

Taxation of Accommodation Services Provided in the Framework of the Collaborative Economy in the Slovak Republic

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Abstract: The collaborative economy is currently experiencing a re-comeback in an innovated form given the development of digital platforms. This model of the economy was further supported by the period of the Covid-19 pandemic, when as a result of the introduced lock-downs, traditional forms of the economy have so far been dampened by states, especially in tourism (accommodation and gastronomic services). From the states' point of view, the collaborative economy is an area of interest in terms of legal regulation, including tax policy settings, and in the context of its expansion, its non-taxation may represent a tax revenue gap (especially for local governments in the context of local taxes). In the paper, the authors analyse the existing legal regulation of taxation in the field of tourism, focusing on the provision of accommodation services in the Slovak Republic, in connection with its possible application to the model of the collaborative economy. The authors aim to answer the research question of whether the existing tax legislation in the Slovak Republic is applicable to economic activities in the field of accommodation services carried out under the collaborative economy model. For this purpose, using the method of legal analysis, analysis of secondary data from available databases (Eurostat), partial comparisons with other EU countries and using induction, deduction and scientific synthesis, the authors conclude in terms of a formulated scientific question.

Keywords: taxation, collaborative economy, tourism, accommodation services, Slovak Republic.

1. Introduction

In their research, the authors focused on the taxation of accommodation services with the ultimate objective of evaluating the existing legislation governing the taxation of accommodation services from the perspective of applicability in the collaborative economy model in the Slovak Republic (SR). A partial objective is to highlight the related problems concerning terminology and availability of data sources. The authors formulated the research question in relation to the set objectives, namely whether the existing tax legislation in SR is applicable to economic activities carried out in the field of accommodation services within the collaborative economy model. In the introductory part of the paper, the authors discuss the basic terminology (collaborative economy, sharing economy, accommodation services) and then, using analysis, comparison, deduction and induction, define/characterise the mentioned basic terminology. In the next part, they analyse the existing Slovak legislation in the context of its applicability to the taxation of accommodation services in the collaborative economy model. In the final part of the paper, using standard scientific methods (historical method, descriptive statistics, legal analysis, comparison, deduction, analogy) they present their own findings, answer the research question, and outline perspectives.

2. Theoretical background

Sharing and collaborative economy. In the economic model which is most commonly referred to as the sharing economy, but also as the collaborative economy, gig economy, peer-to-peer (P2P) economy, on-demand economy, circular economy, access economy (Červená and Sabayová, 2021), the provision of accommodation services is carried out directly or indirectly (via digital platforms) where, in the field of accommodation intermediation, the best-known platforms are Airbnb, Booking, Expedia Group, Tripadvisor, Love Home Swap, Couchsurfing, HomeAway, HouseTrip, 9Flats, Wimdu, Onefinestay, Roomerama, Sleepout, and Holiday Lettings Bookabach, and mojchaty.cz. The sharing-exchange continuum was addressed by Habibi et al (2017), who created a sharing score on a five-point Likert scale, based on which they divided the services into three categories: the prevalence of sharing characteristics (e.g. Couchsurfing), the balance between sharing and exchange, the so-called dual-mode (e.g. Airbnb), and the prevalence of exchange characteristics (e.g. Love Home Swap). The starting point for the above classification was the sharing and exchange characteristics according to Belk (2007): (a) reciprocity, which is not expected in sharing but is a necessary element of exchange, (b) social

bonds, which can be created by sharing but are not necessary in exchange, (c) shared ownership – when sharing is involved, both parties feel responsible for the object of sharing, but this is not standard in exchange, d) money element (financial transactions) – sharing does not require the transfer of money, whereas exchange does, e) dependency – consumption in sharing depends on other persons, but the exchange is independent, f) calculation, which must be precise in the case of an exchange, but need not be present in the case of sharing.

According to Babčák (2021), the term “sharing economy” does not appear in Slovak legislation, hence, represents a non-legal term. For example, Czech literature characterises the collaborative/sharing economy as the provision and hiring of services and/or the usage of goods via digital platforms that reduce transaction costs and increase the usability of these goods otherwise intended only for personal use (Matocha, Svoboda, 2017). Aldorf (2017) considers the sharing or also collaborative economy as a part of the economy that consists of the shared use of material resources or goods by multiple individuals as P2P. The European Commission characterises sharing economy as business models where activities are facilitated by collaborative platforms that create an open marketplace for the temporary usage of goods/services often provided by private individuals. The sharing economy involves three categories of actors: (a) service providers – these can be private individuals offering services on an occasional basis or service providers acting in their professional capacity; (b) users of these; and (c) intermediaries who connect – via an online platform – providers with users and facilitate their mutual transactions. Sharing transactions generally do not involve a change of ownership and can be carried out both for-profit and not-for-profit. The basic aim of the collaborative economy is to exploit capital that is not used at all or is used only temporarily or incompletely (e.g. unused space in one's property). Novacká et al (2020) state that most authors characterise the sharing economy in terms of providing temporary access to unused assets for other consumers with the application of a P2P model. According to Radvan and Kolářová (2020), the sharing economy now covers any sales transactions that are done via online marketplaces, incl. business to business transactions and indirect transactions through the mediator (e.g. Airbnb). According to Botsman's (2013) typology, the sharing economy itself is part of the collaborative consumption component that comes from the new collaborative economy (different from the traditional market economy); yet Mačejvský and Rankov (2020) note that these terms are confused, even in the professional/academic literature, which is evident from the above presented definitions.

We perceive the collaborative economy as a modern economic model that provides opportunities for the use (recirculation) of permanently or temporarily free resources, whether it is the provision and exchange of goods, services, personal knowledge, skills in return for payment, while in the case of purely non-financial provision, from our point of view, it is the sharing economy model. Historically, we consider the new ways of implementing communication and financial transactions, which have enabled and are enabling easier or faster access to information, mutual communication and the implementation of mutual relations in the provision of goods, to be the decisive factors for the new form and growth of the collaborative economy. Digital world facilitates cross-border collaboration and sales of services (Tsindeliani et al, 2019).

Accommodation services. Accommodation services are classified according to the statistical classification under Decree of the Statistical Office of SR No. 306/2007 Coll. issuing the Statistical Classification of Economic Activities (SK NACE Rev 2) into groups 55.1 (hotels and similar accommodation), 55.2 (holiday and other short-stay accommodation), 55.3 (camping grounds, recreation vehicle parks and trailer parks) and 55.9 (other accommodation) comprising subclasses 55.90.1 (accommodation in university dormitories) and 55.90.9 (hostels and other temporary accommodation). At the EU level, it is regulated by Regulation of the European Parliament and the Council (EC) No. 451/2008 of 23 April 2008 (Regulation 451/2008), where this specification is more detailed. Tourist accommodation establishments are establishments that provide temporary accommodation to visitors on a regular (or occasional) basis. Until February 2021, accommodation establishments were classified by Decree of the Ministry of Economy of SR No. 277/2008 Coll. laying down the classification criteria for accommodation establishments in their classification into categories and classes. That Decree was repealed as it no longer reflected the actual needs and modern trends for the accommodation segment and tourists and represented an unnecessary administrative burden (Harbulák, 2021).

The provision of accommodation services is part of the services in the tourism industry. Such services are mainly provided by business entities (natural or legal persons), since the provision of accommodation services in accommodation establishments is a regulated trade under Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act), as amended, so it requires the fulfilment of certain conditions (in particular, specified education and experience). However, natural persons – individuals can also rent real properties to tourists, but to a

narrower extent than provided by the legislation for the above-mentioned accommodation services – since, under Section 4(1) of the Trade Licensing Act, the renting of real properties, residential and non-residential premises is already a trade if, in addition to renting, other than basic services associated with renting are provided (the provision of catering, cleaning, linen exchange, etc.). The situation is similar in the Czech Republic (CZ) (Radvan and Kolářová, 2020).

3. Legislation analysis

The available literature is more concerned with questions about the nature or effects of the sharing/collaborative economy (Botsman and Rogers, 2010), such as from a labour law perspective (Dolobáč, 2018; Cook, 2020), while tax aspects are mentioned only in general terms or briefly (e.g. Novacká, 2020). Hučková et al (2018) did discuss taxation, but only as regards income tax. Bonk (2019) focused specifically on Airbnb taxation, Pantazatou (2018) discusses taxation at the EU level. Babčák (2021) discusses the general regime of taxation of the collaborative economy. Pichrt (2019) notes that during 2017–2019, in CZ, in the field of the sharing economy, only marginal issues were addressed, which were not related to the substance of the impact of these phenomena on labour law (protection of dependent work, employment), competition protection, consumer rights protection, or taxation.

The provision of accommodation for profit should be subject to taxation in any economic model, though. In the following chapter, the authors analyse the current state of taxation in this area in Slovakia.

3.1 Taxation of accommodation services in Slovakia in general

Each provider of accommodation services (accommodation in general – given the above-mentioned differences) is subject to tax liability concerning this (gainful) activity under the legislation in force in SR:

- First of all, the income from such activity is subject to income tax; for a natural person, it is either the business income (trade – Section 6(1) of Act No. 595/2003 Coll. on income tax, as amended – Income Tax Act) or rental income – Section 6(3) in cases not falling under trade (such income is exempt from tax up to the amount of EUR 500/year). In the case of one-off activities, Hučková et al (2018) also consider the category of other income – income from casual activities under Section 8(1)(a), but this can be disputed. Foreign persons are also subject to tax liability in SR in relation to income earned – through a permanent establishment (PE), from services, rent, or other use of real property located in the territory of SR.
- As the supply of services for consideration within the territory of SR by a taxable person acting a such is subject to value added tax (VAT), once the turnover of EUR 49,790 has been reached within no more than 12 preceding consecutive calendar months' period, the provider of accommodation services is also subject to VAT liability – taxable person is any person who independently carries out any economic activity (generating income), irrespective of its purpose or results. The place of provision of accommodation services will be SR, as they relate to real property. The provision of accommodation services is subject to a reduced VAT rate of 10% (compared to the standard rate of 20%). A different regime applies to renting – under Section 38(3)(a) of Act No. 222/2004 Coll. on value-added tax, the renting of real property or part thereof is exempt from tax, except for accommodation services (i.e. services in groups 55.1 to 55.3 of the statistical classification under Regulation 451/2008 and that under 55.9 only if provided for a period of less than three months). However, it is necessary to keep track of the turnover achieved for the purposes of the registration obligation, since the turnover also includes the value of the services of supply and renting of real property, even though they are exempt from tax (Pukalovič, 2020). It can be problematic to subsume a particular service under accommodation services or renting, though, as this follows from the content of the particular supply.
- If the providers of accommodation services use a motor vehicle registered in SR for their business, they will also be liable to pay motor vehicle tax. Non-business entities (including landlords) are not subject to this tax.

The providers of accommodation services are further subject to local taxes, namely:

- Real property tax – if they own or manage a real property in which they provide the accommodation/rentals. Municipalities generally impose higher tax rates on a real property used for business purposes, e.g. compared to real properties used for residential purposes only (Vartašová and Červená, 2019), with the actual purpose of use being the decisive factor.

- Accommodation tax – where the person providing accommodation collects the accommodation tax from the guests and remits it to the tax administrator, i.e. the municipality. The object of the tax is temporary accommodation for consideration under an accommodation contract concluded under the Civil Code in an accommodation establishment, which is a hotel, motel, boatel, hostel, guesthouse, apartment house, spa house, therapeutic house, accommodation establishment of natural health spas and health resorts, tourist hostel, cottage, building for individual recreation, log cabin, bungalow, camping site, mini-camp, camping ground, family house, flat in a block of flats, in a family house or a multifunctional building. The tax rate and other details are set by municipalities.

3.2 Accommodation provided through collaborative economy mechanisms and its taxation in Slovakia

Today's collaborative economy is characterised by the use of an intermediary – a platform in matching supply and demand for accommodation/rental services providing the intermediation for consideration. Even as regards tax obligations, we should distinguish between the accommodation provider and the intermediary. Countries' approaches towards their taxation differ; Slovakia is trying to apply *mutatis mutandis* its existing legislation, except for partial amendment of the Income Tax Act (Pantazatou, 2018).

For income tax purposes, the form of remuneration for accommodation provided – monetary or in kind, should be taken into account. If the price of accommodation is set in money, the taxation regime remains essentially the same. What is at issue is the regime for the provision of remuneration in kind – e.g. the provision of accommodation in exchange for other accommodation with another accommodation provider/landlord. However, the Income Tax Act provides in Section 2(c) that “income is monetary remuneration and remuneration in kind, including remuneration received in exchange, which is valued at prices generally used at the place and time of supply or consumption”. Such income should also be valued and taxed in accordance with the applicable regulations. Nevertheless, Hučková et al (2018) point out the difficulty of quantifying such remuneration. There may also be a question as to whether the services such provided should be classified as accommodation services (requiring a trade licence) or renting. For example, in the case of Airbnb, the expert community is inclined to conclude the provision of accommodation services, which was exactly confirmed in CZ by the Municipal Court in Prague on 19 September 2021 in Case 6 Af 20/2020-28.

As regards the intermediary (platform operators), until 2018 the Income Tax Act did not reflect the performance of such activities. However, its amendment by Act No. 344/2017 Coll. added the definition of a digital platform (“hardware platform or software platform necessary for the creation of applications and the administration of applications”) in Section 2 in the context of the extended definition of a PE, where “the performance of an activity with a PE in the territory of SR shall be deemed to include the repeated intermediation of transport and accommodation services, including via a digital platform”. Thus, since 1 January 2018, the income of platform operators intermediating accommodation has also been taxed, although the shortcomings of the legislation and possible application risks are pointed out by Cibula et al (2019). A PE is subject to registration by the end of the calendar month following its creation – Section 49a(4). If this obligation is not complied with, the PE is registered *ex officio* by the tax administrator and the income payer (i.e. the provider of accommodation) is obliged under Section 43(2) to withhold tax at the rate of 19% or 35% (in the case of a so-called non-contracting state for tax purposes) on the payment for the services of using the intermediary platform.

Regarding VAT, Bonk (2019) states that the provision of (accommodation) services to users via online platforms for remuneration generally constitutes a taxable transaction under the VAT regime and meets the definition of economic activity within the meaning of Article 9(1) of Council Directive 2006/112/EC of 28 November 2006 on the common system of value-added tax; the same is valid concerning the provision of intermediation services by collaborative economy platforms (Pantazatou, 2018). Similarly to income tax, the tax obligations of the accommodation provider will be the same in the case of monetary remuneration for the provision of accommodation, since the mere making available of real property for renting/accommodation on an online platform will make the accommodation provider a taxable person (Pantazatou, 2018). However, the provision of accommodation or rental for other than monetary remuneration is questionable. The assessment of such remuneration is problematic, particularly the existence of a direct link between the supplies and the remuneration in kind (for instance in case of 'bank' type arrangements where participants contribute goods or services to a common pool in exchange for the right to benefit from that pool) (European Commission, 2016) in which case the conditions for applying VAT may not be met, depending on the particular circumstances of the

case. As regards the online platform operators, if they provide accommodation intermediation services for remuneration, the supply will be subject to VAT.

As to the accommodation tax, the accommodation provider is not affected by the form of booking of accommodation as it is always him who is responsible for collecting and remitting the local tax. The condition is that the provision of accommodation is remunerated. The intermediary is not subject to such (or any other) local tax but may have informative or other roles. For example, Booking.com informs about the (assumed) amounts of local tax, but these are paid to the tax administrator by the accommodation providers themselves, regardless of whether the payment for the accommodation was made to the accommodation provider or in advance at the time of booking. Airbnb has taken a slightly different approach, signing an agreement with the City of Bratislava on 24 June 2021 to collect the accommodation tax in relation to a part of the accommodation providers it covers. This tax will be collected at the time of booking and remitted quarterly to the city (bratislava.sme.sk, 2021).

4. Results and discussion

Based on available secondary statistical data, using the historical method, comparison, deduction and analogy, the authors illustrated the perspective of development of collaborative economy (accentuating the situation in SR); the findings are presented as a justification of addressing the issue of taxing the provision of accommodation within the collaborative economy in Slovakia.

4.1 Collaborative economy boom

Across different sectors of the EU economy, the most frequent use of collaborative platforms is for accommodation (57%) (Flash Eurobarometer 467, April 2018). In June 2021, Eurostat published experimental data on short-stay accommodation (in NACE Rev. 2 group 55.2 – see above) booked via collaborative economy platforms, which included Airbnb, Booking, Expedia Group, and Tripadvisor. The data show that between 2018 and 2019, in SR, there was an increase in the number of stays made via these four platforms from 208,000 to 300,000, nights booked from 562,000 to 783,000, and the guest nights from 1,827,000 to 2,359,000. For comparison, in SR, Eurostat reports a total of 15,188,140 nights spent in tourist accommodation establishments in 2018 and 17,225,333 in 2019. This figure has been rising significantly since 2015 (the average for 2009 to 2014 is 10,634,292 nights). Eurostat notes that the experimental data may be subject to future revisions, in particular, due to possible double-counting, however, they indicate an increasing trend in the use of online platforms also within SR. This is confirmed by the rising share of individuals who have used a website or app to get accommodation from a private individual (from 16% in 2017 to 21% in 2019, which is comparable to the EU27 average). According to the Statistical Office of SR (2017-2020), there is also an increasing trend of using specialised websites/apps (e.g. Airbnb) over others (such as Facebook, Google) – from 9.3% to 12.2% in 2017 up to 18.4% to 11.5% in 2019), and in 2020, 4.1% of Slovaks who used the internet in the last three months used accommodation via a private person (Bazoš, Facebook, Airbnb, etc.), compared to 10% who used professional services (e.g. hotels).

In SR, Novacká et al (2020) report that in 2020 there were 2,000 Airbnb hosts and 300+ Vrbo hosts. In terms of the number of properties offered in SR, Gregorová (2020) reports 7,756 beds in 987 accommodation establishments on Airbnb as of 30 October 2019; as of 3 December 2021, we identified 2,710 rentals offered on Airbnb and Vrbo with a potential occupancy of 12,926 guests (own calculation based on data published on AirDNA.com, 2021).

However, comprehensive data are not available despite the authors' efforts to obtain them – of the institutions queried (the Ministry of Finance, the Ministry of Economy, the Ministry of Transport, the Institute of Tourism of SR, the Association of Tourism of SR, the Association of Hotels and Restaurants of Slovakia), the Ministry of Economy, the Ministry of Transport and the Association of Hotels and Restaurants of Slovakia replied that they did not record statistical data in this area, while the other institutions did not reply at all.

4.2 Collaborative economy revenues and tax challenges

In SR (2016), the revenues of collaborative economy operators in accommodation services amounted to EUR 17 million (14% of the total revenues of the collaborative economy – EUR 122 million) (European Commission, 2018; Novacká, 2020). More complex data on possible tax gap are missing. The revenues of these accommodation intermediaries accrue from service fees charged to hosts and guests – for instance Airbnb charges either only

the host (usually between 14 and 16%) or a combination (up to 3% charged to the host and up to 14.2% to the guest) (Airbnb, 2021). Booking.com (2021) charges a commission for each booking as a set percentage of the product price (e.g. room price), the amount of which is not generally available (e.g. a minimum 12% commission is stated in the contract with 'IVEs, an organisation for public administration informatics' published in the Central Register of Contracts).

In the context of the above, taxation needs to be addressed. The European Commission (2016) recommends that the Member States should aim at proportionate obligations and a level playing field and should apply functionally similar tax obligations to businesses providing comparable services. This trend is already visible in SR, especially in the context of the above-mentioned amendment to the Income Tax Act. However, the well-intentioned change also had its unforeseen negative effects in the early days due to the situation when, following the change in legislation, foreign platforms did not actively register their PEs and the obligation to apply withholding tax when making payments fell on accommodation providers. In 2018, only the TPF group from CZ registered itself, Expedia Lodging Partner Services SárI from Switzerland was registered *ex officio*, and registration of Booking.com, HRS – Hotel Reservation Service Robert Ragge GmbH, Previo and SZALLAS.HU was in progress (Sme.sk, 2018). Miroslav Marcinčin from the Slovak Chamber of Tax Advisors saw a problem in the fact that in practice these entrepreneurs have no real possibility to withhold the tax - they would have to pay the tax from their funds and then claim it from the platform operator (Sme.sk, 2018). As of 7 December 2021, Financial administration confirmed that 10 online platforms providing accommodation had a registered PE in SR, but we were not provided with a list of them.

Challenges for tax legislation also arise from the use of platforms not only by professionals but especially by non-professionals – so-called peers (Hučková et al, 2018), who tend not to declare the income received. However, such tax avoidance can occur even without an intermediary, so the question is whether intermediation through the platform itself might help to improve control and fulfilment of tax obligations. The European Commission (2016) directly states that the collaborative economy has actually created opportunities for tax authorities, as mere intermediation through online platforms allows for increased traceability of transactions. It also notes that it is already good practise in several countries where such platforms participate in tax collection by mutual agreement. For example, the above-mentioned contract of Airbnb and the City of Bratislava is the first of its kind within the V4 countries, but globally, similar local tax collection is already implemented in approximately 30,000 cases (bratislava.sme.sk, 2021). The contract was initiated by the city itself, though, due to evasion of local tax, since in the period in question, from around 300 listings, only 2 out of 93 properties inspected were registered and paid local taxes (Trend, 2017 in European Commission, 2018). Although the accommodation tax represents a negligible revenue source from a national perspective, it is of significance to individual municipalities from a local perspective. From 2010 to 2019, the total revenue from the accommodation tax in SR increased from EUR 7.74 million to EUR 16.23 million, although in total over the last ten years this tax represents only 0.66% of the tax revenue of municipalities in SR (0.47% of the tax revenue of the entire local self-government). For comparison, in Hungary the revenue from a similar tourist tax represents up to 1.32% of the local self-government's tax revenue, but in CZ the applied stay fee (formerly spa and recreation fee and accommodation capacity fee) (Radvan and Kolářová, 2020) represents only 0.17% (own elaboration based on Vartašová, 2021). Its benefit for larger cities is evident, though – e.g. in Bratislava, the revenue amounted to EUR 4.74 million in 2019 (nearly 2% of the city's tax revenue), but in 2020, due to the COVID-19 pandemic and the measures introduced, it halved (EUR 2.17 million, i.e. 0.87% of the city's tax revenue) (Bratislava, 2021: 7). Before Covid – from 2017 to 2019, the number of overnight stays doubled – from 219,900 to 435,000 (Novacká, 2020). According to the Bratislava City Council, the cooperation with Airbnb should bring the city an annual accommodation tax revenue of EUR 0.6 million (bratislava.sme.sk, 2021). Thus, efforts to improve tax collection make sense for local self-government. Also in CZ, legislation is responding to the rapid development of the sharing economy at the level of local fees by introducing a stay fee in 2019 instead of the above-mentioned two former fees, which is imposed on a paid stay of no more than 60 consecutive days with an individual provider; the fee rate can be set by the municipality up to CZK 50 (approx. EUR 2) per day (Petráš, 2020; a more complex analysis is provided by Plzáková and Studnička, 2021).

5. Conclusion

The authors conclude that the terms "sharing economy" and "collaborative economy" should not be used synonymously and they see the difference in their substantive content primarily in the nature of the implementation of the processes and their outcomes. Justification: In the sharing economy, goods are provided

preferably free of charge or for consideration in the form of a *quid pro quo*, but not to make a profit; therefore, we consider that the sharing economy has been gradually modified, expanded to include entities that carry out sharing, exchanging, cooperation and renting, also to make a profit; the functioning of the sharing economy through internet platforms has created differentiated opportunities (directly or indirectly) to offer and use private goods, which can be used by both non-entrepreneurs and entrepreneurs, i.e. we are talking about the collaborative economy.

Within our research, we identified both positive but also negative aspects of the collaborative economy, such as vulnerability to unexpected fluctuations - like effects of Covid-19 lockdown restrictions (Batool, 2021), reduction in the number of long-term rental accommodations available to people who live and work in cities due to their increasing use for short-term holiday rentals (Eurocities.eu, 2020), distortion of the original intention of sharing economy of free use of unused goods by providers who rent numerous accommodation units and use collaborative economy platforms as a source of income, though, under less strict legislative and administrative demands (Novacká et al., 2020; Trend, 2016) or that the functioning of the collaborative economy is, in general, based more on trust than on specific legal regulation, e.g. that built on customer ratings, even though, we already encounter partial regulation (such as in the Income Tax Act). In this regard Štrkolec (2021) states that, given the rapid development of online digital platforms and the provision of shared services, the issue of international as well as national regulation of the sharing economy comes to the fore.

Despite our view, that provision of accommodation may be taxed under current regulation, we identified also an important tax-related problem. "Specific feature of the collaborative economy is that service providers are often private individuals offering assets or services on an occasional P2P basis. At the same time, increasingly micro entrepreneurs and small businesses are using collaborative platforms." (European Commission, 2018). These derive relatively little income from their activities per transaction which makes it difficult to control the fulfilment of their tax obligations (Novacká, 2020). The example of the accommodation tax in Bratislava points out the trend of frequent evasion of tax obligations by these entities. Online platforms represent a simplification of access to the market and making profits, however without forcing the entities to comply with tax obligations. The performance of tax administration and especially audit activities entails high costs and may not be sufficiently efficient, therefore we are inclined to the view of Hučková et al (2018) on the need to devolve more responsibilities to platforms, which would participate in tax collection. Another alternative is to streamline synergies in terms of the provision of information to the financial authorities by the operators of online platforms. Novacká et al (2020) note that legislation is generally slow to respond to the intensity of the growth of the collaborative economy. In this respect, the performance of activities through an online platform (capturing all transactions) can be seen at the same time as a positive, which, in case of higher participation, could contribute to detection of tax evasion and motivate voluntary compliance with tax obligations.

After summarising the results and findings of the research, the authors conclude that the current tax legislation regulating the provision of accommodation is generally applicable to the collaborative economy at the substantive-law level. We see possible shortcomings in the procedural level (tax administration) and the application practice. Pantazatou (2018) sees the biggest challenges in the area of tax compliance and enforcement, as well. The problematic aspects of the application side are also pointed out by e.g. Bonk (2019), Babčák (2021), and Cibula (2019). These will be the subject of further research.

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