

@import url(../../../../css/generic.css); EUR-Lex - 61985J0415 - EL

Avis juridique important

/

61985J0415

?????? ?? ??????????? ?? 21?? ??????? 1988. - ??????? ?? ?????????? ???????????
???? ????????. - ??? ?? ??????????? ?? - ??????? ?? ??????? ?????????? ??????????.. -
?????? 415/85.

?????? ?? ??????????? ?? ??????????? 1988 ?????? 03097

??????
??????
?????? ?? ???????
?????? ?? ?? ??????? ??
?????????

?????? ???

++++

1. ??????? ?? ??????????? - ??????????????? ??????????? - ??? ????? ??
?????????????? ?? ?? ??????????? - ???????????
(?????? ??, ??? 169)
2. ??????????? ??????????? - ??????????? ?? ??????????? - ??? ????? ?? ??????? - ???
?????? ?? ?? ??????????? ?? - ??????????? ??????????? ?? ?? ??????????? ??
??????????, ??? ?? ??????? ?? ?? ??????????? ?? ?? ??????????? ??, ??? "?????? ???" -
?????????? ?? ?? ??????????? ?? ?? ??????? ?? ?? ??????? ?? ??????????" - "?????"
(?????? ?? ??????????? 67/228, ??? 17, ??????? ?? ???????, ??? 77/388, ??? 28,
?????????? 2)

???????

1. ? ??????? ?? ??????????? ??, ??? ??????? ?? ??????? ?? ?? ??????? 169 ???
?????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ??????????? ?? ?? ???????, ???
?????????? ?? ????????. ??? ?? ??????????? ?? ?? ??????? ?? ?? ??????? ?? ??????? ??
?????????? ??, ??? ??????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ??????? ?? ??????? ??
?? ?? ?? ??????? ?? ??, ?? ?? ??????? ??, ??? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??
?????????? ?? ???????.
2. ? ??????? ?? "?????? ?? ??????????? ?? ?? ??????? ?? ??????????? ?? ??????????", ??? ???
?????? ?? ??????? ?? ?? ???????????, ??? ?? ??????? ?? ?? ??????????? ?? ???????????,

?????????? ?????????? ??????????? ?? ?????????? ?? ???? ?????????????????? ??????,
?????? ??? ?????? 17, ?????????? ??????????, ??? ?????????? ?????????? ??? ???? ?????? 28,
?????????? 2, ??? ??? ?????? ???????, ?????????? ?????????? ??? ?????????? ?????????? ??? ????
????? ??? ?????? ?? ?????????? ?????????? ?????????? ?????? ?????????? ?????? ??? ??????
????? ??? ?????? ? ?????????? ?? ???????, ??' ?????????? ??? ?????? ?????, ?? ?????
?????????? ??? ?? ???????, ??? ??? ?????????? ?????? ??? ??? ?????????? ??? ????
??????.

????????? ??? ??? ?????? ??????? ?? ?????? ?????????????? ?????? ?????? ?????????? ??????????
????? ?? ??????? ??? ?????? ?????? ?????? ?????????? ??? ?????????? ??????, ?????????????? ???
?????????? ???????????????, ??? ??????????, ??? ?? ??? ???, ?? ?? ???, ? ???????
??????????, ??? ?? ??? ?????? ?? ?????????????? ?????????? ?????????? ?? ??????????
????????? ?????????? ?????????? ??? ??????????, ??? ?????? ?? ?????????? ?????????? ??? ????
????? ?? ?????????? "????? ?????? ??? ?????? ??????????", ??? ??? ?????? ??? ???? ???? ?
?????????? ??? ??????, ?????? ??? ?????????? ?????? ??? ?????? 17, ?? ??????????
?? ?????????? ?????? ??? ?????? ?????????? ??? ?????????? ?????????????? ?????????????? ?????? ??
?????????? ?????? ?????, ??? ?????? ??? ?????????? ?????? ?????????? ?????????? ??? ?????????? ???, ??
????????? ??? ?????????? ?? ?????????? ?????? ??? ?????????? ?????? ??? ?????????? ?????? ???
??????????, ??? ?? ??????? ?? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ??? ????.

?????????

???? ??????? 415/85,

????????? ??? ?????????? ??????????, ?????????????? ??? ?? ?????? ??? ??????? D. R.
Gilmour, ?? ??????? ??? ?????????? ??? . ??????, ?????? ??? ?????? ??? ??????????,
????? Jean Monnet, Kirchberg,

???????????,

????

?????????, ?????????????? ??? ??? L.J. Dockery, Chief State Solicitor, ?? ??? ??????????
?? ?????????? ??? ??????? ???, 28, rote d' Arlon,

?????,

?? ??? ?? ?????????? ?? ?????????? ??? ???? ??????, ?????????? ?????? ??????
????????? ?????????? ??? ?? ?????????? ?????????? ?????? ??? ??????????, ?????? ???
????????? ??? ?????? ??? ?? ?????? 28, ?????????? 2, ??? ?????? ?????? 77/388 ???
?????????, ??? 17?? ??? 1977, ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ???,
??? ?????? ?? ??? ?????? ?????? ?????? - ??? ?????? ??? ?????? ?????? ??????????????
?????: ?????????? ?????????? ??? (?? ????. ??? 09/001, ?. 49),

?? ??????????

????????? ??? ??? Mackenzie Stuart, ???????, G. Bosco, O. Due, J. C. Moitinho de Almeida
?? G. C. Rodriguez Iglesias, ??????? ???????, T. Koopmans, U. Everling, K. Bahlmann, Y.
Galmot, ?. ???????, R. Joliet, T. F. O'Higgins ??? F. Schockweiler, ???????,

?????? ??????????: M. Darmon

?????????: H. A. Ruehl, ??????? ??????????

?????? ???? ??? ?? ?????? ?? ??' ?????????????? ?????????? ??? ?????? ??? ??
????????? ?????????? ??? 15?? ?????????? 1987,

???? ?????? ?? ?????? ?????????? ??? ?????? ??? ?????????? ??? ??? ?? ??????????
?? 2?? ?????????? 1987,

?????? ??? ???????

??????

????????? ??? ????????

1 ?? ?????????? ??? ??????? ??? ?????????? ??? ?????????? ??? ?????????????? ??? 13 ?????????? 1985, ?
????????? ??? ?????????? ?????????? ??????, ?????? ??? ?????? 169 ??? ?????????? ???,
????????? ?? ??? ?????? ?????? ?? ?????????? ??? ? ?????????, ?????????? ?? ??? ??? ???
????????? ??? ?????????? ?????????? ??? ?????? ?????????????? ??? ??? ?? ??????????
????????? ?????? ??? ?????????, ?????? ??? ?????????? ??? ?????? 77/388 ???
?????????, ??? 17?? ??? 1977, ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ???,
??? ?????????? ?? ??? ?????? ?????? ?????? - ?????? ?????? ?????? ?????? ??????????????
?????: ?????????? ?????????? ??? (?? ????. ????. 09/001, ?. 49) (??? ????: ??? ??????) ???,
????????, ?????? ??? ?????????? ??? ?????? ??? ?? ?????? ???.

2 ?? ????? 28 ??? ????? ?????? ?????? ?????????? ?????????? ??? ?????????? ??? ?????????? ??
????????? ?????????? ??? ?????? ?????????? ?? ?????????? ??? ?????????? ????. ? ?????????? 2
??? ?????? ?????? ???:

"?? ?????????? ?????????? ??? ?? ?????????? ?? ?????????? ??? ?????????????? ??? ??
????????? ?????? ???, ??? ?????????? ??? 31? ?????????? 1975 ??? ??????????????
??? ???????, ?? ?????????? ??? ?????????? ??? ?????????? ??? ?????? 17 ??? ??????
????????? ??? ?????????? ??? 11?? ?????? 1967, ?????? ?? ?????????? ??? ??????????
????????? ??? ?? ?????????? ??? ?????? ?????????? ??? ?? ?????????, ?????????? ??? ??????????
????? ??? ??? ?????? ?? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ??????????
????????? ??? ??? ?????? ??? ?????? ?????????? ??? ?? ?????????? ??? ?????? ??? ???
????????? ??? ?????? ??? ?????? ?????????? ?? ?????? ??? ?????? ??? ?????????? ??? ??????????
??? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ???
????????? ??? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ???.

? ?????????? ?????????? ??? ??????????, ??? ?????? ??? ?????????, ?? ??????????
?? ?????????? ?????? ?????????? ?????????? ??? ?????????? ???, ??? ??????????,
????????? ???????, ?????? ??? ?????????, ??? ?????????? ??? ?????????? ??? ??????????????
??? ?????????? ?????? ???."

?? ?????? 17, ?????????? ??????????, ??? ??????? 67/228 ??? ??????????, ??? 11?? ???????
1967, ??? ?????????? ??? ?????????? ??? ??????? ??? ?????? ???, ??? ???????? ?? ??? ?????
?????? ??????? - ?????????? ??? ??????? ?????????? ??? ?????? ?????????? ??????
????????????? ??? (?? ????. ??. 09/001, ?. 5) (??? ????: ??????? ??????), ??? ?????
????????? ?? ??? 28 ??? ????? ???????, ?????????? ??? ?? ????? ??? ????? ?? ???:

"- ??????????????, ?????? ?????????????? ??? ?????????????? ?????? ??? ?????????? ??? ??? ??
?????????? ? ??????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
??????????, ??? ?????? ?????????? ?????????????? ?????? ?????? ?????????????? ??? ??? ?????? ??????
??? ?????? ???????????, ?????????? ?????????? ? ?????? ??? ?????? ?????? ?????? ?????? ??????
????????? ??? ?????????????? ??? ?? ?????????? ?????? ??????, ??? ?? ?????? ??? ?????? ?????? ??
????? ? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ???
????????????? ??? ?? ?????? ??? ?????? ?????? ?????? ??????."

4

???????????? ???? ?????? 28, ??????????? 2, ??? ?????? ???????, ? ?????????? ?????????? ??
???? ?? ??????? ??????? "????????? ?????????". ? ??????? ?????????? ?? ??????????
????????? ??? "Value Added Tax Act" ??? 1972, ??? ?????????????? ?????? ?? ???
"Finance Act" ??? 1985.

6

?????? ? ?????????? ??? ???? ?????????? ??? ???? ?????????? ???????, ? ?????????? ???
????????? ?????????????? ??? ???? ??? 4 ?????????? 1984. ?????? ? ?????????? ??????????
??? ?????? ??????? ??? ?????? ???, ? ?????????? ?????? ??? ??????? ??????????.

7 ????? ??????? ??? ??? ??' ?????????????? ?????????? ?????????????????? ?????????????? ??
????????????? ??????????????, ? ???????????, ?? ?????????? ??? ?? ?????????????? ??? ??????.
?? ?????????? ??? ?? ?????????????? ?????????? ??? ?? ?????????? ?????? ?????? ?????? ?????????? ??? ??
????????????? ??? ???????????.

?? ???? ?? ?????????????? ?? ???? ??????????????

8 ? ?????????? ??????? ??? ? ??????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ?????
??? ??? ???????, ?? ????, ?? ?????????? ?????????? ??? ?????????? ???' ??????? ???
?????? 169 ??? ??????? ??? . ? ??????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ??? ???????
??????, ??? ?????????????, ??? ??????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ???????
?????? ?? ?????????????? ??? ?? ??????? ??? ?????????? ??? ?????????? ??? ?????? ???
????????? ?????????, ????, ??? ? ??????? ?????????? ??? ?????????? ??? ?????????? ??? ???????
????????? ??? ?????????? ?????????? ??? ?????????? 28 ??? ?????? ?????? ??????, ??? ????
?????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ???
????????? ??? ?????? ??? ?????? ????. ? ??????? ?????????, ???????, ??? ???
????????? ??? ?????????? "?? ?????????? ??? ?????????? ?????? ?????????? ?????????? ???
????????? ??? ?? ?????? 28 ??? ?????? ?????? ??? ?? ?????????????? ?? ???
????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ??? ??
????? ???".

9 ? ?????????????? ??? ???? ?????? ?? ?????? ??? ?????? ?????? . ?????? ?? ?????????? ??????? ???,
????? ??? ?????????? ??? ???? ?????? ?????????? ?????? ?????????? ???????, ???
????????? ??? ?????????? ?? ?????????? ?????? ?????? ?????????? ??????? ?? ?????????? ???
????????? ?????????? ?????????? ??? ?????? 169 ??? ????????. ?? ???
?????????, ???????, ?? ?????????? ?? ?????????? ???? ???? ?????????? ?????? . '?????
????? ?? ?????????? ?? ??? ?????? ??? 10? ?????????? 1968 (????????? ??? ??????????)
?????????, 7/68, Rec. ?, 625), ? ?????? ?????????? ??? ?????????????, ?? ?????????????? ???
????? ?????????? ?????? ??? ???????, ??? ? ?????????????? ??????????.

? ? ? ? ? ? ? ? ? ? ?

10 ?????? ?? ?????????? ??? ??????? ??? ? ??????? ??? ?????????? ??? ?????? ??? ? ? ? ?
????????? ??? ?????????? ??????????, ?? ??? ???? ?????? ?????????? ?????????? ???
????? ??? ?????????? ?? ?????? 28 ??? ?????? ??????, ?????? ??? ??? ?????? ??? ?????????? ???
????? ??? ?????? ??? ??? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? 29
?????? 1973. ??????????, ???????, ??? ???? ??????, ??? ???? ??????, ??? ???? 17, ??????????
?????????, ??? ??????? ??????, ?????????? ?????????????? ??? ??????????, ?????? ?????"
????? "????? ?????????? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ???
????? ??????????" ??? ??????????, ??? ???? ?????? ?????????? ?????????? ??? ?????? ???
????? ??? ?????????? ??? ?????? Finance Act ??? 1985:

" vii) ?????????, ??? ???? ??? ?????????????, ?????????? ???? ?????? ?????????????? ??
????? ??? ???????, ???, ??? ???? ???? ?????? ??? ??????

viii) ?????????? (??? ??? ?????? ??? 'Fertilisers, Feeding Stuffs and Mineral Mixture Act' ???
1955) ??? ?????????? ?? ?????????? ??? 10 ??. ?????????? ??? ???? ?????? ???? ???? ?
????????? ??? ?????? ??? ?????????? ??? ???? ???? 4 ? ? ???? 6 ??? ? ? ???? ?

xiv) ?????? ?????????? ?? ?????????? ??? ???? ???? ???? ???? ???? ???? ???? ?
??? ? ? ??????????, ??? ?????? ???? ?????????? ??? ???? ???? ???? ???? ???? ?
????, ??? ???? ???? ???? ?????????? ???

xv) ?? ??????, ???, ???, ???, ???, ???, ?????????? ???, ?????????? ???, ?????, ?????????? ???
????????? ?????????? ??? ???? ???? ?????? ?????? ?????? ??????

xx) ?) ??????????.

'????? ?????? ?? ?????????? ?????? xx), ? ?????????? ?????????? ??? ?????????????? ?????? ???
?????????? ??? ?????? ?????? ?????????? ??????????".

11 ? ?????????? ?????????? ??? ?????? ??? ?????????? ??????????????, ??????, ??? ?
????????? ?????????? ??? ?????????? ?? ?????? 28, ?????????? 2, ??? ?????? ?????? ???
?? ?????? 17, ?????????? ?????????, ??? ?????????? ?????? ???, ???????, ??? ?? ?? ???
????????????? ?????? ?? ?????????? ?????????????? ??? ?? ??? ??? ?????? 27 ??? 25 ???
????? ??????.

12 ??????, ???????, ?? ???????? ?? ? ??????? ??? ?????????? ?????????? ??? ??
????????? ?????? ??? ?????????? ?????????????? ??? ?????????????? ??? ?????????? ???
????????????? ???, ??? ???????, ?? ? ?????????????? ??? ?????????? ??? ?????????? ???
?????? ?? ?? ?????? 27 ??? 25 ??? ?????? ?????? ?????? ??? ?????? ?? ?????????? ??????????
????????? ??? ?? ?????? ?????? ??? ??????????.

??"????? ??? ?????? ???"

13 ?? ??? ?? ?????? ?????? ??????????, ?????? ??? ??????? ??? ?? ?????????? ???
????????? ?????????? ??? ?????? ??????????????, ?? ?????? ?????????? ?????????? ??? ??
????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
?????????. ???????, ???????, ??? ? ?????????? ??? ?????? ?????? ?? ?????????? ??
????????? ??????.

14 ??????????, ? ???????, ??? ?????????? ??? ?? ??? ?????? ?????? ?????????? ??????????
????? ?? ??? ?? ?????????? ??? ?????? ?????? ?????? ?????????? ?????????? ??? ??
????? ?? ?????????? ???, ??????? ? ?????????? ??????, ?????????? ??? ??
????? ?? ?????????? ?? ??? ?? ?????? ??? ?????????? ??? ?????? ?????? ??? ??????????
????? ???, ??? ?? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????????
????? ?????? ??? ?? ??? ?? ?????? ??? ?????? ?????? ?????? ?????????????? ??? ??????????
????? ?????????? ??? ?????? ??????????.

15 ?????? ?? ?????????? ??? ?????? ??? ? ?????????? ??? ?????? ?????????? ??????????
????????? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?? ??????????
????????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?? ?????????? ??
??????, ??' ?????????? ??? ?????? ??????, ?? ?????? ?????????? ??? ?????? ?? ???????,
????? ??? ?????????? ??? ?????? ??? ?????? ??????.

??"????? ??? ?????? ???"

16 ? ??????? ?????? ???"????? ?????? ??????????" ??? ?????????????? ??? ?? ??? ??
????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ???????, ???
????? ?????? ?????????? ??? ?????? ???, ?????? ??? ?????? ?????????? ??? ?? ???.

17 ? ?????????? ?????????? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ???
????????????? ??? ?????????? ??? ?????? ?????? ?????? ?????????? ?????????? ??
????????????? ??? ??? ?????? ??? ?????? ?????? ?????????????? ??? 17.

18 ?????? ?? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ??? ?????? ??????????
????? ?? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??????, ?????????? ???
????????? ??? ?????????? ???, ??? ???????, ??? ?? ??? ???, ?? ?? ????. ??? ???
????????? ???, ?????? ??? ?????????? ??? ?????? ??? ?????? 17, ? ?????? ??? ??????
????????? ??? ?? ?????????? ??? ?' ?????? ??? ??? ?????????? ?? ?????????? ???
????? ? ?????????? ??? ?????? ?????????? ?????? ?????????? ??? ?????? ?? ??????????
????? ???, ??? ?????? ??? ?????? ?????????? ??? ?????????? ???, ?? ?????? ??

??? ??????????? ?? ??????????? ?????? ??? ??????? ?????? ??? ???????????, ????
?? ??????? ?? ??????????? ?? ??????????? ??? ???????.

?? ??? ???? ??????? ?? ??????? 27 ??? 25 ??? ????? ??????? ??? ??? ??????? ????????

19 ? ??????? ?? ??????? ??? ? ??????? ??? ??????? ??????????? ??? ??????? ???????
?????? ?? ??????????????? ????? ??? ??????????? ??? ??????? 27 ??? 25 ??? ????? ???????.

20 ?? ??????????? 1 ??? 5 ??? ??????? 27 ????? ?? ???:

"1) ?? ?????????? ???????, ??????? ??? ???????, ?? ?????????? ??????? ?? ??? ???????
?????? ?? ??? ??????? ???????, ??? ??????????? ??? ??? ??????? ???????, ?? ??????? ???
?????????? ?? ??????????? ??? ?????? ??? ??????? ??????? ??????????? ???????????
?????????? ? ????????????. ?? ??????????? ??? ??? ??????????? ??? ??????????? ??? ??????????? ???
????? ?????? ??? ??????????? ?? ???????????, ??? ?????? ??? ?????? ??? ?????? ??? ???????, ?? ??? ??? ???
?????????? ?????? ??? ??????? ???????.

...

5) ?? ?????? ???, ?? ?????? ??????????? ??? 1? ?????????? 1977 ?????? ????, ??? ??
?????????? ??????? ??? ??????? 1, ??????? ?? ?? ???????????, ??? ??? ??? ??? ??
?? ??????????? ??? ??????? ??? 1?? ?????????? 1978 ??? ?? ??? ??????????? ???,
?????????? ??? ??????? ?????? ??????????????? ??? ??? ??????????? ??? ??????????? ??? ???,
?? ?????? ??? ?????? ?????? ??????? ??? ??????? ??? ??????????? ??? ??????????? 1."

21 ? ??????? ??????????? ??? ??????????????? ??? ???????????, ???????????,
??????????, ??? ?? ?????? ??????????? ??? ??????? 27 ??? 28 ????? ????? ??????????? ????
??, ????? ?? ?????? ?? ?????? ????????????????. ???????????, ??? ??????? ?? ??????
????????? ??? ??????? 27 ??? ??? ??????? ??? ??????????? ??? ??????????? ??? ???????????, ??
?????? ?????????????? ? ??????????????? ??? ???????????, ?? ??? ?????????? ??????? ?
????????? ??? ?? ??????????? ??? ??? ??????????? ??? ??????? 28, ?????????? 2. ???????,
?? ??????? 27 ?????????? ??? ?????? ?????? ???????????, ??? ?? ?????????? ??? ?? ??????? 28
????????? ??? ?????? ??????????? ??? ??????? ??????????? ??? ???????????.

22 ??????????? ??? ?? ??????? ??? ??????? 25 ??? ???????, ??? ???????
??????????, ??? ??????? ???' ??????? ??????????? ??? ??????? ??? ???????, ?
????????? ??????????? ??? ?? ??????? ??? ?????? ??????????? ??? ??????? ??? ??????? ???????????
?? ?????? ??????? ??? ?? ??????? ??? ??????????? ??? ??????? ??? ??????? ??? ???????????
?? ??? ??????????? ??? ?? ??????? 28.

23 ?????? ?? ??????????? ??? ?????? ??? ? ?????? ??? ?????? ??????????? ??? ??????? ??
?????????? ??? ?? ??????? ??? ?????? ??????????? ??? ??????? ??? ??????? ??? ??????? ??
?????????? ??? ??????????? 1 ??? ??????? 27 ??????????? ??? ?? ??? ????? ??????????? ???
?????????? "?? ???????????, ??? ?????? ??? ?????? ???????, ?? ??? ??? ???????????
????? ??? ?????? ??? ?????? ???????????".

24 ?? ??? ?? ??????? ??? ??????? 25, ??? ?? ??????????? ??? ? ??????? ???
?????????? ??? ??????????????? ??? ??????????? ??? ?? ??????????? ??? ??????????? ??? ??
????????? ??? ?? ??????????? ??? ?????? ??????????? ??? ??????? ??? ?? ??? ??????? ???????????
??' ????????. ?? ??????? ??? ???????????, ??' ???, ??? ??????????? ???' ????????
????????? ???????????, ? ?????? ??????? "?? ??????????? ??? ??????????? ??? ?? ??? ??
????????????? ???, ? ?????? ??????????? ??? ??? ?????? ??????? ??? ??????????"
(?????? 25, ??????????? 1).

25 ??? ?? ??????????? ?????????? ??? ? ??????? ????, ??? ??????????? ??? ???????????
????????? ??? ????? ?????????????? ??? (????? 25, ?????????? 3) ??? ?????? ??
?????????? ?? ??? ??? ??? ??????? ??? ?????????? ?????????? ?? ?????? ? ??????????
??? ??????????? ??? ????? ?????? ?????????? ??? ?????????? ???????????.

26 ?? ?????????? ??? ?????????? ??????, ???????, ?? ???????????.

??? ??? ??????? ?????????? ??????????

? -?? ?????????? ??? ?????????? ?????????? ((Finance Act ??? 1985, ????, ????,
?????? vii), viii), xiv), xv))

27 ? ??????? ??????????? ??? ? ??????? ??? ?????????? ??????????? ??? ???????
????????? ??? ?????? ?? ??????? ?????????? ??? ?????? 17, ?????????? ??????????, ???
????????? ??????. ?????????? ??? ??????? ??? ?????? ?????????? ?????????? ?????????? ???
??? ?? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ?????????? ?????????? ???
?????????, ??? ?? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ?????
????????? ??????????.

28 ? ??????? ?????????? ?? ?????????? ???, ?????????? ??? ???????????, ???????,
??? ??? ?????????? ??? ?? ??????? ??? ?????????? ??? ?????????? ??? ?????????? ???
?????????. ???????, ? ??????? ?????????? ?????????? ??? ??? ??? ?? ?????? ???
????????????? ??????? ?? ?????????? ??? ?????????? ??? ?????????? ??????????. ???????????,
????, ??? ? ??????? ??? ?????????? ?????????? ?????????? ??? ?????? ??? ??????
??????????, ?????????? ??? ?????? ??? ??????.

29 ?????? ?? ?????????? ??? ??????? ??? ?????? ?? ??????? ??? ?????????? ?????????? ???
????????? ??? ?????????????? ??? ?????????? ??? ?????????? ??? ?????????????? ???
????? ??? ??????? ??????????, ??? ?? ??????? ?? ?????????? ?? ?????????? ??? ??????.
??????, ??? ??????? ?? ?????????? ?? ?????????? ?????????? ??? ?????????? ???
???? ?????????? ??? ?? ??? ?????? ??? ???????, ??? ?????? ?? ?????????? ??? ?????? ??? ??
????????? ?????????? ??? ?? ??? ?????? ??? ??????? ?????????? ??? ?????????? ??? ??????????
?????????.

30 ??? ?? ?????????? ???, ??? ?????? ?? ??????? ??? ??????? ??? ???????
??????????, ??? ?????????? ??? ??????????.

? -????????? (("Finance Act ??? 1985", ????, ????, ??? xx) ?))

31 ? ??????? ?????????? ??? ??????? ??? ?????????? ??? ?????????? ??? ???????
?????????? ??? ??????????, ??? ?? ??? ??? ??? ?????????? ??? ?????? ???????
?????????.

32 ?? ????? ?????????? ??? ?????????? ? ?????? ?????????? ??? ?????? ???????, ??? ?????? ?? ???????
????????????? ??? ?????? ?? ?????????? ?????????? ??? ?????????? ?????????? ??? ?????? ???
?????? ??? ?????????? ??? ?????? ?????????? ?????????? ??? ?????? ??? ?????????? ???
????? ?? ?????? ??????. ???????, ??? ??? ?????? ?????? ?????? ??? ?????? ?? ?????????? ??? ??
???? ?????????? ???????, ?????? ?? ?????????? ??? ?? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ?????????? ??? ?? ?????? ?????????? ?? ?????? ??? ?? ?????? ???
??? ?????? ??????, ?????? ?? ?????????? ??? ?? ?????? ?????????? ??? ?????????? ??????????.

33 ?????????? ??? ?? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?? ?????????? ???
?? ??????? ?????? ??? ?????? ?? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????
??????????, ?????????? ??? ?? ?????? ?????????? ?????????? ?????????? ?????????? ??????????
?????????? ??? ?? ??? ?????? ?????? ??? ?? ?????? ?????????? ?????????? ??? ???????,

?????????, ?? ??????? ??????????? ??? ?????? 17 ??? ??????? ???????.

34 ?? ??????? ??????????? ??? ??????? ??????????? ??? ??????? ??? ???????????????
?????? 27 ??? ????? ???????, ??????????????? ?? ?? ?????? ??? ??? ??? ??????? ???
????????? ??????????? ??? ?????? ??????????? ??? ??? ??????????? ?? ???
???????????

35 ?? ??????????? ??? ?????? ?? ?????? ?? ?????? ??????. ??????????, ???????, ??? ??
????????????? ??? ?????? ?? ?? ?????? 27 ??? ?????????? ??? ??? ??????????.

36 ??? ?? ??????? ?????????????? ? ?????????????? ??? ?? ??????? ?????????? ???????.

37 ??? ?? ??????????? ??? ??????? ??? ? ???????, ??????????? ?? ??? ??? ??? ??????? ???
????????? ?????????? ??? ????? ??????????? ??? ?????? ??? ?????? ???????????,
?????? ??? ??? ?????????? ?? ??????? ???????????, ?????? ??? ?????????? ???
?????? 77/388 ???, ???????, ??? ?????????? ??? ?????? ??? ?? ??????? ???.

?????? ??? ?? ?????????? ????

??? ??? ?????????? ????

38 ??? ?? ?????? 69, ?????????? 3, ??? ?????????? ???????????, ?? ?????????? ??????? ??
????????? ?? ?????? ?? ?????? ?????????? ?????? ??? ?????? ?????? ?????? ??????? ??
????????? ?????????? ?? ?????, ?? ?????? ?????? ?? ???????????.

???????????

??? ??? ?????? ????

?? ??????????

?????????:

1) ? ???????, ??????????? ?? ??? ?????? ?????????? ??? ?????????? ??????????? ??? ??
????????????? ??? ?????? ????? ?????????? ??? ?????????? ??? ?????????? ??? Finance Act ???
1985, ??????? xx) ?), ?????? ??? ?????? ?????????? ?? ?????? ?????????? ???????????, ?????? ???
????????? ??? ?????? 77/388 ??? ??????????, ??? 17?? ?????? 1977, ???, ???????, ???
????????? ??? ?????? ??? ?? ??????? ???.

2) ?????????? ??? ??????? ??? ?? ??????.

3) ??? ??????? ??? ?? ??????? ??? ??????? ??? ??????.