

In "Fiscal harmonization in common markets" (2: 443) Shoup explains tax harmonization, It usually implies a group of tax adjustment programs somehow associated with various types of economic integration. This is so because the term tax harmonization has been developed, in response to the practical need for a general and comprehensive term which can cover a wide range of tax adjustment programs that are as yet not being identified definitely, though likely to be necessary to help in achieving a number of broad, and often competing, political and economic objectives of an economic integration. It has come to be understood that the term is often used in a special sense, with relevance only for the EEC.

Tax And Legal Aspects Of Ec Harmonization

Reuven S. Avi-Yonah, Michael Lang

Tax And Legal Aspects Of Ec Harmonization:

The Legal and Moral Aspects of International Trade Geraint Parry, Geraint B Parry, Asif Qureshi, Hillel Steiner, 2002-09-11 This collection of essays by international lawyers and moral philosophers arises from a prestigious multi disciplinary conference to commemorate the 150th anniversary of the repeal of the Corn Laws in 1846 It examines the legal moral and political dimensions of free trade Contributors explore issues such as the ethics and rules of competition the idea of global justice the problem of international exploitation the protection of the environment the regulation services international taxation and the justifications for barriers to trade This book provides an important insight into the continuing debates surrounding free trade It is an important text for experts across the fields of economics politics and law as well as to those with an interest in international trade EU Fiscal Federalism Alicia Hinarejos, Robert Schütze, 2023-10-03 Fiscal federalism refers to the division of fiscal powers powers to tax and spend between different levels of government The European Union EU is often seen as a legislative giant on clay feet and one of the principal reasons for this feebleness is the lack of a significant fiscal capacity at the Union level EU Fiscal Federalism Past Present Future explores ten aspects of the EU s fiscal constitution relating both to the fiscal limits it imposes on Member States and the evolution of its own fiscal policy Bringing together an international and distinguished group of scholars this volume analyses the different legal dimensions of fiscal federalism within the EU from the various aspects of the single market free movement banking union state aid tax harmonization to the EU s budget and Economic and Monetary Union The essays provide a fascinating overview of the topic as well as a detailed analysis of where EU fiscal federalism stands today and how it might develop in the future Sweeping and thorough EU Fiscal Federalism will appeal to academics and students of European Union law as well as to European policymakers Comparative Fiscal Federalism Reuven S. Avi-Yonah, Michael Lang, 2016-06-20 Judicial review of taxation in the world's two most economically significant multistate systems the European Union and the United States has exposed a remarkable divergence Although there are important differences between the competences of the two tribunals the fact remains that the European Court of Justice has been much more aggressive in striking down Member State income tax rules than has the United States Supreme Court in comparable cases This book the only full scale comparative analysis of the tax jurisprudence of the two judicial systems now in an updated second edition asks Why this divergence And what can the two tribunals learn from each other about adjudicating issues that arise from the interaction of tax regimes in the context of a single market Among the contributory issues and topics covered are the following conceptions of sovereignty and federalism discrimination in direct tax matters as an obstacle to a meaningful single market allocation of taxation competences nonresident versus resident taxation double burdens on cross border economic activity retroactive recovery of unlawful state aid in the European Union role of competition law the revenue interests of states levels of corporate taxation the OECD Model's nondiscrimination rules and the preliminary interpretation mechanism of the Court of Justice An insightful and

penetrating analysis of a topic of material importance to governments tax policy makers and tax lawyers on both sides of the Atlantic this book clearly explains how the Supreme Court and the Court of Justice continue to struggle with the conflict between generally accepted tax principles and the effective prevention of discriminatory treatment of taxpayers All tax professionals concerned with the interaction of sovereignty tax assignment legislation and judicial decisions in tax law will benefit greatly from its clearsighted and comprehensive treatment as well as from its perspectives on the practical implications of each tribunal s decision making PUBLIC FINANCE: LEGAL ASPECTS Nadiia Prvshva. Nataliia Iakymchuk, Danil Getmantsev, Olena Hedziuk, Yurii Pyvovar, Liubov Kasianenko, Tamara Latkovska, Nataliia Kovalko, Yevhen Marynchak, Svitlana Nischymna, Sergii Ochkurenko, Olena Orliuk, Emiliia Dmytrenko, Lesia Savchenko, Vladyslava Savenkova, 2019-04-01 Monograph Public finance legal aspects is a paper written by the team of leading Ukrainian scholars in the sphere of finance law and initiated by Financial Law Center and Department of Financial Law of Taras Shevchenko National University of Kyiv All monograph's authors are representatives of Ukrainian financial law school which was founded by Lidiia Voronova In memory of our Teacher Financial Law Center was founded to study the problems of legal regulation of public finance and this monograph was prepared In the monograph scholars presented their vision of solving the most topical problems at legal regulation of financial relationships The concept of public financial activity is covered the powers of bodies carrying out public financial activity in Ukraine are investigated issues of the activities of local self government bodies under the conditions of financial decentralization are considered the concepts and features of public funds are determined the content of public interest in tax law is presented and the essence of the subject matter of financial law is studied etc The monograph includes the following topics Functions of financial law theory and practice of the implementation Emilia Dmytrenko Yurii Pyvovar Modern world a new approach to the legitimacy of public finance Danil Getmantsev Public interest and its realisation in tax law Olena Hedziuk Legal content of the concept Public fund of means Nataliia Iakymchuk Procedural norms in the financially legal regulation Liubov Kasianenko Tamara Latkovska Special aspects of legal status of state authorities that perform public financial activity key challenges and the ways to address them Nataliia Kovalko The financial nexus between an individual and a state Yevhen Marynchak General principles of financial law Svitlana Nischymna Basic theoretical problems of determining the place of financial law in the system of law Sergii Ochkurenko Target determination of financial and legal instrumentarium in the development of Ukrainian innovative policy the issue of variable geometry Olena Orliuk Finance and legal regulation of self governing authorities activity under the conditions of decentralization Nadiia Pryshva Public and private financial control limits of legal regulation Lesia Savchenko The emergence of central banks and finance legal status of National Bank of Ukraine Vladyslava Savenkova The monograph will be useful to scholars students and anyone who is interested in financial law issues Recommended for publication by the Academic Council of Law Faculty of Taras Shevchenko National University of Kyiv **Legal Aspects of Foreign**

Abuse of EU Law and Regulation of the Internal Market **Investment in the European Economic Community**, Alexandre Saydé, 2014-12-01 How can the concept of abuse of European Union law which can be defined as undesirable choice of law artificially made by a private citizen generate so much disagreement among equally intelligent individuals Seeking to transcend the classical debate between its supporters and adversaries the present study submits that the concept of abuse of EU law is located on three major fault lines of EU law which accounts for the well established controversies in the field The first fault line which is common to all legal orders opposes legal congruence the tendency to yield equitable legal outcomes to legal certainty the tendency to yield predictable legal outcomes Partisans of legal congruence tend to advocate the prohibition of abuses of law whereas partisans of legal certainty tend to oppose it The second fault line is specific to EU law and divides two conceptions of the regulation of the internal market If economic integration is conceived as the promotion of cross border competition among private businesses the paradigm of regulatory neutrality choices of law must be proscribed as abusive for they distort business competition But if economic integration is intended to promote competition among Member States the paradigm of regulatory competition choices of law by EU citizens represent a desirable process of arbitrage among national laws The third and final fault line corresponds to the tension between two orientations of the economic constitution of the European Union namely the fear of private power and the fear of public power Those who fear private power most tend to endorse the prohibition of abuses of law whereas those who fear public power most tend to reject it Seen in this way the concept of abuse of EU law offers a forum in which fundamental questions about the nature and function of EU law can be confronted and examined in a new light In May 2013 the thesis that this book was based on won the First Edition of the European Law Faculties Association Award for Outstanding Doctoral Thesis **Legal Aspects of Digital Preservation** Thomas Hoeren, Barbara Kolany-Raiser, Silviya Yankova, Martin Hecheltjen, 2013-10-31 This important book illustrates the implications of preservation actions on intellectual property rights and data protection These can include Potential violation of data protection laws through the storage of personal data and potential infringemen **Corporate Tax** Base in the Light of the IAS/IFRS and EU Directive 2013/34: A Comparative Approach Mario Grandinetti, 2016-06-17 The recent relaunch of the European Commission's Common Consolidated Corporate Tax Base CCCTB project promises a sorely needed leap forward in the harmonization of the rules by which companies calculate their taxable profits In particular the initiative hopes to remedy the severe barrier to cross border business caused by the the accounting Tower of Babel by which companies tax bases are determined under national law This thorough analysis and commentary covers the influence of accounting rules on tax considering both generally accepted standards international accounting standards IAS and international financial reporting standards IFRS and EU Directive 2013 34 Three introductory chapters usher in detailed comparative overviews of the effect of these rules on taxation in nine EU Member States as well as in two other major EU trading partners the United States and Brazil Fully explaining the remarkable recent improvement in the comparability of

accounts that represent favourable preconditions for creating a single market for financial services within the EU this book covers every relevant detail including the following and much more criterion of evaluation of alternative fixed assets based on revaluated amounts criterion based on fair value provisions applicable to income statements notes reports and financial statements rules applicable to the publication of documents transparency in payments to governments dispositions on exemptions hierarchy of general provisions and principles balance sheet and profit and loss account simplifications for small and medium sized enterprises SMEs system of creditors protection and protection of investors interests This book is a peerless explication of the taxation choices granted to Member States under IAS IFRS and EU Directive 2013 34 and how they will be affected by ongoing Commission initiatives Because relevant timely reliable and comparable information assumes a leading role in protecting the interests of investors creditors and other stakeholders as well as in ensuring that all operators act on a level playing field under equal conditions the analysis presented here is of immeasurable value to lawyers business persons and officials concerned with taxation not only in Europe but anywhere within the reach of international Research Handbook on European Union Taxation Law Christiana HJI Panayi, Werner Haslehner, Edoardo trade 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 Canadian Tax Journal ,1994

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