

Cfc Legislation Tax Treaties And Ec Law

General Principles of EC Law The Principle of Legal Certainty in EC Law International Investment Agreements and EU Law Goods and Services in EC Law Textbook on EC Law Remedies in EC Law General Principles of EC Law in a Process of Development EU Law The UK and EC Law The Advocate General and EC Law Research Handbook on Legal Pluralism and EU Law Comparing National and EC Law EC Tax Law EC Law and the Sovereignty of the Member States in Direct Taxation Commentaries on the Criminal Law Cases and Materials on EC Law Direct Effect The General Principles of EC Law The Law Times Law of the European Community John Anthony Usher J. Raitio Tomas Fecak Jukka Snell Josephine Steiner Mark Brealey Ulf Bernitz Paul P. Craig Joanne Scott Noreen Burrows Gareth Davies Renaud Dehousse David W. Williams Mathieu Isenbaert Bishop Stephen Weatherill G.K. van Hogendorp Centre for European Constitutional Studies. Colloquium Takis Tridimas Christopher Vincenzi

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this book provides an authoritative account and analysis of the general principles of ec law essential to an understanding not only of the rapidly growing and increasingly specialized areas of substantive ec law and the process of judicial review but also to the evolution of the eu more generally a central concern of the book is to explain how the european court has developed general principles of law derived from the national legal systems of the member states from the ec treaty itself and from the international agreements to which member states are parties and then to show how these general principles have been applied and interpreted in practice

the intertwining of ec law and national law may create unforeseeability in situations where ec law invades the national cases which gives rise to the very question of legal certainty in ec law this study contributes to the contemporary discussion which wrestles with the following questions in particular what have been the visions and objectives for european integration in the last decades how to describe european union as a political entity and a legal system what is the relationship between legal certainty rule of law various general principles and human rights what is the core of legal certainty on the basis of the case study what kind of legal arguments and patterns of justification are there from a comparative perspective how has the term legal certainty been defined in the nordic legal theory how predictable and acceptable are the interpretations of the european court of justice is it running wild legal certainty relates to the principle of non retroactivity and the protection of legitimate expectations in particular but more profoundly it can be related to the conceptual scale for weighing up and balancing between formal justice and material fairness in legal decision making this scale is illustrated by presenting the terms formal factual and substantive legal certainty

the rapidly growing number of investors disputes with states and the approach of arbitral tribunals perceived by some whether rightly or not as being too investor friendly underlie a contentious debate about the need to strike a more effective balance between investors rights under international investment agreements iias and the right of states to pursue legitimate regulation in the public interest in this regard the european union with the exclusive external competence in foreign direct investment vested in it under the lisbon treaty is emerging as the leader and driving force in the future development of international investment law this book examines the competence of the eu to conclude investment treaties in the light of the investment protection rules of iias explores how far the eu regime for cross border investment and investors rights under iias can be considered comparable and brings about an extensive analysis of existing agreements of member states and their compatibility with eu law with detailed investigation of how the potentially conflicting obligations of member states under the two regimes can be reconciled the book covers such elements of the debate as the following standards of treatment under iias investment related provisions of eu law dispute settlement mechanisms and the conduct of investment disputes how recent controversies over bilateral investment treaties bits shape emerging eu international investment policy effect of political and institutional interests transitional arrangements for bits between member states and third countries established by regulation 1219/2012 cjeu decisions concerning bits concluded between eu member states and third countries significant arbitral awards involving intra eu bits allocation of international responsibility for breaches of investors

rights intra eu dimension of the energy charter treaty ect possibilities for review of arbitral awards by courts of member states desirability of international protection of foreign investment in developed countries and role of the convention on the settlement of investment disputes between states and nationals of other states icsid convention the author provides a number of well grounded recommendations taking into account throughout the legitimate interests and expectations of individual investors as an invaluable commentary on developments related to the interplay between international investment law and eu law and a guide to ameliorating the tensions and controversies surrounding this relationship this book will appeal to a wide variety of readers the questions dealt with are faced not only by negotiators and others involved in policymaking in the area of foreign investment but also by specialists in international investment law investment arbitration eu international relations law and anyone involved in cross border law as well as others who encounter these questions in the course of their professional or academic activities

this book examines the law of the european internal market it focuses in particular on the relationship between the free movement of goods and services asking whether the same principles can be applied in both fields

textbook on ec law is one of the leading textbooks in this area providing a single book of manageable size which covers all the major areas of ec law constitutional administrative as well as substantive the success of this approach both at home and abroad is reflected in the fact that this eighth edition is appearing only fifteen years after the first the new edition is in response to far reaching changes taking place in the legal arena and in the way the subject is being taught in today

this edition provides authoritative commentary on ec law and expert guidance on how to apply the law in practical situations the guide demonstrates how ec law applies in the english courts the remedies available in english courts for the breach of ec law and the remedies available in ec courts for the breach of ec law

what are the basic principles underlying european community law although no one seeks a purely descriptive answer to this question the discussion it gives rise to is of immense significance both for theoretical legal studies and for legal practice over the years scholars have convened from time to time to re examine the question in the light of new developments this important volume offers insights and findings of the latest such conference held at stockholm in march 2007 and sponsored by the swedish network for european legal studies the nineteen essays here printed are all final author edited versions

of papers first presented at that conference far from merely an updating of the first edition which marked a 1999 conference held under the same auspices at malm this book is entirely new it underscores the importance of discovering the emergence of new general principles linked indeed to such fundamental continuing concerns as democracy accountability transparency direct effect good administration and european citizenship as they develop in such increasingly important areas as the following core aspects of competition and financial integration law the ongoing process of european constitutionalization the application of general principles in the new member states the growth of european private law the successive creation of a jus commune europaeum and the instrumental function of the ec court there is also special consideration attached to such overriding issues as the gap filling function of the principles within the community legal system and the implications of the use of a comparative methodology the authors include both eminent well known experts many of whom took part in the 1999 conference and representatives of a new generation of younger scholars in the field for the myriad parties involved in the evolution of the european project from a legal perspective this book serves as a watershed a thorough inspection of the foundations as they are perceived and understood at the present moment it is sure to be consulted and cited often in the years to come

the second edition of this text has been fully revised to take account of the many important developments in ec and eu law since the first edition was published it preserves the same structure which made the first edition so successful and includes a new chapter on capital and emu ensuring that students of eu law have comprehensive and up to date text and materials for their study of this fast moving area of law

the prominence of the advocate general is one of the most distinctive controversial features of the european court of justice this is a study of the advocate general his role in the development of ec law it examines the history of the role the questions over its future the role s importance in the procedures of the court

the research handbook on legal pluralism and eu law explores the diversity of phenomenon of overlapping legal systems within the european union the nature of their interactions and how they deal with the difficult question of the legal hierarchy between them the contributors reflect on the history sociology and legal scholarship on constitutional and legal pluralism and develop this further in the light of the challenges currently facing the eu

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

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

recoge 1 the constitutional law of the ec 2 community trade law and policy 3 enforcement of community law

proceedings of the annual colloquium of the g k van hogendorp centre for european constitutional studies

second or third year llb courses in ec or eu law in law departments one year full time or two year part time cpe common professional examination or diploma courses in law departments students of non law disciplines taking introductory courses in ec law the book treats community law in a realistic non abstract manner as a highly important source of law in regular and frequent application in the uk courts community topics are illustrated as far as possible by decisions of the ecj referred by uk courts and each major area of substantive law is explored by way of its implementation in the uk the first part of the book focuses on the institutions and general principles of ec law in some depth the remaining three parts focus on the main principles of the substantive law free movement of persons and services and rights of establishment free movement of goods and competition law

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