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direct tax rules have a significant effect on national direct tax systems This book focuses on the relation between free movement rights of EU citizens and the legal autonomy of Member States in the area of direct taxation and will immediately engage tax practitioners and scholars The author asks and answers the question Has the willingness at EU level to make EU citizenship a key driver behind the integration process come at the expense of national direct tax autonomy The book s incomparably thorough analysis of the distinctive evolution mainly via ECI case law of the relation between the EU principle of free movement of persons and Member States direct tax rules includes in depth discussion of the following elements and more the concept of EU citizenship in the EU s constitutional and institutional development how the ECI has interpreted the concept of free movement with regard to economically inactive persons how the notion of EU citizenship has widened the ECJ s view on treaty access how the ECI has addressed the clash between free movement of persons and direct taxation in the EU s constitutional context and numerous tax policy initiatives with regard to EU citizens before and after the Treaty of Lisbon This is the first book to investigate in such detail how the ECI has tried to reconcile specific national direct tax rules with the general EU principle of free movement of persons from the perspective of EU citizenship This book explains that the ECJ is in the process of reconceptualizing the market freedoms relating to the free movement of persons also in the area of direct taxation as part of a broader EU citizenship right for all economically active EU citizens to pursue an economic activity in a cross border context a right beyond the aim of realization of the internal market As an extremely important analysis of the influence of EU law on the direct tax autonomy of Member States this book is sure to be itself of great influence in the Cases, Materials and Text on European Law and Private Law Arthur practice and study of taxation in the EU Hartkamp, Carla Sieburgh, Wouter Devroe, 2017-03-09 This Casebook deals with the horizontal effects of EU law which is to say its effects on relationships between individuals To a large extent these effects have been created by the Court of Justice of the European Union CJEU on the basis of the European Treaties The main focus of the Casebook is on the developments relating to primary EU law and their influence on national private law It studies instances where EU primary law has already directly or indirectly influenced the case law in the Member States or where it is expected to do so soon Compared to the well known impact of EU directives on private law these developments concerning primary EU law are hardly noted by private lawyers and perhaps not sufficiently explained by scholars of EU law Therefore the book makes an important contribution to scholarship and education This book highlights developments in the areas of competition law fundamental freedoms non discrimination general principles of EU law ex officio application of provisions of EU law and implementation of directives including harmonious interpretation and Francovich liability In its analysis of the ways in which EU law interacts with private law the book will be an invaluable resource to students practitioners and academics of EU private law Cases. Materials and Text on Property Law Sief van Erp, Bram Akkermans, 2012-07-23 This casebook presents a deep comparative analysis of property law systems in Europe ie the law of immovables movables and claims offering signposts and stepping

stones for the reader wishing to explore this fascinating area The subject matter is explained with careful attention given to its history foundations thought patterns underlying principles and basic concepts The casebook focuses on uncovering differences and similarities between Europe s major legal systems French German Dutch and English law are examined while Austrian and Belgian law are also touched upon The book combines excerpts from primary source materials case law and legislation and from doctrine and soft law In doing so it presents a faithful picture of the systems concerned Separate chapters deal with the various types of property rights their creation transfer and destruction with security rights such as mortgages pledges retention of title as well as with harmonising and unifying efforts at the EU and global level Through the functional approach taken by the Ius Commune Casebooks this volume clearly demonstrates that traditional comparative insights no longer hold The law of property used to be regarded as a product of historical developments and political ideology which were considered to be almost set in stone and assumed to render any substantial form of harmonisation or approximation very unlikely Even experienced comparative lawyers considered the divide between common law and civil law to be so deep that no common ground so it was thought could be found However economic integration in particular integration of financial markets and freedom of establishment has led to the integration of particular areas of property law such as mortgage law and enforceable security instruments eg retention of title This pressure towards integration has led comparative lawyers to refocus their interest from contract tort and unjustified enrichment to property law and delve beneath its surface This book reveals that today property law systems are closer to one another than previously assumed that common ground can be found and that differences can be analysed in a new light to enable comparison and further the development of property law in Europe Steiner & Woods EU Law Josephine Steiner, Lorna Woods, Philippa Watson, 2012-08-30 EU Law covers both the institutions of the EU and the substantive law they produce The new constitution is introduced its aims and the reasons for its negotiation Pedagogical features have been incorporated into this edition EU Law on Indications of Geographical Origin Vadim Mantrov, 2014-07-03 The present making the text easier to navigate book examines both theoretical and practical aspects of the law on indications of geographical origin IGOs within the framework of European Union EU law pursuing four distinct yet mutually related aims First it discusses theoretical issues of the law on IGOs including its historical foundations terminology principles of regulation legal subjectivity protection models and loss of protection Second it covers the EU law on IGOs from a systematic point of view Particularly the systematic review of the EU law on IGOs includes an in depth analysis of and commentary on the relevant and applicable regulations Third it examines current legislative initiatives and further development options for the EU law on IGOs Finally it reveals the interrelation of the EU law on one hand and the national laws of EU Member States on the other with regard to IGOs focusing on harmonized and non harmonized areas of law <u>EU External Relations Law</u> Ramses A Wessel, Joris Larik, 2020-04-02 The first edition of this seminal textbook made a significant impact on the teaching of EU external relations

law This new edition retains the hallmarks of that success while providing a fully revised and updated account of this burgeoning field It offers a dual perspective looking at questions from both the EU constitutional law perspective the principles underpinning EU external action the EU s powers and the role of the Court of Justice of the EU and the international law perspective the effect of international law in the EU legal order and the position of the EU in international organisations such as the WTO A number of key substantive policy areas are explored including trade security and defence police and judicial cooperation the environment human rights and development cooperation Taking a text cases and materials approach it allows students to gain a thorough understanding of milestones in the evolution of EU law in this area their judicial interpretation and scholarly appraisal Linking these pieces together through the authors commentary and analysis ensures that students are given the necessary quidance to properly position and digest these materials Lastly each chapter concludes with a section entitled The Big Picture of EU External Relations Law which weaves together the diverse and complex materials into a coherent whole and stimulates critical discussion of the topics covered (Law), Gráinne De Búrca, 2020 Building on its unrivalled reputation as the definitive EU law textbook this seventh edition continues to provide clear and insightful analysis of all aspects of European Union law Drawing on their wealth of experience Paul Craig and Gr inne de B rca succeed in bringing together a unique mix of illuminating commentary and well chosen extracts from a wide range of cases legislation and academic publications Chapters have been carefully structured and designed to enhance student learning at all levels laying the foundations of the subject while building analysis of more complex areas and cutting edge debates The seventh edition has been comprehensively updated to reflect the extensive legal developments that have taken place since publication of the sixth edition and a new chapter on current challenges facing the EU has been added Capacity Mechanisms in EU Energy Law Kaisa Huhta, 2019-07-17 Many states including European Union EU Member States subsidise energy producers in order to guarantee the uninterrupted availability of affordable electricity This book presents the first in depth examination of how these so called capacity mechanisms are addressed in EU law and how they affect the functioning of the EU energy markets Focusing on the existing legal framework as well as the new provisions of the Clean Energy for All Europeans package for capacity mechanisms the author addresses and analyses such aspects as the following the structure and functioning of the EU electricity markets EU s competence to address security of supply and Member States margin of discretion sector specific rules for security of supply legal conditions for subsidising generation adequacy capacity remuneration under the EU State aid regime free movement rules that address generation adequacy measures balancing different interests of EU energy law in the context of generation adequacy and the requirement of proportionality in State intervention to ensure generation adequacy The analysis draws on relevant sources of EU law treaties regulations and directives as well as the case law of the European Court of Justice and the General Court together with soft law instruments such as Commission guidelines Scholarly sources include not only legal literature but also

work on energy policy energy engineering and energy economics As a detailed analysis of how capacity mechanisms address issues arising in the context of the energy transition and how the system of EU law applicable to capacity mechanisms should be interpreted to further the objectives of EU energy law the book will help policymakers and legislators in Member States to understand the changing legal setting for capacity mechanisms Lawyers academics and other professionals who deal with EU electricity markets in the EU and beyond are sure to welcome its detailed description and analysis

EU Law Stefaan Van den Bogaert, Paul P. Craig, Gráinne De Búrca, 2012

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