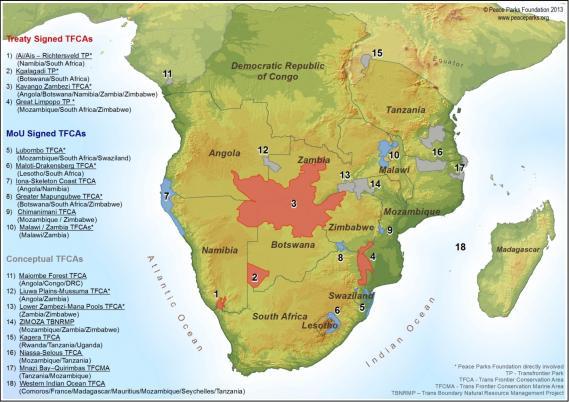
**TOURISM CONCESSION GUIDELINES FOR TRANSFRONTIER CONSERVATION AREAS IN SADC**



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Table of Contents

1.1 Acronyms 3

1.2 acknowledgements 3

2 introduction 5

2.1 Aim and objectives of the guidelines 5

2.2 Scope, structure and content 6

2.3 Target audience 6

2.4 Background to the guidelines 6

3 Concessioning process 7

3.1 Step 1: Scoping 8

3.1.1 Goals, motivations and objectives 8

3.1.2 Concessions experience 8

3.1.3 Potential barriers to concessioning 9

3.1.4 Whether to proceed or not 9

3.2 step 2: Design and feasibility 11

3.2.1 Policy and legislative framework 11

3.2.2 Spatial planning 12

3.2.3 Tourism product types 13

3.2.4 Concession model selection 14

3.2.5 Development impact 15

3.2.6 Risk 17

3.2.7 Stakeholder engagement 17

3.2.8 Viability and market assessment 18

3.3 step 3: Procurement strategy 21

3.3.1 Investment strategy 21

3.3.2 Transaction strategy 22

3.3.3 Development of transaction materials 24

3.3.4 Evaluation committee development 27

3.4 Step 4: Transaction management 28

3.4.1 procurement process 28

3.4.2 win-win deals and things to avoid 30

3.5 Step 5: Contract management 32

3.5.1 capacity and skills 32

3.5.2 manuals 33

3.5.3 end of concession and next steps 34

4 Further reading 35

4.1 References 35

4.2 Links 38

4.2.1 Step 1: Scoping 38

4.2.2 Step 2: Design and feasibility 39

4.2.3 Step 3: Procurement strategy 43

4.2.4 Step 4: Transaction management 43

4.2.5 Step 5: Contract management 44

4.3 Templates 45

4.4 SADC country information 47

4.4.1 Angola 47

4.4.2 Botswana 48

4.4.3 Democratic republic of congo 50

4.4.4 Lesotho 51

4.4.5 Malawi 53

4.4.6 Mauritius 54

4.4.7 Mozambique 56

4.4.8 Namibia 58

4.4.9 Seychelles 59

4.4.10 South africa 61

4.4.11 swaziland 63

4.4.12 Tanzania 64

4.4.13 Zambia 65

4.4.14 zimbabwe 68

4.5 Guideline development process 71

**Figures**

Figure 1: Concession agreement outline 25

**Tables**

Table 1: Appropriate tourism activities and products in SADC TFCAs 13

Table 2: Tourism activities and products in SADC TFCA 14

Table 3: Stakeholders and their role in tourism concessions 18

Table 4: Tourism attractions and examples in SADC TFCAs 19

**Boxes**

Box 1: Key definitions for these guidelines 5

Box 2: Examples of legal frameworks for tourism concessions: Namibia and South Africa 11

Box 3: Examples of transboundary event incubation: Desert Knights 14

Box 4: Chemucane Lodge: a joint-venture concession in the Maputo Special Reserve, Lubombo TFCA 16

Box 5: Enhancing development impacts through concessioning in South Africa 16

Box 6: How much money can tourism concessions make? 19

Box 7: Problems with direct negotiations and unsolicited proposals 23

Box 8: Sample table of contents for a concession manual 33

## Acronyms

|  |  |  |  |
| --- | --- | --- | --- |
| AZC | Ahi Zameni Chemucane | PAA | Protected Area Authority |
| BOT | Build Operate and Transfer | PPF | Peace Parks Foundation |
| CITW | Children in the Wilderness | PPP | Public Private Partnership |
| CTC | Companhia de Tourismo de Chemucane | RfP | Request for proposals |
| EIA | Environmental Impact Assessment | ROT | Rehabilitate-Operate-Transfer |
| EoI | Expression of Interest | SADC | Southern African Development Community |
| GLTFCA | Great Limpopo TFCA | SANParks | South African National Parks |
| MET | Ministry of Environment and Tourism, Namibia | TFCA | Transfrontier Conservation Area |
| MITUR | Ministry of Tourism, Mozambique | TFPD | Transfrontier Park Destinations |
| NGO | Non-governmental organisations |  |  |

## acknowledgements

The guidelines were formulated through an inclusive consultative process, including during the scoping, scoping for the table of contents, draft content and best practice examples. The contributions by stakeholders within SADC working on transboundary tourism and concessions, GiZ and XX are greatly appreciated. For details of the process, kindly refer to section XX). Complete at end of process.

# introduction

## Aim and objectives of the guidelines

Target: 2 pages

There are a number of reasons that it can be useful for authorities within transfrontier conservation areas (TFCAs) to grant tourism concessions to the private sector. These include that the private sector[[1]](#footnote-1):

* has commercial tourism operations as its core business, and can be more effective and efficient in generating revenue from tourism;
* understands how to match product design with market demand, and how to promote products, and can more easily able to adapt to changing markets needs and conditions;
* can more easily raise capital and other funds, and can be transferred the risk and responsibility for commercial tourism; and
* is (often) not constrained by as much bureaucracy as within government.

The **aim** of these guidelines is to provide guidance for tourism concessioning in TFCAs within the Southern African Development Community (SADC).

The **objectives** are to:

* Provide practical evidence-based guidance on a step-by-step the concessioning process that supports decision making;
* Ensure that guidance aligns the goals and objectives of conservation agencies and the private sector, and with the principles of sustainable tourism;
* Provide case study examples of good practice from within SADC, challenges, and tips to address them; and
* Provide simple, clear, reliable, applicable, flexible and concise information, with links to more detailed information and templates.

**Box 1: Key definitions for these guidelines**

|  |
| --- |
| **Tourism concession:** A concession is the right to use land or other property for a specified purpose, granted by a government, company, or other controlling body. It can include a commercial operation or a piece of land into which land is divided, and itself further divided into smaller lots[[2]](#footnote-2). A tourism concession could provide accommodation, food and beverage, recreation, education, retail, and interpretive services[[3]](#footnote-3). Concessions are also termed Public Private Partnerships (see below).  **Public Private Partnership (PPP):** A commercial transaction between an institution and a private party, where the private party acquires state property for its own commercial use and assumes related substantial financial, technical and operational risks. The private party receives a benefit from performing using the state property by charging fees to customers that they provide a service to.[[4]](#footnote-4)  **Sustainable tourism:** Tourism that takes full account of its current and future economic, social and environmental impacts, addressing the needs of visitors, the industry, the environment and host communities.[[5]](#footnote-5)  **Transfrontier Conservation Area:** A collaboratively managed ecological connected terrestrial, freshwater and/or marine area that sustains ecological process and/or cultural values and crosses one or more international boundaries and which includes protected areas as well as multiple resource use areas from which tangible benefits are realized for affected communities. [[6]](#footnote-6) |

## Scope, structure and content

The **main benefit** of reading this guideline is to obtain basic guidance on how to encourage, develop and operate tourism concessions in TFCAs within SADC.

The **geographical scope** of the guidelines relates to Southern African Development Community (SADC) countries. The type of TFCAs covered is predominately terrestrial, but includes information relevant to marine TFCAs too.

The **types of tourism concessions** addressed include:

* Tourism products that are located within one country, and within the boundaries of a TFCA (e.g. accommodation; retail or restaurant facilities); and
* Transboundary tourism activities, spanning more than one country within a TFCA (e.g. transboundary races and routes).

The guidelines are structured around a **step-by-step process** relating to the development and operation of tourism concessions, including scoping, design and feasibility, procurement strategy, transaction management and contract management.

Kindly note that these are **guidelines.** This document is not a technical manual, nor is it an exhaustive toolkit on how to do concessioning. Reading it will not make you an expert in tourism concessions, but it will provide basic guidance, and links to additional resources and further information.

## Target audience

The **main audience** for these guidelines includes TFCA coordinators; protected area authorities and ministries of environment and tourism who seek to expand the level of tourism investment, and visitation, within TFCAs. The audience also includes private sector investors interested in establishing transboundary concessions, and practitioners providing technical support to the process (e.g. NGOs, donor agencies, consultants).

## Background to the guidelines

Individual countries have legal frameworks that relate to concessions (see section 3.2.1 and Annex 4.4), and at a regional level, the two main SADC policies that underlie these guidelines include protocols on tourism and wildlife conservation.

The **SADC Protocol on the Development of Tourism** **(1998)**. This describes SADC’s objective to build upon the region’s potential as a tourist destination. The protocol states that SADC aims to establish a more even distribution of tourism development across the region, and also to create a positive enabling environment for a tourism industry that can support socioeconomic development. Member States agree to encourage private sector involvement in the tourism sector, through mechanisms including through incentives, infrastructure, and appropriate regulatory frameworks.[[7]](#footnote-7)

One of the objectives of the **SADC Protocol on Wildlife Conservation and Law Enforcement (1999**) is to promote the conservation of shared wildlife resources through establishing TFCAs. The protocol encourages Member States to develop economic and social incentives for conservation and sustainable use of wildlife.[[8]](#footnote-8)

# Concessioning process

The concessioning process followed in this guideline is outlined below.

## Step 1: Scoping

Target: 2 pages

Information gathered during the Scoping step is used to establish whether concessioning is an appropriate and viable option for a TFCA. This step helps authorities to decide whether to proceed or not.

### Goals, motivations and objectives

Establishing the goals, motivations and objectives for concessions at the beginning is important to ensure that the most relevant program design is created, and that the key stakeholders are agreed and share realistic expectations.

Ask a series of questions of the concessioning proponents (e.g. the Protected Area Authority (PAA); TFCA coordination unit), including:

* Why do you want to do tourism concessioning, and how is it related to and motivated by particular policies?
* What are the objectives of the concessioning? (e.g. capital investment; revenue generation, employment; awareness raising; spread risk etc.)
* What will the concessioning need to achieve in order to be considered a success (e.g. value of investment; number of jobs etc.)
* Which agencies have the mandate to commission and agree concessions in TFCAs?
* Is there political will for concessioning from all countries in the TFCA, and who are the likely champions?
* Are there specific destinations within the TFCA identified, prioritized and available for concessions, and/or appropriate tourism product types? Are the tourism product types compatible with TFCA conditions and objectives? (i.e. see Table 1).

### Concessions experience

Understanding the history and previous experience of tourism concessions in a particular TFCA is important to appreciate the context, previous levels of success (or not) in leveraging investment; challenges; and levels of skill and capacity that exist.

Discuss with key stakeholders such as ministry representatives, PPAs, and relevant development agencies and non-governmental organisations (NGOs) the following:

* Have tourism concessions been used in the country, this TFCA, and in this destination before?
* What type of business model was used? (e.g. management contract, lease, concession)
* What procurement process was followed? (e.g. tender, unsolicited)
* What level of interest is there from investors in potential tourism concessions?
* What level of investment and type of tourism products were leveraged?
* What issues arose in relation to transboundary issues? (e.g. borders, revenue sharing etc)
* How does money from tourism in protected areas flow? (i.e. to conservation management, to communities, national government, to a joint-TFCA fund etc)
* What level of skill exists internally to design and implement concessioning? (i.e. do gaps need to be filled by hiring advisors)

.

Also ask stakeholders for copies of relevant reports on tourism investment and concessioning that can provide responses to some of these questions.

### Potential barriers to concessioning

Concessioning is not a simple process. Concessioning is generally associated with high transaction costs for the both the PAA and the concessionaire – particularly in terms of time and human resources. Aside from the difficulties, there are some elements that can act as barriers to concessioning in TFCAs. These the following[[9]](#footnote-9):

* **Political stability**: The political and security situation of a TFCA is not sufficiently stable for tourism investors to operate, or attractive enough for tourists to visit (i.e. local, national and regional stability).
* **Governance**: Political interference and/or corruption make a transparent and well-governed concessions procurement process impossible, or a process that takes too long, is confusing or expensive.
* **Legal issues:** The legal framework does not allow private sector investment, revenue generation or repatriation of profits within TFCAs, or for secure land tenure to be granted to the private sector.
* **Motivation:** The land authority does not want to delegate revenue-generating activities, or areas of land within its protected areas, to the private sector.
* **Sensitivity:** The destination is considered too environmentally or culturally sensitive for tourism development.
* **Attractiveness:** The area does not have enough attractive natural or cultural features to develop a good tourism product that fits the market demand, and is different from competing destinations, and is therefore not attractive to investors. This may include poor or deteriorating attraction quality (e.g. reduced wildlife numbers, pollution, physical damage to attractions), or potential threats (e.g. mining prospecting, oil exploration).
* **Accessibility:** The protected area is not sufficiently accessible, due to limited road or air access infrastructure.
* **Basic infrastructure:** The destination does not have adequate internal support infrastructure to suit the requirements of the investor (e.g. internal road network, power provision, water provision, cellphone network etc.).
* **Operating costs:** Including the cost of labor for the hospitality sector and utilities (especially electricity), regulations or quotas for expatriate workers, training, taxes in the hospitality sector, and any fiscal incentives available. [[10]](#footnote-10)

Discuss potential challenges with key stakeholders (including PAA, key tourism investors), and review relevant reports, to establish whether these barriers exist, and can be resolved.

### Whether to proceed or not

In deciding whether to proceed or not with tourism concessioning, carefully consider the following:

* Are the objectives of the concessioning proponents realistic?
* Is there political will for the process in the TFCA countries, and have champions been identified?
* Are there suitable destinations available for concessions and for appropriate tourism products?
* Are any of the barriers identified to concessioning ‘deal breakers’ for the PAA or investors?

If the responses to these questions are ‘yes’, then proceed to the next step. If ‘no’, then re-think the concessioning program, and consider alternative options (e.g. delay concessioning until the conditions are favourable).

## step 2: Design and feasibility

Target: 4-5 pages

The Design and Feasibility step establishes what the tourism concessioning program will look like, including available sites, tourism products to promote, and the type of concession model. The design is aligned with the policy and planning context at national and local level, development objectives, and cognizant of potential risks. By the end of this step, a high-level business plan will have been devised for the concessioning program.

### Policy and legislative framework

A legal assessment is needed to establish whether the conditions are viable for tourism concessions. This includes at national level and concession site level (e.g. for immobile tourism products), and international level (e.g. for transboundary products). In some countries, the legal framework outlines the way in which a concessions process should be conducted (see Box 2).

**Box 2: Examples of legal frameworks for tourism concessions: Namibia and South Africa**

|  |
| --- |
| **Namibia:** The Tender Board of Namibia Act authorizes the allocation of wildlife and tourism concessions on behalf of the minister in proclaimed protected areas[[11]](#footnote-11). The Policy on Tourism and Wildlife Concessions on State Land guides the fair, transparent and efficient awarding of concessions on state lands, including the country’s protected areas. The policy includes how concession opportunities are identified and awarded, and how they are monitored and evaluated.[[12]](#footnote-12)  **South Africa:** The Public Finance Management Act has certain provisions that regulate public private partnerships these arrangements. The National Treasury has developed a Toolkit which provides a framework for implementing Public Private Partnerships in state controlled game reserves and national parks. All agreements now require National Treasury approval and a defined process must be followed[[13]](#footnote-13). |

The **national and regional legal framework** should essentially provide for a concessionaire operating in a TFCA, to operate including the following conditions[[14]](#footnote-14):

* **stable land tenure** for a specified duration, and also in relation to pricing and transferability of land. These are critical factors that can affect the ability of an investor to obtain finance;
* **options to use natural resources** in relation to the type of tourism product (e.g. hunting, photographic tourism, fishing);
* **permission construct infrastructure** where relevant to their commercial activity (e.g. accommodation, restaurant, retail outlets etc), subject to local Environmental Impact Assessment (EIA) regulations;
* ability for the private sector to **generate and retain revenue** from commercial activities, and to repatriate their profits, without double-taxation costs;
* be able to **bring in capital investment** from other countries if needed, and to repatriate these funds at the end of the concession period if the facility is sold;
* be able to **import of materials, equipment and/or labour** to support the concession development and operation; and
* ability to **bring tourists into the concession area**, without onerous visa authorisation rules or excessive costs.

The legal framework should also allow revenue paid to the authority by the concessionaire to be used to finance conservation management and maintenance relating to the concession.

At concession level, a legal assessment should include:

* a description of the legal procedure for land applications and approvals for the concession sites;
* identification of any rights or licenses that have been issued to the sites previously;
* any land rights in areas immediately adjacent to the concession area and the status of development plans in these areas, and evaluation of current status of these rights or licenses and their legality;
* Collection of all relevant documentation regarding such rights or licenses (including development proposals and reports); and
* Compilation of a map illustrating the areas of the rights or licenses.

Some legal barriers may prevent a concessioning process from proceeding at proposed sites. Even where there is political will to adapt the legal conditions, the process may take considerable time to resolve. It is important therefore to discuss whether any legal barriers are ‘deal breakers’ for concessioning at those sites.

### Spatial planning

Identify what spatial plans exist for the concession area, and what relevant information they include to guide a concessioning process. Depending on the type of land (i.e. protected or not), the plans may include protected area management plans; TFCA Tourism Plans; or Integrated Development Plans, and these may be legally adopted plans.

Spatial plans should ideally indicate which areas are zoned or allocated for tourism and concessions. The plans should ideally define the type, character and location of visitor facilities, activities and services, and also relevant stakeholders. Note that some tourism product options for TFCAs may be located entirely within a protected area (e.g. accommodation), on communal or private land (e.g. community-based lodge), or may overlap different several land-types (e.g. a transboundary 4x4 route). Use the existing plans in combination with site visits, to identify the site options for concessions, including their locations, size, attractions, and number.

If no plan exists, the concession process may need to be modified to include the development of an appropriate plan. Without a plan, there is a risk that conservation, development and tourism be haphazard, potentially in response to political pressure, and without consideration for the future. As a result, opportunities may be lost, and there could be irreversible damaged done to the protected area resources[[15]](#footnote-15).

### Tourism product types

Types of tourism that take place in TFCAs within the SADC region tend to incorporate the use or appreciation of nature and/or culture (see Table 1 below). Furthermore, they need to be appropriate to the TFCA conditions so that tourism that can take place in a sustainable manner, without undermining the natural or cultural resource.

**Table 1: Appropriate tourism activities and products in SADC TFCAs**

|  |  |  |
| --- | --- | --- |
| **Tourism activities and products** | | **Examples from TFCAs in SADC** |
| Activities | Wildlife viewing | Wildlife safaris, birdwatching, whale and dolphin watching. These may be vehicle based (e.g. 4x4; overland truck; boat), on foot, or other means (e.g. horse riding; elephant back-safaris, balloon or helicopter trips) |
| Sports | Including mountain biking (e.g. Tour de Tuli), hiking (e.g. Tour de Pafuri); running-races (e.g. Wildrun), and mixed-activity events (e.g. Desert Knights: canoeing and mountain biking) |
| Hunting | Fishing and trophy hunting |
| Adventure | Including bungee jumping, mountain climbing, canopy swings, and 4x4 drives, hot-air ballooning, aerial walkways, boat trips, scuba diving |
| Education | Learning about particular species, environments, cultures and current issues |
| Volunteer work | Support to ongoing research projects on conservation, or social development projects. |
| Tourism products[[16]](#footnote-16) | Accommodation | Lodges, hotels, guest houses, permanent and mobile camping facilities, houseboats, conference facilities |
| Heritage and culture | Museums, interpretation and exhibition centres. |
| Tour operations | Including transportation and guiding |
| Natural resource use | Hunting and fishing |
| Catering facilities | Restaurants, cafes, mobile catering facilities, picnic areas |
| Retail facilities | Gift shops, sale of self-catering supplies |
| Information provision | Interpretation and guiding |

When deciding what tourism activities and products should be promoted through tourism concessions, check that they are compatible with the relevant spatial plans (see section 3.2.2). Also consider that certain products:

* **Require considerable capital investment**, with higher levels of financial risk to investors, and therefore requiring longer concession periods to make a profit (e.g. luxury lodges; hotels; restaurants).
* **Need little capital investment,** with lower levels of financial risk and so requiring shorter concession periods(e.g. hiking trails, cycle events, camp sites).
* **Require approvals from numerous agencies:** e.g. transboundary events may require approvals from departments of immigration, labour and finance. Process can be complex, time-consuming, inconsistent and frustrating for concessionaires and support agencies.
* **Essential natural and cultural resources** that make the particular product viable, different from competitive destinations, and adequate supporting infrastructure.

Some products may be so complex or untested that they need to be ‘incubated’ by a champion (e.g. a private operator, a PAA, a TFCA management unit, or an NGO) before they are ready for concessioning. If they are concessioned too early, conservative investors may not be willing to invest or take on the substantial levels of risk. During the incubation period, a product may need substantial marketing and promotion; require the development of transboundary protocols (e.g. Standard Operating Procedures for border movements and revenue sharing; manifests). In some instances, this may take several years (e.g. see Box 3).

**Box 3: Examples of transboundary event incubation: Desert Knights[[17]](#footnote-17)**

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| --- |
| Desert Knights is a 7-day event that combines night-time mountain biking and a day of canoeing in the /Ai/Ais Richtersveld Transfrontier Park. The event was designed to promote TFCAs. The Ministry of Environment and Tourism (MET) (Namibia) and SANParks (South Africa) embarked on a concessioning process in 200X. However, because the event did not have a track record in the market, and operational costs were unknown, private operators were unwilling to agree to fixed minimum fees. Since then, Namibia Wildlife Resources, the Namibian parastatal responsible for tourism management, has been tasked by MET and SANParks to operate the event on their behalf. Product design was supported by the Peace Parks Foundation (PPF) and Boundless Southern Africa in collaboration with both PAAs. The event was piloted over two years, 2011 and 2012, where logistics and market demand were tested, and journalists and operators were invited to participate. By 2014, 100 tourists had signed up within 2 weeks of bookings opening. |

### Concession model selection

There are three main types of concession model: Management, Service/lease and Pure Concession (or Public Private Partnership (PPP) (see Table 2).

**Table 2: Tourism activities and products in SADC TFCA**[[18]](#footnote-18)

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Type of agreement** | **Description** | **Typical length** | **Asset ownership** | **Example of tourism product type** |
| Management | The authority delegates management to an experienced private operator through a management contract, in return for the payment of fixed management fees, based on performance.  The management contract has clear performance indicators. | 5 years | **Authority:** Part of the operating risk may be transferred to the concessionaire. | Management of established accommodation, restaurant, event or retail facility (e.g. Awelani Lodge, operated by TFPD). |
| Service / Lease | The authority creates a lease agreement with the concessionaire. The concessionaire's profits depend directly on the operating profits of their tourism enterprise, and they adopt full operating risk. | <5 years | **Authority:** Owns infrastructure, cash flow, operations management, and retains investment risk | Operation of established accommodation, restaurant, or retail facility (e.g. Witsieshoek Mountain Lodge in Maloti-Drakensberg TFCA) |
| Pure concession or Public Private Partnership | Options include Build Operate and Transfers (BOTs) and Rehabilitate-Operate-Transfers (ROTs). | 15-30 years | **Concessionaire/ Authority:** Concessionaire investments, and the operating and investment risks are substantially transferred to the concessionaire. Assets are transferred back to the authority at the end of the agreement. | Construction (or rehabilitation) and operation of facility, such as accommodation (e.g. Singita Lebombo in Kruger National Park (GLTFCA) |

In deciding which type of concession model to use, the authority should consider:

* How **investment and operating risk** should be shared between the authority and concessionaire, depending on the level of risk the authority wishes to transfer.
* The **financial feasibility,** including the cost-effectiveness of the process, the financial feasibility (including size of any incremental costs on investment, operation and maintenance), and demand forecasts and market structure, tariff or price assumptions, operating cost, capital cost, and funding requirements and costs (debt and equity). [[19]](#footnote-19)
* The **level of capital investment** needed for the tourism product, and time needed to make a return on that investment: i.e. if infrastructure already exists, a service or lease agreement will suffice. If new facilities are required, a pure concession may be considered.
* Whether the **tourism product is sufficiently attractive** to the market to be concessioned, or whether it requires an incubation period (i.e. a transboundary event operated under a management contract).
* Who the **contracting authority** would be (e.g. a particular ministry, government department, protected area authority), and what their obligations would be.

A concession period should be sufficiently long for the investor to generate a reasonable return on their investment, including their initial capital outlay and their profit. The contract term may be negotiated between the parties in relation to the relative risk and returns.

### Development impact

Development impact relates to the effect that the concessioning will have on local communities, including benefits and costs. Local communities are key stakeholders who may be living within a TFCA, using its natural and cultural resources for their livelihoods. Tourism concession planning should include strategies to maximise the net positives impacts in relation to livelihoods, assets, and the institutional environment. [[20]](#footnote-20) Neglecting development impacts may lead to conflict between concessionaires, tourists, and also unsustainable use of wildlife and other natural resources.

One way that communities can benefits is through ownership of concession enterprises. The extent of local involvement often has implications for how the operation approaches local economic and community development. Equity options include:

* Community-based enterprises (100% community owned) (e.g. Ahi Zameni, Lubombo TFCA: see Box 4)
* Joint-ventures (X% private; Y% community based enterprise) (e.g. Rocktail Beach Lodge, Ponto do Ouro Kosi Bay Marine TFCA)
* Private sector enterprises (100% private) (e.g. Jock of the Bushveld, Great Limpopo TFCA)

**Box 4: Chemucane Lodge: a joint-venture concession in the Maputo Special Reserve, Lubombo TFCA[[21]](#footnote-21)**

|  |
| --- |
| The Ministry of Tourism (MITUR) in Mozambique signed a 50 year agreement with a community association, Ahi Zameni Chemucane (AZC), for the 810 ha Chemucane concession in the Maputo Special Reserve. The AZC represents three communities, comprising about 100 families, and 1000 residents. The Bell Foundation, a private partner, formed a joint-venture company with AZC called Companhia de Tourismo de Chemucane Ltd (CTC), which has a 25 year partnership contract with AZC to develop and operate the site. AZC holds 40% equity in CTC, which was financed by a USD500,000 grant from the Community Enterprise Fund of a World Bank/MITUR project on TFCAs, and a USD600,000 interest free loan from the African Safari Lodge Foundation. The Bell Foundation hold the remaining 60% equity. The AZC, and its member communities, benefit from a lease fee paid by CTC (USD30,000 plus 2.5% turnover, with a guaranteed amount of USD15,600), and a bed levy of US$6 per night. Local salaries are estimated to be USD60,000 in the first year of operation, and social commitments of CTC include local procurement and a training and succession plan. |

Concessioning processes can maximize the net-benefits to local people by encouraging bidders to include options for local involvement. In addition to equity, this can include:

* Direct employment in the tourism concession business, including training and advancement to managerial level positions;
* Supplying products and services directly to tourists (e.g. guiding services) or the concession operators (e.g. maintenance, fresh produce, transport); and
* Community development projects from philanthropy or corporate social responsibility (CSR) spending by concessionaires or their clients.

A concessioning authority should be aware of the different ways that positive development impacts can be encouraged, and may decide to give more weight in procurement processes and information provided to investors to the types it would like to encourage (e.g. see an example South Africa below).

**Box 5: Enhancing development impacts through concessioning in South Africa**

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| In 2000, concession bids in Kruger National Park of the GLTFCA included ‘empowerment plans’ which received 20% of the weighting during the proposal reviews. Elements included were (1) shareholding by historically disadvantaged individuals or groups, (2) training and affirmative action in employment, and (3) business and economic opportunities for local communities. Contracts signed by successful bidders required that they provide SANParks with an annual report to quantifiably account for their empowerment activities and achievements, in relation to their bid objectives. In this regard, SANParks reserved the right to impose penalties if concessionaires failed to meet their empowerment obligations. Proposals received for accommodation concessions in Kruger National Park ranged from 7.5% to 68% shareholding from historically disadvantaged individuals. [[22]](#footnote-22) |

### Risk

Risks associated with concessions programs may be financial, political, environmental, social or external. They can lead to costly delays, stoppages, negative publicity, threats to the operation, and unforeseen expenditures. There can also be reputational damage to the protected area authority, which may exceed the immediate financial cost impacts of a project.[[23]](#footnote-23) A risk assessment should be undertaken, addressing the area of influence of a concession, including: [[24]](#footnote-24)

* The area to be affected by the tourism concession, its operation and contractors;
* Associated facilities, that would not be developed if the concession did not exist; and
* Cumulative impacts, resulting from incremental impacts relating to other existing or planned developments (e.g. other tourism facilities, concessions).

A risk mitigation plan should be developed to establish standards, identify and monitoring changes in those standard throughout the procurement process, and also the life cycle of a tourism concession.

### Stakeholder engagement

Involving stakeholders at every stage of the concessioning process ensures that their perspectives, knowledge, and support are incorporated[[25]](#footnote-25). Stakeholder engagement should include: [[26]](#footnote-26)

* Identification of stakeholders (including within government, protected area authorities, private sector, locally affected communities, civil society groups, academic community, development community).
* Determination of the level of stakeholder engagement (i.e. inform, consult, involve, collaborate, or empower).
* Sensitization to secure support and participation in the investment facilitation process.
* Technical assistance to community members that intend to participate financially in a concession investment.

The types of stakeholders relating to tourism concessions can include those outlined in the table below[[27]](#footnote-27).

**Table 3: Stakeholders and their role in tourism concessions**

|  |  |
| --- | --- |
| **Type of Stakeholder** | **Interest or Role in the Concession Process** |
| National or local government authorities | Interest is to ensure that the proposed concession process satisfies local and national legislation and adheres to all specified regulations. This can include land issues, and transboundary elements relating to immigration, importation of goods and services, and labour. |
| Politicians | Interest is to ensure that the agreed process meets the needs and expectations of their constituents, and relates to overarching policies. |
| Protected area authorities | Ensuring that the concession does not undermine conservation of the natural and/or cultural asset, and that it contributes financially to the management costs. |
| TFCA management units | Ensuring that concessions are aligned with TFCA development and tourism plans, and that participating countries contribute and benefit equitably. |
| Private sector (including tourism and other sectors) | Interest in benefiting from the concession (directly or indirectly) and to ensure that the concession does not impede their current performance. |
| Locally affected communities or individuals (including leaders, action groups, landowners, occupiers) | Interest in ensuring the concession improves the livelihoods for present and future generations and does not negatively affect their environment, way of life or future. |
| Civil society organizations and groups with special interests | Represent the views of groups with less of a voice (marginalised communities) or no voice (wildlife, environmental issues). |
| Academic community | Provide advice on previous studies conducted in the area or of concessions in other locations. |
| Development community (including donor and development agencies) | Providing funding and technical support, which may have projects supporting protected areas, their authorities, and poverty reduction initiatives for communities. |

Good practices in disclosure and consultation stakeholder engagement include:[[28]](#footnote-28)

* Documentation of consultation, including where and when meetings were, who participated, issues raised and responses to them.
* Disclosure of reports and management plans, including through publically accessible locations and weblinks.
* Notification of affected stakeholders of where and when documents can be reviewed.
* Respond to comments, including acknowledging receipt, and informing stakeholders whether comments were incorporated or not adopted (and why).
* Distribute an executive summary or newsletter, in simple and easily understandable format, focusing on key issues and future stakeholder consultation.

### Viability and market assessment

The revenue from tourism concessions can generate investment that can provide important funds to maintain the conservation efforts of PAAs (see Box 7). However, it should be noted that some concession opportunities are very attractive to the private sector, if an appropriate return on investment is unlikely or risks are too high. To understand the viability of a tourism concession, a high-level business plan needs to be compiled. This is informed by a situational analysis and stakeholder engagement.

**Box 6: How much money can tourism concessions make?[[29]](#footnote-29)**

|  |
| --- |
| **South African concessions:** Between 2002 and 2012, tourism concessions and rentals operated by South African National Parks generated R492.6 million (USD58 m). Tourism products included accommodation, canoe trails, houseboats, and the rental of shops and restaurants.  **Namibian concessions**: Since 2007 Namibia has granted more than 10 concessions for tourism to communities living in or adjacent to protected areas. These have generated investment of about N$200 million (USD19 m), and the State received about N$11 m (USD1 m) in concession fees.  **Mountain bike event: Tour de Tuli**: The 300 fee-paying cyclists make a donation of R19,800 (USD1860) to the organizing NGO, Children in the Wilderness (CITW). Total income is approximately R5.94 m (USD558,000), and after costs are deducted, CITW retains a profit of between R900,000 and R1 m (USD85,000-95,000). Between 2005 and 2013, 2369 cyclists raised R11.6 million (USD1.1 m), which supported 5100 children to attend a CITW camp, and for over 2500 children to participate in an Eco-club program in 7 SADC countries.  **Mountain bike/Canoe event: Desert Knights**: 100 participants pay R9500 (USD900) each to participate. This is mainly used to pay for expenses relating to organizing the tour, including marketing, food and drinks, fuel etc. The profit of around R180,000 (USD16,900) is held in an operating account for the /Ai/Ais Richtersveld Transfrontier Park, and spent on joint operations by Namibia and South Africa. (expenses?) |

A **situational analysis of tourism** should be undertaken through a review of literature and consultation with key stakeholders within authorities and the private sector. This should include a supply and demand assessment:

* **Demand**: Collate information on national and destination statistics on numbers of arrivals, source markets, demographics, length of stay, expenditure, occupancies, type of accommodation used, destinations visited, activities undertaken, trends.
* **Supply:** Review information on existing accommodation (including number, type, capacity, quality, rates), tour operations/guides, restaurants, transport, information and planned new tourism products, attractions (see Table 4), and competing destinations and products.

**Table 4: Tourism attractions and examples in SADC TFCAs**

|  |  |
| --- | --- |
| **Tourism attractions** | **Examples from TFCAs in SADC** |
| Landscape | Waterfalls like Victoria Falls in the Kavango Zambezi TFCA; desert features in the Ai/Ais Richtersveld TFCA; mountain ranges of the Maloti-Drakensberg TFCA |
| Wildlife | The ‘Big 5’ of elephant, rhino, buffalo, lion and leopard in terrestrial TFCAs; whales and dolphins in marine protected areas |
| Plant life | Endemic and unusual plants of the Ai/Ais Richtersveld TFCA including aloes, succulents, daisies, the ‘halfmens’. |
| Indigenous culture | Traditional dress, food, music dance, stories and craft |
| Historical sites | Buildings and monuments and sites of religious significance, such as the archaeology and rock art of Tsodilo Hills, a World Heritage Site, in the Botswanan part of the Kavango Zambezi TFCA |

Early **consultation with the private sector** will help establish whether there is interest in the concession opportunities:

* Develop a **database** of local and regional tourism investors and operators who already have similar products to the concessions that will be offered.
* **Discuss with a selection of the potential investors** whether the proposed concession sites and product types are of interest to them; competing sites and destinations; whether they would apply for a concession if it became available; whether they would bid in a tender process; what capital they would invest; whether the levels of infrastructure (i.e. air access, roads, power, communication) are viable; whether the concession model proposed is attractive; and what challenges they anticipate.
* During this consultation, it is important to **share information** with investors on the likely fee structure; incentives; land tenure; environmental issues and community involvement. Feedback on these elements can be used to shape the procurement strategy, deal structure and investment promotion strategy.

Building on the information collected, it is useful to develop a **high-level business plan** to guide the procurement strategy, including the following elements: [[30]](#footnote-30)

* Goals and objectives;
* Products and services to be developed, ensuring that they are compatible with the environmental and social sensitivity of the destination;
* The concession model (i.e. management, lease, BOT, ROT), including roles and responsibilities of the authority and concessionaire, and relevant institutional arrangements;
* The business model (e.g. private sector, joint-venture, community based enterprise);
* Industry and market analysis, including supply, demand and competition;
* Project schedule, including the life cycle of the concession, including procurement process, duration and exit;
* Marketing plan, including product, price, promotion, and place;
* Financial plan and projections, including best, average and worst-case scenarios;
* Sustainability plan, including socio-economic and cultural linkages with local communities, biodiversity conservation and environmental management;
* Critical risks and assumptions; and
* Monitoring and evaluation.

## step 3: Procurement strategy

Target: 4-5 pages

The Procurement strategy provides the framework, materials and support systems for the concession transaction to take place.

### Investment strategy

The investment strategy for tourism concessioning includes information identified during previous steps, including investment objectives (sections 3.1.1), the type of tourism products (section 3.2.3), the commercial proposition (see 3.2.5) and the development objectives (see 3.2.6). It also includes the location and number of tourism concessions (see 3.2.2), the concession model and tenure length (see 3.2.4).

In developing the strategy, the authority should consider options for:

* **A phased approach:** Releasing a small number of highly attractive sites at first to stimulate demand and raise awareness, which can be followed by additional sites in a few years time. For example, in Kruger National Park (Great Limpopo TFCA), accommodation concessions were offered in 2000, followed by restaurant and retail concessions).
* **Inviting concession models with different commercial and development impacts:** Offering concession sites to international operators, regional operators, and local operators (including community-owned enterprises) (e.g. as in the Maputo Special Reserve, Lubomobo TFCA).
* **Timing:** Concessioning should avoid timing the process if external factors will constrain the outcome, for example similar concessions being offered in other TFCAs at the same time, or global economic factors (e.g. recession, currency fluctuations).

The investment strategy should also incorporate the development of attractive and informative **investment promotion materials.** These should be developed for each concession site to brief investors, and to demonstrate how the concessions are distinguishable from other opportunities in other destinations. They may incorporate brochures, electronic documents and presentations for investor forums. Types of information to provide in the materials include information that investors indicated they needed (see 3.2.8) and:**[[31]](#footnote-31)**

* **Hard evidence (facts and data) to qualify, quantify, and allay investor concerns** about a location, including land costs and acquisition procedures; construction permit costs and procedures; relevant licenses inventory, costs, and procedures; relevant taxes, levies and custom duties, and procedures; labour costs and regulations including expatriate labor regulations; utility costs and connection procedures; communications costs and connection procedures; names and contacts of support institutions, lawyers, notaries, accounting firms, financial institutions, and construction companies; inventory of relevant policies, laws, and regulations; inventory of relevant reports (research by accounting firms, development partners, and others);
* **Examples of how any risks have been identified** and is being handled by relevant stakeholders.
* **Information on positive trends** that indicate progress or news that the issues are resolved.

A communication and outreach strategy should be devised to ensure that the targeted types of investors receive information about the opportunities. This may include specific launch events, participation in international trade fairs, individual meetings with targeted operators, newspaper and magazine advertisements, social media. It is useful to target outreach to the private sector companies that have already shown an interest in the concessions (see section 3.2.5).

### Transaction strategy

Selection of an appropriate procurement process has critical implications for the success or failure of a concessioning process. Characteristics of successful concession transactions include:

* Transparency and good governance, with clear criteria for the award of a concession.
* Short and cost effective concessions procurement process, including the negotiation period.
* Providing good deal for both the authority and the investor, with agreed environmental and socioeconomic benefits.
* An experienced and skilled concessioning team, who have clear roles and responsibilities.
* A contract period that is sufficient for the investor to make a return on their investment.

There are two main options for concessioning: competitive bidding, and direct negotiations / unsolicited proposals. The authority may have some flexibility in type of transaction strategy, but in some countries the approach is prescribed in legislation (see 3.2.1).

**Option 1. Competitive bidding**[[32]](#footnote-32)**:** This process is generally considered the most transparent, it provides a market-based system for selecting the best proposal, it stimulates most interest among investors, and generally has lower associated costs than the other options. The process generally includes:

* Public notification of the authority’s intent to award a concession for a private infrastructure project or service, sometimes including a request for Expressions of Interest (EoI).
* A formal process for prequalifying potential bidders, in relation to key criteria.
* Distribution of information memoranda, bidding documents (e.g. Request for Proposals: RfP; formats for Social, Environmental and Financial offers), and related draft contracts to potential bidders.
* A formal public process for presenting proposals, evaluating proposals, and selecting the winner.

The transaction strategy should establish the protocol for screening bids (i.e. review of Social and Environmental proposals first; if these are acceptable, then review the Financial offer) (see 3.3.3 and Step 4).

**Option 2. Direct negotiations / unsolicited proposals**[[33]](#footnote-33)**:** Investors may wish to avoid competitive processes in tourism concessions particularly if:

* they have intellectual property rights to a product (e.g. a transboundary product that they have incubated); or
* there is a lack of private sector interest, due to the small scale, remote location or potential risk of the project.

Processes used to manage unsolicited proposals, and improve their transparency and the level of competition, include two stages which are outlined below: [[34]](#footnote-34)

**Stage 1: Approving unsolicited proposals**

* Submission of a description of the project to the appropriate authority.
* The authority gives a preliminary response as to whether the project is of interest, and may request additional legal, financial and environmental studies to be done by the investor at their own cost. If the concept is accepted, then the investor receives formal recognition of the concept and their preliminary proposal.
* A detailed proposal is developed including a) the investors ability to develop and operate the project; b) a technical feasibility study, c) estimated project cost and financing plan, d) an income and expenditure plan, e) justification of the need for the project, and f) environmental or social impact studies. A bid bond may be requested at this time if a guarantee of the seriousness of the investor is required.
* The detailed proposal is reviewed and negotiated between the proponent and authority. If accepted, the project moves to stage 2.

**Stage 2: Tendering unsolicited proposals**

Usually one of three systems is used selected, to generate a competitive process. These are outlined below:

* **Bonus system:** A formal competitive bidding process takes place, but the original proponent receives a bonus, such as an additional number of points on the score of their proposal (i.e. up to 10%). The size of the bonus is publicly announced, as is the estimated reimbursable costs for the proposal development.
* **Swiss challenge:** A public tender process is announced. The original proponent may be requested to provide a bid bond equivalent to that required from potential challengers. If a competitor submits a better offer (financially and technically), then the original proponent may have a period to match it (e.g. 30 days). If they cannot match the challenging offer, then the challenger is awarded the concession.
* **Best and final offer system:** Invitations for proposals are publically announced. Bids are received, evaluated and ranked – including from the original proponent. The two best bids are selected for a second round, including the proposal from the original proponent. Best and final offers are requested from the short-listed bidders. If the winning bidder is not the original proponent, the winner is required to reimburse their project development costs.

**Box 7: Problems with direct negotiations and unsolicited proposals**

|  |
| --- |
| Awarding concessions without competitive bidding can create public concern over the project legitimacy, as corruption can be more easily concealed if the award process is not transparent enough. The lack of transparency leaves them open to accusations of corrupt processes (even if they are not). An open tender, even with only the original proponent, can demonstrate that there is only one interested bidder, and provides evidence of an authority’s commitment to transparence and fair processes. [[35]](#footnote-35) The World Bank does not allow unsolicited proposals to be used in projects that they fund, and advises that they should be used with extreme caution.[[36]](#footnote-36)  Due to concerns with unsolicited proposals, the rest of this document relates to Option 1: Competitive bidding. |

### Development of transaction materials

A series of transaction materials are needed to conduct competitive bidding for tourism concessions. The documents needed are outlined below, and templates are provided in section 4.3. The materials, and the process, should be approved by the relevant agency responsible for signing the concession contract before the transaction process begins. The materials that should be developed include:

* Advertisements and requests for Expression of Interest (EoI).
* Prequalification requests and screening checklists.
* Request for Proposals (RfP) and screening checklist.
* Contract.
* Data room.

**1. Advertisements and requests for Expression of Interest (EoI)**

Adverts and marketing collateral should be highly attractive and enticing materials, which aim to capture investor interest and encourage them to contact the authority to indicate their interest in the bid. They should include the bidding process and timeframes involved, and where additional information can be found. A dedicated concession promotion website can provide up-to-date investor information that can be used to reach many investors simultaneously at a low cost.

**2. Prequalification requests and screening checklist**

The Request for Prequalification is a legal document that should include: [[37]](#footnote-37)

* a timetable for the bidding process, including deadlines for the submission of proposals;
* local laws regulating the bidding process;
* prequalification criteria (normally technical and financial) for single companies and consortia;
* legal requirements from proponents;
* rules for the setup and/or modification of prequalified investors following the closing of the prequalification process (e.g., allowing or restricting associations among potential investors or changes to consortia;
* requests for references or verifiable information to ensure the veracity of the information presented; [[38]](#footnote-38) and
* model letters for submission of prequalification requests.

The information memorandum includes a detailed description of the proposed project in relation to legal, technical, financial, and process elements. It should also include information on the strengths and potential of the tourism concessions. [[39]](#footnote-39)

Developing criteria for pre-qualification can be controversial and may involve lengthy discussions with the authority and other stakeholders.[[40]](#footnote-40) Criteria should include evaluation on a “pass or fail” basis (i.e. a firm is prequalified only if it satisfies all the specified criteria). [[41]](#footnote-41)

**3. Request for Proposals (RfP) and screening checklist**

The RfP contains detailed instructions, templates and procedures for the tender process, including:

* applicable law and regulation underpinning the bidding process;
* guidelines for submitting technical and financial proposals,
* draft concession contracts,
* the date, time, location, and manner of submission for offers in response to the tender;
* bidding criteria;
* the evaluation committee and award process;
* administrative recourse; and
* project documents (e.g. background on concession sites, stakeholders, attractions, environmental and social studies, business plan, legal elements (see 3.3.1)).

The RfP specifies the amount of time available for questions and clarifications, and the time by which the full proposal must be submitted (e.g. 30-60 days).

Proposal evaluation tools need to be prepared that allow a systematic evaluation of proposals in line with issues including the:

* **Financial offer:** including evaluation of guaranteed and variable amounts in relation to the financial viability of the product;
* **Social and development impacts**: including local employment, equity, procurement and corporate social responsibility proposals; and
* **Environmental impacts:** including avoidance and mitigation of negative impacts of construction and operation, in addition to conservation management activities (if relevant).

**4. Concession agreement**

A concession agreement should be drafted with very careful consideration. It describes the bundle of rights given to the private investor by the protected area authority in return for specified obligations that they will undertake. It is **the** central document as it achieves transfer and allocation of risks and ensures bankability. The agreement protects the interests of both the authority and the private partner. Key elements of a tourism concession agreement are outlined in the figure below.[[42]](#footnote-42)

**Figure 1: Concession agreement outline**



The contract should allow certain monitoring elements to take place, including: [[43]](#footnote-43)

* Require regular management committee meetings between the concessionaire and the authority’s contract manager;
* Have physical access to the facility at all reasonable times;
* Have access to the accounts and other records of the project;
* Require user (tourist/customers)-satisfaction surveys to be conducted;
* Require the publication of regular reports on contractual performance; and
* Appoint auditors and other agents for the purpose of independent reviews or audit.

**5. Data room**

Establish a data room where all of the detailed technical, legal and financial information that relates to the concession sites can be found. [[44]](#footnote-44) This room, and its contents, should be available for use by bidders as they prepare their proposals. This includes information from previous phases and steps, including:

* Stakeholder engagement reports.
* Environmental and social assessment reports.
* Risk assessment.
* Tourism and financial analysis, including the high-level business plan.
* Legal due diligence.

The data room may be a local and secure library of documents, CD-ROMs, or an online data room. The room needs to be secure, from an information security perspective. [[45]](#footnote-45)

### Evaluation committee development

Development of the evaluation committee is an important element, because this group is responsible for determining who the pre-qualified bidders are, and also reviewing full proposals to determine the winning bidder. Members of the committee need to be highly trustworthy, technically competent, and fair.

For practical purposes, it is recommended that the committee be not more than 10 people, and that representatives of the following institutions be considered as members:

* Government departments of tourism, conservation, planning and finance;
* TFCA authority and specific protected area authorities;
* Non-governmental organisations (focusing on conservation and/or socio economic development in the specific TFCA); and
* Technical experts (e.g. on legal, environmental, social, tourism and financial elements) to provide input, but not to vote.

The roles and responsibilities of the evaluation committee should include[[46]](#footnote-46):

* Acceptance of bids as complete and compliant;
* Thoroughly review each bid
* Evaluation and scoring bids in line with the evaluation criteria;
* Selection of a preferred and a reserve bidder;
* Understanding of their role, the bid evaluation system and the concession project;
* Receive comments, queries and complaints from interested and affected parties connected to concession development, review these and ensure timely responses.
* Guarantee effective communication channels to all relevant parties, including regularly reports to the contracting authority.
* Signing a confidentiality agreement and code of conduct.

## Step 4: Transaction management

Target: 3-4 pages

During Transaction management, the concession offerings are promoted in the market place to investors, and proposals are sought, reviewed and the best offering. This step concludes with a signed concession agreement between a concessionaire and the authority.

### procurement process

The procurement process in competitive bidding follows the following sequence, using the materials developed in the previous step[[47]](#footnote-47):

* Advertise concession opportunity, and invite submissions for pre-qualification.
* Pre-qualify parties.
* Issue a request for proposals with a draft concession agreement.
* Receive bids.
* Compare bids with the design and feasibility work and each other.
* Select preferred bidder.
* Negotiate with preferred bidder.
* Finalise concession agreement and its management plan.

This sequence is outlined below.

**1. Advertise concession opportunity, and invite submissions for pre-qualification:** Place adverts in appropriate highly credible national and international newspapers and trade journals. Also send adverts directly to investors identified during previous steps, and distribute information at international and regional trade fairs. Keep a record of any companies that send EoIs in the concession opportunities.

**2. Pre-qualify parties:** Publicise the Request for Prequalification via the same media outlets as the advertisements. Also send the guidance also to the investor database, and companies that sent EoIs. Bids should be received, logged, and secured according to the procedures required in the bidding documents. On an appointed day and time, the bids should then be produced for inspection and evaluation by the evaluation committee, according to the specified procedure, and on a pass/fail basis. **[[48]](#footnote-48)** Inform companies of the outcome of the pre-qualification process.

**3. Issue a Request for Proposals (RfP) with a draft concession agreement:** The RfP is made available to the bidders who passed the pre-qualification stage. Sometimes, a payment is requested from the bidders before they receive the RfP, which is used to help prepare bidding documents for them. Investors will wish to undertake their own due diligence, and the authority will need to accommodate:

* **Access to the data room:** To review detailed technical, legal, and financial information on the concession.
* **Due diligence site visits:** Opportunity should be provided for each pre-qualified company to visit the concession sites, and discuss the opportunity with fully briefed protected area staff, local authorities, and relevant stakeholders. It is useful to use an independent practitioner to facilitate site visits, meetings, and gather information on any investor concerns.
* **Bidder question and answer:** The types of questions from investors may related to background technical information or on the project design, and also on the transaction structure, the legal framework, and allocation of risks. This process may take place by phone, email, or a bidders conference. All bidders must be treated equally, and so all responses should be shared with all of the pre-qualified bidders.

**4. Receive bids:** Bids should be received, logged, and secured according to the procedures required in the bidding documents.

**5. Compare bids with the design and feasibility work and each other:** On an appointed day and time, the bids should then be produced for inspection and evaluation according to the specified procedure by the evaluation committee. The investors should not be present during the technical evaluation but may attend the opening of the financial bid. There should be an official transcript or minutes of the proceedings of the evaluations.[[49]](#footnote-49)

**6. Select preferred bidder:** The winner is selected on the basis of the weighted technical/financial score or the best financial offer if the technical evaluation was pass/fail as per the RfP rules. **[[50]](#footnote-50)** At the end of the bid evaluation process, the client sends  a communication to all investors who bid. The winner is invited to finalize the contract and other project agreements. [[51]](#footnote-51)

**7. Negotiate with preferred bidder:** In some transactions, a contract is signed immediately after the selection and formal announcement of the winning bidder, in line with the draft contract that formed part of the bid documents (i.e. the winning proposal forms the basis of the contract). In others, a contract is signed only after the fulfillment of conditions precedent in the project documents, which may include obtaining financing for the project or local registration of the company[[52]](#footnote-52). There may be some elements of negotiation on the winning proposal that also need to be addressed before the contract is finalized. During the negotiation of contracts, there may be issues disagreement and conflict, which can mean a tense and difficult stage of the process.[[53]](#footnote-53) An experienced negotiator or transaction advisor can be useful to close the deal, and all involved should promote a climate of trust and cooperation.[[54]](#footnote-54)

**8. Finalise concession agreement:** A transaction is considered finalized after the contract is signed between the contracting authority and the winning bidder.An agreed management plan (see 3.5.2) should also form part of this concession agreement.[[55]](#footnote-55)

### win-win deals and things to avoid

The best possible outcome in tourism concessioning is where both the authority and investor are satisfied that they have a fair deal which is value-for-money, and where potential problems are pre-empted as far as possible.

Characteristics of a good deal include: [[56]](#footnote-56)

* **Affordable** to the authority.
* **Value for money**, relating to the high-level business plan compiled during the Design and Feasibility step.
* **Acceptable transfer of commercial risk**, including relating to construction, insolvency, market demand, and operation.
* **Adequate technical capacity.** Proven operational ability, marketing capability and existing client bases are more accurate of long-term sustainability of tourism concessions than financial forecasts included within bids.

Pitfalls to avoidinclude:[[57]](#footnote-57)

* **Thinking there will be no problems:** Most contracts face issues and problems through their tenure. It will be foolish to imagine there will be no problems.
* **Hasty, inadequate or non-existent due diligence**.
* **Not knowing what you want.**If you don't know what you want, you might not like what you get. Also, if you change your  mind and change the scope, the contract and price will change. Know clearly what you want.
* **Failing to negotiate.**It means that there is need to discuss, argue, deliberate, and ultimately agree upon all terms  of the concession agreement.
* **Failing to understand.**If something related to the concession is unclear, there is need to find out what it means. Demand explanations and achieve answers before signing an agreement.

Important elements of good concession agreements include: [[58]](#footnote-58)

* **Clear identify the parties to the contract**: In the case of corporations or other business entities, it is important to verify the capacity of the contracting party to bind the corporation to the contract
* **Clear payment terms**: The contract should explicitly state the exact payment terms with no room left for ambiguity.
* **Legal approval of the contract.**Always ensure a legal review of the contract for legal vetting and validation. Model agreement and samples are useful but the final agreement should be thoroughly verified.
* **Boilerplate provisions.** These are clauses that protect the rights and privileges of the parties, like Notice Provisions, Assignment, Warranties, Indemnity, Consent to jurisdiction, Dispute Resolution, Modification of Agreement.
* **Provisions relating to defaults, opportunities to cure and termination.**  These provisions are important ways to promote performance and avoid litigation. Timelines for completion of the project is imperative along with penalties for non-compliance.
* **Comprehensive**:  Not only should the legal terms be covered, but also the specific requirements of both parties. If no stone is left unturned, interests are always being protected. The written contract always defines the duties and responsibilities. Reliance upon verbal advice is always a risk.
* **Contract language/s and translations.**  If the contract exists in several language versions, only one version of the contract is a binding contract. All other language versions are translations for convenience only and have no legal binding power
* **Definition of rights and obligations that are assignable:** You should include an assignment clause, so you can transfer the rights to third parties without seeking consent of the other party.
* **Establishing internal procedures and protocols to insure contractual compliance and avoid disputes:** The final and often most serious mistake are the filing of the contract in a cabinet and then forgetting about it. The authority too often ignores the contract and only consults it when problems arise. By failing to establish procedures to monitor performance, the parties may breach their contracts or may waive the right to insist that the other party fulfill their obligations.
* **Transboundary issues are addressed:** Where a concession is transboundary, ensure that sufficient attention has been given to the roles, responsibilities, and conditions of all parties in the participating countries.

## Step 5: Contract management

Target: 4-5 pages

During Contract management, the authority and concessionaire undertake to implement the activities and responsibilities of the concession agreement. This step outlines the operational phase of the concession, and also next steps following the end of the concession.

### capacity and skills

Once a contract is signed, the authority needs sufficient capacity and skills to manage the concession in accordance with the agreement.

A contract management team within the authority should be established which includes the following elements: [[59]](#footnote-59)

* Responsibility for contract management.
* Team members with the skills, knowledge and abilities to apply to concessions management.
* Adequate funding for its operation.
* Thorough understanding of the concession agreements, roles and responsibilities, and ownership and payment mechanisms.
* Establishment in advance of the concession agreement beginning.
* Ensure the partnership ethos is developed and maintained between team members, and with the concessionaires.
* Production of an Operational Contract Manual for use by the team in managing the contract (see 3.5.2).

Where gaps in capacity are identified, identify initial and ongoing team training requirements. Options to enhance the team can include:

* **Formal training programs**: With classroom-based tuition on concession and contract management (e.g. the IFC commissioned training manual for Lesotho’s concessions program).
* **Exchange visits to meet with representatives of other concessioning authorities** – these can be used to discuss their processes, visit their concession sites, and discuss issues with stakeholders from investors to local communities.
* **Mentorship by technical experts** – as and when technical experts in concessions are contracted are contracted to work on the process (in concessions, risk assessment, legal due diligence, tourism etc.) they can be requested to work in collaboration with a technical counterpart within the protected area authority to build capacity during the process.
* **Recruit short-term technical advisors** – this can be useful where there are short-timeframes for certain tasks, or where detailed technical knowledge is needed (e.g. legal advice).

Note that concession periods for infrastructure projects will likely be longer than the employment duration of individual (or entire) contract management team members, and also individuals working for the concession company. Retaining good relationships, and institutional memory of the concession process, the agreement, and concessioning process is vital.

### manuals

The concession manual should guide the authority’s team in their management of the concession agreement, for its entire duration. An outline for a TFCA concession manual is provided in the box below.

Box 8: Sample table of contents for a concession manual[[60]](#footnote-60)

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| * **Contract terms:** including obligations, rights, term, options for renewal, transfer of rights, risks, conflicts, intellectual property. * **Project life cycle** * **Communication channels** * **Environmental and conservation requirements**: including integrated environmental management; environmental control officers; cultural and natural resources; biosphere manipulation; game control; monitoring and research; patrols; numbers of beds; water; fire management; traversing; problem animals; alien biota; firearms; staff issues; aircraft and vehicles; game drive procedures; off road driving; guided walks; codes of conduct; safety * **Technical infrastructure management**: including construction and design; power; water extraction; communications infrastructure; waste management; roads and tracks * **Environmental and technical monitoring mechanism**: relating to construction and operation * **Social and empowerment requirements:** including shareholding, training and promotion, business opportunities for local communities * **Transboundary mechanisms:** relating to transboundary movement of equipment, labour and tourists, and to the importation of construction and operational goods. * **Financial and contractual requirements**: including concession fees, minimum rental, fixed fees, annual fees, monitoring * **Breaches**: including financial, empowerment, and environmental breaches, and processes for remedial action – contact, final letter, performance bond, formal notice and termination. * **Fines and penalties:** including when they are applied, and their value. * **Code of conduct:** including working relationships with concessionaires, permanent and temporary residents.   Annexes:   * Policies and regulations relating to relevant TFCAs, protected areas, and non-protected land. Include Includes Standard Operating Procedures, Service Level Agreements, and trip manifest templates. * Templates for reporting * Templates for applications * Monitoring tools |

An important element of concession management is monitoring the performance of the concessionaire against the standards and agreements made in the concession agreement. Steps involved in developing a performance monitoring system include: [[61]](#footnote-61)

* Baseline level of performance that meets the service delivery specifications, financial, environmental and social obligations;
* Performance monitoring system;
* Penalties associated with not meeting baseline requirements, in line with the contract; and
* Periodic review of performance monitoring and taking corrective action.

### end of concession and next steps

At the end of the agreed concession contract period, the type of concession model applied will dictate what takes place. For example:

* **Build (or Rehabilitate) Operate Transfer:** Infrastructure ownership would revert to the authority (or other party, as outlined in the contract). Inspections of the quality of the infrastructure would take place to ensure that they were of adequate quality.
* **Compensation for capital improvements:** The amount compensated depends on the initial value of the structure, adjusted according to the increase or decrease in the Consumer Price Index and less the amount of depreciation of the structure (i.e., the condition and serviceability in comparison with a new unit of the same kind). [[62]](#footnote-62)

Termination of a concession before the end of the contract period may also take place, for example if:[[63]](#footnote-63)

* the concessionaire commences voluntary liquidation proceedings;
* the concessionaire fails to report any material related party transactions, or if any material related party transaction is in breach of a term of the concession contract and which leads to material damage to the protected area authority;
* the concessionaire commits a material breach of the concession contract;
* the concessionaire (or any of its officers or directors) is found guilty of a crime involving fraud or dishonesty and is sentenced to a jail sentence; or
* the books of account of the concessionaire are found, on more than one occasion to have been falsified or published in such a manner as to reflect a position that is materially different to the true financial position of the concessionaire.

Termination of the concession contract should only take place with the approval of the head of the contracting authority. To protect against this type of collapse of the concession contract, concession projects should be structured so that any assets would revert to the Government and the protected area authority is in a position to engage an alternative service provider. [[64]](#footnote-64)

Options for next steps can include:

* Initiate a new concession procurement process (i.e. start again with Step 1)
* Negotiate with the existing concessionaire to renew their contract (unless the contract was terminated).
* Negotiate with the reserve bidder to take over the concession.
* Authority takes over responsibility of the management of the assets.

# Further reading

This section provides additional materials to support the guidelines. It includes reference that are cited in the text, links to further reading on important issues and case study examples. Also provided are a number of templates for concession transaction materials that can be adapted for use in different SADC TFCAs. Furthermore, this section provides information on each SADC country’s concession and investment framework. The section concludes with an outline of the guideline development process.

## References

Alberta Tourism, Parks and Recreation (1991) Tourism business planning guide: a guide to assist with the preparation of a business plan, accessible at <https://www.albertacanada.com/files/albertacanada/2-Business_Planning_Guide.pdf>

Anon (undated) Policy for foreign investment in the Tourism Sector (Mauritius)

Ashley, Roe and Goodwin (2000:4) Pro-Poor Tourism: Putting Poverty at the Heart of the Tourism Agenda. <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2861.pdf>

Board of investment (2009) Invest Hotel Scheme (Mauritius)

Board of Investment (BOI) (undated) Invest in Hospitality and Property development: The Mauritius Advantage

Buckley, R. (2010). Conservation Tourism. CAB International.

Collins, S. (2012) Ponto Chemucane, Maputo Special Reserve: Putting community at the centre? Available at <http://www.slideshare.net/AnnaSpenceley/chemucane-maputo-special-reserve-steve-collins>

CRISIL (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, Contract management Manual and resources, Volume 2: Contract management training manual

Davies, R. (2010) CIA Post completion monitoring, South African National Park (Project ID9907), IFC internal report

Deloitte (2008) Institutional Research for the TFCA Investment Catalogue, Report to the Department of Environmental Affairs and Tourism

Eagles, P. F. J., Baycetich, C. M., Chen, X., Dong, L, Halpenny, E., Kwan, P. BBoun, Lenuzzi, J. J., Wang, X., Xiao, Hl, and Zhang, Y. (2009) Guidelines for planning and management of concessions, licenses and permits for tourism in protected areas, Tourism planning and management program, University of Waterloo, Ontario, Canada, 23 April 2009

Fearnhead, P. (2003) Commercial tourism concessions: a means of generating income for South African National Parks, Vth World Parks Congress, September 2003, Durban, South Africa, Accessible from http://conservationfinance.org/guide/WPC/WPC\_documents/Apps\_06\_Fearnhead\_v1.pdf

Gray, R. D., Irwin, T., Levesque, C. and Taylor, R. R. (1998) Concessions for infrastructure: a guide to their design and award, World Bank Technical paper no 399. World Bank and Inter-American Development Bank

Grove, A. S. (1996) Only the Paranoid survive, cited in CRISIL (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, Contract management Manual and resources, Volume 2: Contract management training manual

Hodges, J. T. and Dellacha, G. (2007) Unsolicited infrastructure proposals: how some countries introduce competition and transparency, Public-private infrastructure advisory facility, Working Paper no. 1

IFC (2007) Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets

IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual

IFC (2014) Managing environmental and social risks, accessible from http://www.ifc.org/wps/wcm/connect/Topics\_Ext\_Content/IFC\_External\_Corporate\_Site/IFC+Sustainability/Risk+Management/

Kerf, M., Gray, R. D., Irwin, T., Levesque, C., and Taylor, R. R. (1998) Concessions for infrastructure: A guide to their design and award, World Bank Technical Paper no. 399, World Bank and Inter-American Development Bank and IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual

Ministry of Environment and Tourism (2007) Policy on tourism and wildlife concessions on state land, Republic of Namibia, accessible from http://www.areasprotegidas.net/sites/default/files/documentos/Namibia%20Tourism%20%26%20Wildlife%20Concessions%20Policy%20(2007).pdf

Ministry of Environment and Tourism (Undated) Tourism and Wildlife concessions in Namibia’s protected areas, accessible from <http://www.met.gov.na/Documents/Concession%20Policy%20flyer.pdf>

Ministry of Tourism and Leisure (2011) Policy on investment by non-citizens in the tourist accommodation (non-hotel) sector (Mauritius)

Mulonga S (2012) Namibia Tourism Investment Prospectus. Ministry of Environment and Tourism. Windhoek. Namibia

National Treasury (2004) PPP Toolkit for tourism, accessible from http://www.ppp.gov.za/Pages/Governance.aspx?RootFolder=%2fLegal%20Aspects%2fPPP%20Toolkit%20for%20Tourism&FolderCTID=&

Pocket Oxford English Dictionary, 2006

Regional Tourism Organisation of Southern Africa (RETOSA) (2014) Southern Africa Tourism Investment Handbook, 1st edition, RETOSA, CDE, SADC

Snyman, S. (2014) Nedbank Tour de Tuli, Presentation to the GMTFCA Trilateral Techncial Committee on 11 April, 2014, Johannesburg, South Africa.

South Africa: SANParks (2012) Annual report, <http://www.sanparks.org/assets/docs/general/annual-report-2012.pdf>: pp29-30;

South African National Parks (SANParks) (Undated) Concessions operations manual, Revision 1

Southern African Development Community (SADC) (1998). Protocol on tourism, accessed from http://www.sadc.int/files/2413/5292/8368/Protocol\_on\_the\_Development\_of\_Tourism1998.pdf on 5 December 2013

Southern African Development Community (SADC) (1999) Protocol on Wildlife Conservation and Law Enforcement, accessed from <http://www.sadc.int/documents-publications/show/Protocol%20on%20Wildlife%20Conservation%20and%20Law%20Enforcement%20(1999>) on 30 July 2014

Spenceley, A. (2003) Tourism, local livelihoods and the private sector in South Africa: case studies on the growing role of the private sector in natural resources management. Sustainable Livelihoods in Southern Africa Research Paper 8, Institute of Development Studies, Brighton, accessible from http://www.anna.spenceley.co.uk/files/TourismLivelihoods&PrivateSectorSpenceley.pdf , pp51

Spenceley, A., Neville, H., and Souto, M. (In prep) Protected are tourism concessions: A toolkit, Report to the International Finance Corporation (citation will change)

Varghese, G. (2008) Public private partnerships in South African National Parks, in Spenceley, A. (ed) Responsible tourism: critical issues for conservation and development, Earthscan, pp77,

Walton A. Gomei M. and Di Carlo G. (2013) Stakeholder engagement: Participatory Approaches for the Planning and Development of Marine Protected Areas. World Wide Fund for Nature and NOAA— National Marine Sanctuary Program, accessible from <http://awsassets.panda.org/downloads/stakeholder_engagement.pdf>

Whyte, R., Perrottet, J., Di Fiori, V., and Neville, H. (2013) Global Investment Promotion Best Practices: Winning tourism investment, World Bank, Available from <https://www.wbginvestmentclimate.org/advisory-services/investment-generation/investment-policy-and-promotion/gipb/upload/Tourism-GIPB-report.pdf>, pp7

Wyman, M., Barborak, J. R., Inamdar, N., and Stein, T. (2011) Best practices for tourism concessions in protected areas: A review of the field, Forests, 2, 913-928, available at [www.mdpi.com/journal/forests](http://www.mdpi.com/journal/forests)

Young, C. and Young, C. (1993) Park planning: A training manual (instructors guide), College of African Wildlife Management, Mweka, Tanzania. Cited in Thomas, L., and Middleton, J. (2003) Guidelines for management planning of protected areas, WCPA Best practice protected area guidelines series no. 10, IUCN, Cardiff University.

Zunkel, K. (In prep) Southern African Development Community Transfrontier Conservation Guidelines: The establishment and development of TFCA initiatives between SADC Member States

**Weblinks cited**

<http://ppp.worldbank.org/public-private-partnership/legislation-regulation/laws/ppp-and-concession-laws#how_to_manage>

<http://tourisminvest.org/_manual/manual_workstream_stakeholder-mgt.html>

<http://www.desertknights-mtb.com/tour-overview>

<http://www.met.gov.na/SPAN/Pages/Concessions.aspx>

**Personal communications**

Pers Com. P. Bewsher, Peace Parks Foundation, 2014

Pers Com. R. Vorwerk, Boundless Southern Africa, 2014

Pers Com. S. Snyman, Wilderness Safaris/Children in the Wilderness, 2014

## Links

The following weblinks include publicly available materials that can be accessed to provide more detailed information and background reading.

**Editorial Note: Need to decide best format for including these links in final version**

**Expand on links within document to each section**

### Step 1: Scoping

**General information on concessions and PPP and tools**

|  |  |
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| PPP in infrastructure Resource Centre, World Bank | <http://ppp.worldbank.org> |
| Global investment promotion best practices: winning tourism investment | https://www.wbginvestmentclimate.org/advisory-services/investment-generation/investment-policy-and-promotion/gipb/winning-tourism-investment.cfm |
| Lesotho Tourism Public Private Partnership Contract Management Consulting  Contract management Manual and resources:  Volume I and II – Contract management training manual | Doc 35 and 36: Determine from Lesotho if they are happy for this to be a public document / weblink |
| Tourism concession guidelines, 2001, Malawi | Doc 201 |
| Public Private Partnership Manual: National Treasury PPP Practice notes issued in terms of the Public Finance Management Act, National Treasury PPP unit | Doc 97 |
| Namibia tourism and wildlife concessions policy | Doc 24 |
| Investment Procedures, Tanzania National Parks | Doc 203 |
| Development/action/lease procedures, Tanzania National Parks | Doc 204 |
| Tourism concessions in protected areas in Mozambique: Manual for operators and concessionnaires | http://anna.spenceley.co.uk/files/Files%20Sept%202012/SPEED-Reports-2012-005ConcessionsOperatorManual.pdf |

**General information on protected areas, transfrontier conservation areas, sustainable tourism and local communities**

|  |  |
| --- | --- |
| Guidelines for applying protected area categories | <http://www.iucn.org/about/work/programmes/gpap_home/gpap_capacity2/gpap_bpg/?13959/Guidelines-for-applying-protected-area-management-categories> |
| Guidelines for applying protected area categories to marine protected areas | <http://www.iucn.org/about/work/programmes/gpap_home/gpap_capacity2/gpap_bpg/?11131/Guidelines-for-Applying-the-IUCN-Protected-Area-Management-Categories-to-Marine-Protected-Areas> |
| Governance of protected areas | <https://cmsdata.iucn.org/downloads/governance_web_1.pdf> |
| Indigenous and local communities and protected areas: Towards equity and enhanced conservation | <http://www.iucn.org/about/work/programmes/gpap_home/gpap_capacity2/gpap_bpg/?2166/Indigenous-and-Local-Communites-and-Protected-Areas-Towards-Equity-and-Enhanced-Conservation> |
| Sacred Natural Sites – guidelines for protected area managers | http://www.iucn.org/about/work/programmes/gpap\_home/gpap\_capacity2/gpap\_bpg/?10060/Sacred-Natural-Sites---Guidelines-for-Protected-Area-Managers |
| Sustainable tourism in protected areas: guidelines for planning and management (NB new edition due Sept 2013) | <http://www.iucn.org/about/work/programmes/gpap_home/gpap_capacity2/gpap_bpg/?2167/Sustainable-tourism-in-protected-areas-guidelines-for-planning-and-management> |
| Sustainable financing of protected areas | <http://www.iucn.org/about/work/programmes/gpap_home/gpap_capacity2/gpap_bpg/>?374/Sustainable-Financing-of-Protected-Areas |
| IFC A Guide to Biodiversity for the Private Sector: Tourism and Hospitality | <http://www.ifc.org/wps/wcm/connect/8b97918048855795bcf4fe6a6515bb18/Tourism%2Band%2BHospitality.pdf?MOD=AJPERES&CACHEID=8b97918048855795bcf4fe6a6515bb18> |
| Practical, profitable, protected: A starter guide to developing sustainable tourism in protected areas | [www.eceat-projects.org/tourism-manual](http://www.eceat-projects.org/tourism-manual) |
| Sustainable development and ecotourism: a compilation of good practices | [http://sdt.unwto.org/en/content/ecotourism-and-qprotected-areas](http://sdt.unwto.org/en/content/ecotourism-and-protected-areas) |
| Tourism and biodiversity – achieving common goals towards sustainability | <http://www.e-unwto.org/content/j6584k/?p=4c0fc713d75748e18e6501fe8237f499&pi=9> |
| Making tourism more sustainable – A guide for policy makers | <http://www.e-unwto.org/content/w715w4/?p=0ef9688179a94fb08c63036081aa68ea&pi=1> |
| Biodiversity: My hotel in action | <http://cmsdata.iucn.org/downloads/iucn_hotel_guide_final.pdf> |
| Ecolodges | http://www.ifc.org/wps/wcm/connect/topics\_ext\_content/ifc\_external\_corporate\_site/ifc+sustainability/publications/publications\_report\_ecolodges\_\_wci\_\_1319576869279 |
| Indicators of sustainable tourism development | http://www.un.org/esa/sustdev/natlinfo/indicators/guidelines.pdf |
| Indicators of Sustainable Development for Tourism Destinations | <http://www.e->unwto.org/content/x53g07/?p=c1a8815e60d44ea1b5e202bd799548f2&pi=0&hl=u |

**Stakeholder engagement**

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| Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets | <http://www.ifc.org/wps/wcm/connect/938f1a0048855805beacfe6a6515bb18/IFC_StakeholderEngagement.pdf?MOD=AJPERES> |

### Step 2: Design and feasibility

**Policy and legislative framework**

|  |  |
| --- | --- |
| Legal frameworks for concessions: PPP in infrastructure Resource Centre, World Bank | http://ppp.worldbank.org/public-private-partnership/legislation-regulation/laws/ppp-and-concession-laws |

**Spatial planning**

|  |  |
| --- | --- |
| Site selection: approach to investment facilitation in Madagascar | <http://tourisminvest.org/_manual/downloads/Approach_to_Investment_Facilitation.pdf> |
| Park site selection report in Madagascar | http://tourisminvest.org/\_manual/downloads/Park\_Site\_Selection\_Report.pdf |
| Guidance note on land acquisition and voluntary resettlement | http://tourisminvest.org/\_manual/downloads/WBG\_Guidance\_Note\_Land\_Acquisition.pdf |

**Tourism product types**

TBA

**Concession models**

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| PPP in infrastructure Resource Centre, World Bank | <http://ppp.worldbank.org> |

**Viability and market assessment**

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| Template investor ‘longlist’ communication table | <http://tourisminvest.org/_manual/downloads/Template_for_annotated_investor_long-list.xls> |
| Linking communities, tourism & conservation: A tourism assessment process  - including tools for market demand analysis, supply and competitiveness, human capacity, biodiversity footprint, cost-benefit analysis and others. | http://www.gwutourism.org/images\_comm/TAPmanual\_2meg.pdf |
| IFC Hotel investment brochure: Developing tourism and business infrastructure | http://tourisminvest.org/\_manual/downloads/IFC-Hotel-Investment-Brochure-2009.pdf |

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| **Concession opportunities** |  |
| **Data** | **Possible sources** |
| Demand data:   * Foreign tourist arrivals, source markets, yearly and  monthly totals, trends, global ranking * Arrivals by main tourism centers in country * Profile of tourists (such as type, age range, duration  of stay, typical spend per night, repeat vs. one-off, key  interests) * Domestic tourism trends and data | National ministry in charge of tourism  Tourism Board  Statistics agency  Tourism investors/industry associations  Airport administration  Relevant subnational authorities  Interviews and survey questionnaires to existing tourism  operators  World Tourism Organization (UNWTO) Statistics and  Tourism Satellite Accounts  International Congress and Convention Association  (ICCA) for the Meetings, Incentives, Conferencing, Exhibitions (MICE) subsector |
| Supply data   * Accommodation offering (number of establishments, rooms and  beds nationally, by region, by main tourism centers, by  hotel segment and star rating, and so on) * International hotel chains, reputable brands; recent investments and mergers and acquisitions involving  foreign capital * Profiles of select existing projects (number of rooms,  facilities, main clientele, occupancy rates, Average Daily Rate [ADR], Revenue per Available Room [RevPAR], Gross Operating Profit per Available Room [GOPPAR], status and projects, consumer/industry feedback) * Planned new tourism projects (under construction or planned) | National ministry in charge of tourism  Tourism Board  Statistics agency  Tourism investors/industry associations  Interviews and survey questionnaires to existing tourism  operators  World Tourism Organization (UNWTO) Statistics and  Tourism Satellite Accounts  TripAdvisor and similar sites  IPI pipeline |
| Individual site data:   * Best areas to find sites with description and rationale,  relevant contacts including real estate brokers who may  help identify property * Individual site profiles, location, highlights, photos,  assets inventories, amenities, relevant acquisition procedures, price indication or price range, and any applicable fiscal and financing incentives * Relevant local demand drivers, infrastructures, major development plans, and so forth * Site/areas comparisons with relevant comparable figures (such as local/subnational macro-data where available, number of visitors, number of establishments, rooms and beds, occupancy, RevPAR) | National ministry in charge of tourism  Tourism Board  Tourism investors/industry associations  National ministry in charge of land or other relevant  land-owning ministries, possibly the natural parks  authority  Subnational government authorities in key tourism  centers  Real estate brokers |
|  | |
| **Investment climate data** |  |
| **Data** | **Possible sources** |
| Tourism strategies   * Master plans * Materials from key sector institutions such as the  Ministry of Tourism, Tourism Board, and National Tourist Office | National ministry in charge of tourism  Tourism Board |
| General and sector-specific government incentives relevant to the tourism subsector and to the specific opportunities being promoted | National ministry in charge of tourism,  Tourism Board |
| Relevant taxes  Levies  Customs duties (costs and procedures) | Relevant ministries and government agencies  World Bank Doing Business dataset |
| Database of construction suppliers with information on costs and quality including per m2 costs for a range of construction types  Construction permits and procedures | Questionnaires and interviews with existing tourism project operators and construction suppliers  Database of construction suppliers, with notes on track record and relevant costs data  National ministry in charge of tourism  Tourism Board, and other relevant ministries  World Bank Doing Business dataset |
| Relevant license costs and procedures such as:   * Environmental impact license * Investment license * Operating license * Hotel/restaurant/bar/liquor licenses | National ministry in charge of tourism  Tourism Board  Relevant ministries and government agencies |
| Utilities and communications data:   * Availability * Providers * Costs * Procedures | Relevant ministries and government agencies  National utility companies  World Bank Doing Business dataset |
| Labor data:   * Education levels * Literacy rates * Languages * Employment in tourism segments, wages for various  functions and skill levels * Available training programs * labor regulations; expatriate labor regulations | Relevant ministries and government agencies  World Tourism Organization (UNWTO) Statistics and  Tourism Satellite Accounts  World Travel and Tourism Council database  World Bank data  World Bank Doing Business dataset |
| Support institutions relevant to the tourism sector that can serve as alternative sources of information (list, description, contact):   * National ministry in charge of tourism * Tourism Board * Tourism investors/industry associations * legal offices and consultancies * Financial institutions | National ministry in charge of tourism  Tourism Board  Tourism investors/industry associations  Chamber of Commerce  Relevant sector associations |
| Inventory, description, and an electronic library of relevant laws as well as regulations | National ministry in charge of tourism  Tourism Board  Relevant ministries and government agencies  World Bank Doing Business dataset |

**Development impact**

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| Indigenous and local communities and protected areas: Towards equity and enhanced conservation | <http://www.iucn.org/about/work/programmes/gpap_home/gpap_capacity2/gpap_bpg/?2166/Indigenous-and-Local-Communites-and-Protected-Areas-Towards-Equity-and-Enhanced-Conservation> |
| Participation Works! 21 Techniques of Community Participation for the 21st Century | www.neweconomics.org |
| Development Without Conflict: The Business Case for Community Consent | www.wri.org |
| Making success work for the poor: Package tourism in Northern Tanzania | http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/4203.pdf |
| Practical strategies for pro-poor tourism, Wilderness Safaris South Africa: Rocktail Bay and Ndumu Lodge  - Practical examples of the involvement of the communities in a public-private-partnership tourism concession | <http://www.anna.spenceley.co.uk/files/WSReport.pdf> Hyperlink address for manual |
| Pro-Poor Tourism Strategies: Making Tourism Work For The Poor: A review of experience. | <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/3246.pdf> Hyperlink address for manual |
| Doing the right thing approximately not the wrong thing precisely: Challenges of monitoring impacts of pro-poor tourism interventions in tourism value chains | <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2348.pdf> |
| Indigenous and local communities and protected areas: Towards equity and enhanced conservation | <http://www.iucn.org/about/work/programmes/gpap_home/gpap_capacity2/gpap_bpg/?2166/Indigenous-and-Local-Communites-and-Protected-Areas-Towards-Equity-and-Enhanced-Conservation> |
| Series of “How to . . . ?”   * Brief 1: Boosting procurement from local businesses * Brief 2: Stimulating local cultural and heritage products * Brief 3: Building local partnerships   Brief 4: Setting corporate priorities and managing internal change | www.odi.org.uk |
| Indigenous Ecotourism: sustainable development and management | http://books.google.co.za/books?id=noFNSuofi6IC&pg=PA278&lpg=PA278&dq=Indigenous+Ecotourism:+sustainable+development+and+management,&source=bl&ots=kht6fJfpKt&sig=xMr25lSiZb5pu-1wObQDHTWMkmA&hl=en&sa=X&ei=IT1GU-GQBMTRhAfFsYHoAQ&redir\_esc=y#v=onepage&q=Indigenous%20Ecotourism%3A%20sustainable%20development%20and%20management%2C&f=false |
| Linking communities, tourism and conservation : A Tourism assessment process, | web.conservation.org/xp/CIWEB/downloads/TAPManual.pdf |
| Tips for joint venture partnerships in tourism: A handbook for building local partnerships between private operators and conservancies in Namibia | [http://www.nacso.org.na/dwnlds/refs/WWF-MET%](http://www.nacso.org.na/dwnlds/refs/WWF-MET%25)20JV%20Booklet%20low%20res%202011.pdf |
| Guidelines for the management of conservancies and standard operating procedures, Namibia | Doc 202 |

**Risk**

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| IFC Managing environmental and social risks | http://www.ifc.org/wps/wcm/connect/Topics\_Ext\_Content/IFC\_External\_Corporate\_Site/IFC+Sustainability/Risk+Management/ |

### Step 3: Procurement strategy

**Investment strategy**

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| Recommended data to include in investment promotion database | http://tourisminvest.org/\_manual/downloads/Data-included-in-investment-promotion-database.pdf |
| Investor outreach and communication strategy (Mozambique concessions) | http://tourisminvest.org/\_manual/downloads/Investor\_Outreach\_and\_Communications\_Strategy.pdf |
| Maputo Special Reserve Investment procurement strategy | <http://tourisminvest.org/_manual/downloads/MER-Investment-Strategy.pdf> |
| Tanzania’s investment outreach program – case study | http://tourisminvest.org/\_manual/downloads/Tanzania\_Investor-Outreach-Program.pdf |

**Transaction strategy**

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| How to manage unsolicited proposals - PPP in infrastructure Resource Centre, World Bank | http://ppp.worldbank.org/public-private-partnership/legislation-regulation/laws/ppp-and-concession-laws#how\_to\_manage |
| Tourism concessions in protected areas in Mozambique: Manual for operators and concessionnaires | http://anna.spenceley.co.uk/files/Files%20Sept%202012/SPEED-Reports-2012-005ConcessionsOperatorManual.pdf |

**Sample promotional materials for concessions**

|  |  |
| --- | --- |
| A4 Advertisement (Mozambique) | <http://tourisminvest.org/_manual/downloads/ifc-advert-final.pdf> |
| 16-page marketing brochure (Mozambique) | <http://tourisminvest.org/_manual/downloads/Anchor_Sites_Brochure.pdf> |
| 2 x promotional posters (Mozambique) | <http://tourisminvest.org/_manual/downloads/final-posters.pdf> |
| Press release at launch (Mozambique) | <http://tourisminvest.org/_manual/downloads/Press_release_international-launch.pdf> |
| Investor criteria brief (Mozambique) | <http://tourisminvest.org/_manual/downloads/Investor-criteria-brief.pdf> |

**Evaluation committee**

TBA

### Step 4: Transaction management

**Procurement process**

TBA

**Engagement with investors**

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| Guidelines for concession applicants (Namibia) | <http://www.met.gov.na/Documents/Guidelines%20for%20Concession%20Applicants.pdf> |

**Win win deals**

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| --- | --- |
| Negotiating a public private partnership: institutional arrangements to restore the Gorongoza National Park (presentation) | <http://www.slideshare.net/AnnaSpenceley/gorongosa-concession-bartolomeu-soto> |
| How to engage with the private sector in PPPs in emerging markets | Doc 99 |

**Contract content**

|  |  |
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| Lesotho Tourism Public Private Partnership Contract Management Consulting  Contract management Manual and resources:  Volume I and II – Contract management training manual | Doc 35 and 36 |

### Step 5: Contract management

**Capacity and skills**

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| Lesotho Tourism Public Private Partnership Contract Management Consulting  Contract management Manual and resources:  Volume I and II – Contract management training manual | Doc 35 and 36 |

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| Training and capacity building for concessions, Tourism Concession Opportunities in conservation areas and maximising rural development (presentation) | http://www.slideshare.net/AnnaSpenceley/training-for-concessions-review-anna-spenceley-jim-barborak |
| What government agencies need to know (presentation) | http://www.slideshare.net/AnnaSpenceley/training-for-government-in-tourism-concessions-fransisco-pariella |
| What the private sector needs to know (presentation) | http://www.slideshare.net/AnnaSpenceley/ndzou-camp-chimanimani-training-andrew-kingman |
| What communities and civil society need to know (presentation) | <http://www.slideshare.net/AnnaSpenceley/training-for-communities-tourism-concessions-ema-batey> |

**Manuals**

|  |  |
| --- | --- |
| Public Private Partnership Manual: National Treasury PPP Practice notes issued in terms of the Public Finance Management Act (South Africa) | <http://www.ppp.gov.za> |
| Tips on relationship management | <http://tourisminvest.org/_manual/downloads/Tips_on_Relationship_Management.pdf> |
| Stakeholder engagement matrix | <http://tourisminvest.org/_manual/downloads/Stakeholder_Engagement_Process_Toolkit.pdf> |
| Guidelines for concession applicants (Namibia) | <http://www.met.gov.na/Documents/Guidelines%20for%20Concession%20Applicants.pdf> |

**Monitoring and evaluation**

TBA

**End of concession and next steps**

TBA

**Case studies from within SADC**

|  |  |
| --- | --- |
| **Mozambique** |  |
| Facilitating tourism investment in the Maputo Elephant Reserve | https://www.wbginvestmentclimate.org/uploads/MER\_CaseStudy.pdf |
| Tourism concessions in protected areas in Mozambique: Analysis of tourism concession models in protected areas in Mozambique | http://anna.spenceley.co.uk/files/Files%20Sept%202012/SPEED-Reports-2012-004ConcessionsReport.pdf |
| Tourism concessions management in Niassa National Reserve: The combined roles of governance, monitoring and research (2000-2012) (presentation) | http://www.slideshare.net/AnnaSpenceley/niassa-contract-management-anabela-rodrigues-vernon-booth |
| Concessions processes in Niassa Reserve, Mozambique (A hunting area) (presentation) | http://www.slideshare.net/AnnaSpenceley/niassa-anabela-rodriques-vernon-booth |
| Negotiation of the concession between the Carr Foundation and the Government of Mozambique for Gorongoza National Park (presentation) | http://www.slideshare.net/AnnaSpenceley/gorongosa-concession-bartolomeu-soto |
| Ponto Chemucane: Maputo Special Reserve – putting the community at the centre? (presentation) | http://www.slideshare.net/AnnaSpenceley/chemucane-maputo-special-reserve-steve-collins |
| Investor pack: Quirimbas National Park, Mozambique | Doc package 89 |
| **South Africa** |  |
| South African National Parks: a business overview | Doc 116 |
| Commercial tourism concessions: a means of generating income for South African National Park | http://conservationfinance.org/guide/WPC/WPC\_documents/Apps\_06\_Fearnhead\_v1.pdf |
| Commercial ventures in South African protected areas | Doc 117 |
| Concessions processes in South African National Parks | <http://www.slideshare.net/AnnaSpenceley/south-african-national-parks-concessions-processes-giju->varghese |
| Concession contract management and monitoring: SANParks (presentation) | http://www.slideshare.net/AnnaSpenceley/san-parks-contract-management-giju-varghese |
| Public private partnerships – SANParks – the Rationale, benefits (from a constituency building perspective) (presentation) | <http://www.asl-foundation.org/documents/SanParkspresentation-ASLFordFoundationMaY2008.pdf> |
| Madikwe Community Lodges: Thakadu River Camp, Buffalo Ridge Safari Lodge (presentation) | <http://www.asl-foundation.org/documents/Madikwecasepresentation.pdf> |
| **Namibia** |  |
| Concessions in Namibia’s protected areas (presentation) | <http://www.asl-foundation.org/documents/ConcessionsinNamibiasProtectedAreas.pdf> |
| Co-management and concessions in Namibia: Mechanisms for promoting community involvement in tourism (presentation) | <http://www.asl-foundation.org/documents/Co-managementandConcessionsinNamibia.pdf> |
| Torra Conservancy & Damarland Camp, Namibia | <http://www.anna.spenceley.co.uk/files/TorraConservancycasepresentation.pdf> |
| Getting the lion's share from tourism: private sector-community partnerships in Namibia | Doc 106 |

**Case studies and examples from outside SADC**

|  |  |
| --- | --- |
| Tourism and protected areas: partnerships in principle and practice (Australia) | http://www.sustainabletourismonline.com/12/natural-protected-area-assets/tourism-and-protected-areas-partnerships-in-principle-and-practice |
| Information on concessions, how to apply, management of the concession, from New Zealand | <http://www.doc.govt.nz/about-doc/concessions-and-permits/concessions/> |
| Sustainable financing of protected areas in Cambodia: Phnom Aural and Phnom Samkos wildlife sanctuaries | Doc 93 |
| A tale of two parks, United States | <http://perc.org/articles/tale-two-parks> |
| Socio-economic effects of concession-based tourism in New Zealand’s national parks | http://www.doc.govt.nz/documents/science-and-technical/sfc309entire.pdf |

## Templates

**Template procurement documents**

|  |  |
| --- | --- |
| Expression of Interest: |  |
| - Generic (restaurant) | Doc 90 |
| - Generic (tourism) | Doc 75 |
| - Screening checklist | Doc 70 |
| Request for proposals: |  |
| - Generic | Doc 76 |
| - Screening checklist example | Doc 70 |
| Contracts: |  |
| - Public Private Partnership / Joint venture | Doc 44, Doc 45 |
| - Community concession | Doc 38 |

**Terms of reference for transaction advisors and specialist**

|  |  |
| --- | --- |
| Local concession program coordinator | Doc 121 |
| Investment Promotion and Investment Climate Analyst | Doc 122 |
| Institutional specialist | Doc 123 |
| Institutional champion: operational and financial analysis | Doc 124 |
| Legal Advisor | Doc 125 |
| Tourism investment specialist | Doc 126 |
| Transaction advisor | Doc 127 |
| Concession specialist | Doc 128 |
| Social and environmental site assessment | Doc 129 |
| Due diligence legal study | Doc 130 |
| Design of market database | Doc 131 |
| Tender support coordinator | Doc 132 |
| Investor aftercare unit | Doc 133 |

**Template transboundary tourism operational tools**

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| --- | --- |
| Standard Operating Procedure: |  |
| - temporary borders | TBA |
| - revenue sharing from transboundary concessions | TBA |
| - Trip manifests for transboundary events | TBA |

## SADC country information

This section contains information regarding the framework conditions for tourism concessions within SADC countries, and also the main business regulations and investment incentives,[[65]](#footnote-65) Note that not all of the countries have consistent coverage of information, and gaps are indicated.

### Angola

**Concession information**

|  |  |
| --- | --- |
| Concession models used | No information yet |
| Relevant policies, strategies and legislation | The Angola Parks and Recreation 5-Year Park and Recreation Master Plan (2013-2017) does not make reference to concessions.  There is also a Tourism Master Plan 2011-2020. Not available online.  There is a National Policy on Forestry, Wildlife and Protected Areas (Contour 2012:19). Not available online.  Act on Ownership, Concession and use of Agricultural Land No. 21 C 92.  Tourism Hospitality Act, which was brought into effect in 2007. There is also a Tourism Policy, but this policy is currently under review. (Contour 2012:66) |
| Institutional arrangements for concessioning | Who is responsible outside PAs?  Who is responsible inside PAs? |
| Examples of concession processes | Tender processes are not used. Unsolicited proposals are received, and then negotiations take place. negotiation  The concessionaire at Luiana Game Reserve in Jamba is inviting investment for the development of 16 two-bed rooms (Deloitte 2008:19) and four hunting concessions have been awarded to a local operator (ibid).  What is progress with these projects?  The Luiana Partial Reserve and the Luiana Protected Public Reserve were granted as concessions to an operator for a period of 25 years from the year 2005. He has the responsibility of conserving natural resources and developing ecotourism. However, safari hunting has been banned since 2005 (Contour 2012:21). |
| Tourism investment guidelines in PAs and outside PAs | None identified  Guidance/list of requirements from Ministry of Environment? |
| Concession manuals and tools | No tourism concession manuals identified |
| Highly effective concession processes | TBA |
| Lessons learned | The investment strategy for tourism concession is to encourage the privatization of three hotels (not within Pas). (ANIP 2013:9) |

**Investment information**

|  |  |
| --- | --- |
| International airports | Currently, the main international airport is 4 de Fevereiro Airport in Luanda. A new international airport in Luanda, located in Bom Jesus, Viana, 40 km south-east of Luanda's city centre, is under construction and will have the capacity to handle some 15 million passengers per year. The project includes the construction of a rail link to Luanda. |
| National carrier | TAAG (Linhas Aéreas de Angola) is the national carrier, operating direct flights to numerous African destinations, Beijing, Dubai, Paris, London, Brussels, Frankfort, Lisbon and Sao Paulo. |
| Internal transport | The internal transport infrastructure has improved considerably over the last few years with new paved road networks linking major towns to Luanda. There is a competitive car rental industry and a good bus service operating on the main routes. TAAG operates a comprehensive schedule of internal flights to key cities. |
| Communications availability | Telecommunications in Angola is primarily via mobile telephone. There are two mobile operators active in the country: Portugal Telecom's Unitel, and the state-owned Angola Telecom. Internet access is provided by a number of operators. |
| Corporate tax rate | 35% |
| Rules regarding repatriation of profits and dividends | The rates of the dividends to be transferred are negotiated on a case by case base and must be part of the investment articles of incorporation. The repatriation of dividends depends on:  • Investment amount.  • Period of investment concession.  • Fiscal and Custom incentive rate percentages.   • Duration of investment.  • Socio-economic impact of the investment in reducing poverty. |
| Investment Incentives | Incentives are available for the following:  • Enhancing the capacity of national productivity.  • Encouraging partnerships between national and foreign investors.  • Transfer of technology and improvements in productivity.   • Job creation.   • Increasing exports and decreasing imports to improve foreign currency reserves.  • Supplying the local market with goods and services under competitive conditions.  • Promoting technological development and local product quality.   • Promoting the incorporation of local raw materials and value addition in local production.  • Rehabilitation, expansion and modernisation of basic infrastructure. |
| Rules related to requirements for local partners | Although not required, partnerships between national and foreign investors are encouraged. |
| Rules regarding land ownership by foreign companies | Foreigners are allowed to purchase and own land in Angola. |
| Availability of work permits for expatriate staff | Work permits are available for expatriate staff, however, the government encourages the training of Angolan citizens to take over positions once an expatriate work visa expires |
| Investment guarantees | Investments are guaranteed through the following mechanisms:  • Access to courts and right to defence.  • Monetary restitution in event of expropriation.  • Private investments are not nationalised; if this does occur, the Government ensures investor rights.  • The law guarantees professionalism, privacy and confidentiality.  • Reciprocal Protection of Investment Agreements based on Bilateral Cooperation Agreements. |
| Restrictions on foreign investment | There are certain key sectors that are restricted to government operation including the ownership of seaports and airports. |

Source: RETOSA 2014, pp8-10

### Botswana

**Concessions information**

|  |  |
| --- | --- |
| Relevant policies, strategies and legislation | Tourism Policy, 1990  Botswana Tourism Act, 1992  National Licensing Act, 1992  Botswana Tourism Regulations, 1996, 2010  National Ecotourism Strategy, 2002  Draft Reviewed National Tourism Policy, 2008  Tourism Master Plan (2000)  Okavango Delta Management Plan (ODMP), 2007 |
| Concession models used | (e.g. management contracts; leases; concessions (Build operate transfer; rehabilitate operate transfer etc) |
| Examples of concession processes | (e.g. Tender process/auction/direct negotiations) |
| Tourism investment guidelines in PAs | (any exist?) |
| Concession manuals and tools | (any exist?) |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries) |
| Lessons learned | (for guidelines) |

**Investor information**

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| --- | --- |
| International airports | Sir Seretse Khama International in Gaborone, Maun International Airport, Francistown International Airport and Kasane International Airport. |
| National carrier | Air Botswana. |
| Internal transport | All Botswana's population centres are connected by good tar roads. The national carrier flies daily scheduled flights to Francistown, Kasane and Maun. The country is well-connected to international destinations via the frequent flights between Sir Seretse Khama International and OR Tambo International in Johannesburg, Jomo Kenyata International Airport as well as regional destinations such as Lusaka in Zambia. |
| Communications availability | Botswana has tourism and hospitality training institutions which equip employees with the necessary skills to operate in the tourism industry. Government levies a tourism industry training levy of P10 per person per night which is allocated for development of skills in the sector. |
| Corporate tax rate | For resident companies, the corporate income tax rate is 22%. If the 7.5% withholding tax on dividends is taken into account, the effective rate is 27.85%. |
| Rules regarding repatriation of profits and dividends | There are no exchange controls in Botswana and capital and dividends can be freely repatriated by investors. |
| Investment Incentives | - |
| Rules related to requirements for local partners | Foreign investors are encouraged to form joint ventures with local companies but this is not a legal requirement. |
| Rules regarding land ownership by foreign companies | There are three land tenure systems in Botswana which include: State land, Freehold and Tribal land under various jurisdictions. State land and Tribal land are leased to tourism businesses and individuals for 15 years with the option to renew the lease for a further period of 15 years subject to compliance. |
| Availability of work permits for expatriate staff | Work permits for expatriate staff depend on the availability of local labour with the requisite skills together with the establishment of suitable training programmes to localise all positions. |
| Investment guarantees | Botswana is a signatory to the World Bank's Multilateral Investment Guarantee Agency (MIGA). Botswana has also signed a bilateral investment treaty with the Overseas Private Investment Corporation (OPIC), which provides guarantees for US private investors. |
| Restrictions on foreign investment | There are certain business activities which are reserved solely for citizens. These include bed and breakfast facilities, guesthouses, mokoro, transfers and mobile operations. |

Source: RETOSA 2014, pp14-16

### Democratic republic of congo

**Concession information**

|  |  |
| --- | --- |
| Relevant policies, strategies and legislation | AFD (2013) Democratic Republic of Congo 2013-2017 Country Strategy Paper. PPPs are mentioned but not in the context of tourism or protected areas.  IMF (2013:65) Democratic Republic of Congo Growth and Poverty Reduction Strategy Paper – GPRSP 2 mentions improving and implementing the regulatory framework and rehabilitating existing tourism sites. |
| Concession models used | ? |
| Examples of concession processes | ? |
| Tourism investment guidelines in PAs | ? |
| Concession manuals and tools | ? |
| Highly effective concession processes | ? |
| Lessons learned | ? |

**Investor information**

|  |  |
| --- | --- |
| International airports | There are 3 international airports in the DRC: Kinshasa, Lubumbashi and Kisangani. There are 13 international airlines servicing these cities including Turkish Airlines, South African Airways, Air France, Brussels Airline, Ethiopian Airlines and Royal Air Maroc |
| National carrier | n/a |
| Internal transport | Transport by road outside the main centres remains difficult. A local airline, Air Korongo, offers daily flights between Kinshasa, Lubumbashi and Mbuji-Mayi. |
| Communications availability | Telecommunications is via mobile networks and there are 6 mobile network operators in the country namely Airtel, Congo Chine Telecom (Orange), Africell, SuperCell, Tigo and Vodacom. The slow development of the DRC's national and international telecommunications infrastructure has held back the development of internet and broadband. However, in 2013 the country was connected to the West Africa Cable System (WACS) submarine fibre optic cable which provides low-cost, high-quality international bandwidth. |
| Corporate tax rate | 40% |
| Rules regarding repatriation of profits and dividends | Profits and dividends are freely remitted abroad |
| Investment Incentives | Customs benefits:  • Exemption from customs and tax duties on turnover on imports of equipment, materials, tools and new spare parts related to investments.  Fiscal and para-fiscal benefits include exemption from:  • Profit taxes.  • Turnover taxes on local procurement of work on a property, provisions of services and local purchase of equipment and production materials.  • Land tax on developed and non-developed areas.  • Ad valorem duty on establishment of a Limited Liability company or the increase in share capital.  • Fixed fees on the establishment of companies |
| Rules related to requirements for local partners | There is no legal requirement for a local partner but local partnerships are encouraged. |
| Rules regarding land ownership by foreign companies | Land tenure is organised through the Land Code under which natural or legal persons can obtain the right of possession to land by means of a concession contract. Foreign entities are granted ordinary concessions which take the form of land lease, building lease, usufruct, right of common or rental. |
| Availability of work permits for expatriate staff | Labour Law encourages the employment of Congolese citizens. A Ministerial Decree dated October 2005 fixes the maximum authorised percentage of foreign labour per sector and per category of worker. An exemption on these rates may be granted by the Minister of Employment by means of a decree. The exemption will only be granted on a motivation from the National Commission of the Employment of Foreigners that ensures that the exemption does not exceed 50% of the legally authorised maximum and that the number of foreign workers never exceeds 15% of the total. In addition, certain jobs are reserved solely for Congolese citizens. |
| Investment guarantees | The government guarantees against nationalisation and expropriation. The DRC is a member of the World Bank's Multilateral Investment Guarantee Agency (MIGA) and of the African Trade Insurance Agency (ATI). |
| Restrictions on foreign investment | Certain sectors are restricted for Government or Congolese nationals. Tourism, tourism facilities and other hospitality activities are eligible for investment. |

Source: RETOSA 2014, pp20-21

### Lesotho

**Concessions information**

|  |  |
| --- | --- |
| Relevant policies, strategies and legislation | (e.g. policy, laws, regulations)  Vision 2020 document makes no reference to tourism concessions. |
| Concession models used | (e.g. management contracts; leases; concessions (Build operate transfer; rehabilitate operate transfer etc)  Lesotho encourages private operators to enter into concession agreements for existing facilities under specific terms and conditions for each concession. (Deloitte 2008:46) The Government is committed to supporting public-private partnerships and particularly encourages concession proposals that incorporate local communities. (Deloitte 2008:47)  The tourism authorities will follow a very open system for identifying potential partners and in granting concessions. The authorities have already identified a number of potential areas or sites and existing facilities that are suitable to develop into tourist concession opportunities. These will be openly advertised.  Initial contact should be with the LTDC, which is responsible for promoting Lesotho as a location for sustainable and profitable tourism projects. It will be able to identify useful contacts and provide support and resources to assist investors and concessionaires in locating potential opportunities in Lesotho. (Deloitte 2008:47) |
| Examples of concession processes | (e.g. Tender process/auction/direct negotiations)  Lesotho does not have a freehold system of ownership, but rather a leasehold system regulating the rights pertaining to the occupation of land. This means that land in the Kingdom of Lesotho is leased instead of being owned by individuals or corporations. Although only citizens of Lesotho may hold land and acquire the rights to occupy the land in terms of Land Act leases, this does not imply that foreigners to Lesotho may not occupy and develop such land. Lesotho citizens may sublet their rights to land to anyone and such sub-lessees are not precluded from developing, mortgaging or even further subletting the land components. (Deloitte 2008:52) |
| Tourism investment guidelines in PAs | (any exist?)  Tourism Investment Guide Toolkit (undated) Lesotho Tourism Development Cooperation |
| Concession manuals and tools | (any exist?)  Deloitte (2008:52) refers to a Draft Tourism Concession Manual but is not available online. |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries)  There are a number of concession offered within Sehlabathebe National Park and Maloti Drakensburg TFCA – which ones are in progress? |
| Lessons learned | (for guidelines) |

**Investor information**

|  |  |
| --- | --- |
| International airports | Maseru International Airport XXXX. X airlines servicing the airport (list) |
| National carrier | None |
| Internal transport | Lesotho has good national roads, most of which are tarred. All the key tourism sites have all-weather roads connecting them to towns and to Maseru. |
| Communications availability | The Lesotho Communications Authority has facilitated wide access to the telecommunication network with hot spots for wi-fi in Maseru and some strategic areas in the country. |
| Corporate tax rate | 40% |
| Rules regarding repatriation of profits and dividends | The repatriation of profits is conducted through local commercial banks. Lesotho only allows repatriation of profits in terms of dividends paid to the shareholders. |
| Investment Incentives | •Free repatriation of profits   • As a member of the Common Monetary Area (CMA), Lesotho has free convertibility of transactions with Namibia, South Africa and Swaziland. Under an ancillary agreement made with South Africa in 1986, maloti are exchangeable at par with the South African rand and the rand is legal tender in Lesotho.  • As part of raising Lesotho's overall business competitiveness, tax incentives may be offered to industries that are key or strategic. Profits arising from income and capital gains are taxed at a general rate of 25%. Losses can be carried forward indefinitely |
| Rules related to requirements for local partners | Under the Companies Act, all companies to be recognised as local companies must be registered under Lesotho law and local investors can hold up to 49% of company shares. |
| Rules regarding land ownership by foreign companies | Ownership of land is vested in the State and title is made available in the form of renewable State leases for periods which depend on the use to which the land is put. Maximum lease durations are 90 years (agricultural and residential purposes), 60 years (hotel, industry and commerce) and 30 years (sale or storage of petroleum products). The minimum lease period is 10 years |
| Availability of work permits for expatriate staff | Government policy is to permit foreign workers only when there is a demonstrated gap in the availability of suitably qualified and experienced citizens. Work permits are issued by the Commissioner of Labour. Work permits are normally offered over a period of two years in the tourism sector. The FDI Company must undertake to ensure transfer of skills over a reasonable period of time to the local counterparts. The FDI company is required to put in place a training and mentorship plan to transfer skills from the Expatriate to a Local counterpart |
| Investment guarantees | **Access to premises:** MTEC through LTDC facilitates access to land and premises for Tourism business development. Currently MTEC owns 7 tourism properties for Conference/Events and accommodation. The Ministry also has 6 key sites at strategic tourist destination areas around Lesotho which are available for large tourism projects.  **Access to finance:** The Partial Credit Guarantee Fund is an LSL 50 million facility for commercial bank loans to wholly Basotho-owned projects which are viable, but lack sufficient collateral. The LNDC has set aside a fund of LSL 10 million for 50% loan guarantees available to enterprises with at least 51% national ownership.  **Training:** Many Government agencies offer business skills' training as part of enterprise development schemes. These include both entrepreneurship and workforce skills' development centres (e.g. from BEDCO, MTICM, the Lesotho Revenue Authority and the Ministry of Finance).  **Government procurement:** Guidelines allow for a 10% price preference on Lesotho goods and services. A further 7.5% preference is offered for contracts where at least half the work is performed in Lesotho or subcontracted to Basotho business. All contracts over LSL 500 000 which entail sub-contracting must sub-contract at least 25% of the work to Basotho business. A Basotho-owned business may also have a second chance to match the price of a winning tender. For the purposes of Government procurement, a Basotho-owned business is one in which Lesotho residents are majority owners and the majority of directors are Lesotho citizens. Under the Quality Star Grading Programme (QUALStar) quality star graded institutions are given the first opportunity to offer tourism services to the government. |
| Restrictions on foreign investment | **Businesses Reserved under the Trading Enterprises Regulations 2011**: Under these regulations, all trading enterprises must be licensed. A license to trade in reserved activities will only be granted to enterprises which are wholly owned by Lesotho citizens.  **An enterprise is considered foreign if**: its sole proprietor is a non-citizen; it is a partnership in which any partner is a non-citizen; or a body corporate in which any of the directors or shareholders is a non-citizen.  **Land:** All land ownership is vested in the King on behalf of the State, and titles are granted in the form of leases under the Land Act 2010. Lesotho attaches great importance to preserving citizen's access to land. Accordingly, a foreign enterprise will not be granted a leasehold title unless it contains at least 20% local ownership.  **Environment:** Under the Environment Act 2008, Lesotho has an up-to-date legal framework for environmental protection which requires investors to submit a pre-inception project brief to the Director of Environment. |

Source: RETOSA 2014, pp26-28

### Malawi

**Concessions information**

|  |  |
| --- | --- |
| Relevant policies, strategies and legislation | (e.g. policy, laws, regulations)  National Tourism Policy (undated) no reference to concessions  Public Private Partnership Policy Framework (2011) tourism is identified as one of the priority areas (GoM 2011:3)  Public Private Partnership Commission is the national implementing agency for PPPs (GoM 2011:21) |
| Concession models used | (e.g. management contracts; leases; concessions (Build operate transfer; rehabilitate operate transfer etc)  National Tourism Policy aims to promote joint venture partnerships (PPPS). A PPP project typically requires the establishment of a special purpose vehicle (SPV) by the private Party. The SPV will be a locally incorporated company, hence a legal entity with no other activity other than those in the agreement and connected with the borrowing. (GoM 2011:7) |
| Examples of concession processes | (e.g. Tender process/auction/direct negotiations)  GoM Public Private Partnership Policy Framework (2011) provides the staged concession process:  1st step: Project Identification, Needs and Options Analysis:  2nd step: Initial Viability Analysis and Pre-feasibility:  3rd step: Feasibility Studies:  4th step: Procurement Process:  5th step: Contract Management:  6th Step: Implementation and Appraisal: |
| Tourism investment guidelines in PAs | (any others?)  Malawi Investment and Trade Centre is a merger of the Malawi Investment Promotion Agency (MIPA) and Malawi Export Promotion Council (MEPC) – provide a list of tourism investment projects (http://www.mitc.mw/index.php?Itemid=616) |
| Concession manuals and tools | (any others?)  A Practical Guide to Doing Business in Malawi – Investor’s Guide to Malawi  Tourism concession guidelines (2001) |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries) |
| Lessons learned | (for guidelines) |

**Investor information**

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| --- | --- |
| International airports | Most international flights land at Kamuzu International. Some of the regional flights from Johannesburg and Harare land directly in Blantyre. Kamuzu International is serviced by a number of African airlines including South African Airways, Ethiopian Airlines and Kenya Airway |
| National carrier | Malawian Airlines runs regular flights between Blantyre and Lilongwe. |
| Internal transport | The roads along the main routes are in good condition and self-drive holiday options are available. There is a ferry that runs on Lake Malawi from one end to the other. |
| Communications availability | There are three mobile network operators in Malawi - Bharti Airtel and Telecom Networks Malawi (TNM), and Access. The internet sector is competitive with 15 licensed service providers. |
| Corporate tax rate | Locally incorporated companies are subject to corporate income tax at a rate of 30%. Branches of foreign companies are subject to tax at a rate of 35%. |
| Rules regarding repatriation of profits and dividends | There are no restrictions on the repatriation of dividends, profits, and royalties |
| Investment Incentives | • 100% investment allowance on qualifying expenditure for new buildings and machinery.  • Allowances of up to 40% for used buildings and machinery.  • 50% allowance for qualifying training costs   • Loss carry forward of up to seven years, enabling companies to take advantage of allowances.   • Additional 15% allowance for investment in designated areas of the country.  • Duty-free direct importation of goods used in the tourism industry, which includes building materials, catering and related equipment, and water sport equipment.   • Duty-free importation of buses with a seating capacity of 45 persons (including the driver) and above. |
| Rules related to requirements for local partners | There are no restrictions on ownership. |
| Rules regarding land ownership by foreign companies | In July 2000 the Government stopped issuing freehold tenure on land in anticipation of new land legislation. The new draft legislation has been prepared and approved by Cabinet but remains stalled in the Parliamentary Committee on Lands and Natural Resources. The new legislation abolishes freehold tenure and allows for the conversion of all freehold titles to leasehold for a maximum period of 99 years. |
| Availability of work permits for expatriate staff | The government grants investors the freedom to employ workers and temporary residence permits are readily available for expatriate personnel. |
| Investment guarantees | Malawi's constitution prohibits deprivation of an individual's property without due compensation and there are laws that protect both local and foreign investment. Malawi has a range of bilateral investment agreements that protect investor's assets. Malawi is also a member of the World Bank's Multilateral Investment Guarantee Agency (MIGA). |
| Restrictions on foreign investment | There are no restrictions on foreign investment. |

Source: RETOSA 2014, pp36-37; Pers. Com. H. Nzima, 2014

### Mauritius

**Concession information**

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| Relevant policies, strategies and legislation | The Tourism Authority Act, 2006  Policy for foreign investment in the tourism sector  Policy on investment by non-citizens in the tourist accommodation (non-hotel) sector (2011)  Invest hotel scheme (2009) |
| Concession models used | (e.g. management contracts; leases; concessions (Build operate transfer; rehabilitate operate transfer etc)  Lease |
| Examples of concession processes | (e.g. Tender process/auction/direct negotiations) |
| Tourism investment guidelines in PAs | (any exist?) |
| Concession manuals and tools | (any exist?) |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries) |
| Lessons learned | (for guidelines) |

BoI, 2009

**Investor information**

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| International airports | A state-of-the-art international airport which includes a new passenger terminal of 57,000 m2 which has a carrying capacity of 4 million passengers, 52 check-in desks, 5 boarding gates of which one is A380 compatible, 26 immigration counters, 5 telescopic passenger boarding bridges, 5 baggage claim carrousels and a new aircraft parking area.  Dedicated cruise passenger terminal at Port Louis harbour |
| National carrier | Air Mauritius. |
| Internal transport | Excellent road network including a multiple lane highway linking the airport. |
| Communications availability | Well-developed digital network infrastructure, broadband internet connection and excellent telecommunication facilities |
| Corporate tax rate | 15% corporate tax applicable to Hospitality and Leisure related activities. |
| Rules regarding repatriation of profits and dividends | Free repatriation of profits, dividends and capital |
| Investment Incentives | • 15% Value Added Tax  • Flat rate of 15% corporate tax  • Low custom duties-There are only three bands for customs duties with a maximum of 30% except for motor vehicles, liquor and tobacco  • No inheritance tax  • 100% foreign ownership allowed (except in Diving business (not more than 30% investment by non-citizens)  • No minimum foreign capital required – minimum required for those willing to work and live in Mauritius  • 5% registration duty on acquisition of immovable property for business purposes  • Annual allowance on capital expenditure for the acquisition, construction or extension of industrial premises, shops and shopping malls, offices and showrooms, restaurants, entertainment premises and setting up of golf courses |
| Rules related to requirements for local partners | No restriction for the purchase of immovable property for business purposes by foreign controlled companies registered with the Board of Investment.  Guesthouses require local incorporation of a company. |
| Rules regarding land ownership by foreign companies | Mauritius' real estate and property market has seen extensive development in recent years and many investors, both locally and foreign, have benefited greatly. The immovable property market in Mauritius is well regulated and protects the property rights of investors, lenders, developers and occupiers. The Constitution of Mauritius protects the right of land owners from deprivation of property. Guarantee of an ownership title means that an owner may not be deprived of his ownership rights other than by a court decision.  By virtue of Article 3 of the Civil Code, a property owned by a non-citizen of Mauritius is governed by the laws of Mauritius |
| Availability of work permits for expatriate staff | Mauritius has a single occupation permit instead of work and residence permits which is granted within 3 days following the application to investors with an annual turnover exceeding US$ 132 000 and professionals being offered employment for a monthly salary exceeding US$ 1 500. |
| Investment guarantees | Mauritius has introduced a sound legal and regulatory framework to make the island business-friendly, where the interests of the investor community, both local and foreign, are safeguarded. Mauritius is one of the leading countries globally in terms of the strength of investor protection and is ranked 19th in the world in this regard in the World Bank's 2013 ‘Doing Business’ report. |
| Restrictions on foreign investment | No minimum foreign capital required   * Investment by non-citizens in scuba diving business should not exceed 30% of total investment * Investment by non-citizens in pleasure craft business (i.e. licence to operate pleasure craft for commercial purpose) should first be approved by the Ministry of Tourism & Leisure. The current policy is such that the non-citizen or company should invest at least Rs. 10 million (approx. USD 334,000) in this type of business and the project should be innovative * Minimum investment in guesthouses and tourist residences (12 rooms); Rs2 m per room * Pleasure craft for commercial purposes: Minimun investment of Rs10 m * Tour operators: no restrictiions; applicants submit a business plan and project should meet licensing requirements. |

Source: RETOSA 2014, pp42-43

### Mozambique

**Concession information**

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| Relevant policies, strategies and legislation | T**Conservation Areas Act**, approved in April 2014, states that each conservation area will be run by a Management Council, chaired by a government-appointed administrator of the area, and including representatives of local communities, private businesses and local state bodies.[[66]](#footnote-66) The **Tourism establishments and activities Licensing Regime** (Decree 18/2007) outlines the type of tourism products that can take in protected areas. Permissible activities include ecotourism, hunting, photography, filming, recreational diving and others as described in protected area management plans. This Decree also establishes that local communities need to be consulted and formally give their opinion on the development of tourism projects in protected areas.[[67]](#footnote-67)  **Tourism user fees** in National Parks and Reserves, that are applied to concessionaires and others, are established under Decree 27/2003. It indicates specific fees for entry, adventure, area occupation/site[[68]](#footnote-68), camping and other (e.g. photography, filming, towing, search (and rescue), sport fishing, scuba diving, snorkelling, and scientific research). Furthermore, legislation on the **sharing of PA tourism revenues legislation** (Decree 15/2009 and Ministerial Diploma 66/2010), whereby communities[[69]](#footnote-69) are entitled to share of a protected area’s revenues.  **Mozambican Immigration Law** (Law 5/93 of 28 December) is regulated by the Immigration Regulation (Decree 38/06 of 27 September), and Decree 38/2000 that allows for the issuing of certain **visas at borders**, and Decree 26/99, which regulates work visas. [[70]](#footnote-70)  The legal framework that relates to sport hunting concessions includes a number of legal instruments[[71]](#footnote-71). The **Law of Forestry and Wildlife** (Law N° 10/99 of July 7, 1999) and its Regulations (Decree N° 12/2002 of June 6, 2002) address key issues such as that forest and wildlife resources belong to the State; the involvement of local communities, the private sector and civil society; conservation and sustainable use. The **Land Act** (Law n ° 19/97 of 1 October 1997) and its Regulations (Decree n °  66/98 of 15 July 1998) define the extent of land that can be awarded for Fazendas at the Provincial (up to a maximum of 1000ha), Ministerial (1000ha to 10,000ha) and Council level. The **Tourism Act** (Law No. 4/2004 of 17 June 2004) includes hunting operators in the list of suppliers of products and tourism services, and the **Arms Regulation and Ammunition** are addressed in the Council of Ministers Decree No  8/2007 of 30 April. These lay down rules governing the possession, use and possession, importation, exportation, transit of firearms and ammunition in the country, either by citizens, residents or foreigners.[[72]](#footnote-72). |
| Concession models used | Management contracts, concessions (BOT) |
| Examples of concession processes | Tender processes: e.g. Maputo Special Reserve, Niassa Reserve, Quirimbas  Direct negotiations: Gorongoza National Park with Carr Foundation |
| Tourism investment guidelines in PAs | Mozambique Investment Climate Library: www.tourisminvest.org  Casimiro, R. and Spenceley, A. (2012) Tourism concessions in protected areas in Mozambique: Manual for the private sector, Report USAID SPEED, 19 April 2012 |
| Concession manuals and tools | Mozambique Investment Climate Library: www.tourisminvest.org  Casimiro, R. and Spenceley, A. (2012) Tourism concessions in protected areas in Mozambique: Manual for the private sector, Report USAID SPEED, 19 April 2012  Public sector manual? Training manual? |
| Highly effective concession processes | Concessioning process for Maputo Special Reserve, supported by the IFC in partnership with MITUR – regarding the process and materials created. |
| Lessons learned | Various case studies on Maputo Special Reserve concessions (see links) |

**Investor information**

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| International airports | Mozambique has five international airports at Maputo, Beira, Nampula, Pemba and Tete. Maputo International Airport is situated 3 km northwest of central Maputo and is Mozambique's largest airport and the centre for LAM Mozambique Airlines. The airport has recently been expanded and modernised to international standards. International airlines servicing this airport include TAP Portugal and SAA. |
| National carrier | Linhas Aéreas de Moçambique (LAM) |
| Internal transport | LAM runs regular internal flights between Maputo and Edge, Inhambane, Vilanculos, Chimoio, Zambezia, Tete, Nampula, Lichinga and Pemba. The roads along the main routes going north from Maputo are in good condition and self-drive holiday options are available. |
| Communications availability | Most telecommunication access in Mozambique is cellular. There are currently two cellular service providers operating in the country namely Vodacom Mozambique and mCel. The landing of two international submarine fibre optic cables (Seacom and EASSy) has reduced the cost of bandwidth at a retail level. Cross-platform competition, with active ADSL, cable broadband, WiMAX, 3G mobile and limited Fibre-to-the-Home (FttH) services are available. |
| Corporate tax rate | Standard rate of 32%. |
| Rules regarding repatriation of profits and dividends | Repatriation of profits from Mozambique is allowed. |
| Investment Incentives | • Benefits on importing of inputs for investment projects (construction material, hotel equipment, etc.) includes exemption from customs duties.\  • Investment tax credits and the reduction or exemption of corporate tax are available under the Fiscal Benefits Code. These are granted according to the location of the investment.  • Modernisation and introduction of new technology.  • Professional training.  • Many specific benefits are offered in the Special Economic Zones. |
| Rules related to requirements for local partners | PPP and other partnership models are allowed in Mozambique. |
| Rules regarding land ownership by foreign companies | Land is the property of the State and can be leased to any investor. |
| Availability of work permits for expatriate staff | Under Mozambican legislation, work permits are subdivided into either a Communication of Work (under the quota) or an Authorisation for Work (outside the quota). |
| Investment guarantees | Protection of property rights Repatriation of profits |
| Restrictions on foreign investment | Foreign investment is not allowed under MT 2,5 million (under US$100 000). |

Source: RETOSA 2014, pp48-49

### Namibia

**Concession information**

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| Relevant policies, strategies and legislation | Concession Policy (2007)  Tourism Policy  Draft Parks and Wildlife Management Bill |
| Concession models used | Build operate transfer; rehabilitate operate transfer, leases |
| Examples of concession processes | Tender Process/Auction/Direct award by Minister |
| Tourism investment guidelines in PAs | None, only Policy on Concessions and guidelines on applying for concessions  Namibia Tourism Investors’ Prospectus (2012)  Guidelines for management of conservancies and standard operating procedures (2013) |
| Concession manuals and tools | None |
| Highly effective concession processes | Policy implementation, tender Processes, Concession Committee operations |
| Lessons learned | Disputes over direct awards, land tenure vs concessions, concession management, need for a strong concession Unit or Directorate, Legal aspects of concessions |

**Investor information**

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| International airports | Hosea Kutako International Airport, Walvis Bay, Eros Airport |
| National carrier | - |
| Internal transport | 45 Airports and Airstrips  126 airports and airstrips (108 unpaved but in good conditions). The rail network covers a total of 2,626 km. Intra-city and inter-city public transport is available in major urban areas. Taxis and airport transfer shuttles are available.   |  |  | | --- | --- | |  |  | |
| Communications availability | The country has multiple moble-cellular providers with a combined subscribership of over 70 phones per 100 people. In 2012 a 4G internet facility was introduced. |
| Corporate tax rate | 32% |
| Rules regarding repatriation of profits and dividends | If a certificate of Status Investment is issued to foreign investors, then the only rule for repatriation of profits is that local tax needs to be deducted, no further rules apply. |
| Investment Incentives | • Non - Resident Shareholders' Tax is only 10%.  • Dividends accruing to Namibian companies or resident shareholders are tax-exempt.  • Plant, machinery and equipment can be fully written off over a period of three years.  • Buildings of non-manufacturing operations can be written off, 20% in the first year and the balance at 4% over the ensuing 20 years. |
| Rules related to requirements for local partners | No restrictions. |
| Rules regarding land ownership by foreign companies | There are no restrictions with regard to foreign ownership of land. Only under commercial agricultural land reform legislation, are there restrictions concerning foreign ownership of agricultural farmland. |
| Availability of work permits for expatriate staff | There is a process that needs to be followed which includes a requirement to prove/motivate why a Namibian could not perform the work or directly link the application to a skills shortage in Namibia. |
| Investment guarantees | Namibia is a member of the World Bank's Multilateral Investment Guarantee Agency (MIGA). It is also a signatory to the Overseas Private Investment Corporation (OPIC) which provides political risk insurance to US investors in Namibia. The legal system protects and facilitates acquisition and disposition of property rights. The Namibian Constitution guarantees against expropriation without compensation. |
| Restrictions on foreign investment | No restrictions to date. |

Source: RETOSA 2014, pp57; Pers. Com. S. Mulonga, 2014

### Seychelles

**Concession information**

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| Relevant policies, strategies and legislation | (e.g. policy, laws, regulations) |
| Concession models used | (e.g. management contracts; leases; concessions (Build operate transfer; rehabilitate operate transfer etc) |
| Examples of concession processes | (e.g. Tender process/auction/direct negotiations) |
| Tourism investment guidelines in PAs | (any exist?) |
| Concession manuals and tools | (any exist?) |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries) |
| Lessons learned | (for guidelines) |

**Investor information**

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| International airports | Seychelles International Airport, also called Aéroport de La Pointe la Rue, is situated on the island of Mahé 11 km south-east of the capital city of Port Victoria. International flights connect Seychelles to Europe, Africa, Asia, and the Middle East. Seychelles International Airport is also the hub for inter-island travel with daily domestic flight services. |
| National carrier | Air Seychelles |
| Internal transport | Getting between the various islands is achieved through a network of air and sea transport primarily operating out of the principal island, Mahé. Air Seychelles operates a shuttle service between Mahé and Praslin, the second largest island. The flight lasts only 15 minutes with an average of 20 return flights every day. Air Seychelles also operates other inter-island flights, usually on the request of hotels to Bird, Denis, Desroches and Alphonse Islands. Zil Air is a helicopter charter company which specialises in island transfers, excursions and chartered scenic flights throughout the inner islands. The Islands Development Company (IDC) specialises in charter flights mostly to the Outer Islands of Seychelles.  Inter Island Boats has a fleet of modern fast ferries ensuring a 3 times daily service between the main islands of Mahé, Praslin and La Digue. |
| Communications availability | The Seychelles has a modern communications infrastructure with two GSM networks in operation. With the linkage of the country to the EASSy submarine fibre optic cable in 2012, high speed internet is available. |
| Corporate tax rate | The presumptive tax is applicable for all businesses regardless of their activity and entity type (sole trader, partnership or company); provided the business annual turnover is not above SR 1 million and not registered for Value Added Tax (VAT).  The presumptive tax rate is 1.5% of the business’ gross annual turnover.  Business Tax is levied on the business taxable income and the rate is specified as per the First Schedule of the Business Tax Act, 2009 [as amended by S.I. 66 of 2012] in the case of an entity, government body or a trustee:  (i) 25% on the first SCR1, 000,000 of taxable income;  (ii) 30 % on the remainder. |
| Rules regarding repatriation of profits and dividends | The Seychelles has removed all foreign exchange controls and repatriation of profits is allowed. |
| Investment Incentives | The concessions granted relating to business tax under the Tourism Incentives Act has been moved to Business Tax Act, 2009 as per the Eight Schedule which includes the rate of business tax, special deduction in terms of expenditure, training, marketing & promotion etc., accelerated depreciation. Trades Tax concession is applicable during the construction phase of the project and to be approved by the Ministry of Finance. There is no concession from Value Added Tax (VAT). The business has to register for VAT to be able to claim back the VAT paid and or eligible for ‘deferred payment of VAT.  The concessions granted relating to business tax under the Agriculture and Fisheries (Incentives) Act, 2005 has been moved under the Eight Schedule of the Business Tax Act, 2009 which includes the rate of business tax, special deduction in terms of expenditure, training, marketing & promotion etc., accelerated depreciation. |
| Rules related to requirements for local partners | No requirement. |
| Rules regarding land ownership by foreign companies | Investors can lease land from government and/or buy land from the private sector. The government will lease commercial or industrial property on terms ranging from 60 to 99 years depending on the type and scale of the development. |
| Availability of work permits for expatriate staff | Work permits are granted to expatriate staff in the form of a Gainful Occupation Permit (GOP). Tourism businesses are entitled to a quota for employment of expatriate for certain occupations |
| Investment guarantees | The government of Seychelles conducts regular assessments of its legislation pertaining to investment in the country, and implements measures designed to create an ever more competitive, internationally compatible investment climate, to ensure that both new and established businesses are guaranteed success in their business activities. The Seychelles Investment Act 2010 guarantees that any investment is protected against nationalisation or expropriation by the state. |
| Restrictions on foreign investment | There are no limitations on the participation of foreign capital in the services sectors except for the participation in the sectors referred to as "Reserved" and "Strategic" areas of investment. “Reserved” areas, according to Seychelles' current investment legislation, refer to activities which are reserved for domestic investors only, while “Strategic” areas relate to sectors in which domestic and foreign investors may be allowed to operate subject to conditions designed to protect the public interest. In terms of tourism investment, the following are reserved for domestic investors only:  • Accommodation of up to 15 rooms  • Live aboard up to 5 boats  • Travel Agent  • Tourist Guide  • Car Hire Operator  • Boat Charter  • Taxi Operator  • Diving Centers (excluding centers operating on outer islands and dive operators)  • Water Sports |

Source: RETOSA 2014, pp63-64; Pers Com. S. Levkovic, Ministry of Tourism and Culture; D. Ernesta, Seychelles Chamber of Commerce and Industry

### South africa

**Concession information**

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| Relevant policies, strategies and legislation | (e.g. policy, laws, regulations)  South Africa has established a firm regulatory framework for national and provincial institutions to enter into public private partnerships(PPPs). This is set out in Treasury Regulation 16 issued in terms of the Public Finance Management Act, 1999 (PFMA). Furthermore*,* National Treasury’s *PPP Manual* and *Standardised PPP Provisions* have been issued as PPP practice notes in terms of section 76(4)(g) of the PFMA to make the application of the PFMA and its regulations easier. Municipal PPPs are regulated under the Municipal Finance Management Act, 2003 (MFMA) and its regulations, and similar PPP guidance is being devised for this sphere of government.[[73]](#footnote-73) |
| Concession models used | A concession contract enables a private sector concessionaire to use a defined area of land and buildings within a protected area over 20 years, in return for payments of concession fees. Typically the concessionaires may construct new infrastructure, or take over and upgrade existing facilities. There are a series of obligations on concessionaires, which include financial terms, environmental management, and social objectives[[74]](#footnote-74). At the end of the concession period, ownership of all infrastructure reverts to the protected area agency (i.e. Build-Operate-Transfer: BOT)  Hunting is not allowed protected areas but there is a lively debate on private hunting on buffer zones[[75]](#footnote-75). |
| Examples of concession processes | Open tender process  South African National Parks (SANParks) is the parastatal (state owned enterprise) authority in charge of managing national parks. Since 2000, SANParks’ powers have included granting contracts, for both Build Operate and Transfer (BOT) type and operational concessions according to park management plans and strategic plans for commercialization which are an integral part thereof, both awarded at the provincial level and under Public-Private-Partnership (PPP) regulations administered by the National Treasury[[76]](#footnote-76).  Concession planning gives special attention is now given to the active participation of local communities, legally empowered to become responsible for the development and management of tourism lodges in PAs. This movement was strengthened with the entering into force of the black economic empowerment overarching policy in 2004. [[77]](#footnote-77) |
| Tourism investment guidelines in PAs | National Treasury (2004) Public Private Partnership Manual: National Treasury PPP Practice notes issued in terms of the Public Finance Management Act, National Treasury PPP unit |
| Concession manuals and tools | National Treasury (2004) Public Private Partnership Manual: National Treasury PPP Practice notes issued in terms of the Public Finance Management Act, National Treasury PPP unit |
| Highly effective concession processes | Clear and transparent tender process.  Clear tools and templates.  Over a decade of experience managing concession contracts (high value). |
| Lessons learned | Several case studies and papers written on SANParks PPP process:  De la Harpe, D., Fernhead, P., Hughes, G., Davies, R., Spenceley, A., Barnes, J., Cooper, J. and Child, B. (2004) Does commercialization of protected areas threaten their conservation goals? In Child, B. (ed) Parks in Transition, Earthscan  Varghese, G. (2008) Public private partnerships in South African National Parks: The rationale, Benefits and lessons learned, In Spenceley, A. (ed) Responsible tourism: critical issues for conservation and development, Earthscan  Spenceley, A. (2004) Responsible nature based tourism planning in South Africa and the commercialization of Kruger National Park, In Diamantis, D. (ed) Ecotourism, Thomson.  Concession contract management and monitoring: SANParks: <http://www.slideshare.net/AnnaSpenceley/south-african-national-parks-concessions-processes-giju-varghese>  Public private partnerships – SANParks – the Rationale, benefits (from a constituency building perspective): http://www.slideshare.net/AnnaSpenceley/san-parks-contract-management-giju-varghese  Experience in the development (incubation) of transboundary events with Namibia, Botswana, Zimbabwe and Mozambique. E.g. Tour de Tuli; Tour de Limpopo; Desert Knights. |

**Investor information**

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| International airports | O R Tambo International airport near Johannesburg has again won the best airport in Africa World Travel Awards 2012. Cape Town and Durban also receive visitors through their international airports. |
| National carrier | South African Airways |
| Internal transport | - |
| Communications availability | The country has invested a considerable amount of money to upgrade and support its telecommunications infrastructure as well as providing services to its accommodation sector. |
| Corporate tax rate | 28% corporate tax.  15% withholding tax on dividends declared which can be reduced in terms of an appropriated double taxation agreement. |
| Rules regarding repatriation of profits and dividends | Remittance of funds transactions and exchange controls are regulated by the South African Reserve Bank. Prior approval for investments should be obtained for investments or placed on record to enable remittance of funds. In principle, dividends declared by South African subsidiaries of foreign companies, and profits distributed by a branch of a foreign company operating in South Africa, may be remitted abroad. |
| Investment Incentives | South Africa offers an array of incentive schemes aimed at supporting the development and growth of commercially viable and sustainable enterprises through the provision of either funding or tax relief, thereby ensuring the creation of new and sustainable jobs. Further details on specific incentives can be accessed at www.investmentincentives.co.za. |
| Rules related to requirements for local partners | The Tourism Enterprise Partnership (TEP) is the operating entity for Strategic Partners in Tourism, a Non-Profit Company (NPC) that utilises funding from Corporate South Africa and Government to facilitate the growth, development and sustainability of small tourism businesses in South Africa. Further detail is available on the website at www.tep.co.za. |
| Rules regarding land ownership by foreign companies | No specific requirement although investors need to pay attention to South Africa's Broad Based Black Economic Empowerment legislation and understand the requirements that this places on business. |
| Availability of work permits for expatriate staff | Currently foreigners are allowed to own land in South Africa. The Green Paper on Land Reform does however propose a limitation on foreign land ownership in South Africa to a leasehold of a minimum of 30 years. |
| Investment guarantees | Work permits are issued to foreigners where South African citizens with the relevant skills are not available for appointment. The South African Department of Trade and Industry has a Facilitation Unit which assists with work permits related to an investment requiring expatriate staff for the start-up or implementation of the project. |
| Restrictions on foreign investment | South Africa is a member of the World Bank's Multilateral Investment Guarantee Agency, MIGA, and is a signatory to the Overseas Private Investment Corporation (OPIC). |

Source: RETOSA 2014, pp70-72

### swaziland

**Concession information**

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| Relevant policies, strategies and legislation | Land concessions on Swazi National Land (communal land held by the King in trust for the nation) are governed by the Land Concession Order of 1973. Other than the aforementioned, there are no specific guidelines on concessions in Swaziland. Obtaining concessions within the property of the Swaziland National Trust Commission (the authority mandated to proclaim and manage protected areas) is also negotiable and can be done directly through them. (Deloitte 2008:116).  The Land Policy is still under development which will be the framework on land use and development |
| Concession models used | (e.g. management contracts; leases; concessions (Build operate transfer; rehabilitate operate transfer etc) |
| Examples of concession processes | (e.g. Tender process/auction/direct negotiations)  Swaziland currently has no concessions in process  Ebutsini 4x4 trail – what progress/process? |
| Tourism investment guidelines in PAs | The Swaziland Investment Promotion Authority provides facilitation services with regards to hosting all qualifying investments in Swaziland. |
| Concession manuals and tools | None |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries) |
| Lessons learned | (for guidelines) |

Sources: Pers. Com. S. Maphalala, Swaziland National Trust Commission, 2014

**Investment information**

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| International airports | Matsapha International Airport located in Manzini. Swaziland is only accessible via OR Tambo International Airport in Johannesburg, South Africa on Swaziland Airlink. The King Mswati III International Airport has just been officially launched and will replace Matsapha about 80 km outside of Mbabane. |
| National carrier | Swaziland Airlink and Swaziland Railway |
| Internal transport | Swaziland is a small country with a good road infrastructure linking all major cities and towns in the country as well as providing links into neighbouring Mozambique and South Africa. There are various options on car hire and this is the best means of internal transport. |
| Communications availability | Mobile access is provided by the state company SPTC and MTN Swaziland. There are four registered Internet Service Providers in Swaziland and ADSL and 3G services are available. |
| Corporate tax rate | 30% |
| Rules regarding repatriation of profits and dividends | The country has a liberal regime of exchange controls that allow for the full repatriation of profits and dividends. |
| Investment Incentives | • The government has identified specific sectors that have been deemed important for investment and these sectors qualify for a special corporate tax incentive. Tourism is one of these sectors. The Minister of Finance has the prerogative to nominate a certain investing company crucial for the development of Swaziland and, with Cabinet approval, the company can qualify for a minimum tax rate of 10% and a 10 years exemption on withholding taxes on dividends.  • 150% of training costs can be written off against tax.  • Capital goods imported for investments are exempt from duty.  • Provisions for loss cover. |
| Rules related to requirements for local partners | The regulations allow for 100% ownership of foreign investments. |
| Rules regarding land ownership by foreign companies | The Swazi Constitution does not allow the vesting of ownership of land in foreign-owned companies or foreigners. The Constitution does go on to state that this "may not be used to undermine or frustrate an existing or new legitimate business undertaking of which land is a significant factor or base." Foreign companies looking to own land must attain approval from the Land Management Board. |
| Availability of work permits for expatriate staff | Swaziland allows the employment of expatriate staff. Five year work and residence permits are available for directors, senior management and specialised technical staff. |
| Investment guarantees | The government guarantees against expropriation and interference. Swaziland is a member of the World Bank's Multilateral Investment Guarantee Agency (MIGA). |
| Restrictions on foreign investment | There are no restrictions on foreign investment. |

Source: RETOSA 2014, pp77-79; Pers. Com. S. Maphalala, Swaziland National Trust Commission, 2014

### Tanzania

**Concession information**

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| Relevant policies, strategies and legislation | Tanzania Tourism Master Plan (2002)  National Tourism Policy (1999) and Wildlife Policy of Tanzania (1998)  National Policies for National Parks in Tanzania (1994) |
| Concession models used | TANAPA Lease Agreements |
| Examples of concession processes | Ministry of Natural Resources and Tourism’s Wildlife Division is responsible for hunting concessions.  TANAPA Investment Procedure guidelines |
| Tourism investment guidelines in PAs | Government of United Republic of Tanzania (2003) Guidelines for Coastal Tourism Development in Tanzania  Tanzania Investment Centre (undated) Tanzania Investors Guide  UNCTAD (2005) An investment guide to Tanzania  World Bank (2005) Attracting Investment in Tourism  TANAPA Development Action Lease Procedures (DALP) (1995)  Respective National Park’s General Management Plan (GMP) |
| Concession manuals and tools | (any exist?) |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries) |
| Lessons learned | (for guidelines) |

Source: Pers. Com. E. Dembe, TANAPA, 2014

**Investor information**

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| International airports | Tanzania has two international airports - Julius Nyerere International Airport in Dar es Salaam and Kilimanjaro International. Charter flights and some international operators fly directly to Zanzibar Island. Dar es Salaam is served by a number of international operators including British Airways, KLM, Swiss Air, Lufthansa, Air France, Qatar Airways, Ethiopian Airways, Kenya Airways and South African Airways. |
| National carrier | Air Tanzania |
| Internal transport | Air Tanzania flies regular daily flights between Tanzania's major cities. The country has a good charter flight sub-sector that provides services primarily for the safari companies. The road network has improved substantially over the last decade although air would still be the preferable means for internal travel. There are daily departures by ferry to Zanzibar and Pemba Island from Dar es Salaam. |
| Communications availability | Mobile services are the preferred method of communication in Tanzania. The country has two fixed-line operators (TTCL and Zantel) and eight operational mobile networks. The major mobile players are Vodacom, Bharti Airtel, Tigo and Zantel. The landing of the Eastern Africa Submarine Cable System (EASSy) has dramatically improved internet connectivity. Voice over internet protocol (VoIP) telephony has been liberalised and 3G and 4G mobile services are available. |
| Corporate tax rate | 30% |
| Rules regarding repatriation of profits and dividends | Guaranteed repatriation of profits and dividends. |
| Investment Incentives | • Import duty and VAT exemption on project/capital goods.  • Strategic Investor Status: For projects valued at over US$ 20 million that offer a meaningful impact to society or the economy, investors can request special incentives from the Government.  • Import Duty Draw Back Scheme |
| Rules related to requirements for local partners | There are no specific regulations or requirements for local participation however, the Dar Es Salaam Stock Exchange forbids companies with more than 60% foreign ownership from listing. |
| Rules regarding land ownership by foreign companies | All land in Tanzania belongs to the State. Foreign investors can occupy land for investment purposes through a government-granted right of occupancy, through derivative rights, or through sub-leases through a granted right of occupancy. Rights of occupancy and derivative rights may be granted for periods up to 99 years and are renewable. |
| Availability of work permits for expatriate staff | All foreign citizens are required to obtain residence permits (also serve as work permits). The general principal for granting a permit is that the applicant needs to demonstrate that a Tanzanian citizen is unable to perform the job that the foreign citizen intends to carry out in Tanzania. Investors generally qualify for an immigration quota of up to 5 people. |
| Investment guarantees | Investments in Tanzania are guaranteed against nationalisation and expropriation. Tanzania is a signatory of several multilateral and bilateral agreements on protection and promotion of foreign investment. Among other international agreements and membership, Tanzania is a member of the World Bank's Multilateral Investment Guarantee Agency (MIGA). |
| Restrictions on foreign investment | The Tourism Act of 2008 bars foreign companies from engaging in mountain guiding activities. According to this legislation, only Tanzanian citizens can operate travel agencies and car rental services and engage in tour guiding. |

Source: RETOSA 2014, pp84-85

### Zambia

Concession information

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| Relevant policies, strategies and legislation | National Tourism Policy, 1999  Tourism and Hospitality Act, 2007  A new Wildlife Policy should fully align itself with the national strategy on licensing and with the newly drafted Tourism Policy and proposed Tourism and Hospitality Act especially with regard to issues concerning wildlife‐based tourism development such as tourism and hunting concessions (Contour 2012:37)  The Feasibility of Establishing Block Tourism Concessions (Non‐Consumptive) in Kafue National Park, Final Report. 30 April 2007. Peter de Vere Moss, International Development Consultant, Zambia Wildlife Authority, Chilanga, Zambia. (Contour 2012:103)  Land: There are only two types of tenure in Zambia namely leasehold, which runs for 99 years and is renewable for a further 99 years, and customary tenure, which can be converted to leasehold thus allowing it to be used as collateral.  Zambia has no freehold system of tenure and under the new Land Act land now has a value and can be sold even without improvements on the land. A non-Zambian can acquire land under following conditions:   He/she is a permanent resident of Zambia;   He/she is an investor within the meaning of the Zambia Development Agency Act or any other  law permitting investment in Zambia; and   In exceptional cases, by presidential consent in writing. (Deloitte 2008:142) |
| Concession models used | (e.g. management contracts; leases; concessions (Build operate transfer; rehabilitate operate transfer etc)  Community-public-private partnership (CPPP) envisaged for Sioma Falls Lodge. Signatories to the CPPP would be the landowner, which is the Bartotse Royal Establishment, ZAWA and private parties. Each signatories’ rights and obligations, events that constitute defaults by each party and the explicit consequences of defaults must be incorporated into the CPPP agreement, as well as risks and rewards appropriately assigned to each party. To maximise the benefits for communities it is recommended that the support of development financing organisations be sought to form part of the CPPP, ensuring the communities assume limited financial risk besides the role that they play as landowners. (Deloitte 2008:154) |
| Examples of concession processes | (e.g. Tender process/auction/direct negotiations)  The sites in protected areas are usually tendered and the requirements for application are:   Detailed business plan clearly showing capacity to develop and manage the proposed investment; (The business plan should include sketch drawings or maps of the proposed facilities in the area being applied for, cash flow and financial statements);   A brief description of all past related projects or activities;   Traceable references;   A list of shareholders/partners involved in financing or developing the proposed project;   An audited financial statement confirming solvency of the applicant or proof of financialcapacity; and   Certificate of registration/incorporation.  Bids should be submitted in accordance with the Instructions to Bidders contained in the tender document. When bids are received they are evaluated by a highly technical committee appointed by the director-general of ZAWA.  Investment projects that are to be located in a game management area will also require a permit issued by the ZAWA. Applications for the permit should be supported by the following documents:   Project proposal;   List of shareholders;   Information on promoters’ business experience; and   Recommendation letter from the district council. (Deloitte 2008:144)  Kavango Zambezi TFCA: Sioma Falls - Sioma Falls Lodge  Kavango Zambezi TFCA: Sioma Ngwezi National Park (6 concession sites identified) |
| Tourism investment guidelines in PAs | (any others?)  The Zambia Wildlife Authority (ZAWA) established through an Act of Parliament, No. 12 of 1998, is a statutory body in charge of wildlife management in Zambia. ZAWA regulates all tourism activities in national parks and game management areas. The organisation facilitates private sector participation in wildlife management by leasing out sites for tourism development. (Deloitte 2008:143)  Zambian Development Agency (ZDA) is responsible for supporting economic growth and encouraging investment.  Zambia Investor Guide Handbook (2013) |
| Concession manuals and tools | (any?\_ |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries) |
| Lessons learned | (for guidelines) |

**Investor information**

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| International airports | Direct flights into Lusaka are operated by a number of carriers including British Airways, South African Airways, KLM, American Airlines, Kenya Airways and Ethiopian Airways. South African Airways and KLM fly directly into Ndola and South African Airways and British Airways fly directly into Livingstone out of Johannesburg. |
| National carrier | - |
| Internal transport | The local airline, Proflight Zambia, runs charters and scheduled flights within Zambia between Mfuwe, Livingstone and Lusaka. Self-drive holidays are possible in Zambia if one remains on the main routes between cities. |
| Communications availability | There are three mobile network operators in Zambia - Bharti Airtel, MTN and Cell Z. Zambia has recently connected to two international submarine fibre optic cables, the West Africa Cable System (WACS) and Sat-3, which has substantially improved broadband services in the country. 3G services are available. |
| Corporate tax rate | 35% |
| Rules regarding repatriation of profits and dividends | Full repatriation of profits and dividends is allowed and there is no restriction on the import or export of capital. |
| Investment Incentives | • Zero tax on dividends for 5 years from year of first declaration of dividends.  • Zero tax on profits for 5 years from the first year profits are made. From year 6 to 8, only 50% of profits are taxable and years 9 & 10, only 75% of profits are taxable.  • Zero import tariffs on raw materials, capital goods and machinery for five years. This includes specialised vehicles.  • Deferment of VAT on machinery and equipment including specialised vehicles.  • Zero rate of VAT on tour packages throughout Zambia.  • Zero rate of VAT on other tourist services provided to foreign tourists other than those included in tour packages.  • Refund of VAT for non-resident tourists and visitors on selected goods.   • No import VAT on all goods temporarily imported into the country by foreign tourists.  • Capital allowances at 50% of the cost of plant and machinery.  • Investment allowance at 10% of the cost of an extension to a hotel.  • 5% wear and tear allowance to an extension to a hotel.  • 10% initial allowance on an extension to a hotel in the year the building is first brought into use. |
| Rules related to requirements for local partners | There is no requirement for a local partnership although government encourages these partnerships. |
| Rules regarding land ownership by foreign companies | Land ownership in Zambia is governed by the Land Act of 1995 under which ownership of all land is vested in the President. |
| Availability of work permits for expatriate staff | Foreign investors are allowed to lease land for a maximum period of 99 years. The President is not allowed to lease land situated in an area held under customary tenure including game management areas which are subject to approval by the Director General of the Zambia Wildlife Authority. Investors in the tourism sector are given priority access to land allocation and provision of other utilities. |
| Investment guarantees | Expatriates are granted employment permits to work in Zambia. Investors are provided facilitation of acquisition of employment permits. |
| Restrictions on foreign investment | The Government protects investors against nationalisation. Investors can enter into Investment Promotion and Protection Agreement with the Government. Zambia is a member of the World Bank's Multilateral Investment Guarantee Agency (MIGA). |

Source: RETOSA 2014, pp90-92

### zimbabwe

**Concession information**

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| Relevant policies, strategies and legislation | The Forest Act allocates large areas of former communal land to the Forestry Commission, which leases timber, hunting and photographic tourism concessions. (Contour 2012:42)  Tourism Act, 2001 amended 2004, 2009  National Tourism Policy, 2012 |
| Concession models used | Concession (BOT) |
| Examples of concession processes | Tender process: Gonarezhou (Zisadza, 2009)   * Phase 1: Market analysis; legal and institutional analysis; review of local business interests/empowerment options; design of bid process; approval of materials and process * Phase 2: Implementation – prequalification; due diligence by prequalified bidders; bidding, evaluation and contracting |
| Tourism investment guidelines in PAs | All proposals for investment in Zimbabwe must be submitted to the Zimbabwe Investment Authority (ZIA). |
| Concession manuals and tools | (any exist?) |
| Highly effective concession processes | (i.e. for scaling up to other SADC countries)  Based on findings from Gonarezhou: (Zisadza, 2009), recommendations include to use:   * Comprehensive and standardized contracts (e.g. SANParks template) * Prequalification criteria that ensure bidders have sufficient financial and technical capacity to be successful in the investment. * Having a due diligence process * Having a bid evaluation process with an ‘adjudication committee’, ‘final selection criteria’ and clear, objective weightings. |
| Lessons learned | (for guidelines)  Limpopo Sashe TFCA: Tuli Circle, Maramani and Nottingham Estate – any progress?  In Gonarezhou (Zisadza, 2009)   * there was no clear or well defined method for evaluating the bids, and was not considered to be transparent. * Bid scores was supposed to be available for public scrutiny (did this happen? What was the process if they disagreed?) * The Bidding Memorandum lacked information on empowerment of local communities and businesses. * Having a participatory process of evaluation committee member nomination, and including on the committee an independent specialist and a local community representative would have been advantageous. * Bid deposits could have been introduced, in case a winning bidder failed to implement the project. Then the deposit could be used by ZPWMA, and could proceed to discuss options with the second-placed bidder. * Concessionaires have not all developed their sites (still true?), and all EIAs that ‘claimed’ to have been implemented were not done properly, or through appropriate channels. * Weak coordination meant that GNP management were not available for on-the-ground information for most sites. Since demarcation of the sites had not been done, visits by investors by themselves were not focused on the available sites. * ‘As a result’ (?) most of the sites were at the main attractions/resources of GNP that all visitors would wish to see, rather than the basis for exclusive concession areas desired by investors. This led to public controversy and lengthy negotiations with concessionaires (i.e. 2 years). * The rental rates are very (e.g. by comparison, rental of a 4-bed house in Harare can range from USD12,000–USD42,000 per year[[78]](#footnote-78)). It is not clear whether the lease values were offered by the bidders, or suggested by ZPWMA. * A five year concession period is very short duration for a company to undertake an EIA, develop infrastructure, establish a business, operate it and and make a return on its investment. * The prequalification materials noted the development of ‘semi-permanent’ facilities, but did not define what this meant. The lack of clarity created confusion among some investors. * Prequalification did not address empowerment and participation of local communities, in relation to the Indigenization Act. * ZPWMA and MoET were concerned that the process was taking too long, and requested that the EoI be dropped in favour of just a prequalification phase. As a compromise, the prequalification phase was modified so that only participants complying with established criteria would be evaluated. (Clarify . . . Pp12) * Provide defined and consistent descriptions of tourism opportunities (e.g. no. beds, level exclusivity, size of area, future competitive products, complementary infrastructure, obligations of ZPWMA) * Defining the sites and bidding process would have been improved if done in consultation in consultation with conservation partners and potential investors, and if a list of potential investors had been established. * The process would have benefited from a conservation partnerships forum to organize workshops with stakeholders, and to discuss participation (including through Community Public Private Partnerships (CPPPs)). * The opportunity to use donor funds to finance community equity stakes could have been explored. * A tender evaluation criteria relating to opportunities for local people and Zimbabwean enterprises could have been included, to encourage more local participation and partnerships. However, bidders had to include Zimbabwean citizens as the proponent, or within a joint-venture |

**Investor information**

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| International airports | Harare, Victoria Falls (others?) |
| National carrier | Zimbabwe Air |
| Internal transport | - |
| Communications availability | - |
| Corporate tax rate | 25% |
| Rules regarding repatriation of profits and dividends | 100% remittability of profits |
| Investment Incentives | Duty exemption on specified capital goods imported for use in TDZs Taxation on investments is as follows:   * First 5 years of operation 0% * Second 5 years of operation 15% * Third 5 years of operation 20%   Thereafter normal rates of corporate tax apply  Quick processing of investment licences (24 hours)  Zimbabwe Tourism Authority (ZTA) provides free advisory services |
| Rules related to requirements for local partners | Facilitation of access to land  Equity of up to 51% in line with the Indigenisation Policy. The policy is however flexible and may be dependent on the nature and size of the investment. |
| Rules regarding land ownership by foreign companies | Foreign investors may acquire land through outright purchase (freehold title) especially in urban centres, and through long term leases (leasehold title) for land owned by local and central government (state land) including land in parks or game reserves. |
| Availability of work permits for expatriate staff | These are granted on a case-by-case basis through the Department of Immigration and Control |
| Investment guarantees | Security of foreign investment is provided through Bilateral Investment Promotion and Protection Agreements (BIPPAs). |
| Restrictions on foreign investment | Certain types of investments are preserved for locals. These include car hire companies, guest houses, camping sites and restaurants. |

Source: RETOSA 2014, pp98 (need extra for blanks)

## Guideline development process

Method. Conceptual framework (to complete/update at the end)

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| **Inception** meeting and report | Completed |
| **Scoping**– on format and style of guideline, and draft ToC | Completed |
| **Situational analysis** – information on concessions, processes and products in SADC currently | In progress |
| **Draft guideline development** – populating the ToC (version 1) | Completed |
| **Review period** for draft prior to conference (English version)  *Requested Portuguse and French Translation.* | 1-2 weeks: August |
| **Conference** on concessions: review and improve the content of the guideline + annexes (Johannesburg) | 1-3 September |
| **Revision** of guideline (version 2) | September |
| Translation (French, Portuguese) | September: 2 weeks |
| **Review period** (English, French, Portuguese) | Oct (2 weeks) |
| Revision of guideline (version 3) | Oct |
| **Validation meeting** with SADC/GiZ (Gaborone) | Oct or Nov |
| Finalisation of guideline (version 4) | Oct or Nov |

1. Adapted from Eagles, P. F. J., Baycetich, C. M., Chen, X., Dong, L, Halpenny, E., Kwan, P. B., Lenuzzi, J. J., Wang, X., Xiao, Hl, and Zhang, Y. (2009) Guidelines for planning and management of concessions, licenses and permits for tourism in protected areas, Tourism planning and management program, University of Waterloo, Ontario, Canada, 23 April 2009: pp12, Buckley, R. (2010). Conservation Tourism. CAB International. page xvi.; [↑](#footnote-ref-1)
2. Pocket Oxford English Dictionary, 2006 [↑](#footnote-ref-2)
3. Eagles et al, (2009) op. cit. [↑](#footnote-ref-3)
4. Adapted from National Treasury (2005) PPP Toolkit for tourism, PPP Practice Note 1 of 2005, pp 3, accessible from http://www.ppp.gov.za/Pages/Governance.aspx?RootFolder=%2fLegal%20Aspects%2fPPP%20Toolkit%20for%20Tourism&FolderCTID=&View=%7b33F91A9E%2d68FB%2d40CC%2dB511%2d45D91A7CC95B%7d [↑](#footnote-ref-4)
5. UNEP and UNWTO (2005) Making Tourism More Sustainable, A Guide for Policy Makers, Madrid, Spain [↑](#footnote-ref-5)
6. Zunkel, K. (In prep) Southern African Development Community Transfrontier Conservation Guidelines: The establishment and development of TFCA initiatives between SADC Member States [↑](#footnote-ref-6)
7. Southern African Development Community (SADC) (1998). Protocol on tourism, accessed from http://www.sadc.int/files/2413/5292/8368/Protocol\_on\_the\_Development\_of\_Tourism1998.pdf on 5 December 2013 [↑](#footnote-ref-7)
8. SADC (1999) Protocol on Wildlife Conservation and Law Enforcement, accessed from <http://www.sadc.int/documents-publications/show/Protocol%20on%20Wildlife%20Conservation%20and%20Law%20Enforcement%20(1999>) on 30 July 2014 [↑](#footnote-ref-8)
9. Adapted from Spenceley, A. Neville, H., and Souto, M. (In prep) Protected are tourism concessions: A toolkit, Report to the International Finance Corporation (citation will change) [↑](#footnote-ref-9)
10. Whyte, R., Perrottet, J., Di Fiori, V., and Neville, H. (2013) Global Investment Promotion Best Practices: Winning tourism investment, World Bank, Available from <https://www.wbginvestmentclimate.org/advisory-services/investment-generation/investment-policy-and-promotion/gipb/upload/Tourism-GIPB-report.pdf>, pp7 [↑](#footnote-ref-10)
11. Ministry of Environment and Tourism (2007) Policy on tourism and wildlife concessions on state land, Republic of Namibia, accessible from http://www.areasprotegidas.net/sites/default/files/documentos/Namibia%20Tourism%20%26%20Wildlife%20Concessions%20Policy%20(2007).pdf [↑](#footnote-ref-11)
12. Ministry of Environment and Tourism (Undated) Tourism and Wildlife concessions in Namibia’s protected areas, accessible from http://www.met.gov.na/Documents/Concession%20Policy%20flyer.pdf [↑](#footnote-ref-12)
13. National Treasury (2004) Public Private Partnership Manual: National Treasury PPP Practice notes issued in terms of the Public Finance Management Act, National Treasury PPP unit ; Davies, R. (2010) CIA Post completion monitoring, South African National Park (Project ID9907), IFC internal report [↑](#footnote-ref-13)
14. Adapted from Fearnhead, P. (2003) Commercial tourism concessions: a means of generating income for South African National Parks, Vth World Parks Congress, September 2003, Durban, South Africa, Accessible from http://conservationfinance.org/guide/WPC/WPC\_documents/Apps\_06\_Fearnhead\_v1.pdf [↑](#footnote-ref-14)
15. Young, C. and Young, C. (1993) Park planning: A training manual (instructors guide), College of African Wildlife Management, Mweka, Tanzania. Cited in Thomas, L., and Middleton, J. (2003) Guidelines for management planning of protected areas, WCPA Best practice protected area guidelines series no. 10, IUCN, Cardiff University. [↑](#footnote-ref-15)
16. Adapted from Eagles et al, 2009, op. cit. [↑](#footnote-ref-16)
17. <http://www.desertknights-mtb.com/tour-overview>, Pers Com. P. Bewsher, PPF, 2014; Pers Com. R. Vorwerk, Boundless Southern Africa, 2014 [↑](#footnote-ref-17)
18. Kerf, M., Gray, R. D., Irwin, T., Levesque, C., and Taylor, R. R. (1998) Concessions for infrastructure: A guide to their design and award, World Bank Technical Paper no. 399, World Bank and Inter-American Development Bank and IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-18)
19. IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-19)
20. Adapted from Ashley, C. Roe, D. and Goodwin, H. (2000:4) Pro-Poor Tourism: Putting Poverty at the Heart of the Tourism Agenda. <http://www.odi.org.uk/sites/odi.org.uk/files/odi-assets/publications-opinion-files/2861.pdf> [↑](#footnote-ref-20)
21. Adapted from Collins, S. (2012) Ponto Chemucane, Maputo Special Reserve: Putting community at the centre? Available at http://www.slideshare.net/AnnaSpenceley/chemucane-maputo-special-reserve-steve-collins [↑](#footnote-ref-21)
22. Spenceley, A. (2003) Tourism, local livelihoods and the private sector in South Africa: case studies on the growing role of the private sector in natural resources management. Sustainable Livelihoods in Southern Africa Research Paper 8, Institute of Development Studies, Brighton, accessible from http://www.anna.spenceley.co.uk/files/TourismLivelihoods&PrivateSectorSpenceley.pdf , pp51 [↑](#footnote-ref-22)
23. IFC (2014) Managing environmental and social risks, accessible from http://www.ifc.org/wps/wcm/connect/Topics\_Ext\_Content/IFC\_External\_Corporate\_Site/IFC+Sustainability/Risk+Management/ [↑](#footnote-ref-23)
24. IFC (2012) op. cit [↑](#footnote-ref-24)
25. Walton A. Gomei M. and Di Carlo G. (2013) Stakeholder engagement: Participatory Approaches for the Planning and Development of Marine Protected Areas. World Wide Fund for Nature and NOAA— National Marine Sanctuary Program, accessible from http://awsassets.panda.org/downloads/stakeholder\_engagement.pdf [↑](#footnote-ref-25)
26. Adapted from http://tourisminvest.org/\_manual/manual\_workstream\_stakeholder-mgt.html [↑](#footnote-ref-26)
27. Adapted from IFC 2007, pp 10, op. cit. [↑](#footnote-ref-27)
28. IFC (2007) op. cit. [↑](#footnote-ref-28)
29. South Africa: SANParks (2012) Annual report, <http://www.sanparks.org/assets/docs/general/annual-report-2012.pdf>: pp29-30; Exchange rate of 1 June 2012 used of 0.11714, [www.oanda.com](http://www.oanda.com), Namibia: <http://www.met.gov.na/SPAN/Pages/Concessions.aspx>; Desert Knights: Pers Com. P. Bewsher, PPF, 2014; Pers Com. R. Vorwerk, Boundless SA, 2014; Tour de Tuli: Pers Com. S. Snyman, Wilderness Safaris/Children in the Wilderness, 2014, Snyman, S. (2014) Nedbank Tour de Tuli, Presentation to the GMTFCA Trilateral Techncial Committee on 11 April, 2014, Johannesburg, South Africa. [↑](#footnote-ref-29)
30. Adapted from Alberta Tourism, Parks and Recreation (1991) Tourism business planning guide: a guide to assist with the preparation of a business plan, accessible at https://www.albertacanada.com/files/albertacanada/2-Business\_Planning\_Guide.pdf [↑](#footnote-ref-30)
31. Whyte, R., Perrottet, J., Di Fiori, V., and Neville, H. (2013) Global Investment Promotion Best Practices: Winning tourism investment, World Bank, Available from <https://www.wbginvestmentclimate.org/advisory-services/investment-generation/investment-policy-and-promotion/gipb/upload/Tourism-GIPB-report.pdf>, pp7 [↑](#footnote-ref-31)
32. Gray, R. D., Irwin, T., Levesque, C. and Taylor, R. R. (1998) Concessions for infrastructure: a guide to their design and award, World Bank Technical paper no 399. World Bank and Inter-American Development Bank [↑](#footnote-ref-32)
33. Hodges, J. T. and Dellacha, G. (2007) Unsolicited infrastructure proposals: how some countries introduce competition and transparency, Public-private infrastructure advisory facility, Working Paper no. 1: pp5-8 [↑](#footnote-ref-33)
34. Hodges, J. T. and Dellacha, G. (2007) Unsolicited infrastructure proposals: how some countries introduce competition and transparency, Public-private infrastructure advisory facility, Working Paper no. 1 [↑](#footnote-ref-34)
35. Hodges, J. T. and Dellacha, G. (2007) op. cit. [↑](#footnote-ref-35)
36. http://ppp.worldbank.org/public-private-partnership/legislation-regulation/laws/ppp-and-concession-laws#how\_to\_manage [↑](#footnote-ref-36)
37. IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-37)
38. IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-38)
39. IFC (2012 IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-39)
40. IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-40)
41. IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-41)
42. CRISIL (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, Contract management Manual and resources, Volume 2: Contract management training manual [↑](#footnote-ref-42)
43. CRISL Ltd (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, pp33 [↑](#footnote-ref-43)
44. IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-44)
45. IFC (2012) IFC Advisory Services: Public private partnerships, CP3 Operational Manual [↑](#footnote-ref-45)
46. Adapted from National Treasury (2005) op. cit.: pp22 [↑](#footnote-ref-46)
47. Adapted from National Treasury (2004) PPP Project cycle [↑](#footnote-ref-47)
48. IFC (2007) op. cit. pp38 [↑](#footnote-ref-48)
49. IFC (2007) op. cit. pp38 [↑](#footnote-ref-49)
50. IFC (2007) op. cit. pp38 [↑](#footnote-ref-50)
51. IFC (2007) op. cit. pp38 [↑](#footnote-ref-51)
52. IFC (2007) op. cit. pp39 [↑](#footnote-ref-52)
53. IFC (2007) op. cit. pp38 [↑](#footnote-ref-53)
54. National Treasury, 2005: pp59 & example on p62 [↑](#footnote-ref-54)
55. IFC (2007) op. cit. pp39 [↑](#footnote-ref-55)
56. Adapted from National Treasury (2005) op. cit and Varghese, G. (2008) Public private partnerships in South African National Parks, in Spenceley, A. (ed) Responsible tourism: critical issues for conservation and development, Earthscan, pp77, [↑](#footnote-ref-56)
57. Grove, A. S. (1996) Only the Paranoid survive, cited in CRISIL (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, Contract management Manual and resources, Volume 2: Contract management training manual [↑](#footnote-ref-57)
58. Grove, A. S. (1996) op. cit. [↑](#footnote-ref-58)
59. Adapted from CRISL Ltd (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, pp60 [↑](#footnote-ref-59)
60. Adapted from SANParks (Undated) Concessions operations manual, Revision 1 [↑](#footnote-ref-60)
61. CRISL Ltd (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, pp31 [↑](#footnote-ref-61)
62. Wyman, M., Barborak, J. R., Inamdar, N., and Stein, T. (2011) Best practices for tourism concessions in protected areas: A review of the field, Forests, 2, 913-928, available at [www.mdpi.com/journal/forests](http://www.mdpi.com/journal/forests) [↑](#footnote-ref-62)
63. SANParks (undated) Concession operational manual [↑](#footnote-ref-63)
64. CRISL Ltd (2013) Lesotho Tourism Public Private Partnership Contract Management Consulting, pp41 [↑](#footnote-ref-64)
65. RETOSA (2014) Southern Africa Tourism Investment Handbook’ , accessible from http://www.cde.int/sites/default/files/documents/tourism\_investment\_handbook.pdf [↑](#footnote-ref-65)
66. http://www.peaceparks.org/story.php?pid=1318&mid=1332 [↑](#footnote-ref-66)
67. Casimiro, R. and Spenceley, A. (2012) Tourism concessions in protected areas in Mozambique: Manual for the private sector, Report USAID SPEED, 19 April 2012 [↑](#footnote-ref-67)
68. The Area occupation/Site land fee, the highest of all (1000 MZM / ha), is also part of the Decree’s list of legal fees. [↑](#footnote-ref-68)
69. As long as organised in local management committees (Ministerial Diploma 93/2005). [↑](#footnote-ref-69)
70. Casimiro and Spenceley, 2012 [↑](#footnote-ref-70)
71. Booth, V. (2012) Intermediate working document on the contribution of tourism hunting to the economy in Mozambique, Report to the AFD [↑](#footnote-ref-71)
72. Casimiro and Spenceley, 2012 [↑](#footnote-ref-72)
73. National Treasury (2004) op. cit. [↑](#footnote-ref-73)
74. Varghese, G. (2008) Public-private partnerships in South African National Parks, In Spenceley, A. (ed) Responsible tourism: critical issues for conservation and development, Earthscan, pp69-83 [↑](#footnote-ref-74)
75. <http://www.krugerpark.co.za/krugerpark-times-e-1-hunting-help-protect-wildlife-south-africa-25045.html> [↑](#footnote-ref-75)
76. National Treasury (2004) Public Private Partnership Manual: National Treasury PPP Practice notes issued in terms of the Public Finance Management Act, National Treasury PPP unit [↑](#footnote-ref-76)
77. National Treasury (2004) op. cit [↑](#footnote-ref-77)
78. http://www.property24.co.zw/4-bedroom-properties-to-rent-in-harare-c1729 [↑](#footnote-ref-78)