
EC TAX LAW

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Ec Tax Law

Martijn Schippers, Ilona van den Eijnde

Ec Tax Law:

EU Tax Law Marjaana Helminen, 2011 This book deals with all the EC law norms that are relevant from the perspective of direct taxes It explains how these norms are and should be interpreted and how they affect national tax laws and the tax treatment in EU Member States It begins by giving a comprehensive overview of the basic principles and concepts of EC tax law and all relevant articles of the EC Treaty analysing them in the light of direct tax case law A discussion follows covering all relevant EC directives and recommendations and other soft law material on direct taxes Reference is made to all relevant judgments of the EC Court on direct taxes The book includes a chapter on the tax treatment of the different EU entity forms and the future of corporate taxation with a separate chapter dedicated to the EC law issues related to transfer pricing and to the EC law norms on administrative assistance in tax matters

Multilingual Texts and Interpretation of Tax Treaties and EC Tax Law Guglielmo Maisto, 2005 The book identifies linguistic issues arising in bilateral income tax conventions and presents an in dept analysis of tax treaty policies on multilingualism and the administrative practice and case law on the issues raised by the translation of treaties Individual country surveys discuss the use of legal concepts including those that do not exist in the legal system of one of the two contracting states and the way such concepts should be interpreted in such states e g trust Further the use of concepts in one state that are similar but not identical to a treaty concept that is well known only in the other state e g droit d auteur vs copyright are presented The book also includes special reports on multilingual issues under both art 33 of the Vienna Convention and art 3 2 of the OECD Model Convention and Commentaries Finally a specific chapter is devoted to the EU law aspects and a review of the jurisprudence of the European Court of Justice ECJ

EC Tax Law David W. Williams, 1998 This book provides a clear overall and much needed introduction to EC tax law it is about how taxes are raised in the EU and how those taxes interact with the constitution and principles of the EU EC Tax Law Paul Farmer, Richard Lyal, 1994 Comprehensive account of European tax legislation and jurisprudence The relevant EC Treaty provisions and their application VAT legislation and recent legislation on company tax law and the jurisprudence relating thereto are discussed in considerable detail An extensive portion approx 130 pages of the book is related to VAT and covers the basic principles and scope place of supply and international transactions domestic exemptions the right of deduction payment of tax rates and administration and special schemes

International and EC Tax Aspects of Groups and Companies Guglielmo Maisto, 2008 Comprising the proceedings and working documents of an annual seminar held in Milan in November 2007 this book analyses the tax issues for groups of companies operating in a European or worldwide dimension The book examines the issues raised by both tax treaty and European law by focusing on selected topics It first provides an analysis of the group concept under company and commercial law followed by an overview of taxation of groups in common and civil law countries The tax regime of groups of companies under European law is further considered both for income tax and VAT The issues raised by application of tax treaties to groups of companies is then considered with a

particular emphasis on treaty recognition of groups application of tax treaties to companies included in national group consolidation regimes and application of the treaty articles on business income and non discrimination Individual country surveys provide an in depth analysis of the above issues from a national viewpoint in selected European and North American jurisdictions

EU Tax Law and Policy in the 21st Century Werner Haslehner, Georg Kofler, Alexander Rust, 2016-04-24 Major changes in EU tax law demand an analysis of not just the current state of the field but also forthcoming EU level policy initiatives and their likely implications for taxpayers regulators and national legislatures alike This book the first in depth commentary and analysis of such developments offers exactly that Twenty EU tax and policy experts examine the impact of EU Treaty provisions and recent ECJ case law on EU tax law and provide well informed assessments of current and anticipated EU tax policy initiatives and their potential impacts Taxpayers their advisors national tax administrations and national legislators will find relevant chapters to aid their understanding of and to allow them to proactively address EU tax law issues such as non discrimination state aid rules fundamental freedoms discretionary power of national tax authorities tax competition in the internal market cross border exchange of tax information corporate tax harmonization EU and Member States external relations and the limits of judicial authority in tax policy As an authoritative detailed guide to recent and future developments in EU tax law with highly informed insights into their practical effect this book will be a welcome addition to the arsenal available to tax practitioners dealing with European tax matters as well as interested policymakers and academics

EU Tax Law Marjaana Helminen, 2013 [Research Handbook on European Union Taxation Law](#) Christiana HJI Panayi, Werner Haslehner, Edoardo Traversa, 2020-01-31 Offering a comprehensive exploration of EU taxation law this engaging Research Handbook investigates the associated legal principles in the context of both direct and indirect taxation The important issues and debates arising from these general principles are expertly unpicked with leading scholars examining the status quo as well as setting out a clear agenda for future research

European Tax Law Martijn Schippers, Ilona van den Eijnde, 2022-01-22 European Tax Law Seventh Edition Volume II Marie Lamensch Madeleine Merckx Martijn Schippers Ilona van den Eijnde Marie Lamensch is Professor of taxation at the UCLouvain and the Free University of Brussels and a lawyer at the Brussels Bar She is also a member of the VAT Expert Group of the European Commission Madeleine Merckx is Professor of indirect taxes at Erasmus University Rotterdam and a partner at the Tax Research Center of BDO the Netherlands Martijn Schippers is Assistant Professor in customs law and indirect taxation at the Erasmus School of Law programme coordinator of EFS Post Master in EU Customs Law and member of EY's Global Trade Customs team in the Netherlands Ilona van den Eijnde is Academic Teacher in customs law and indirect taxation at the Erasmus School of Law and a lawyer at EY in Rotterdam specialized in customs environmental lifestyle taxation The seventh edition of this leading textbook brings its comprehensive and systematic survey of European Indirect Tax Law up to July 2021 With its critical discussion of the EU tax rules in force and of the relevant ECJ case law it surpasses every other edition in its clarification and

analysis of the EU regulatory framework applicable to indirect taxes The in depth coverage of this Volume II includes The Union Customs legislation The harmonised Union VAT legislation The harmonised Union excise and environmental tax legislation The Union administrative cooperation regulatory framework applicable to indirect taxes Volume I of this book covers general topics of EU law relevant for taxation and EU law on direct taxation Ben J M Terra University of Amsterdam the Netherlands and Lund University Sweden and Peter J Wattel University of Amsterdam wrote the first six editions of this handbook

Towards a Homogeneous EC Direct Tax Law Cécile Brokelind,2007 Issues in 27 member states that might have an impact on their own cases A new way of thinking is necessary in order to achieve a homogeneous application of non harmonized community law dealing with direct taxation *European Tax Law* Ben Terra,Peter Jacob Wattèl,1997-08-27 Although a genuine European tax hardly exists as such the EC policy of aligning national taxes and tax policies insofar as is necessary for a common market affects taxation and tax law in all Member States *European Tax Law* systematically surveys the EC tax rules that arise from this policy and their implications It provides a detailed discussion of European integration and Community tax harmonisation policy with practical analysis of all the relevant Community tax rules in force and pending The book s clear straightforward coverage includes tax measures already taken at the Community level and their legal basis the current state of positive harmonisation as manifested in EC regulations and directives the effect of negative integration such as prohibition of discrimination that limits Member States freedom to arrange their own national tax systems the surprising effect of national habits and couleur locale and the consequences of general non fiscal Community law for national tax laws as it emerges in the case law of the European Court of Justice *European Tax Law* includes an extensive index and a table of cases for easy access to information Practitioners academics and advanced students of tax law and EC law will value the lucid ordered and comprehensive coverage of this resource

Introduction to European Tax Law on Direct Taxation Michael Lang,2008 In Europe direct taxation is still within the competence of the Member States However European law has become increasingly influential in this area as well Most provisions of European law are directly applicable They thus have an immediate impact on taxpayers and tax authorities when applying domestic tax law This book serves as an introduction to European direct taxation The book will be of assistance to experts in European law who have so far considered tax law and in particular direct taxation as too technical a domain It will also be helpful to tax law experts who are less familiar with the problems of compatibility with European law Because the contributors do not focus on a specific national tax system *Introduction to European Tax Law Direct Taxation* will be beneficial to students and practitioners inside and outside of Europe The Table of Contents include The Sources of EC Law Relevant for Direct Taxation The Relevance of the Fundamental Freedoms for Direct Taxation The State Aid Provisions of the EC Treaty in Tax Matters The Parent Subsidiary Directive The Merger Directive The Interest and Royalty Directive The Savings Directive The Directives on the Mutual Assistance in the Assessment and in the Recovery of Tax Claims in the Field of Direct Taxation The EC Arbitration

Convention **European Tax Law** B. J. M. Terra, Peter Jacob Wattèl, 2008 The completely revised sixth edition of this leading work brings its comprehensive and systematic survey of European Tax Law up to December 2011 With its thorough and critical discussion of the EU tax rules in force and of the European Court's case law in tax matters it surpasses every other source in its clarification and analysis of the implications of the Treaties on European Union and on the functioning of the EU for national taxation and of EU tax harmonization policy Its in depth coverage includes 1 the consequences of the TFEU and of general EU law principles for national tax law tax treaties national tax procedure State liability and the national budget as shown by the case law of the Court of Justice of the EU 2 EU harmonization and coordination policies as regards both indirect and direct taxes including soft law 3 EU law in force and proposed on indirect taxes Value Added Tax Community Customs Code Excises and Energy Taxation Capital Duty and the Financial Transactions Tax proposal 4 EU law in force and proposed on direct taxes Parent Subsidiary Directive Tax Merger Directive Interest and Royalties Directive Transfer Pricing Arbitration Convention Savings Interest Directive and the CCCTB proposal 5 tax aspects of the EEIG the SE and the SCE and 6 administrative cooperation and recovery assistance between the Member States Procedural matters and the extent of judicial protection are emphasized throughout the book's three parts I general EU law and taxation II positive integration and III negative integration of direct taxation Prized in previous editions as the reference book for tax and EU law practitioners tax administrators the judiciary academics and tax or EU law policymakers this new edition will continue to be of immense value to all tax and EU law professionals **European Tax Law** Ben J. Terra, Peter Jacob Wattèl, 1994 Although a genuine European tax hardly exists as such the EC policy of aligning national taxes the current state of positive harmonisation as manifested in EC regulations the effect of negative integration such as prohibition of discrimination that limits Member States freedom to arrange their own national tax systems the surprising effect of national habits the consequences of general non fiscal Community law for national tax laws as it emerges in the case law of the European Court of Justice **European Tax Law** includes an extensive index a table of cases for easy access to information Practitioners academics advanced students of tax law EC law will value the lucid ordered comprehensive coverage of this resource *EC Law and the Sovereignty of the Member States in Direct Taxation* Mathieu Isenbaert, 2010 In order to develop a suitable framework for the analysis of the European Court of Justice ECJ case law it is first analysed what significance if any the concept of sovereignty has in the contemporary supranational environment of the European Union All too often tax scholars equate sovereignty with the concepts of competence or jurisdiction It will be established in this thesis that a much more specific and higher level meaning is to be attributed to the sovereignty concept which goes beyond the strictly legal concepts of competence or jurisdiction The cornerstone of this thesis however is an extensive analysis of the case law of the ECJ in direct tax matters including a comparison with its non tax case law A new kind of methodology is used in discussing the cases they are categorized according to whether a discrimination or a restriction based analysis was applied by the ECJ *Tax*

Avoidance and European Law Mihaela Tofan, 2022-06-07 Tax law is one of the legal fields with the most subtle influence on European integration and EU law. The European economic cooperation project emerged with the customs union essentially a tax law concept and evolved alongside other topics of tax harmonization. Still, the existence of the EU tax law is disputed. The research on the topic is significant as the integration of national economies and markets has increased substantially both within the EU and globally. This has put a strain on domestic tax rules which are subject to the demands of the international taxation requirements. This book explores the relationship between tax avoidance regulation and sovereignty within the European Union, analyzing the impact of the effective regulatory methods for limiting and eliminating aggressive tax planning by multinational companies. Focusing on analyzing good practice in fiscal regulation, efficiency and the results generated by the tax jurisprudence both at national and European level, its main objective is to present the argument for inter dependency between taxation and the current changes in the concept of sovereignty. It highlights where fiscal regulation has led to uniform yet flexible solutions for the actual fight against companies' abusive fiscal conduct when taking advantage of tax competition. This text will be of value to academics, researchers and advanced students in tax law and tax avoidance regulation and their intersection with sovereignty in the context of the European Union. *EC Tax Review*, 2000 *EU Tax*

Law Juliane Kokott, 2020 **Procedural Rules in Tax Law in the Context of European Union and Domestic Law** Michael Lang, 2010-01-01 EUCOTAX European Universities Cooperating on TAXes is a network of tax institutes currently consisting of eleven universities: WU Vienna University of Economics and Business in Austria, Katholieke Universiteit Leuven in Belgium, Corvinus University of Budapest Hungary, Université Paris I Pantheon Sorbonne in France, Universität Osnabrück in Germany, Libera Università Internazionale di Studi Sociali in Rome and Università degli Studi di Bologna for the research part in Italy, Fiscaal Instituut Tilburg at Tilburg University in the Netherlands, Universidad de Barcelona in Spain, Uppsala University in Sweden, Queen Mary and Westfield College at the University of London in the United Kingdom and Georgetown University in Washington DC, United States of America. This network aims at initiating and coordinating both comparative education in taxation through the organisation of activities such as winter courses and guest lectures and comparative research in the field by means of joint research projects, international conferences and exchange of researchers between various countries. European Union law barely deals with procedural questions even though they are essential for proper implementation of European Union law. The European Court of Justice has developed procedural principles in its rulings which also affect proceedings before national authorities. This is due to the fact that the principle of procedural autonomy of the Member States finds its limits where European Union law might be infringed. Therefore, domestic procedural principles and rules of the EU countries need to be interpreted in the context of European Union law requirements. This timely work seeks to identify the differences between the domestic procedural rules and principles of an array of EU and non-EU countries and analyse them in the context of European Union law requirements. Specific attention is paid to the impact of

State aid rules on procedural law in tax matters on constitutional law requirements as well as tax treaty law issues Since customs law is already harmonized in the form of the Community Customs Code it serves as a starting point to examine the extent to which harmonized procedural law is possible Harmonized procedural law is also discussed in the context of a possible future Common Consolidated Corporate Tax Base as well as an EU tax levied at the European Union level

Double (Non-)Taxation and EU Law Christoph Marchgraber, 2016-04-24 Everywhere new tax rules are under development to engage with the ever increasing complexity and sophistication of aggressive tax planning and to reverse the tax base erosion it leads to The most prominent initiative in this context is the Base Erosion and Profit Shifting BEPS project of the OECD Although double non taxation is among the main issues the BEPS project intends to address this book shows that this phenomenon has not yet been fully understood Focusing on the fundamental freedoms and the State aid rules of the EU this book thoroughly explains the nature of double non taxation from an EU law perspective its relation to double taxation and the impact of EU law on these phenomena Among the issues dealt with in the course of the analysis are the following locating the gaps and inconsistencies among domestic tax systems exploited by taxpayers hybrid mismatch arrangements as a prime example of double non taxation political efforts undertaken within the EU in order to address double taxation and double non taxation double non taxation in the European VAT system the convergence of the fundamental freedoms and the State aid rules the ECJ's dilemma with regard to juridical double taxation the deviating approach with regard to economic double taxation the potential impact of the ECJ's case law on the EU law compatibility of double non taxation The tax jurisprudence of the ECJ is referred to and comprehensively analysed throughout this whole book A final chapter provides an outlook on possible developments in the future By providing the first in depth analysis of EU law's impact on double non taxation and the double taxation relief standards with which it is intimately related this book takes a giant step towards greater legal certainty in this challenging area of tax law It will quickly take its place as a major practical analysis which benefits tax authorities scholars and tax practitioners across Europe and even beyond

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