

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

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

??? 18?? ??????????? 2019 (*)

«????????????? ?????????? – ?????? ?????? – ?????? 90/434/?? – ?????? 2009/133/?? – ?????? 8 – ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????????? ?????? – ?????????? ?????? ?????? ?????????? ??? ?????? ?????? – ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? – ?????????? ??? ?????? ?????? – ?????????? ?? ?????????? ?????? ?????? ?????? ?????? ?????? – ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? – ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? – ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? – ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? »

???? ?????????????? ?????? C?662/18 ??? C?672/18,

?? ?????????? ??? ?????? ?????????? ?????? ?????? 267 ????, ??? ?????? ?? Conseil d'État (????????? ??? ???????????, ??????) ?? ?????????? ??? 12?? ?????????? 2018, ?? ?????? ?????????? ??? ???????????, ???????????, ??? 23 ??? ??? 29 ?????????? 2018, ??? ?????? ??? ??????

AQ (C-662/18),

DN (C-672/18)

????

Ministre de l'Action ??? des Comptes publics,

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

????????? ??? ??? F. Biltgen, ?????? ???????, J. Malenovský ??? C. G. Fernlund (????????), ????????,

?????? ??????????: M. Szpunar

?????????: A. Calot Escobar

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

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

- ?? AQ ??? DN, ?????????????? ??? ??? M. Bornhauser ??? ?. Canetti, avocats,
- ? ?????? ????????, ?????????????? ??? ??? A. Alidière ??? E. de Moustier ??? ??? ??? D. Colas,
- ? ?????? ????????, ?????????????? ??? ??? W. Roels ??? ??? N. Gossement, ?????? ??? ????????, ??? ?????? ??? ?????? ??? ?????? ???????????, ?? ?????????? ??? ?????? ??? ????????,

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

????????

1 ?? ?????????? ?????????????? ?????????? ?????????? ?? ?????????? ?? ?????????? 8 ???
????????? 2009/133/?? ?? ???????????, ?? 19?? ?????????? 2009, ??????? ?? ?? ??????
????????? ?????????? ?? ?????????? ??? ??????????????, ???????????, ??????? ???????????,
????????? ?????????? ?? ?????????? ??? ?????????? ?????? ?? ?????????? ??????????????
????????? ?????? ?????? ?? ?? ?????????? ??? ?????????????? ?????? SE ? ??? SCE ???
?? ?????? ?????? ?? ??? (?? 2009, L 310, ?. 34), ??? ?? ?????? 8 ?? ?????? 90/434/???
?? ???????????, ?? 23?? ?????? 1990, ??????? ?? ?? ?????? ??????????? ?????????? ?? ?? ??
??????????, ??????????, ?????????? ??????????? ?? ?????????? ??????????? ?????????? ?? ?? ??
????????? ?????????? ?????? (?? 1990, L 225, ?. 1).

2 ?? ?????????? ?????? ?????????????? ?? ??????? ?????????? ???????, ??????, ??? AQ (C-
662/18) ???, ????????, ??? DN (C-672/18) ??? ?? ?????????? ?????, ??????? ?? ??
?????? ?? ?? ?? ?????, ??? ?? ?????????? ?? ?????????? ?? ??????? ?? ?? ?????? ?? ??
????????? ?????????? ?? ?????????????? ?????? ?????? 8 ??????? ?? ?? ?????????? ?? ??
?? ?????????? ?? ?????? ?????????????? ??' ??????? ?? ?????????? ?????? ??' ?????? ?? ?? ???????
????? ??????? ?? ?????????? ??????????? ???????, ?? ?????????? ??' ?????? ?? ?? ???????
????? ?????????? ?????? ?????????? ??????????? ???????.

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

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

3 ?? ?????????? ? ?????????????? ?? 1 ?? ?????? 2009/133, ? ?????? ???
????????????? ?? 90/434, ? ?????? ?? ?????? ?? ?????????????? ?? ?????????????? ??
????????? ???????????.

4 ?? ?????????? 2 ??? 5 ??? 10 ??? ?????? 2009/133 ???????????, ??'
??????, ??? ?????????? 1 ??? 4 ??? 8 ??? ?????? 90/434. ???????, ?? ??
8, ?????????? 1, 4, 6 ??? 7, ??? ?????? ?? ??? ?????? ?????? ???????????, ??' ??????, ??
????? 8, ?????????? 1 ??? 2, ??? ?????? ?? ???.

5 ?? ??? ?????????????? 2 ??? 5 ??? 10 ??? ?????? 2009/133:

«(2) ?? ???????????, ??????????, ??????? ??????????, ?????????? ??????????? ??
?????????? ??????? ?? ?????? ?????????? ??????????? ?? ??????????? ?? ??????? ??
????? ??????? ?? ?????? ?????????? ?? ?????? ?????? ?????? ?????? ??????????? ??
????????? ?? ?? ??????????? ?? ?????????? ?????? ?? ?????? ?????????? ?????? ??
????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????????? ??
????????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ???????????, ?? ?? ?? ??
?? ?????????? ?? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??
??? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????.

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

(4) ? ?????? ?????? ??? ?????? ?? ?????? ?? ?????????? ?? ??? ?????????? ?? ?????????? ???????

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

(5) ?? ?????? ?????????? ?????????? ?? ?????? ?? ?????????? ?? ?????????? ?? ??????????
????????? [...] , ??? ?????????? ?? ?????????? ?? ?????????????? ?????????????? ???
????????? ??? ?????????? ?? ?????????????? ??????????.

[...]

(10) ? ??????? ?????? ??? ?????? ??? ?????????? ?????????? ?????? ??? ??????????
????????? ?????? ?? ?????? ?????, ??????????, ?? ?????? ??? ?????? ?????? ??????
????????? ?????? ??? ?????????? ??? ??????.

6 ??? ?? ??? 2, ??????? ??, ??? ?? ??? ?????, ?? «????????? ??????»?????
«? ??? ?? ??? ?????? ??? ?????????? ?????? ?????????? ??? ?????????? ?????? ??????????
????????? ?? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ?????? ??? ??????????
?????».

7 ?? ??? 8 ??? ?????? ???????? ?? ????:

«1. ?? ??????, ??' ??????? ????????????, ?????????? ? ?????????? ???????, ??????
????????? ??? ?????????? ?????? ?????????? ??? ?????????? ? ?????????? ?????????? ?? ??????
??? ?????????? ?????? ?????????? ?????????? ?? ?????????? ?????? ?????????? ??????
????????? ?????????? ??? ?????????? ?????? ?????????? ?????, ??? ?????? ?? ??????????
?????????, ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?? ?????????? ?????? ???
?????».

[...]

4. ?? ?????????? 1 ??? 3 ?????????? ??? ?????? ?? ?????? ?? ?????????? ??? ??????
????????? ??? ?????????? ?? ??????????, ?????????? ?????????? ??? ?????? ?? ?????? ???
????? ?? ?????????????? ?????? ?????? ??? ?????? ?? ?????????? ??? ?????? ?? ?????? ???
????????? ??????.

[...]

6. ?? ?????? [?? ??????] 1 [...] ??? ???????? ?? ?????? ??? ?????????? ?? ???
????? ??? ?? ?????? ??? ?????????? ??? ?? ?????????? ?????????? ??? ?????? ???
?????????, ??? ??? ?? ?????? ??? ?????????? ??? ?? ?????????? ??? ?????? ??? ??????
????? ??? ?? ??????.

7. ?? “????????? ???”, ??? ??? ?????? ??? ?????? ??? ??????, ?????? ?? ?????? ???
????? ?? ??? ?????????? ??? ?????? ??? ?????? ?? ??????, ?????????? ?? ?????????? ??
?????????, ?? ??????, ? ?? ??????, ??? ?????? ??? ??????.

[...]»

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

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

8 ?? ?????? 150-0 D ??? code général des impôts (???????, ????????????, ???????, ??? ???: CGI), ??? ??????????????? ?? ???? ??? 2013-1278, ??? 29?? ??????????? 2013, ??? ???: ??????????????? ??? 2014, ? ?????? ??????????? ??? ????? ?? ????? ?????????????????? ??? ???: ??? ?????? ??? ??????????? ??? ??????????? ??? 1?? ?????????? 2013, ??????? ?? ????:

«1. [...]

?? ?????? ??? ?? ??????????? ??????? ?? ??????? ???????, ?????????? ???????, ???????????, ??????????? ?? ?? ???? ??????? ? ?????? ??????? ? ?????? ??????? ?? ??????? 150-0 A, ??????? I, ????? ?? ?? ??????? ??? ??????? ?? ??????????? ??????? ?? ??????? ??????? ?? ??????? ?? ??????? 7, 7 bis ??? ??? ??? ?????? ?????????? ??????? ?? ??????????? 8 ??? ??????? II ??? ??????? ???????, ??? ??????? 150-0 F ??? ??? ?????????? 1 ??? ??????? II ??? ??????? 163 quinques C ??????????? ??? ?? ?????? ??? ?????? ?? ??????? ??? ??????????? ??? ??? ??????????? ?? ?????? ??????????? ?? ??????? ???????????, ?????????? ?? ???????????, ??? ?????????? 1 ter ? 1 quater ??? ?????????? ??????.

[...]

1ter. ? ?????? ?? ?????????? ??? ?????????? 1 ?????? ??? ???:

a) ?? 50 % ??? ?????? ?? ??????? ??????? ???? ?? ??????? ?? ?? ???????, ?? ???????, ?? ??????????? ? ? ?? ?????? ??????????? ??????? ?? ??? ??? ?? ??????? ? ?? ??????? ? ?? ??????? ?? ??? ??? ?? ??????? ?? ??? ??? ?? ??????? ?? ??? ???????

b) ?? 65 % ??? ?????? ?? ??????? ??????? ???? ?? ??????? ?? ?? ???????, ?? ???????, ?? ??????????? ? ?? ?????? ??????????? ??????? ?? ??? ??? ?? ??????? ? ?? ??????? ?? ??????????? ? ?? ???????»

9 ?? ?????? III ??? ?????? 17 ??? ?????? 2013-1278 ?????? ?? ????:

«?? ?????? I ??? II ??????????? ??? ?????? ?? ??????????????? ??? ?? ?????? ?????????? ??? ??????????? ??? 1?? ?????????? 2013, ?? ??????? ?? 1° ??? 4° ??? D, ?? E, ?? ??????? ?? ??? ?? ?????? ?? ?????? ?? ??????? ?? ??????? ?? ??????? ?? ?? 2° ??? F, ?? G ??? H, ?? b ??? c ??? 1° ??? K, ?? L, ?? 1° ??? 3° ??? N, ?? O, R ??? W ??? ?????? I ??? ?? 2° ??? ??????? II, ?? ??????? ?? ??? ?? ??????? ?? ??? ??????? ?? ?????? ?? ??????? ?? ??????????? ??? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??? ?? ??????? ?? ?????? 2014. ?? M ??? V ??? ??????????? ??? ??? ?? ??????????? ??? ??????? ?? ??? ?? ??????? ?? ??? ?? ??????????? ??? ??????? ?? 31 ?????????? 2013, ? ??????? ??? ??????????? ??? ??????????? ?? ??? ??????? ?? ??? ??????? 150-0 D bis, ??? ?????? ??? ?? ?????????? ?????.»

- ?? ?????????? ??? ?????? ?????????? ??? ?????? C-662/18

10 ?? ?????? I ??? ?????? 150-0 B ter ??? CGI, ??? ??????????? ?? ?? ??? 18 ??? ?????????? ??? 2012-1510, ??? 29?? ?????????? 2012, ??? ??? ?????????? ??? 2012, ?? ??? ?? ?????????? ??? 14 ?????????? 2012, ?????? ?? ????:

«? ?????????? ??? ?????????? ??? ???????????????, ??? ?????? ??? ?????????? ???????, ??? ?????? ?????????? ??? ??????? ?? ??????? ?? ??????? ???????, ??? ?????? ??????? ?? ??????? ?? ??????? ?? ??????? ???? ???????, ??? ?????????? ??? ?????? 150-0 A, ?? ??????? ?????????? ??? ??????? ?? ??????? ?? ?????? ?? ??????? ?? ?????? ?? ??????????? ?? ?? ?????????? ??? ??????? ?? ?????????? ??? ?? ??????????? ?? ??????? ?? ?????????? ??? ??????? ?? ?????? ??? ?????????? ??? ?????? III ??? ??????? ?????? [...]».

11 ?? ?????? 200 ? ??? CGI, ??? ?????? ?????????? ??? ?????? 34 ???

???????????? ???? 2016-1918, ??? 29?? ?????????? 2016, ??? ??? ?????????????? ???
2016, ?????? ?? ????:

«[...]»

2. ?? ?????? ?????? ??? ?????????? ??? ??? ?????????? ??? ??? ?????? 150-0 ?
????????????? ??? ??? ??? ?????????? ??? ?????????? ?????????? ?????????? ??? ???
??? ??? 158.

[...]

2ter. a. O? ?????????????? ??? ?????? | ??? ?????? 150-0 B ter ?????????? ?????????? ???
???? ?????????? ?? ?????????? ??? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ????:

– ??? ????????, ??? ?????????? ??? ?? ?????????? ??? ????????, ??????, ???
????? ??? ?????? ??? ?? ??????????, ?? ??? ?? ????????, ??? ??? ?? ????????, ??? ??? ?????? ???
????? 197 ??? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????????? ??? ?????? ???
??? ??????? ?????????? ??, ??? ??? ??? ?????????? ??? ?????????????? ??? ?????????????? ?? ??? ??
????? ??? ??? ??? ?????????????? ??? ?? ??? ?????? 197 ???, ????????, ??? ?????? ??? ???
??? ?????????? ?? ??? ?? ??? ??? ?????????? ??? ??? ?????????????? ??? ??? ?????????????? ??? ?? ???
????? 197?

– ??? ????????????, ??? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????????????? ???
??? ?????? ?????? ??? ?????????? ?????????? ?? ??? ?????????? ??? ?????? ??? ?????? ???
??? ?????? ?????????? ??.

??? ??? ?????????? ??? ?????????? ??? ?????????????? ??? ?????? ?????? ??? ??????
????????? ??, ?? ?????????? ??? ?????????????? ??? ?????? ?????? ?????? ?????????? ???, ???
????????? ?? ??? ?????? ?????? ??????????????, ?????? ??? ?? ?????????? ??? ?????????????? ???
????? 150-0 D, ?????????? 1.

???? ??????????, ? ?????????? ?????????????? ??? ??? ?????? ??? ?????? ?????????? ???
??? ?????? ?????? ??? ?????????????? ?????? ??? 14?? ?????????? ??? ??? 31??
????????? 2012 ?????????? ??? ??? 10, ?????? IV, A, ??? ?????? 2012-1509
??? 29?? ?????????? 2012 ??? ??? ?????????????? ??? 2013.

[...]»

12 ??? ?????? ??? ?????? 10, ?????? IV, A, ??? ?????? 2012-1509, ?? ?????????? ???
????????????? ??? 150-0 B ter, ?????? |, ?? ?????? ?????????? ??? ??????
????????? ??? ?????????? ??? 14?? ?????????? ??? 31?? ?????????? 2012 ???
????????? ??? ??? ???' ?????????? ?????????? 24 % ?, ??? ?????????? ??? ??
????????? ??? ?????????? ??? ?????????? ??? ?????? 200 A, ?????????? 2 bis, ??? ?????????????? ??
??? ?? ??? ??? ??, ?? ??? ???' ?????????? ?????????? 19 % ? ?????? ?????????? ??? ?? ??
????????? 2 bis.

13 ??????? ??? ?????? 17, ?????? III, ??? ????? 2013-1278, ?? ??????? ?????? ???
????????? ?????? ??? ???????????? ??? ?????? 150-0 D, ?????????? 1 ter ??? 1 quater, ???
CGI, ?? ?????? ??? ?????????????? ??? ??? ?????? ?????? ??? ?????????????????? ???
??? ?????????? ??? ?????? 150-0 A ??? ?????? ?????? ??? ?????????? ?????? ??? ???
????????? ??? ?????????? ?????? ?????????? ??? ?????????? ?????? ?????????? ?????? ???
??? ?????? ?????????? ??? ?????? 200 A, ?????????? 2, ?????????? ??? ???
????? ??? ?????????? ??? 1?? ?????????? 2013.

- ? ?????????? ?????? ?????????? ??? ?????? C-672/18

14 ?? ??? 92 ?, ??? CGI, ?? ??? ??? ?????? ???
????????????? ??? 1? ?????????? 2000, ????:

«1. ??? 1?? ?????? 1992 ? ??? 1?? ?????? 1991, ?? ??? ??? ?????? ???
????????? ?????? ??? ?????? ???, ? ?????????? ??? ?????????? ??? ?????????? ???
????????? ?????? ??? ?????? ?????????? ??? ?????? ?????? ?????????? ???, ??????????
????????? ?????? ??? ?????? ?????????? ??? ?????? ?????? ?????????? ??????????
????????? ?????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ??????
????? ??? ?????? ?????????? ??? ?????? ?????? ??????, ?????? ?? ?????????? ?????? ??
????? ??? ?? ?????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??
????? ??? ?? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? [...]».

15 ?? ?????? I ter ??? ?????? 160 ??? ?????? ????, ??? ?????? ??? ?? ?????????? ???
????????????? ??? 1? ?????????? 2000, ????:

«4. ? ?????????? ??? ?????? ??? 1?? ?????? 1991 ?? ??????????
????????? ?????? ??? ?????? ?????????? ??? ?????? ?????? ?????????? ???, ??????????
????????? ?????? ?? ?????? ?????????? ??? ?????? ?????? ?????? ?? ?????????? ??? ???
????????? ??? ?????????? ??? ?????? 92 B, ?????? II [...]».

16 ?????? ??? ?????? 200 A, ?????????? 2, ??? ?? ??? ?????, ?? ??? ??? ??
????????? ??? ?????????? ??? 1?? ?????????? 2013 ?????? ?????????? ??? ??
??? 2012-1509, ?? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ??
????????? ??? ?????? 150-0 A ?????????? ??? ?????? ??? ?????? ?????? ??? ??
????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??????????.

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

17 ??? ??? ?????? 130 ??? ?????????? ??? ?????? ??? ?????????? ??? Bulletin
officiel des finances publiques [????? ??? ?????? ??? ?????? ???] ??? 24 ??????
2017, ?? ??? ?????? BOI-RPPM-PVBMI-20-20-10 (??? ????: ?????????? 130 ???
????????? ???):

«[...] [?] ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? [...] ??? ?????? ??? ?????? ?????? ???, ?????? ??? ?????? ???
????????? ??? 1? ?????? 2013 ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 92 B, ?????? II, ???
????? 160, ?????? I ter, ??? CGI ??? ??? ?????? 150 A bis ??? CGI, ?? ?????? ??? ??? 1?
????????? 2000 [...]».

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

18 ??? ??? ?????? C-662/18, ??? ?? ?????????? ??? ??? ?????? ??? ?????? ??? ??

????????? ?????????? ???, ??? ??????? ??????? ?????????? ??????? ??? 14 ???????????
2012, ? AQ ??????? ?? ?????? ??????? ??????? ??????? ??? ??????? ?? ??? ??????
????????? ???????, ?? ?????????? ??????? ??????? ??? ??????? ??????????. ??? ??? AQ, ?
?? ??? ?????? ?????????? ??????? ??? ??????? ?????? ?????? ?????????? ??????? ???
????????? ??? ?????????? ??????? ??? ??????? ?????? ?????????? ???????. ??' ?????????? ??? ??????
?????, ?????????? ??? ??? ??????? ??? ??????? ?????????? ??? ?????????????? ??????????
????????????? ??? ??? ??? ?????????????? ??? ?????? ??? ??????? ?????? ??? ?? ??? ??????
??????, ?????????? ??? ??? ??????? ??? ??????? ??? ??????? ??????. ??? ?? ?????????? ??? 2015,
????????? ??? ?? ?? ?????????? ?????? ??? ??????? ??? ?????? ??? ?? ??? ??????? ??
????????? ??? ??? ?????????? ???????????, ? ?????????? ??? ??? ??? ?? ?????????? ???
???? ?????????? ??? ?? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ????????????

19 ?????????? ??? ?? ?????????? ???????, ??????? ??? ?????????? 130 ???
????????? ???, ? ??????? ??? ??? ??????? ??? ?????? ?????????? ?????????? ???
????????? ???, ??? ??? ??????? ??? ??????? ??? ?????? ??? ?? ?????????? ???
????? ??? ?????????? ??? ??????? ??? ?????? ??? ??????? ??? ?????? ??? ?????? ?? ???
????????? ? ?????????? ??? ??????? ??? ??????? ??? ?????? ??? ?????? ??? ?????????? ???????
??? ??? ?????????? ??? 1?? ?????????? 2013 ????????. ????????, ? ??????
????? ??? ?????????? ??? ??????? ??? ??????? ??? ?????? ??? ?????????? ?????? ??? ???????????
????????? ??? ?????????? ??? ??????? ??? ??????? ??? ?????? ??? ?????????? ???
????????? ??? ?????????? ??????. ??????? ?????????? ??? Conseil constitutionnel
(????????? ???????????, ?????), ? ?? ??? ???????, ??? ??? ?????? ??? ???????
????? ??? ?????????? ??? ???????, ??? ???????, ?? ???????, ?? ??? ?????????? ??? ??????????
??? ?????? ??? ?????????? ??? ???????, ??? ???????, ?? ??? ?????????? ??? ??????? ???
2012.

20 ??? ?????? C-672/18, ??? ?? ?????????? ??? ?????? ??? ??????? ??? ?????????? ??? ??
????????? ???, ??' ??????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???
?????? ??? 1998, ? DN ???, ??? ?????????? ??? ?????? ???, ?????? ??? ?? ???
????????? ??? ??????? ??? ?????????? ??? ??????. ??? ?? ?????????? ???, ?????????? ??? ??????
??? ??????? ??? ??????? ??? ?????????? ??? ?????? ??? ??????? ??? ?????? ??? ??????????
?????. ??? ?? ?????????? ??? 2016, ? ?????????? ??? ?????????? ??? ?? ??????????
????????? ??? ??????? ??? ?? ?????? ??? ?????? ?????????? ??? ?? ???????, ? ?????????? ???
??? ?? ?????????? ??? ??????? ??? ?????? ??? ?? ?????????? ??? ?????????? ??? ?? ??????????
????? ???????????.

21 ?????????? ??? ?? ?????????? ???????, ??????? ??? ?????????? 130 ???
????????? ???, ? ??????? ??? ??? ??????? ??? ?????? ??? ?????????? ???
????????? ???, ??? ??? ??????? ??? ?????? ??? ??????? ??? ?????? ??? ??????? ??? ?????????? ???
??? ??????? ??? ??????? ??? ?????? ??? ??????? ??? ?????????? ??? ?????? ??? ?????????? ???
????? ?????????? ??? ?????? ??? ??????? ??? ?????? ??? ??????? ??? ?????????? ??? ??????
????????? ??? 1?? ??????? 2013. ???????, ? ?????? ??? ?????? ??? ??????? ???
?????? ??? ?????????? ?? ?????????? ?????? ??????? ?????????? ?????????? ??? ??????? ??
????????? ??? ?????????? ??? ??????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ???
??????.

22 ?????????? ??? ? ?????????? ?????????? ??? ??????? ??? ?????? ??? ?????? ??? ?? ??? ?????? ???
130 ??? ??????? ??? ?????? ??? ?????? ??? ?????? ??? 2009/133 ??? ??? ??? ???? ?? ??? ???? ?
8, ? AQ ??? ? DN ?????? ??????? ?????? ??? Conseil d'État (?????????? ???
??????????, ?????), ?? ?????? ??? ??????? ??? ??? ?????? ?????? 130. ??????? ???,
??? ??? ?????????? ???, ? ??????? ??? ?????? ??? ??????? ??? ?????? ??? ?????? ?????? ??????????
?? ?????? ??? ?????????? ??? ?????? ??????? ?????? ?????? ?????? ?????? ?????? ???????

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

23 ?? ?????? ?????????? ???????????, ???' ??????, ??? ? ?????? ??? ?????? ??? ?????? ???
??????, ??? ?????????? ??? ?????? 8 ??? ?????? 2009/133, ?????? ?????? ??? ??
?????? ??? ?????? ??? ?????????? ??? ?????? ???.

24 ??? ??? ?????? ??????, ?? Conseil d'Etat (????????? ??? ??????????) ??????????, ??
????????? ??? ?????????? ??? ?????? ???, ?? ?????????? ?? ?????????? ??? ??
??? ??????????, ?? ?????? ??? ??????, ?? ??? ?????????????? ??????????, ?? ?????? ???
?? ???:

«1) ??? ?? ?????? ??? ?????? 8 ??? ?????? [2009/133] ??? ?????? ??? ??????????
?? ?????????? ? ?????? ??? ?????? ?????????? ??' ?????? ??? ??????????
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ? ?????? ??? ?????? ??? ??????
????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????????? ??? ??????;

2) ??? ?????? ?????????? ?? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ?? ??
????????? ??? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?? ?????? ?? ??? ?????? ?????????? ?? ?????? ??? ?????? ??? ?????? ??? ??????
??? ??????, ?????????? ??? ?????? ??? ? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ??????;»

25 ?? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? 14? ?????? 2018, ?? ?????????? C-
662/18 ?? C-672/18 ?????? ??? ?????? ?????? ??? ?????? ??? ?? ??????????.

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26 ?????????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? C-
662/18, ? AQ ?????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ????, ??? ??? ?????? ??? ?????? ??? ?????? 2009/133, ?????? ??? ??
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ??????.

27 ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ???' ??????, ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

28 ?????? ?? ?????????? ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ??????.

?????????????? ?????????? ?? ??????????? ????, ?????? ?? ??????????? ?????????????? ???
????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ???
??????, ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ??????
??? ??????? ??????????, ? ?????? ???????, ??? ?????????? ??? ?????? ?????? ?????????? ??? ??????
????????????? ??? ?????????? ??? ?????? ?????? ???????, ?????? ?????????? ??? ?????? ??? ??????
??? ?????????? ?? ?????? ??? ?????? (??????? ??? 22?? ?????? 2018, Jacob ??? Lassus,
C?327/16 ??? C?421/16, EU:C:2018:210, ??? 33 ??? ??? ?????????????? ??????????).

29 ???????, ?? ?????????? ??? ?????? ?? ?????????? ??? ?????????? ?????????? ??? ?????? ???
???? ?????????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ??????
????????? ?? ??????????, ??? ?????? ??? ?????? ??? ???????, ??? ?????????? ?????????? ??? ??????
??? ?????????????? ??? ??? ?????????? ?????? ??? ?????? ??? ?????? (????. ??????????
??? 11?? ?????? 2001, Adam, C?267/99, EU:C:2001:534, ?????? 27 ??? 29, ?????? ???
??? 7?? ?????? 2018, C ??? A, C-257/17, EU:C:2018:876, ??? 33 ??? ???
????????????? ??????????).

30 ???????, ?? ?????? ???????????, ?????????? ?????????? ?????????? ??? ?????????? ???
?????? ??? ?????????? ?????????? ?????????? ? ?????? ??? ?????? ??? ?????? ??? ??????,
????????? ??? ??? ?????????? ??? ??? ?????? ??? ?????? ?????????????, ??? ??????????
????????????? ?????????? ??? ?????? (????????? ??? 22?? ?????? 2018, Jacob ???
Lassus, C?327/16 ??? C?421/16, EU:C:2018:210, ??? 34 ??? ??? ??????????????
?????????, ??? ??? ??? 7?? ?????? 2018, C ??? A, C-257/17, EU:C:2018:876, ??? 32
??? ??? ?????????????? ??????????).

31 ?? ????????, ??????, ?????????????? ??? ?? ?????????? ?????????? ?????????? ???
????????? ?????????? ??? ?????? ??? ??????. ???????, ??? ?? ?????????? ??? ?????? ???
????????? ??? ?? ?????????? ?????????? ??? ?? ?????? ?????????? ??? ?????? ?????????? ???
????????? ??? ?????? ???, ? ?????? ?????????? ??? ??? ?????? ?????????? ??? ?????? 90/434, ?
????? ?????????????? ??? ??? ?????? 2009/133, ??????????????, ??? ?????? ??? ??????
??? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????? ?????????? ??? ??????
????? ??? ?????????? ??? ?????? ??? ?????????? ???.

32 ???????, ?????????????? ??? ?? ?????? ?????????? ?????????? ?????????? ???
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33 ???' ????, ?????????????? ???, ??????, ?? ?????? ?????????? ?????????? ?????????? ??????????
??? ?????? 2009/133 ? ??? ?????????????? ??? ?????? 90/434. ??????????, ?????????? ???
? ?????? ?????? ?????????????? ??? ?????? C?672/18 ?????? ??? ?????? ?????? ?? ??? ?
????? ??? ??? ?????? ???, ?????? ?? ?????? ?????? ???, ?? ??? ?????????? ???, ?? ??????
????????? ??? ?? ?????? ??? ?????????? ??? ?????? 2009/133 ??? ??? ???
????? 90/434.

34 ???????, ??? ?????????? ??? ?? ?????? 3 ??? 4 ??? ?????? ?????????? ??? ??
????? ?????? ??? ?????? ??? ?????? ??? ?? ?????????? ??? ?????? 2009/133 ??? ???
????????? ?? ?????????? ?????? ?????????? ??? ?????? ?????? 90/434. ??????????,
??????, ?? ???????, ??? ?????? ??????, ??? ?????? 8, ?????????? 1, 4, 6 ??? 7, ???
????? 2009/133 ?????? ?? ?????? ??? ?????? 8, ?????????? 1 ???
????????? 2, ??? ?????? ??? ?????? ??????, ??? ?????? 90/434. ?????????, ? ?????????? ???
????????? ??? ??? ??? ?? ?????? ??? ?????? ?????????? ?????? ??? ??? ???.

35 ??????, ??? ??? ?????? ??? ?????????? ?????? ??? ?? ?????? ??? ?????? ???

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

36 ????????, ??? ?????? ?? ?????? ?????? ???, ?? ?? ?????????????? ??????????, ?? ??????
?????? ?? ?????????? ??? ??????, ?? ?????? ?????????? ???, ???' ??????, ??
????????????? ?? ?? ?????? 8, ?????????? 1 ??? 6, ??? ?????? 2009/133 ??? ?? ?????? 8,
????????? 1 ??? ?????????? 2, ?????? ??????, ??? ?????? 90/434 ?????? ??? ?????? ???,
??? ?????? ?????? ?????????? ??????, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??
???? ?????????? ?????? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
???? ?????????? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
??? ?????????? ?? ??????????, ??? ?????? ?????????? ??????????????, ??? ?????? ??? ??
??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?? ?????? ?????? ??? ?????? ??? ?????? ??? ??????, ?? ?? ?????????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

37 ?????????? ? ?????????? ???, ??? ?????????? ??? ?????? ??????, ???
????????????? ??? ?? ?????????????? ?????????????? ?????????? ??? ?????? ?????? ???
????? ?? ?????????? «????????? ???» ?????????? ??? ?????? ??? ?????? ?? ?????????????? ???
????? ?????? ??? ?? ?????? ?????? ?????????? ?????????? ? ??? ? ?? ?????? ?????????? ???
??? ?????????? ?????? ?? ?? ?????? 8, ?????????? 7, ??? ?????? 2009/133. ???????,
???? ?????????? ??? ?? ?????? 8, ?????????? 4, ??? ?????? ???, ?? ?????? ??? 8,
????????? 1, ??? ?????? ??? ?????? ??? ?????? ???.

38 ??? ?? ?????? 8, ?????????? 1, ??? ?????? 2009/133, ? ??????, ??' ??????
????????????? ? ?????????? ???, ??? ?????? ?????????? ??? ?????????? ?????????? ???
????????? ? ?????????? ?????????? ?? ?????? ??? ?????????? ? ?????????? ?????????? ???,
????????? ?????? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ?????? ?????????? ???,
??? ?????? ?? ?????????? ???, ??? ???' ??????, ??? ?????? ?????????? ??? ?????????? ???,
????? ?? ??? ?????????? ??? ?????? ???.

39 ????????, ? ?????????? 6 ??? ?????? 8 ??? ?????? ?????? ?????? ?????????? ??? ?
????????? ??? ?????????? 1 ??? ?? ?????? ?????? ??? ?????????? ?? ?????? ??? ??
????????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?? ?????????? ??????????
??? ?????? ??? ??????????, ??? ?????? ??? ?????? ??? ?????????? ??? ?? ?????????? ???
????? ??? ?????? ??? ?????? ???.

40 ????????, ?? ?????????? ??? ?????? ???, ?????? ?? ?????? 8, ?????????? 1, ???
?? ??? ?????? ?????????? ?? ?????????? ?????????? ?????????? ??? ?????? ?????? ??????????
??????, ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???' ??????, ??
????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???'
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
????? ??? ?????????? (????. ?????? ??? 22? ?????? 2018, Jacob ??? Lassus, C?327/16
??? C-421/16, EU:C:2018:210, ?????? 50 ??? ?????? ?????????? ??????????).

41 ????????, ?? ?????????? ??? ?????? ?????????? ???, ?????? ?? ?????? 2009/133 ???
????????? ?????????? ??? ?????? ?? ?? ?????????? ?????? ??? ?????? ?????????? ??? ??
????????? ??? ?????? ??? 8, ?? ?????? ??? ?????? ?????? ???, ?????????? ??? ?????? ??? ?????? ???.

????????? ?????????? ?????????? ?????? ?????? ??? ?????????? ????? (????. ??????? ?? 22??
??????? 2018, Jacob ??? Lassus, C-327/16 ??? C-421/16, EU:C:2018:210, ??????? 51 ??? 52
????? ??? ??? ????? ?????????????? ??????????).

42 ??? ?????????? ????, ?? ?????????? ??? ????? ?????????? ??? ?????? ??? ?????????? ???
????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?
????? ?? ?????? ?????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?
????? ??? «?????» ? ?????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?
????????? ?????????? ????, ?? ?? ??????, ?? ?????????? ??? ?????? ??? ?????? ?????? ??? ?
????????? ?????????? ????, ?????????? ??? 8, ?????????? 6, ??? ?????? 2009/133,
????????? ??? ?????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ?????? ?????????? ??
????? 8, ?????????? 1, ??? ?????? ????, ?????? ??? ? ?????? ?????? ??? ?????? ?????? ??? ?
????? ?????????? ?????? ?? ?????????? ??? ?????? ??? ?????? ?????? (????. ??????? ?? 22??
??????? 2018, Jacob ??? Lassus, C-327/16 ??? C-421/16, EU:C:2018:210, ??????? 54 ??? 55).

43 ? ???????, ????, ?? ?????????? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???
????????? ?? ??? ?????????? ?????? ??? ?????? ?????????? ???' ?????? ??? ? ?????????? ???
??? ?????????? ?????? ?????? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ?????? ???
????????? ??? ?????? ?????? ?????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ?? ??????????. ???????, ?? ??? ?????? ?????????? ??? ?????? ?????? ?????? ??????????
????????? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???,
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???
????????? ?? ??? ?????? ?????? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ???
????????? ??? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

44 ???????, ?????????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ?????????? ???
????????? ?? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ???' ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? 8, ?????????? 1, ??? ?????? 2009/133.

45 ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?????????, ??? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? 8, ?????????? 6, ??? ??????
2009/133, ?? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
?????????. ???????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ???, ??????????, ? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ??? ?????????? ??? ?? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

46 ? ??????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?? ?????? 8, ?????????? 6, ??? ?????? 2009/133, ?????????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

?????????? ??????.

47 ?????????????? ?????? ??? ??????? ??? ??????? ???????, ??? ??????????????
????????????? ?????????? ?????????? ? ?????????? ??? ?? ????? 8, ?????????? 1 ??? 6, ???
?????? 2009/133 ??? ?? ????? 8, ?????????? 1 ??? ?????????? 2, ??????? ??????, ???
?????? 90/434 ?????? ?? ?????????? ??? ??? ?????? ???, ??? ?????? ??????
????????? ??????, ??????? ??? ?????????? ??? ?????? ?????????? ?? ????? ??????????????
????????? ?????????? ? ?????? ??? ?????? ??? ?????????? ?????????? ??? ?????????????? ???
??? ??? ??? ?????????? ??? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??
????????? ??? ?????? ?????????? ??????????????, ??? ?????? ?? ?????? ??? ?????? ??? ??????????
????????? ??? ?? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ?? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????

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48 ?????????? ??? ? ??????? ?????????? ??? ?? ??? ?????? ??? ?????????? ??? ?????? ???
??? ?????????? ?????????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???, ?' ???
????????? ?? ?????????? ??? ??? ?????????? ??????. ?? ?????? ??? ?????? ??????????????
???? ?????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????????.

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

?? ??? 8, ?????????? 1 ??? 6, ??? ?????? 2009/133/?? ??? ??????????, ??? 19??
????????? 2009, ??????? ?? ?? ?????? ?????????? ?????????? ?? ?????????? ???
????????? ???, ??????????, ?????? ??????????, ?????????? ?????????? ???
????????? ??? ?????? ??? ?????? ?????????? ?????????? ?????????? ?????? ?????? ???
?? ?? ?????????? ??? ?????????? ?????? ??? SE ? ??? SCE ??? ?? ?????? ???
?? ???, ??? ?? ????? 8, ?????????? 1 ??? ?????????? 2, ??????? ??????, ???
?????? 90/434/?? ??? ???????, ??? 23? ?????? 1990, ??????? ?? ?? ???
????????? ??????? ??? ?????? ??????????, ??????????, ?????????? ??????????
??? ?????????? ??? ?????? ??? ?????? ?????????? ?????????? ?????? ???,
????? ??? ?????? ???, ??? ?????? ?????? ?????????? ?????????? ???, ?????????? ???
????????? ??? ??? ?????????? ?? ??? ?????? ?????????? ?????????? ?????? ?????????? ? ???
????? ??? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ?????? ??? ??? ??? ??????????
??? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ?? ?????????? ???,
????? ?????????? ??????????, ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??? ??????????
????? ? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ??????????
????? ?????????? ??? ?? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ??????????
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(?????????)

* ?????? ??????????: ? ??????.