

# How Much Tax Harmonisation Is Needed?

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## Abstract

The paper concentrates on tax harmonisation in the European Union. The author shows its development and results, and brings some case law examples. The paper deals with a problem whether taxes should be harmonised further – and how. It briefly looks back to the Austro–Hungarian Monarchy, and tries to find some parallels. In this context, some topical tax issues are discussed (e.g. ATAD, CCCTB).

## Keywords

tax; tax harmonisation; EU

## 1 Introduction

In the year of the 100<sup>th</sup> anniversary of the founding of Czechoslovakia (and the fall of the Austro–Hungarian Monarchy), I wanted to evaluate the current state of tax harmonisation and its perspectives. First, there is a short description of the level of integration of economic policies in the Austro–Hungarian Monarchy. Then I analysed the development and achievements in areas of the harmonisation of both indirect and direct taxes. Some examples of case law in the tax area are shown. The hypothesis is that economic and tax harmonisation would work better with a smaller group of more coherent countries. Some statistics of countries that were parts of the Monarchy were compared.

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I used the data from the EU database, selected articles in journals, and selected the EU case law. I also used materials developed during my teaching.<sup>2</sup>

## 2 Looking Back to the Austro–Hungarian Monarchy

The tax system in the Austro–Hungarian Monarchy developed gradually. For several centuries, each “land” also had its tax system. Starting with Maria Theresa and Joseph II, tax reforms started within the monarchy. After the defeat from Prussia in 1866, Austria “compromised” with Hungary in 1867 and formed the Austro–Hungarian Monarchy. There was a common market, common army, common trade and foreign policy, common monetary policy, but full fiscal autonomy. In fact, tax competition (instead of tax harmonisation) existed. Both parts could have had their debts, could have borrowed on capital markets. Both parts invested a lot and subsidised their industry extensively. Especially after 1908, (the annexation of Bosnia and Herzegovina) military expenses grew. After 1909, taxes and government spending dramatically increased (53% during the first decade of the 20<sup>th</sup> century) to cover the budget deficit. Personal income taxes and inheritance taxes increased, new taxes for alcohol, soda-water and mineral water (spent usually in cities) were planned. Corporate profit taxes were considerably high. There were high taxes on urban buildings, while in the countryside they were lower. The expenses of government increased due to inefficiencies of nationalised industries, the most costly and unproductive of which was the national railroad system. Both industry and agriculture were less intensive than in other countries (Ebeling, 2009). The monarchy was multi-national, people of different nations freely intermingled in major cities of the monarchy. With problems of the monarchy, national tensions grew.<sup>3</sup>

People enjoyed three freedoms after 1850:<sup>4</sup> the free movement of goods, the free movement of money, and the free movement of people.<sup>5</sup>

Before the First World War, the monarchy was a mixture of monarchical absolutism and political and economic liberalism. Emperor Francis Joseph held the monarchy together by quite heavy centralisation. In spite of that, one of the most liberal economic schools, the Austrian School, was created and flourished in Vienna at that time. Its representatives should have advised the emperor that liberalism and the free

<sup>2</sup> Since 1997, I have been teaching courses that include the European harmonisation of taxes. As a part of the course requirements, students present in English a CJ EU judgement of a case they select. This gives me also additional material to research.

<sup>3</sup> Czech representatives strived for autonomy within the Austrian Empire for a long time; the Austro–Hungarian “compromise” put an end to it. But it is necessary to say that while Czechs were at least represented as a land in Austrian institutions, the situation of Slovaks in Hungarian parts was even worse.

<sup>4</sup> This era was also significant for introducing income tax in the empire, new administrative organisations of the empire, establishing the ministry of finance for the whole empire.

<sup>5</sup> They did not explicitly speak about free movement of services, but we can assume that. So we can speak about a common market in a way. More in Ebeling, 2009.

competition of tax systems would have worked better. They often criticised the Austro–Hungarian Monarchy. “The essence of fiscal forces”, Mises stated, “was a deep dislike for modern capitalist society”. Böhm-Bawerk accused the Austrian Government that “a very large number of our public authorities have been living beyond their means” (Flandreau, 2001). Carl Menger chaired a commission to reform an Austrian Monetary System in the late 1880s, Wieser supported the adoption of the gold standard. By 1900, Austria–Hungary had a “gold standard without gold in circulation”, as Mises put it (Huerta de Soto, 2010).

Monetary union existed in the Austro–Hungarian Monarchy for almost fifty years without serious problems. We can even find certain similarities to the Euro area today. There was a complete monetary union with a common central bank (based on gold standard), but almost full fiscal autonomy of the two parts. The Austro–Hungarian Government could not run a deficit, but both the Austrian and Hungarian governments could (and did). There was nothing like a Strategic and Growth Pact then. It was assumed that both governments would guard their reputation not to be charged high interests on government bonds. The investors really distinguished between both parts and invested to the economy they considered stable. So, according to Roberts, the stability of the Austro–Hungarian monetary union stood on two pillars: the credibility of the central bank and the market mechanism (Roberts, 2011).

Czech lands also contributed to the development of economic thought. Karel Engliš was the most original Czech economist. His “teleological” economic theory stressed that everything in life (and specifically in economy) should have its purpose. These purposes should have their hierarchy. Karel Engliš also developed his tax theory. Taxes should have their purpose as well, but, first of all, they have to be bearable<sup>6</sup> (Engliš, 1946: 138). Karel Engliš, as a Minister of Finance, developed a really modern tax system for the new republic that concentrated mainly on direct taxes.

It would be interesting to see how Austrian School economists and Karel Engliš would perceive the European Union of today.

### **3 EU Market and Tax Harmonisation**

#### **3.1 EU market integration**

After World War II, everybody felt it was necessary to ensure peace in Europe. Technology was also well developed to enable production in large quantities and trade with goods and services. A project of market integration, which was difficult to imagine before, started in Europe. First, it concentrated on goods and services<sup>7</sup> (factors of production leaving rather immobile), later it developed also for labour and capital.

<sup>6</sup> In Czech “únosnost”.

<sup>7</sup> First, coal and steel in the ECSC, later all goods and services in the EEC.

For market integration, completing of the customs union in Europe 50 years ago was a big step forward. The main trade barriers – tariffs and quotas – were removed. It enabled trade development, but deprived Member States from the possibilities of protecting their national market. The Member States had to give up part of their sovereignty. At times of crises, the problem of integration re-appears, and protectionist tendencies arise.

Market integration deepened and stepped into the next level – a common market, including also free movement of factors of production. The Single European Act came with the idea of the single market without trade barriers, and with mutual recognition of standards and harmonisation of law.<sup>8</sup> In the 1990s, the idea was re-formulated, and the European internal market was created with free movement of goods, services, capital (and payments),<sup>9</sup> and people.<sup>10</sup> In 1993, the common/internal market was mostly completed. This year, we can celebrate its 25<sup>th</sup> anniversary.<sup>11</sup> The Maastricht Treaty then codified all basic European freedoms and marked the introduction of the next integration stage – Economic and Monetary Union.

### 3.2 Indirect taxes as trade barriers

Indirect taxes are already harmonised in the EU. If goods should move freely among countries, its price should not be artificially altered by any surcharges, including taxes. Indirect taxes were an important area of EU harmonisation since its foundation.

The Treaty on the Functioning of the European Union (TFEU) includes several articles on tax harmonisation. In Arts. 34–36, the condition for customs union are given. There are provisions against tariffs, quotas, and other measures having an equivalent effect to them (including taxes). Arts. 110–113 deal more specifically with discriminatory (indirect<sup>12</sup>) tax provisions that may hamper the internal market.

As to Arts. 34–36 of the TFEU, ECJ/CJEU interprets the term “equivalent effect” rather expansively.<sup>13</sup> Excise taxes often have this effect.<sup>14</sup> There are many cases that can document that. Cases that are solved based on these articles are often “spirit cases” (when Member States try to restrict the import of alcoholic beverages that are not typical for the country in question). Examples of these cases would be:

<sup>8</sup> For more details, see Craig and de Búrca, 2015.

<sup>9</sup> Including real property which is considered to be an investment. Thus, the production factor “land” is also included (of course, land cannot move, but its ownership can).

<sup>10</sup> From the point of view of the market, people are important as “labour”, but their movement to work in another county is a very complex issue.

<sup>11</sup> We can argue that not all the aspects of it really worked 100% then (and even now), but the most crucial things did.

<sup>12</sup> The Treaty speaks about “turnover taxes” meaning generally used indirect taxes (currently VAT).

<sup>13</sup> See more in Craig and de Búrca, 2015.

<sup>14</sup> For excise taxes, minimum rates are agreed. Each Member State can apply these rates or higher ones.

- C-170/78: The United Kingdom applied for still wine excise tax that was considerably higher than that for beer. The Court ruled that “by levying excise duty on still light wines made from fresh grapes at a higher rate, in relative terms, than on beer, the United Kingdom of Great Britain and Northern Ireland has failed to fulfil its obligations under the second paragraph of Art. 95 of the EEC Treaty”. There was a question of substitutability of both products. The UK defended itself by pointing to different consumer habits and different perception of beer and wine by most of the customers.
- C-243/84 was of a similar nature – Scotch Whiskey and Danish fruit wine were taxed differently in a discriminatory way in Denmark (which was disapproved by the Court).

### 3.3 Precise definitions in indirect taxes

If indirect taxes – VAT and excise duties – should be used in a harmonised way in the EU, the tax base should be precisely defined. ECJ/CJ EU solved and solves many cases of preliminary ruling, where some terms have to be explained more precisely, such as:

- C-220/11, where Nejvyšší správní soud needed to confirm the meaning of the term “travel agent” (to resolve the case of the Czech transport company Star Coaches s.r. o., that did not consider itself to be a travel agent, as they provided merely transport services for other agencies.) CJ EU ruled that this particular company is not a travel agent and cannot use special VAT scheme for travel agents.
- C-581/08 deals with a definition of a “sample” and a “gift of a small value” in relation to VAT directive. The issue was raised by EMI that regularly sends thousands (up to 7,000) samples of non-resalable copies of its recordings. VAT was charged on those till 2003, and EMI wanted it to be reimbursed.
- In C-638/15, the term “smoking tobacco” was specified. The preliminary question was posed by the Czech Supreme Administrative Court. Smoking tobacco is defined as “tobacco which has been cut or otherwise split, twisted or pressed into blocks and is capable of being smoked without further industrial processing”.
- Case C-495/04 dealt with a problem whether a product sold as “Medicinal herbal cigarettes” as an aid in giving up smoking, could be exempted from excise tax [Art. 7(2) of Council Directive 95/59/EC1]. The court did not support this idea as they were not used exclusively for medical purposes.
- Both in the UK and in Sweden, excise tax rate for still wine is relatively high.<sup>15</sup> Therefore, a special product, cooking wine, appeared. In case C-458/06,

<sup>15</sup> As the minimum rate for still wine is 0, many countries – including the Czech Republic – do not impose excise tax on still wine at all, and this problem would not appear there.

exemption from excise tax for this product was solved. The result was that exemption laid down in Art. 27(1)(f) of Directive 92/83 could be applied for cooking wine, as well. The exemption also applies when the alcohol is used for medicines, and, as the case C-306/14 confirms, also for disinfection and cleaning [Art. 27(1)(d) of Council Directive 92/83/EEC].

- For excise taxes on beer, lower rates are used for small, independent breweries. But when is a brewery independent? If more breweries cooperate, how far can they go not to lose the possibility of using lower rates? Case C-285/14 may give an answer.
- Sometimes alcohol could be used, for example, a part of chocolate filling. Case C-63/06 shows the consequence of different language versions of the directives, when the Lithuanian version of Art. 27(1)(f) of the Council Directive 92/83/EEC did not include the exception of the excise for “5 litres of pure alcohol per 100 kg of the product for other products” (which causes confusion for the treatment of UAB Profisa, a Lithuanian importer of chocolates).
- Common market rules must ensure fair competition among suppliers. This was breached, for example, by France when it set minimum prices for retail sale of cigarettes, as was ruled by the Court in C-197/08.<sup>16</sup>
- Technology brings new issues with its development. It could be shown on a problem of electronic books. In C-479/13, the question was whether electronic books should be subject to reduced VAT rate as printed books are.<sup>17</sup> The delivery of electronic books is an “electronically supplied service” within the meaning of Art. 98 of the VAT Directive and this provision precludes any possibility of applying a reduced rate of VAT to such services. The problem is still discussed. It is expected that the problem will be solved by 2019.<sup>18</sup>

The CJ EU has already solved many “tax cases”, and indirect taxes should not serve as a fiscal barrier any longer. The Court contributed to establishing a proper balance between the Treaty freedoms and the need for Member States to safeguard their taxing rights to protect their fiscal income.<sup>19</sup>

### 3.4 Direct tax harmonisation

While indirect taxes are harmonised on EU level, direct taxes are not even mentioned in the TFEU. There was one “hint” in Art. 293, second indent, of the TEC (repealed by

<sup>16</sup> It was regarded as a breach of Art. 9(1) of Council Directive 95/59/EC.

<sup>17</sup> Books on a tangible medium are subject to a reduced rate of VAT, whereas books provided only digitally do not apply with reduced VAT.

<sup>18</sup> Unfortunately, it was our representative Mr. Pilný, who was against this idea when it was negotiated in June 2017. The negative approach of the Czech Republic was voiced again by Prime Minister Andrej Babiš in April 2018.

<sup>19</sup> More on this issue in Farmer, 2015.

the Treaty of Lisbon) that was requiring Member States to enter into negotiations with each other with a view to the abolition of double taxation within the Community.<sup>20</sup>

Direct taxes can present a serious obstacle to exercising European freedoms. In spite of that, the Court recognises the freedom of Member States to define their direct taxes, if they do not discriminate on the basis of nationality. There may be differences based on tax residence, as Member States have tax sovereignty. The Member States are also free to set conditions for double taxation avoidance treaties with other countries.<sup>21</sup> With an absence of harmonisation, double taxation can be a real barrier to exercising single market freedoms (Farmer, 2015).

The problem can appear in a wide range of areas. The largest area where direct tax harmonisation is discussed is company taxation. Different taxes in Member States create fiscal obstacles for multinational groups operating in multiple jurisdictions. After many years of negotiation, a directive on Common Consolidated Corporate Tax Base (CCCTB) was proposed in 2016 (with a formula for apportionment agreed). Dividends, interests and royalties paid within corporate groups are already harmonised. Different tax rates create incentives to aggressive tax planning through shifting profits and losses. In 2016, an Anti-tax Avoidance Directive was accepted [Council Directive (EU) 2016/1164].

International corporations operate on the territory of different Member States. The corporation generates incomes from all its parts. If it generates profit, it is taxed according to double-tax treaties (based on the tax residence of individual parts of the group). A case C-446/03 is quite famous – it deals with the permissibility of Marks & Spencer to use group tax relief in respect of losses incurred by its subsidiaries in Belgium, Germany and France in 1998–2001. There is a conflict between equal treatment of subsidiaries in different Member States (to support the freedom of establishment, not to discourage undertakings from setting up subsidiaries in other Member States) and the right of a Member State (given the autonomy of imposing direct taxes) to collect taxes from subjects on its territory, from incomes generated on this territory. The Court finally held that “it is contrary to freedom of establishment to preclude the possibility to deduct from its taxable profits in that Member State the losses incurred by its non-resident subsidiary”.

In C-196/04, corporate income tax of Cadbury Schweppes Plc, a UK resident company with two subsidiaries established in Ireland, was the issue. According to the Controlled Foreign Companies (CFC) rule, it is necessary to prevent tax avoidance and to discourage companies from shifting income to countries where tax rate is really low. In this particular case, the Court ruled to allow the tax authorities to apply the British rate of corporation tax to overseas subsidiaries. There was a strong aspect

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<sup>20</sup> Many authors criticise the derogation of this article.

<sup>21</sup> The CJEU typically does not force Member States to avoid double taxation.



of freedom of establishment in the judgement, referring to Art. 49,<sup>22</sup> especially to its second paragraph.<sup>23</sup>

## 4 What Should Be the Right Tax Harmonisation?

Apparently, the current situation in the European Union is not ideal. The question is whether the current EU is not too big and too diverse for real harmonisation.

### 4.1 Would the former monarchy be a better fiscal area?

There are eight countries in the EU that were (partly or fully<sup>24</sup>) in the former Austro–Hungarian Monarchy. They all are relatively new members. Austria, as the heart of the former monarchy, joined the EU in 1995. All the other countries were part of the EU Eastern enlargement, and joined the EU mostly in 2004 (with the exception of Romania, that became an EU member only in 2007, and Croatia, that became a member in 2013).

The following two tables show some statistics for these selected Member States. In Table 1, selected tax rates are compared. These are:

- Standard VAT rate in 2018. “VAT Directive” (Council Directive 2006/112/EC) says that this rate should be at least 15% of the tax base (and the recommendation is that it should not exceed 25%). Selected countries show a rather standard situation, with an average<sup>25</sup> that is slightly higher than the EU average. Hungary represents an extreme with its 27% rate.
- Top personal income tax rates (PIT) in 2018. They are considerably lower than the EU average (with the exception of Austria, Slovenia and Croatia). But still, this group of countries does not seem a coherent area.
- Top corporate income tax rates (CIT) in 2018. The rates are much closer together than in the previous case (with the exception of Hungary) and closer to the EU average.

<sup>22</sup> The mere fact that a resident company establishes a secondary establishment, such as a subsidiary, in another Member State cannot set up a general presumption of tax evasion and justify a measure which compromises the exercise of a fundamental freedom guaranteed by the Treaty.

<sup>23</sup> Arts. 43 EC and 48 EC must be interpreted as precluding the inclusion in the tax base of a resident company established in a Member State of profits made by a controlled foreign company in another Member State, where those profits are subject in that State to a lower level of taxation than that applicable in the first State, unless such inclusion relates only to wholly artificial arrangements intended to escape the normally payable national tax.

<sup>24</sup> Out of the current EU members, the former empire comprised today’s Austria, the Czech Republic, Croatia, Hungary, Slovakia and Slovenia. Territories of today’s Poland and Romania were partly in the empire.

<sup>25</sup> Simple arithmetic average was calculated, although in this case, a weighted mean would be more precise (there would be a problem which weights to use).



- Implicit tax rates on consumption in 2016 (latest available). This indicator represents a rate of consumption taxes (especially VAT, tax on energy, tobacco and alcohol) to the final consumption expenditure of households.<sup>26</sup> Values of this indicator show quite a wide spread, the average is slightly above the EU average.
- The indicator “implicit tax rates on labour” (values from 2016) includes in its numerator all taxes and social contribution payments that have to be paid from the employed labour income. The values are much closer together than PIT rates do, which also shows different policies of countries in question as to social security systems.

Table 1. Tax rates in the Member States of the former Austro–Hungarian Monarchy

Country/Tax	Standard VAT	PIT	CIT	Implicit tax on consumption	Implicit tax on labour
Austria	20	50	25	22.1	41.2
Croatia	25	42.5	18	n/a	31
The Czech Republic	21	15	19	24.7	39.8
Hungary	27	15	10.8	31.1	41.6
Poland	23	32	19	20	32.6
Romania	19	10	16	17.8	28.8
Slovakia	20	25	21	18.8	36.5
Slovenia	22	50	19	25.1	35.6
“AH–EU average” <sup>27</sup>	22.13	29.94	18.48	22.80	35.89
EU average	21.5	39	21.9	20.6	36.1

Source: [https://ec.europa.eu/taxation\\_customs/sites/taxation/files/implicit-tax-rates.xlsx](https://ec.europa.eu/taxation_customs/sites/taxation/files/implicit-tax-rates.xlsx)

The comparison of all the indicators does not show a clear and strong cohesion among the countries in question. This statement will hold even if we exclude Romania (and Poland) that were not part of the former monarchy in their entirety.

<sup>26</sup> More in Annex B, p. 271 of *Taxation trends in the European Union*.

<sup>27</sup> “Austro–Hungarian” EU average.

Table 2. Convergence Criteria Indicators

Country/Indicator	Unemployment	Inflation	Deficit	Debt	Interest rate
Austria	4.9	2.1	-0.7	78.4	0.76
Croatia	9.1	1.8	0.8	78	2.16
The Czech Republic	2.2	2	1.6	34.6	1.89
Hungary	3.7	2.9	-2	73.6	2.92
Poland	3.8	1.2	-1.7	50.6	3.23
Romania	4.6	4.6	-2.9	35	4.69
Slovakia	7.4	2.7	-1	50.9	0.75
Slovenia	5.2	2.2	0	73.6	0.96
"AH-EU average"	5.11	2.44	-0.74	59.34	2.17
EU average	7.1	2	-1	81.6	1.35

Source: [https://ec.europa.eu/commission/sites/beta-political/files/convergence-criteria-for-joining-euro\\_en.pdf](https://ec.europa.eu/commission/sites/beta-political/files/convergence-criteria-for-joining-euro_en.pdf)

Table 2 shows the latest available values of the Maastricht convergence criteria. Despite of the fact that three of the countries already use Euro, convergence criteria can serve to evaluate the coherence of the economies in questions.<sup>28</sup> Eurostat data were used, so comparability of the data should be granted. Out of the five Maastricht convergence criteria, only four were used.<sup>29</sup> The indicator of unemployment was added to provide a more complex picture of the area.

It could be stated that most countries will comply with convergence criteria now. With the exception of Romania, most criteria (inflation, interest rate, public deficit) would be met.<sup>30</sup> As to the public debt, four countries do not meet the 60% criterion, but the area as a whole does. From the point of view of this criterion, Austria, that otherwise is the most advanced economy of the seven, is the worst performing country.

It is true that a smaller and more coherent area would make a better fiscal area. Monetary union, already existing in some countries, needs "a second leg" – a common fiscal policy. At present, there is no political will for it.

## 4.2 How should taxes be harmonised?

The concept of European integration has to be based on a strong agreement of all the participating member states. Market integration in the EU is based mainly on

<sup>28</sup> At least, they were meant like that when they were set.

<sup>29</sup> The criterion of ERM would not make sense, as three of the countries already use Euro, and the remaining four are not a part of the ERMII.

<sup>30</sup> The reference values for the four criteria would be: inflation 3.5%, deficit 3%, debt 60%, and interest rate 3.35%. Romania would exceed inflation and interest rate criteria.

a principle of mutual recognition rather than that of harmonisation of rules since the Maastricht Treaty. From the point of view of the common market, it seems logical that the condition should be the same for all the participants. This also includes taxes.

With the financial crisis, the EU-scepticism grew. Member States would perceive any further deepening of the tax integration as threatening their sovereignty. Research results show that especially low-tax countries are likely to oppose further tax harmonisation. The support for wider tax harmonisation considerably dropped after the Eastern enlargement.<sup>31</sup> Thus, there is a complete monetary union in nineteen Member States, but no real progress in fiscal cohesion.<sup>32</sup>

Furthermore, there is a question what legal forms to use for tax harmonisation. In a present (rather negative) environment, regulations would not be feasible, and directives would be too slow to implement.

There might be a possibility of liberal approach and free tax competition. The question is how this would work in the EU, where the model of integration is rather dirigistic.

The creation of the single market has led to intense tax competition. It rather has the form of a harmful tax competition, leading to artificial tax arrangements and tax avoidance. While free tax competition advocated by liberal economists<sup>33</sup> would be beneficial to all, and would lead to the best tax systems to be implemented, harmful tax competition has to be avoided.

## 5 Conclusion

From the point of view of the single market, common (or strongly harmonised) tax system would be an advantage. But it seems unfeasible for a large and diverse group of countries, such as today's EU. Even the smaller group of Central European countries did not show to be coherent enough, and the hypothesis was not confirmed. A fully centralised model might work for a group that would be even smaller and more coherent.

At present, tax avoidance by profit shifting seems to be the most important problem to be solved. As big corporations operate really multinationally, it is necessary to solve their tax issues in the same way. The Member State should reach an agreement on it. But, I am afraid, there is a long way to go.

<sup>31</sup> See Wasserfallen, 2014: 420–435.

<sup>32</sup> The European Commission proposed, especially under Commissioner Pierre Moscovici, many important steps, but a lot of them remained to be proposals.

<sup>33</sup> The idea that every subject would be free to choose any of the existing tax systems, and, as a result of free competition, the best system will survive.

## References

- Agressive Tax Planning*. Final Report, Taxation Papers, Working Paper No. 71-2017. Luxembourg: Publications Office of the European Union, 2017. ISBN 978-92-79-75356-5. Available at: [https://ec.europa.eu/taxation\\_customs/publications/taxation-services-papers/taxation-papers\\_en](https://ec.europa.eu/taxation_customs/publications/taxation-services-papers/taxation-papers_en) [Accessed 13 Sept. 2019].
- Craig, P. and de Búrca, G. *EU Law. Text, Cases and Materials*. 6<sup>th</sup> ed. Oxford: Oxford University Press, 2015. ISBN 978-0-19-871492-7.
- Ebeling, R. *Austria–Hungary’s Economic Policies in the Twilight of the “Liberal” Era: Ludwig von Mises’ Writings on Monetary and Fiscal Policy before the First World War*. Paper presented at the Austrian Economics Colloquium at New York University (November 2008) and the Workshop in Philosophy, Politics and Economics at George Mason University (March 2009). Available at: <https://uslide.net/document/austria-hungary-s-economic-policies-in-the-twilight-of-the-liberal-era-ludwig-von-mises-writings-on-monetary-and-fiscal-policy-before-the-first-world-war> [Accessed 13 Sept. 2019].
- Engliš, K. *Malá finanční věda* [Concise Financial Science]. Praha: Fr. Borový, 1946.
- Farmer, P. *Direct Taxation and the Fundamental Freedoms*. The Oxford Handbook of European Union Law. Oxford: Oxford University Press, 2015. DOI: <https://doi.org/10.1093/oxfordhb/9780199672646.013.35>
- Flandreau, M. *The Bank, the States, and the Market: An Austro–Hungarian Tale for Euroland, 1867–1914*. The Working Paper series of the Oesterreichische Nationalbank No. 43. 2001. Available at: <https://hal-sciencespo.archives-ouvertes.fr/hal-01064887> [Accessed 13 Sept. 2019].
- Huerta de Soto, J. *Rakouská škola* [Austrian School]. Praha: Dokořán, 2010. ISBN 978-80-7363-445-2.
- Roberts, R. *A stable currency in search of a stable Monarchy? The Austro–Hungarian experience of monetary union*. Policy Papers, History and Policy, 2011. Available at: [www.historyandpolicy.org/policy-papers/papers/a-stable-currency-in-search-of-a-stable-empire-the-austro-hungarian-experie](http://www.historyandpolicy.org/policy-papers/papers/a-stable-currency-in-search-of-a-stable-empire-the-austro-hungarian-experie) [Accessed 13 Sept. 2019].
- Taxation Trends in the European Union*. Luxembourg: Publications Office of the European Union, 2018. ISBN 978-92-79-79838-2. Available at: [https://ec.europa.eu/taxation\\_customs/sites/taxation/files/taxation\\_trends\\_report\\_2018.pdf](https://ec.europa.eu/taxation_customs/sites/taxation/files/taxation_trends_report_2018.pdf) [Accessed 13 Sept. 2019].
- Wasserfallen, F. Political and Economic Integration in the EU: The Case of Failed Tax Harmonization. *Journal of Common Market Studies*, 52(2) 2014, pp. 420–435. DOI: <https://doi.org/10.1111/jcms.12099>
- The Court of Justice of the European Union, cases C-170/78, C-243/84, C-446/03, C-495/04, C-63/06, C-458/06, C-197/08, C-581/08, C-108/11, C-220/11, C-479/13, C-114/14, C-285/14, C-11/15, C-432/15, C-633/15, C-638/15.