

# Contents

|                       |     |
|-----------------------|-----|
| Preface.....          | V   |
| List of Authors ..... | VII |

## Part I

### Fundamental Principles and VAT

|   |    |
|---|----|
| <i>Christoph Wäger</i><br>Abuse vs. Fraud in VAT: legal basis and legal consequences.....               | 3  |
| <i>Karina Kim Egholm Elgaard</i><br>The <i>ne bis in idem</i> principle and VAT.....                    | 23 |
| <i>Melchior Wathelet</i><br>Comment on Session 1: Fundamental Principles and VAT.....                   | 59 |
| <i>Walter Hellerstein</i><br>A US Perspective on the <i>ne bis in idem</i> Principle in Tax Cases ..... | 67 |

## Part II

### Administrative Cooperation in VAT

|   |     |
|---|-----|
| <i>Viktoria Wöhrer</i><br>Administrative Cooperation and Taxpayer Rights..... | 77  |
| <i>Nevia Čičin-Šain</i><br>Joint Audits .....                                 | 109 |

## Part III

### Taxable Persons and Related Issues in VAT Law

|  |     |
|--|-----|
| <i>Sebastian Pfeiffer/Karoline Spies</i><br>CJEU Case Law on Taxable Persons and Related Issues in 2019..... | 127 |
|--|-----|

## Part IV

### Taxable Transactions in VAT Law

|  |     |
|--|-----|
| <i>Herman Van Kesteren/Huub Van Erp</i><br>Taxable and non-taxable activities..... | 153 |
|--|-----|

## Part V

### Tax Base/Tax Rate in VAT Law

|  |     |
|--|-----|
| <i>Frank Nellen/Ad Van Doesum</i><br>Taxable Amount and VAT Rates .....  | 179 |
| <i>Peter Sanderson</i><br>Comments on Taxable Amount and VAT Rates ..... | 209 |

**Part VI**  
**Exemptions in VAT Law**

*Andrea Parolini/Andrea Rottoli*  
Exemptions in VAT Law – Recent Case Law of the CJEU ..... 219

**Part VII**  
**Input VAT Deductions in VAT Law**

*Caroline Heber*  
Input VAT Deduction ..... 245

**Part VIII**  
**In which direction is the CJEU going?**

*Ine Lejeune/Liesbeth Vermeire*  
50 years of case law in VAT: in what direction is the CJEU going? ..... 269

*Melchior Wathelet*  
Comment on Session 8: recent case law of the CJEU in the area of VAT –  
in what direction is the CJEU going? ..... 301

Series on International Tax Law ..... 308