

?????? C-350/10

Nordea Pankki Suomi Oyj

(?????? ??? Korkein hallinto-oikeus
??? ??? ?????? ?????????????? ????)

«?????? ??????? ?????????????? ?????????? – ??? ?????? ??? – ?????? 13, ?, ??????? ??,
?????? 3 ??? 5 – ?????????? – ?????????? ?????????? (?????????) ??? ??????? – ???????
??? ?????? ?????? – ?????????? ?????????? ?????????? ??? ?????????? ??? ??????????????
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????????? ??? ????????

?????????? ?????????? – ?????????? ??? ?????????? – ?????? ?????? ?????????? – ?????
?????? ?????? ?????????????? ??? – ?????????? ?????????? ??? ??? ??? ?????? –
????????? ?????? ??? ?????? 13, ?, ??????? ??, ?????? 3 ??? 5

(?????? 77/388 ??? ??????????, ?????? 13, ?, ??????? ??, ?????? 3 ??? 5)

? ? ?????? 13, ?, ??????? ??, ?????? 3 ??? 5, ??? ?????? ??????? 77/388, ??? ??????????????
??? ?????????? ??? ?????? ?????, ??? ?????????? ?? ??? ?????? ?????? ??????? ???????, ??? ??
????? ??? ? ?????????? ??? ?? ??? ?????? ?????? ??? ??? ?????? ??????? ???????, ??? ??
????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ?????????? ???????, ???
????? ?? ??????? swift.

????? ?? ?????????? swift ??? ?????? ?????????? ?????????????? ?????????? ??? ?????? ?? ???
????? ?? ?????????? ??????????, ??? ?????????? ?????????? ??????? ??? ??? ?????? ??????????
????? ??? ??? ?????????????? ??? ?????? ??? ?? ??? ?????? ?????? 13, B, ??????? ??,
????? 3 ??? 5, ??? ?????? ??????, ?????? ??? ?????????? ??? ?????? ?? ?????? ?? ?????? ???
????????? ?????????? ??? ??????, ??? ?????? ??? ?????? ?? ?????????????? ??? ??????
?????.

(?. ?????? 34, 40 ??? ??????.)

?????? ??? ?????????? (?????? ????)

??? 28?? ?????? 2011 (*)

«?????? ??????? ?????????????? ?????????? – ??? ?????? ??? – ?????? 13, ?, ??????? ??,
?????? 3 ??? 5 – ?????????? – ?????????? ?????????? (?????????) ??? ??????? – ???????
??? ??????? ?????? – ?????????? ?????????? ?????????? ??? ?????????? ??? ??????????????
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???? ??????? C?350/10,

?? ??????????? ?????? ??????? ?????????????? ?????????? ?????? ??? ?????? 267 ????,
??? ??????? ?? Korkein hallinto-oikeus (?????????) ?? ?????? ??? 8?? ?????? 2010, ?
????? ??????? ??? ?????????? ??? 12 ?????? 2010, ??? ?????? ?????????? ???
?????? ?

Nordea Pankki Suomi Oyj,

?? ?????????? (?????? ????),

????????? ??? ??? J.?C. Bonichot, ??????? ????????, K. Schiemann, L. Bay Larsen, C.
Toader (?????????) ??? E. Jaraši?nas, ????????,

?????? ??????????: P. Cruz Villalón

?????????: C. Strömholm, ??????? ????????????,

?????? ??? ?? ?????? ?????????? ??? ??????? ??? ??' ?????????? ??? ?????????? ???
10?? ??? 2011,

????????? ??? ?? ?????????? ??? ????????:

- ? Nordea Pankki Suomi Oyj, ?????????????? ??? ??? L. Äärilä, oikeustieteen kandidaatti,
- ? ?????????? ????????, ?????????????? ??? ??? H. Leppo,
- ? ??????? ????????, ?????????????? ??? ??? J.?C. Halleux ??? ??? M. Jacobs ??? C.
Pochet,
- ? ?????????? ????????, ?????????????? ??? ??? T. Henze,
- ? ?????????? ????????, ?????????????? ??? ??? ?. ???????, ?. ??????? ??? ?.
???????????,
- ? ?????????? ??? ????????, ?????????????? ??? ??? H. Walker,
- ? ?????????? ??? ????????, ?????????????? ??? ??? I. Koskinen ??? ??? L. Lozano
Palacios,

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

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

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1 ? ?????? ?????? ?????????? ?????????????? ?????????? ??? ?????? ??? ??????? ??? ?????? 13, ?,
????????? ??, ?????? 3 ??? 5, ??? ?????? ?????? 77/388/??? ??? ???????????, ??? 17?? ???
1977, ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???, ??? ?????????? ?? ??? ?????
?????? ??????? - ????? ?????? ?????? ?????? ?????????????? ????: ?????????? ??????????
???? (?? ????. ????. 09/001, ?. 49, ??? ????: ??? ??????).

2 ? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? Nordea Pankki Suomi Oyj

(??? ????: Nordea) ??? ??? ?????????? ?????????? ?????? ?? ?????????? ??? ???????
???? ??????? ??? ?????? ??? ????? ?????????? ??? (??? ????: ???).

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3 ?? ?????? 2 ??? ????? ?????? ?????????? ?? ????:

«???? [??] ??????????:

1. ?? ?????????? ?????? ?? ?????? ??????????, ?? ??????????????????? ??
????????? ?????? ??? ?????????? ??? ?????? ??? ?????????????? ??? ???, ??? ?????? ??? ??
????????? ??? ?????.

[...]».

4 ?? ?????? 13, B, ??? ????? ?????? ?????? ?? ????:

«?? ??? ?????????? ??? ????? ?????????? ??????????, ?? ?????? ??? ??????????????, ??? ???
????????????? ??? ???????, ??? ?? ?????????????? ? ??? ??? ??? ?????????? ???
????????????? ??? ??????? ?????????? ??? ?? ?????????? ?????????? ??????????????,
????????????? ??? ??????????:

[...]

?) ??? ?????????? ????????:

[...]

3. ??? ???????, ?????????????? ??? ??? ???????????????, ?? ?????? ??? ??????
??????????, ?????????? ?????????? ???????, ???????, ?????????? ??? ???????,
??????????, ??????? ??? ????? ???????, ?????????? ??? ?????????? ???????????????.

[...]

5. ??? ???????, ?????????????? ??? ??? ???????????????, ???' ?????????? ???
????????? ??? ??? ???????????, ?? ?????? ?????????? ??? ??????? ??? ??????? ?????????? ?
????????? ??? ?????????? ??? ???????, ??????????:

- ?????? ?????????????????? ???????????,

- ?????????? ? ??? ????? ?????????? ??? ?????? 5 ?????????? 3.

[...]».

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

5 ??? ?? ??? 1, ?????????? 1, ?????? 1, ??? ?????? ??? ?? ??? ??????????????
????? [Arvonlisäverolaki (1501/1993)] ??? 30? ?????????? 1993, ??? ?????????????? ?? ???
???? ?? 29? ?????????? 1994 [(1486/1994), ??? ????: AVL], ?????????????? ??? ??????? ???
??? ??? ??????? ??? ?????? ??? ?????????? ??? ?????????????????? ?????? ??? ?????????? ???
????????? ?????????????? ??????????????.

6 ??? ?????????? ??? ?? ?????? 9, ????? ??????, ??? AVL, ??? ?????????? ??? ???

7 ??????? ???. ?????? 41 ???. AVL, ? ??????? ?????????????????? ??????????? ???.
?????????? ???. ????. ????. ????? ?????????? ???. ???. ?????? 42, ?????????? 1, ?????? 4 ???. 6, ??? ???.
???. ??????, ?? ?????????????????? ?????? ?????????? ?????????????? ???. ?????????? ???. ??? ???. ??????
???. ??????? ???????.

8 ?? ?????? 42, ?? ??? ???????, ?? AVL ?????????? ?? ? ? ??????? ?? ?????? ?? ?????? ?? ???????
????????????? ?? ? ???? ?? ?? ?????????????? ??????? ?? ?????????? ?? ???????, ?? ????
?? ?????????? ?? ? ?????, ?? ? ???? ?? ? ????.

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

9 ? Nordea ?????? ? ?????????? ?????????? ?????????? ??? Nordea Bank AB, ? ????
?????? ???. ??????. ?????????? ???. ?????????? ?????? ?????? ???. ?????? ???. ??????????????
????????????? ???. ?????? ?????? ?????? ???. ??? ???. ?????? ???????????. ???. ??????????
????????????? ???. ?????? ???????????. ?????? ?????? ?????? ???. ?????? ???. ??????????????
????? ???. ???????????. ?????? ???. ?????? ?????? ?????????? ???. ???????????????. ?
Nordea ?????? ? ?????????? ???. ?????? ??? ?????? ?????? ?????? Nordea.

10 ? Nordea ?????????? ?????????? ??? ?? Society for Worldwide Interbank Financial
Telecommunication – SWIFT SC (??? ????: SWIFT), ?????????????? ??? ?????? ?????????????? ???
?????? ?????????????? ??? ??? ?????????? ?????????????????? ?????????? ??? ?????????? ???
????? ????.

11 ? SWIFT ?????????????? ??? ?????????? ?????????? ?????????????? ??????????????
????????? ??? ????? ?????????????? ?????????? (?? ???: ?????????? swift) ??? ??????
?? ?????????? ?? ?????????????? ??? ????? ?????????? ??????????, ??????????????????
????????? ??? ?????????? ?????????????? ??????, ?????? ??? ?? ????? ?????????? ??? ?????
????????? ???, ?? ?????????????? ?????????????? ?????????? ?????????????????????? ??????, ???
??? ?????????? ??? ? ??? ?????? ????? ?????????? ??? ??? ????? ?????????? ?????????? ?????? ???
????????? ??????. ??? ??? ?????? ?????? ????? ?????????? ?????????? ?? ?????? ??????????
?? ??????????, ? SWIFT ??????????????, ?????? ????, ?????????? ??? ??????
????????????? ?????????? ??? ?????? ?????????? ?? ??????. ?? ??????????????????
????????? ??? ????? ?????????????? ??? SWIFT ?????????? ?? ?? ?????? ??? ?? ?????? ???
????????????? ??????????????, ??? ?? ?????? ?????????? (gateway). ? ?? ??? ??????????
????????? ??? ??? ?????? ??????, ?????????? ?? ????? ?????????? ??? ?????? ?????? ???,
????????????? ?????????? ?????????????? ??? ?????? ?????? ??? ?????? ?????????? ??????.

12 ?? ??????????????? ?????????? ??????????????? ?? ??????? ?? ???? ?? ??????????. ?? ??????????
swift ??????????????? ?????????? ?? ???? ?????? ?? ?????? ??????, ???? ?? ??????
?? ?????? ?? ?????? ?? ?????? ?? ??????.

13 ????? ?? ??????? ???????????, ??? ?????????? ??????????? ?????????? ?????????? ??? ??
????????????? ???????, ??? ??? ?????? ?????????????? ??? ?????? SWIFT, ? ??????? ???
?? ?????????? ??????? ??? ?????? ?????? ?????? ?????????? (acknowledgment) ?? ??? ???
????????? ??? ? SWIFT ??????? ??? ?????? ?? ?????? ??? ??????????????. ?? ?? ??? ???????
???? ??????? ? ?????????? ?????? ??? SWIFT ??? ?? ?????????? ??? ?????????? ??????????
??? ??? ??? ?????? ??? ?????? ??????? ?? ?? ?????? ??? ??????. ?????? ??? ??????
????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ? ?????? ??? ??????????

? ?????? ??????????? ??????????. ? ?????? ??? SWIFT ??? ??? ??????? ??? ?????? ??? ?????? ???
????? ? ?????? ??? ????? ?????????? ??? ?????????? ?????????????? ??? ?????? ??? ?????? ?? ???
??? . ???????????, ? SWIFT ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ???
?? ??? ??? ???????.

14 ??? ??? ??? ?? ??? ???????, ?? ??????? swift ?????????????? ??? ??? ??? ???
????????? ?????????? ??? ?????? ??? ?????????? ?????? ?????? . ??? ?? ?????? ??????????, ????
? ?????? ??? ?????? ??? ?????????? ?????? ?????? ??? ?????? ???? ?????? ?????
????????????? ??? ??? ?????? swift ?????? ?????????? ?????? ?????, ??? ??? ?? ??
????????? ??? ??? ?????? ?????????? ?????? ??? ??? ?? ?????? ??? ?????????? ???
????????????? ?????? . ? ?????? ??? SWIFT ??? ?? ?????????? ??? ?????? ?????? ??????
????????? ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ???
????????? ?????? ???????.

15 ??? ?????????? ??? ?????????? ??????????, ? SWIFT ?????? ??? ?????? ?? ?????? ???
????? ?? ?????? ?????? ??? ?????????? ??? ?????????? ??? ?? ?????????? ??? ???? ??? ??
????????? ??? ??? ?????? ??? ?? ?????????? ??? ??????????.

16 ?? ?????? ??? Nordea ??? ??? ??????? swift, ??? ?? ?????? ??? ??? ?? ?? ??????????
??? ?????? ?? 1 999 559,96 ??? ??? ?? ?????? ??? 2001. ??? ??? ?????? ?????? ?????? ???,
???' ?????????? ??? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? 439 903,19 ???.

17 ?? ?????? ??? 22? ?????????? 2006, ?? Konserniverokeskus (????????? ??? ??
????????? ??? ?????? ??????????) ??????? ?? ?????? ?????????? ??? ?? ??? ?? ??
????? ? Nordea ?????? ?? ?? ?????? ??? 2001. ?? ?????? ?????? ??? ?? ??? ?? ??
????????? ??? ??? ?????? swift ??? ?????????? ??? 2001.

18 ? Nordea ?????????? ?????? ??? Helsingin hallinto-oikeus (????????? ?????????? ???
??? ??????) ?? ?????? ??? ?????? ??? ?????????? ??? Konserniverokeskus ??? ??
????????? ??? ??? ?????? ?????????? ??? ??? ?????????? swift ???' ?????????? ???
????????? ?????????? ??? ??????????.

19 ?? ?????? ??? 29? ?????????? 2008, ?? Helsingin hallinto-oikeus ?????? ???
????? ??? Nordea ?????????? ??? ?????????? ?????? ?????? ??? ?????? ???, ???
????? 13, ?, ?????? ??, ?????? 3, ??? ?????? ??????, ?????? ??? ?????? ?????? ??? 5??
????? 1997, C?2/95, SDC (????? 1997, ?. I?3017).

20 ? Nordea ?????? ?????? ??? ??? ?? ?? ?????? ?????? ??? Korkein hallinto-
oikeus, ?? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????? ?????? ???:

«????? ?? ?????? 13, ?, ?????? ??, ?????? 3 ??? 5, ??? ?????? ?????? [...] ??? ?????? ???
????????? ??? ?????? ?????????? ?????? ?? ?????? Swift, ??? ?????? ??? ??
????????? ??? ?????? 1 ??? ?????? ??????, ?? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ?????? ??? ??????;»

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

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

21 ??? ??? ??? ?????? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????? ???
????????? swift, ??? ?? ?????? ??? ?????? ???, ?????? ?? ?????????? ??? ???

?????????????? ?? ??????? ??? ?? ?????????? ?????? ?????????? ??? ?????? ?????????? ???
????? ??????, ?????? ?????????? ?????? ?????? ?????????? ?????????? ?????????? ?? ??????
????? ??? ???? ?? ?????? ??? ?????? 2, ?????? 1, ??? ?? ??? ??????, ?????????? ???
????????? ?????? ?????? ?????? ??? ?????????????? ?????????? ?????? ?????? ?????? ???
??? SWIFT ??? ?? ?????? ??? ?????? ? SWIFT ??? ??? ?????? ??? ?????? ???
????????? ?????????? ??? ?????????? ??? ?????? ?????? (??., ??' ?????, ?????? ??? 10??
?????? 2011, C?540/09, Skandinaviska Enskilda Banken, ??? ??? ??? ?????????? ???
??? ??????, ??? 18 ??? ??? ?????????? ??????????).

22 ?????? ?? ?????????? ???, ??? ?? ?????????? ??? ?????????? ???, ?? ?????????? ???
????????? ??? 13 ??? ????? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ??????
??? ?????? ?????????? ??? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????
??? ??? ??? ?? ??? ?????? ??? ??? (?? . ?????????? ??? ?????? Skandinaviska
Enskilda Banken, ??? 19 ??? ??? ?????????? ??????????).

23 ?????? ?????? ?? ?????????? ??? ?? ??? ??? ?????????????? ??? ??? ??????????
??? ?????????? ??? 13 ??? ????? ?????? ?????? ??? ?????????? ??? ??????, ??? ??????
??? ?? ?????????? ??? ?????? ?????? ?????????? ??? ?????????? ??? ?????? ??? ???
????????? ??? ??? ?????? ?????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???
????????? ??? (??., ??' ?????, ?????????? ??? ?????? Skandinaviska Enskilda
Banken, ??? 20 ??? ??? ?????????? ??????????).

??? ??? ?????????? ??? ??? ??? ?????????? *swift*

24 ??? ?????? ??????????, ??? ?? ?????????????? ?? ?????????????? ?????? ???
????? ??? ?????? 13, ?, ??????? ??, ?????? 3 ??? 5, ??? ?????? ??????, ?? ??????????
????????? ??? ?????? ?? ?????????? ??????, ?????????? ??????????, ?? ??????
????????? ??? ?????????? ??? ?????????? ?????????? ?????? ?????????? ??? ??????????
??? ?? ??? ??????. ??? ?????? ??? ?????????? ??? ?????????? ?????????? ??? ??????????
??? ?????? ??? ?????? 13, ?, ??????? ??, ?????? 3, ??? ?? ??? ??????, ?? ??????????
????????? ??? ?????? ?? ?????? ?? ?????????? ?? ?????????? ?????????? ??? ?? ??????????
????????? ??? ?????????? ??????. ? ?????????? ?????? ?????????? ??? ?????? ??? ??????
????????? ??? ?????????? ??? ?????????? ??? ?? ?????????? ??? ?????? ??? ??????
????????? ??? ??????, ??? ?????? ?????????? ??? ?????? ??? ?????????? ??? ??????????
????????? ??? ??????, ?? ?????? ?????????? ??? ?????? ??? ?????????? ?????????? ???
????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???
?? ? ?????? ??? ?????????? ??? ?????? ?????? ? ?????? ??? ?????????? ??? ?????? ???
????????? ??? ?????? ??? (??., ??' ?????, ?????????? ??? ?????? SDC, ??? 66,
????? ??? ?????? ??? 13? ??? ?????????? 2001, C?235/00, CSC Financial Services, ???
2001, ?. !?10237, ?????? 25 ??? 26).

25 ?? ?????????? ??? ?????? ?????? ??? ? ?????? ?????????? (???????) ??????????
????? ?????????? ??? ?????? ?????? ?????? ?????????? ?????????? ?????? ??? ???
????????? ?????????? ?? ????. ? ?????? ??? ?????????????? ?????? ??? ?? ?????? ???
????????? ?? ?????? ??? ?????? ??? ?????????? ?????? ?????????? ??? ?????? ??? ???
??????, ?????? ??? ?????? ??? ?????? ??? ?????????? ???, ???????, ?????? ??? ?????? ???
????????? ??? ?????? ???, ?????? ???, ?????????? ?????? ??? ?????? ??? ??????????. ???????, ???
????? ??? ?????????? ?? ?????? ??? ?????????? ?????? ?????? ??? ?????? ??? ??????????
????? ??? ?????????? ??? ?????????? ??? ?????? ??? (??., ??' ?????, ?????????? ???
????? SDC, ??? 53).

26 ???????, ??? ?? ?????????? ??? ?????????? , ? ?????? ??? ?????? ??? ???
????????? ??? ?????? ?????????? ??? ?????????? ? ?????????? ??? ?????? ??? ??????

13, ?, ????????, ??, ?????? 3, ??? ????? ??????? ?????? ????????, mutatis mutandis, ??? ??? ?????????? ??? ????????, ??? ????????, ??? ?????? 13, ?, ????????, ??, ?????? 5, ??? ?? ??? ?????? (??., ??' ?????, ?????????????????? ?????????? CSC Financial Services, ????? 27, ??? Skandinaviska Enskilda Banken, ????? 33).

27 ????, ??????? ?????????????? ?? ?????????? ??? ?????????????? ?? ??????????????????
?????? ????, ?? ?????????????????? ???????, ?? ?????? ?? ?????? ?????? ?????? ?????? ??
????? ??????? ??, ?? ???????????, ?? ?????????????? ?? ???? (??., ??' ?????,
????????????? ??????? SDC, ????? 59), ?????? ?? ?????????? ????? ?????????? ?????
??????, ?????????? ??????????, ?? ?????? ?????????? ?? ?????????? ?? ??????????
????????? ?? ?????????????????? ?????? ??? ?????? 13, ?, ??????? ??, ?????? 3 ???
5, ??? ?????? ??????.

28 ??????????? ?? ??????? ?? ?? ?????????? swift ??????? ?? ??????? ????, ????,
?? ???????, ????, ?? ? ?????? ?? ?????????? ?????? ?????? ?? ?????? ?????? ?? ??????? ????,
????????? ?????? ?????? ?? ?????????? ?????? ?????? ?? ?????? ?????????? ?? ?????????? ????,
????? ?? ?? ??????? ?? ?? ??????? ?????? ????, ???????, ?? ? ?????? ??? SWIFT
????? ?? ??????? ?? ?????????? ?? ?????? ?????? ?? ?????? ?????? ?? ?????? ?? ?????? ???,
????? ?????? ??????? ?? ?????? ?????? ?????? ?????? ?????? ??????.

29 ?? ???? ?? ?????? ???????, ? Nordea ??????????, ??????, ???, ????? ?? ?????????? swift,
?? ??????? ?????????? ?? ?? ?????????????? ?????? ??? ??????? ??????? ?? ??? ??
????? ??????? ?? ?????????? ???, ???????, ??? ??? ? ??????? ??? ?????? ???
????????? ??????? ??? ?????? ??? ?????? ?????? ?????? ???????, ??? ??? ?? ?? ?
????????? ??? ??? ?????? ?????????????? ??? ??? ?? ?????? ??? ?????????? ???
????????????????? ???????????, ??? ?? ?????????? ??? ?????? ?????? ??? ?????????????? ???
????? SWIFT, ??? ?? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??? ??????????
????????? ??? ?????????????? ??? ?????? ??? ?????? ???.

30 ??????????, ??? ?????????????? ?? ?????? ???????????, ??? ?? ?????? ??? ????
????????? ?????????????? ??? ? ?????????? ???????, ??? ?? ?????????????? ??? ???? ??
Nordea, ?? ?????????? swift ?????? ?????????? ?????????????? ?????????? ?? ??? ?????? ??
????????? ?????????? ??? ?? ?????????? ??? ?????????? ?????????? ?????????? ?? ???????
?????????????? ?? ??? ?? ??? ?????????????????? ??????? ??? ?????? ??? ?????? ??? ?????? ???
?????????, ??? ? SWIFT ??? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ???
????????????? ???' ?????? ??? ?????.

31 ????? ?? ????????, ???, ????? ?????????? ? Nordea, ?? ?????? ?????? ??
????????? swift ????? ?????????? ?? ???? ?? ????? ???????????, ?????????? ?? ?????? ??
????? ?? ??????? ??????? ?? ??????? ?? ??????? ?? ?????? ??????? ?? ?????? ?? ??????????? ??
?????????????? ?? ??????? ?? ??????? ?? ??????? ?? ?????? ?? ?????????????? ?? ??? ?? ??? ??
????? ?? ??????????? ?? ??????? ?? ??????? ?? ?????? (????????????? ?????? SDC, ??? 65).

33 ??? ?? ?????????? ??? ??????????? ??? ?????? 24 ??? 26 ??? ??????? ?????????? ?????????? ?????????? ?????????? ??? ?????? ??? ??????? ??? ?????? ???

????????????????? ??? ?????? ?? ?????????????????? ??? ??? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ??? ????
????????????? ? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ? ??? ?????? ??????
?? ?????????? ? ?????? ??? ??? ?????????????? ???' ?????? ??? ?????? ?? ?????? ??????????
?????? ??? ?????.

34 ????? ????????, ?????? ?? ?????????? swift ????? ?????????? ?????????????? ??????????
???? ?????? ?? ??? ?????? ?? ?????????? ??????????, ??? ?????????? ?????????? ?????????? ?????? ?? ????
????????? ?????? ??? ?? ?????????????????? ?????????? ??? ?????? 13, B, ??????? ?? ?,
?????? 3 ?? 5, ??? ?????? ????????, ?????? ?? ?????????? ??? ?????? ?? ?????????? ?? ???? ?????? ?? ?????????? ??
????????? ?????????? ?? ??????, ??? ??? ?? ??? ?????? ?? ?????????? ?? ?????????? ?? ??????.

35 ?? ???? ?? ??????? ???????, ? Nordea ?????????????? ??? ? ??? ????? ?????????? ???????????
?????? ?? ???? ?????? ?????? ? SWIFT ??? ??? ??? ????? ?????????? ?????????? ??????????
????????????????????? ???????, ?? ?????? ??????? ????? ??????? ?? 75 ?????????????? ??? ??
????? ??? ?? 150 ??????????? ??? ?? ??? ??, ????? ??? ? ????? ??? SWIFT ?? ??????? ???
????????????? ??? ?????????????????? ?????????? ?????????? ??? ?? ?????????? swift ???
????? ?????? ??????? ???????.

36 ??????????, ?? ??????? ??? ?????????????? ?????????? ??? ?????? ?? SWIFT ??? ???
????????? ?? ???? ?????????? ?? ???? ???? ?????? ?? ?????????? ?? ?????????? ?? ??????????
????????? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ?????????????????? ?? ?????????.

37 ???????, ??? ?????????????? ? ??????? ??????????, ??? ?? ?????? 4 ??? ??????? ???
?????????? ??? SWIFT (Swift General Terms and Conditions) ??? 1?? ?????????? 2010, ???
????? ?????????? ??? ?????????? ??? ?? SWIFT, ?? ?????????? ?????????? ??? ?? ???
????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??????????
????????? ??? ?????? ??? ??????????, ??? ??????????, ?? ??????, ?? ?????????? ??? ??
????? ??????????, ??? ? SWIFT ?????????? ??? ?? ?????????? ?????????? ???
????????????????? ??? ?????? ?????????? ??? ?????????? ????? ?????????? ??????????.

38 ???????, ??? ?????????? ?? ???? 34 ??? ?????????? ?????????? ??? ???
????????? ??? ?? ?????? ??? ?????? ?????????? ??????????????, ?????? ??? ? ????????, ?
????????? ?????? ??? SWIFT ?????? ??? Nordea ?????? ??? ?? ?????????? ?? ????????
??? ??????? ?? ??? ?????????????? ??? ?????????? ??? ??????????????, ?????? ??? ??
????????? ?? ?????????? ??? ?????????? ??? ?????????? ??? ??? ?????????? ? ??????????????
????????? ??? ??????????.

39 ????? ????????, ?????????????? ???, ??? ????? ?????? ??? ?????? ?????, ? ?????? ???
SWIFT ?????????????? ??? ?????? ?????? ??? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ??????
????????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??????.

40 ??????? ???. ??????? ???????, ??? ??????? ???. ??????? ??????? ???.
?????? ???. ???. ???. 13, ?, ??????? ??, ?????? 3 ???. 5, ??? ?????? ??????? ???.
?????? ???. ???. ?????????????? ???. ???. ???. ??????? ??????? ???. ???. ???. ???.
????????? swift. ???. ???. ??????? ???. ???. ??????? ???.

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41 ?????????? ??? ? ??????? ?????????? ??? ?? ??? ????? ?????????? ??? ?????? ?????? ?????
??? ?????????? ?????????????? ??? ?????? ?????? ?????? ??? ?????????? ??????????????, ?' ????
????????????? ?? ?????????? ??? ??? ?????????? ??????. ?? ?????? ??? ?????? ??????????????
???? ?????????? ?????????????? ??? ?????????? ?????? ??? ?? ??? ?????????, ??? ?????????????.

??? ??? ???? ??????, ?? ?????????? (???????) ?????????????:

? ???? 13, ?, ??????? ??, ?????? 3 ??? 5, ??? ????? ?????? 77/388/??? ???
??????????, ??? 17?? ????? 1977, ??? ?????????????? ??? ?????????????? ??? ??????????
?????, ??? ??????? ?? ??? ????? ?????? ?????? ????????? - ??? ?????????? ???
????????????? ????: ?????????? ?????????? ???, ??? ??? ?????? ??? ?
????????????? ??? ?? ??? ?????? ?????????? ??? ??? ??? ?????????????? ??? ??????????????????
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?????????, ??? ?? ??????? ??? ?????? ???.

(?????????)

* ?????? ??????????????: ? ????????????