tax incentives are offered through a deduction of the charitable giving from the taxable income.

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

As per Income Tax Legislation, there is not any tax incentive for charitable giving stipulated for the charities operating abroad.

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

Generally, the individuals are able to deduct either 5% or 100% of the charitable giving from their total taxable income varying on the nature and beneficiary of the charitable giving.

For instance,

- Article 89/5 of ITL: All kinds of expenses made for the construction of schools, medical facilities, student hostels and child care centers with a capacity of at least 100 beds (in priority regions for development, 50 beds), orphanages, retirement homes and care and rehabilitation centers, or all kinds of charitable giving that are given to these institutions for the construction of such facilities, as well as all cash and real donations and help rendered for the continuation of their activities can be totally deducted from the individual's income.
- Article 89/6 of ITL: All the cost of "food, cleaning, clothing and fuel" which are granted, within the context of procedures and principles determined by Ministry of Finance, to foundations and associations engaged in food-banking activity on the purpose of poor relief can be totally deducted from the individual's income.
- Article 89/7 of ITL: All charitable giving granted in order to perform international organizations related to non-commercial culture and artistic activities, scientific research can be totally deducted from the individual's income.
- Article 89/10 of ITL: All charitable giving that are made against receipt and through the Prime Ministry, upon natural disasters for which the Cabinet of Ministers has taken a decision to

Generally, the entities are able to deduct either 5%-100% of the charitable giving from their total taxable income varying on the nature and beneficiary of the charitable giving.

For instance,

- Article 10/ç of CTL: All kinds of expenses made for the construction of schools, medical facilities, student hostels and child care centers with a capacity of at least 100 beds (in priority regions for development, 50 beds), orphanages, retirement homes and care and rehabilitation centers, or all kinds of charitable giving that are given to these institutions for the construction of such facilities, as well as all cash and real donations and help rendered for the continuation of their activities can be totally deducted from the corporate gain.
- Article 10/d of CTL: All charitable giving granted in order to perform international organizations related to non-commercial culture and artistic activities, scientific research can be totally deducted from the corporate gains.
- Article 10/e of CTL: All charitable giving that are made against receipt and through the Prime Ministry, upon natural disasters for which the Cabinet of Ministers has taken a decision to launch an aid campaign can be totally deducted from the corporate gains.
- Article 10/f of CTL: All charitable giving granted to Turkish Red Crescent apart from its commercial enterprise can be totally deducted from the corporate gains.

8. Can tax incentives be applied to donations of goods and services?

launch an aid campaign can be totally deducted from the individual's income.

- Article 89/11 of ITL: All charitable giving granted to Turkish Red Crescent apart from its commercial enterprises can be totally deducted from the individual's income.

As it is mentioned in Article 89/5 of ITL, tax incentives can be applied to donations of goods and services.

As it is mentioned in Article 10/ç of CTL, tax incentives can be applied to donations of goods and services.

United Kingdom

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	<p>Yes. There are principle number of methods of obtaining tax incentives for charitable giving in the UK including;</p> <ul style="list-style-type: none"> • Gift Aid: A Gift Aid is a credit based system where the donation is treated as if basic rate income tax has already been deducted by the donor. Charities and CASCs can then reclaim that tax from HM Revenue & Customs (HMRC). The benefit is therefore passed to the beneficiary rather than the donors although higher rate tax payers can claim back some of their tax on gifts. • Payroll Giving: Allows employees to give through their workplace out of their gross salary before income tax is applied. <p>Gifts of Shares, Land and Property: Individuals can make donations of approved non-cash assets and receive relief from Capital Gains Tax as well as a deduction against their income tax bill.</p>	<p>Yes, companies can deduct gifts to charity against taxable income.</p>
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>Incentives are available when giving to any organisation recognised as a “charity for tax purposes” by Her Majesty’s Revenue & Customs (HMRC). The majority of these organisations are also registered charities recognised by the Charity Commission in England and Wales, the Office of the Scottish Charity Regulator or the Charity Commission for Northern Ireland However some organisations (including those that turnover less than £5,000 a year) are not required to register with charity regulators in addition to HMRC.</p> <p>To be considered a charity and to be able to register as one with the Charity Commission, an organisation must have the advancement of one or more of the following as its charitable purpose;</p> <ul style="list-style-type: none"> • The prevention or relief of poverty • education • religion • health or the saving of lives 	

- citizenship or community development
- the arts, culture, heritage or science
- amateur sport
- human rights, conflict resolution or reconciliation or the promotion of religious or racial harmony or equality and diversity
- environmental protection or improvement
- The relief of those in need, by reason of youth, age, ill-health, disability, financial hardship or other disadvantage
- animal welfare
- The promotion of the efficiency of the armed forces of the Crown, or of the efficiency of the police, fire and rescue services or ambulance services

In addition, the Charity Commission has outlined a number of additional purposes in guidance issued in 2013 and recognises that new purposes may be added as a result of court decisions and changes in the law to reflect changing social conditions. Additional purposes include;

- the provision of facilities for recreation and other leisure-time occupation in the interests of social welfare with the object of improving the conditions of life for the persons for whom they are intended.
- the provision of public works and services and the provision of public amenities
- the defence of the country (such as trusts for national or local defence)
- the promotion of certain patriotic purposes, such as war memorials
- the social relief, resettlement and rehabilitation of persons under a disability or deprivation (including disaster funds)
- the promotion of industry and commerce
- the promotion of agriculture and horticulture
- gifts for the benefit of a particular locality (such as trusts for the general benefit of the inhabitants of a particular place); the beautification of a town; civic societies
- the promotion of mental or moral improvement
- the promotion of the moral or spiritual welfare or improvement of the community
- the preservation of public order
- promoting the sound administration and development of the law
- the promotion of ethical standards of conduct and compliance with the law in the public and private sectors
- the rehabilitation of ex-offenders and the prevention of crime

<p>3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.</p>	<p>Gift Aid can be claimed at 100% of the rate of tax. For basic rate tax payers who pay 20% income tax, the beneficiary organisation alone receives the tax credit incentive. Higher rate payers at 40% and 45% are able to claim the difference between this rate of tax and the basic rate (i.e. 20% or 25%) tax back in the form of a personal deductions in their tax returns. For example, if a higher rate tax payer at 40% donates £100 to charity, they are able to claim £25 meaning the charity receives £125 at a cost to the donor of £75. A 45% taxpayer would be able to claim £31.25 as personal relief, so the donation would only cost them £68.75.</p> <p>According to Her Majesty's Revenue and Customs, the median income in the UK in 2013 was £21,000 (US\$32,787). A person earning this income would be in the lowest tax band of 20%. The highest rate of tax in the UK is 45%.</p>	<p>100% deduction against taxable income</p>
<p>4. Is there a minimum gift value to receive incentives? If yes please provide details.</p>	<p>No. Since 2000 there has been no lower threshold on claiming Gift Aid. However, in practice collecting the required personal details and Gift Aid declaration from the donor when receiving small, informal cash donations is not practical. As such, the Gift Aid Small Donations Scheme (GASDS) was introduced in 2012, which allows charities to claim against cash donations of £20 or less without the need for collecting declarations and personal information.</p>	<p>No minimum gift</p>
<p>5. Are incentives offered through tax deduction or tax credit?</p>	<p>Hybrid. Mostly considered to be a credit based system because the basic rate portion of Gift Aid is by the far the most popular relief, and this effectively operates on the basis of a credit that can be passed on to beneficiary organisations. However, higher rate taxpayers can also claim a personal deduction through Gift Aid. Likewise tax relief on gifts of land, property or shares comes in the form</p>	<p>Deduction</p>

of a deduction. Payroll giving essentially operates as a deduction at source, as donations are made out of an individual's pre-tax income.

6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?

Yes. Donations to any organisation that is registered as a charity for tax purposes are eligible for tax relief, and this includes many organisations operating largely overseas. Furthermore, following the Persche ruling in 2009, donations to charitable organisations in other EU countries are also technically eligible for Gift Aid, although this has so far been difficult to implement in practice

7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

Gift Aid is capped at 100% of tax liability

Capped at 100% of tax liability

8. Can tax incentives be applied to donations of goods and services?

Gift Aid can now be applied to donations of goods to charity shops, via a slightly complicated arrangement in which the shop accepts responsibility for selling the goods on behalf of the donor, and is then empowered to treat the proceeds as a cash donation.

Companies can claim deductions on;

- equipment or trading stock (items it makes or sells)
- land, property or shares in another company (shares in your own company don't qualify)
- employees (on secondment)
- sponsorship payments

United States of America

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Yes	Yes
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>The term “charitable” is regarded by the IRS (Internal Revenue Code Section 501(c)(3)) as including;</p> <ul style="list-style-type: none"> • relief of the poor • the distressed or the underprivileged • advancement of religion • advancement of education or science • erecting or maintaining public buildings monuments, or works • lessening the burdens of government • lessening neighbourhood tensions • eliminating prejudice and discrimination • defending human and civil rights secured by law • and combating community deterioration and juvenile delinquency. <p>The IRS recognises that as social conditions change, charitable purposes must necessarily adapt to meet new public benefit purposes. For example, the IRS has also recognized 501(c)(3) exemption for;</p> <ul style="list-style-type: none"> • organisations that promote health or protect and promote the preservation of the environment. • Teaching a specific sport to children; • Preserving and maintaining a historic or scenic area for the benefit and education of the public; • Creating a scholarship program to benefit a disadvantaged class of individuals; • Stimulating economic development in high density urban areas by low-income minorities by providing financial assistance to businesses to obtain funds not available through commercial sources; or • Providing general management consulting and administrative services to nonprofits for substantially below cost 	

3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.

Tax incentives are available to individuals who itemise their tax returns when giving to organisations that qualify as an eligible organisations and register with the Inland Revenue Service (IRS). In the main, such organisations are registered as 501(c)3 organisations - a subset of organisations exempt from taxation which are charitable, religious, educational, scientific, literary, testing for public safety, fostering national or international amateur sports competition, and preventing cruelty to children or animals.

Organisations listed under 501(c)3 to which donors can claim tax deductions on gifts can be split into two groups;

- Private foundations: these organisation contribute public benefit through the provision of grants to other organisations or through the delivery of projects and services in the case of private operating foundations. In either case, private foundations are defined as principal funds that are managed by their own trustees or directors, often with a large endowment from a single source. Donors can generally deduct 100% of their tax liability against gifts to private foundations although they are subject to a cap at 30% of their Adjusted Gross income (AGI).
- Public charities: these organisations will usually receive most of their funds through public donations or from grants government or other organisations. Donors can claim 100% of the tax liability on a donation to a public charity, subject to a higher cap at 50% of AGI.

In addition, some US States have additional incentives.

The median age or salary income according to the US Census in 2013 was \$33,333. A single person earning this salary would be in the 15% tax bracket (\$9,226 to \$37,450). A median household income of \$51,939 means that joint income tax filers would be in the same tax band \$18,451 to \$74,900. As such, it is fair to say that an “ordinary donor” might be said to be liable to pay 15% income tax.

Corporation tax is progressive in the United States and ranges from 15% below US\$50,000 to 35% above \$US\$18,333,333. State and local taxes mean a maximum net tax rate of 40%.

The highest rate of personal income tax is 39.6%

<p>4. Is there a minimum gift value to receive incentives? If yes please provide details.</p>	<p>No, though organisations receiving donations are not compelled to provide receipts for gifts of less than \$75, donors can still claim using banks statements as records.</p>	
<p>5. Are incentives offered through tax deduction or tax credit?</p>	<p>Deduction. Some States have tax credits for donors to certain priority causes.</p>	<p>Deduction</p>
<p>6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?</p>	<p>It is possible to claim tax deductions against donations made to Canadian, Mexican and Israeli charities due to income tax treaties. Donors may claim incentives against their foreign source income in those jurisdictions, subject to US caps. These provisions rest on the fact that the system of regulation is deemed to be equivalent in those three nations. Donations to qualifying domestically based organisations that transfer funds to foreign charitable organizations but retain control of the funds, including determining how the funds are used can qualify for incentives. Donations are also deductible if the foreign entity is an administrative office of a U.S. based qualifying organisation.</p>	
<p>7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.</p>	<ul style="list-style-type: none"> • Donations to private foundations although are subject to a cap at 30% of the donors Adjusted Gross income (AGI). • Donations to public charities are subject to a cap at 50% of the donors Adjusted Gross income (AGI). 	<p>Companies may deduct up to 10% of their taxable income in the form of charitable contributions but can carry forward amounts not deducted in that fiscal year for up to 5 years.</p>
<p>8. Can tax incentives be applied to donations of goods and services?</p>	<p>Deductions for gifts in kind such as clothes, household goods etc deductible a fair market value. Generally such gifts must be deemed to be in good condition to be deductible although this does not apply to contributions of food, paintings, antiques, other art objects, jewellery and gems, or collections, or to an item for which a deduction of more than \$500 is claimed if the taxpayer obtains a qualified appraisal of the item.</p>	<p>Services are not tax deductible</p> <p>To claim deduction for a gift of cash, and most gifts of property, companies will need to file a receipt. Property valued \$5000 or more requires an official appraisal that meets accepted standards.</p>
	<p>Donated vehicles which are sold are deductible at the value at which they are sold (organisations are required to provide a written acknowledgment including the gross proceeds from the sale to the donor within 30 days of the sale).</p>	

However, if the recipient organisation does not sell the vehicle it can be deductible at fair market value.
Shares, securities, land and buildings are deductible up to 50% of AGI but excess can be carried over into the next year for deduction from tax liability.

Vietnam

	Individuals	Companies
1. Are any tax incentives for charitable giving available?	Contributions to charitable and humanitarian funds are deductible from the regular income (income from business activities and income being salaries or wages) of resident individuals. No deductions can be made from irregular income (income from capital invest, transfer of capital, etc.). Non-resident individuals are not allowed to deduct charitable giving when calculating the tax payable on their Vietnamese sourced income.	Financial aid made for education, health care, scientific research to overcome the consequences of a natural disaster or to build charitable homes are treated as deductible expenses when calculating an enterprises taxable income. Charitable giving not covered by the before mentioned is not deductible.
2. Are incentives available when giving to all domestic charities/not for profit entities? If 'No' then who is excluded?	<p>In order to be deductible, contributions must be made to:</p> <ul style="list-style-type: none"> • Institutions or establishments raising or caring for children in difficult situations, disabled people, elderly feeble people • Charitable, humanitarian or study promotional funds. <p>Those institutions must either be licensed to be established in Vietnam or recognised by the Vietnamese State Authority. Only contributions to non-profit organisations will be deductible. Charitable giving not covered by the before mentioned, including charitable giving to foreign organisations not recognized by the Vietnamese government is non-deductible (compare clause 6).</p>	Financial aids are only deductible if the receiving entity is established according to the Vietnamese Law (e. g. law on education, law on healthcare) and fulfils the conditions mentioned under clause 1. Charitable giving to foreign organisations not recognized by the Vietnamese government is not deductible (compare clause 6).

- 3. What is the percentage value of incentives as a proportion of rate of tax? Please also tell us what the top rate of income/corporation tax is.
- 4. Is there a minimum gift value to receive incentives? If yes please provide details.
- 5. Are incentives offered through tax deduction or tax credit?
- 6. Do tax incentives for charitable giving apply for donations for charities operating abroad? Are there exceptions?
- 7. Is there a cap on how much can be claimed in incentives? If yes then please provide details.

All expenses meeting the conditions mentioned under the previous sections are deductible limited to the respective amount of regular income.

All expenses meeting the conditions mentioned under the sections 1 and 2 are deductible limited to the respective amount of income.

In the absence of reliable data on the median income for Vietnam, and given that such a figure would likely be below the threshold on which a person would be motivated to claim incentives, we use the World Bank GNI per capita (PPP) figures from 2014 to approximate an “ordinary donor”. Earning VND 122,830,409 (US\$5,629) would see such a person in the 15% tax band (VND 120,000,000 – 216,000,000) with the band below being 10%. The top income tax rate is 35%.

The corporate income tax rate is 22% (20% with effect from 01.01.2016).

There is no minimum value.

A deduction is offered to the amount of regular income that is subject to tax.

Pursuant to the Vietnamese legislation donations are only deductible if made to an organisation established pursuant to Vietnamese Law or recognized by the State authority. In order to establish a charitable organisation or to be recognized by the State authority as charitable, organisations are not allowed to operate abroad.

There is no limit, but deductions for charitable giving cannot exceed the amount of regular taxable income, means they cannot cause or increase losses.

8. Can tax incentives be applied to donations of goods and services?

Donations meeting the conditions as prescribed before are deductible, if accompanied by proper evidence. The Vietnamese legislation doesn't differentiate between donations in cash, kind, services or expertise. However, deductibility of donations not in the form of cash will be evaluated on a case by case basis with a special regard on whether there is sufficient proof or not.