

@import url(../../../../css/generic.css); EUR-Lex - 61985J0353 - EL

Avis juridique important

/

61985J0353

?????? ?? ??????????? ?? 23?? ?????????? 1988. - ??????? ?? ??????????
?????????? ?? ?????????? ?????????? ?? ??????? ?????????? ?? ??????? ??????????. -
????? ?????????????? ?? - ????? ?? ?????????? ?? ??????? ?? ??????? ??????????
? ?????????? ?????? - ?????? 353/85.

?????? ?? ?????????? ?? ?????????? 1988 ?????? 00817

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

?????? ???

++++

?????????? ?? - ?????????? ?? ?????????? - ?????? ?????? ?????????? - ?????
?????? ?? - ?????????????? ?? - ?????????? ?? ?????????? ?? ??????? ?? ??????? -
????????? ?? ?????? ?????????? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ??
????????????? ?????????? - ?????????? ?? ?????? ?? ?????????? ?? ?????????? ?? ???????
????????? - ?????????? ?? ??????????

((?????? ?? ?????????? 77/388, ?????? 13, ?????? ?, ?????????? 1, ?????????? ?)))

???????

? ???? 13, ?????? ?, ?????????? 1, ??????????), ??? ?????? 77/388, ??????? ?? ??
????????? ?? ?? ????? ?????????? ?? ?????? ??? ?????? ?????????? ?????????? ??
????????????????? ?? ?????? ??? ?????? ?????? ?????? ?????????? ?? ?????????????? ??????????????, ??
????? ?? ?????????? ?? ?????? ?????? ?????? ??? ?????????? ?? ?????????? ?? ?????????????? ?? ??
??? ?????????? ?? ?????? ?????????? ?????? ??? ?????? ?????????? ?????????? ?? ?????????????? ?? ??
??????, ??? ???????, ??? ?????? ?? ?????????? ?????? ??? ?????????? ?? ?????????? ?? ?????????? ??
?????????, ??? ?????????? ?? ?????? ?????? ??????, ??? ?? ?????????? ?????? ??? ?????????? ??
?????? ? ?????? ? ??? ?????????? ?????? ?????? .

???????

???? ??????? 353/85,

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

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

????

S . J . Hay, Treasury Solicitor, D . Vaughan, QC, 28, boulevard Royal,

?????

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

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

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

????????? ?????????????? ; G. F. Mancini

?????????? : D. Louberman. ?????????? ???????????

????????? ?????? ??? ??????? ??? ??' ?????????????? ??????????, ???? ?????????????? ???? ???
?????????? ??????????? ??? 8?? ??????? 1987.

???? ?????? ?? ?????? ??????????? ??? ??????? ?? ?????????? ??? ??????? ?? ?????? ?? ???????????
?? 7?? ?????? 1987.

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

???????

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

1 ?? ?????????? ??? ??????? ??? ?????????? ??? ?????????????? ?? 19? ?????????? 1985, ?
????????? ??? ?????????? ?????????? ??????, ?????? ??? ?????? 169 ??? ?????????? ???,
????????? ?? ??? ?????? ?????? ?? ?????????????? ??? ?? ?????? ?????????? ??? ??????
????????? ??? ?????? ?????? ??????, ?????????????? ??? ?????????? ??????, ?????? ???
??? ?????????? ??? ?????? ??? 1983 ??? ?? ?????? ?????????????? ???, ?????????? 6,
????????? 7 (???), ??? ?????? ??? ?????? ??? ?????? 13, ?????? ?,
????????? 1, ??????), ??? ?????? 77/388, ?????? ??? ?????????? ??? ?????? ???
?? ?????? ??? ?????? ??? ?????????? ??? ?????????? ?????????? .

2 ?? ??? 13, ?????? ?, ?????????? 1, ??? ?????? 77/388 ??? ??????????, ??? 17? ???
1977, ??? ?????????? ??? ?????????? ??? ?????? ???, ??? ?????????? ?? ??? ??????
????? ?????? - ??? ?????? ??? ?????????????? ??? : ?????????? ??????????
????, ?? ??? . ??? . 09/001, ?. 49 (??? ??? : ??? ?????), ?????? :

"?? ??? ?????????? ??? ?????? ?????????? ??????????, ?? ?????? ??? ?????????????, ??? ??
????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??????????,
????????? ??? ?????? :

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

?) ?? ?????????? ??? ??? ?????? ??????????, ?????? ??? ??? ?????? ?????????? ??
????? ??????, ?? ?????? ?????????? ??? ?????????? ?????? ?????? ??? ???
????????? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??????, ???
????????? ??? ??????, ?????? ?????? ?????????? ??? ?????? ??????, ?????? ??? ??? ???
????? ??? ??? ?????? ??????, ?????? ?????????? .

?) ??? ?????? ?????????? ??????????, ?? ?????? ?????????????? ??? ?????? ???
????????? ?????? ??? ?????????? ?????? ?????????? ?????? ?????? ?????????? ??? ??
????????? ?????? ???

?) ??? ?????????? ?????????? ?????? ??? ?????? ??? ??????

?) ??? ?????? ??????????, ?? ?????? ?????????????? ??? ?????? ??? ?????????? ???
????? ??? ?????????? ???, ?????? ??? ??? ?????????? ??? ?????? ?????????? ??????????
??? ?????????????? ??? ??? ?????????? ??? ?????? ?????????? .

(??????????) ..." .

3 ?? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?? ?? Value Added
Tax Act ?? 1983 ?? ???????, ?????? ???, ??? ?????? ??? ?? ??? ?? ??????????
????? . ? ?????? 7 (???) ??? ?????????? 6 ?????????? ??? ?????? ??? ??
????????? ?????? :

"1) ??? ?????? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ? ?????????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? :

?) ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????????? ???

?) ??? ?????? ??? ??????????

?) ??? ?????? ??? ?????? ??? ?????????-????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ?????? ??????, ?? ?????? ?????? ?????? ??? ??? Opticians Act ?? 1958,
????? ?????? ?????????? ??? ?????????? ???' ?????? ??? ?????? 4 ??? ?? ??? ?????? ???
????? ?????? ??? ?????? ??? ?????????? ?????? ?????????? ?????? ??? ?????? ???

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

?) ??? ????? ?? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??

Professions Supplementary ??? Medicine Act ??? 1960

?) ??? ????? ?? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??

?????? ??? ????? ?? ??? 10 ??? Nurses, Midwives and Health Visitors Act ??? 1979

??) ??? ????? ?? ????? ?? ??????? ??? ??????? ??? ??????? ??? ????? ?? ??? 41 ???

Dentists Act ??? 1957

?) ??? ????? ?? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??

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

???? ?? ????? 2 ??? Hearing Aid Council Act ??? 1968 ."

4 ???' ??????? ?? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??

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

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

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

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

5 ??????? ?? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ???????

??? ??? ??????? ??? ???, ??????? ?? ??? 13, ??????? ?, ??????? 1, ??????? ?), ???

????? ???????, ? ??????? ?? ??????? ??? 3?? ??????? 1982 ??????? ??? ???????

??? ??????? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? 169, ???

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

6 ??????? ?? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ???????

??? ???????, ??? 14 ??????? 1984, ??????? ???, ???' ??????? ??? ??????? 169,

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

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

7 ?? ??????? ?? 8?? ??????? 1984, ? ??????? ??????? ??? ??????? ??? ??????? ??? ??????? ??? .

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

8 ??? ??????? ?? ??' ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ???

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

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

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

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

9 ? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??? ???

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

10 ???????, ? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ???

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

??? ??????? ??? ??????? ??? ??????? ??? ??????? 7 (???) ??? Value Added Tax Act

??? 1983 ? ??????? ??? ???????, ? ??????? ??? ??????? ??? ??????? ??? ??????? ???

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

11 ???????, ? ??????? ??? ???????, ?????? ?????? ??????? ??? ??????? ??? ??????? ??? ??????? ???

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

13, ??????? ?, ??????? 1, ??????? ?), ??? ??????? ??????? ??? ??????? ??? ??????? ???

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

?????????? ??? ??????? ??? ??????? ??? ??????? ??? "???????" ??? .

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

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

13 ? ??????? ?????????? ??? ?? ?????????? ??? ??????? ?????? ?????? ??
????????? ?????? ??? ?????? 13, ?????? ?, ??????? 1, ?????? ?), ??? ?????? ??????.
??????, ? ??????? ?????? ?????? ?? ?????? ??? ??????? ?????? ?????? ??????????
??? ?????????? ?????????? ??????, ????, ??? ???? ???, ??? ?????? ??
????????? ??? ?? ??? ??' ??????? ??? ?????? 13, ?????? ?, ??????? 1, ?????? ?).
??????, ? ?????????? ?????? ?? ?????? ??? ?????????? ??? ?????? ?????? ??????????
?????? ??? ?????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????
????? .

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

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

16 ??? ?? ?????????? ??? ?????? ???, ??? ?? ?? ?????? ?????????? ??? ?? ?? ??
????????? ???, ? ?????? ??? ?????? ?? ?????? ?????????? ??? ?????? ???, ??
????????? ??? ? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? 13, ??????
?, ?????????? 1, ?????? ?), ??? ?????? ??????, ??? ???? ?? ?????? ??? 1983 ???
????????? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ?????????? ??? ?? ?? ??,
????????? ??? ?????? ?????????? ??????, ?? ?????? ???, ??? ?????? ??? ?????????? ???
????????? ???, ??? ?????? ???' ?????? ?? ??? "?????? ?????? ?????? ". ???
??? ?? ? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ???, ?????????, ?????????? ??? ?? ?????? ??? ?????? ??? ?????????? ??
?????????, ?????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???
???? ?????????? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? .

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

18 ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? .

19 ??????, ??? ?? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? 169 ??? ?????? ???, ?? ?????? ?????? ??? ?????? ??? ?? ?????? ??
????????? ?????? ??? ?????? ??? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?? ?? ?????? ??? ?????? ??? ?????????? ??? . ?? ? ?????? ???
????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? .

??? ?????????????? ??? ?????????? ? ?????????????? ???, ?????????? ?????????????? ??? ?????? ???
????????????? ??? ?????? ?? ?????????? ??? ?????? (??? ?????? ?????????? ??? 27?? ???
1981, Essevi ??? Salengo, 142 ??? 143/80, ??????? 1981, ?. 1413, ??? 15?? ?????????? 1982,
????????? ??? ??????, 211/81, ??????? 1982, ?. 4547, ??? 31?? ?????????? 1984, ???????
???? ??????????, 74/82, ??????? 1984, ?. 317, ??? 18?? ??????? 1986, 85/85, ?????????? ???
????????, ??????? 1986, ?. 1149). ?? ??????? ??? ?? ?????????? ??? ?????????? ?????????? ??
????????????? ??? ?????????? ??? ??????????????, ??? ??? ?? ?????????????? ???
????????????? ??? ?????????? ??????????, ??? ? ?????? ??? "????????? ??????????" ???
?????? 13, ?????? ?, ?????????? 1, ??????? ?), ??? ?????? ?????????????? ???
????????? ??? ?????? ?? ?????? ?????????? ??? ?????? ?????????????? ??? ??????????, ???
????? ?? ?????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????????
?? ?????? ?? ?????? ??? ?????????? ???' ?????? ?? ??? ?????? ?????????? ? ?????????? ??
????????? .

20 ????????, ? ??????? ?????????????? ??? ?????????? ? ?????????? ??? ?????????? ?????????????
?????? ?? ?????????? .

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

21 ?? ??????? ?????????? ?? ?????????? ??? ?????????????? ??? ? ??????? ??? ?????????????? ??? ?????? ???
?????? ?????? ?? ?????? ??? ?????????? "????????? ??????????" ??? ??????? ??? ?????? 13,
????? ?, ?????????? 1, ??? ?????? ?????? .

22 ? ?????????? ??? ?????????? ?????????? ?????????? ??? ? ?????????? ??? ??????
"????????? ??????????", ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?), ?????????? ???
????????? ?????? ??? ?????????? ?? ?????? ?? ??? ?????? ??????????, ?? ??????
????????????????? ??? ?????? ?????????? ?????????? ?????????? ??? ?????????? ??? ??????????????
????????????? . ??????, ?????? ??? ?????? ??? ? ?????????? ?????????? ?????????? ???
????????????????? ??? ??? ?????????? ?????? ??? ?????? ??? ?????? ?????????? ?????????? ??
????????? ??????, ?????????? ?????? ?? ??? ?????????? ?????? .

23 ???????, ? ?????????? ??? ??????? ?????????? ?????????????? ?? ?????????? ?) ??? ?) ???
????? ?????????? 1 ??? ?????????????? ?????? 13, ?????? ?. ??? ?? ?????????? ?)
?????? ??? ??????? ??? "????????? ??????????" (" soins medicaux" ??? ??????
??????, "medical care" ??? ?????? ?????? ??? ??????) ??? ?? ??????? ???
?????????? ?? ?????????? ??? ??? "????? ?????????? ?? ??? ?????? ??????", ?
????????? ??? ?????????? ?????????? ??' ??? ?? ?????????? ???, ??? ?????? ???
????????????? ??? ??????????, ? ?????? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ???
?????, ? ??? ?????????? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ??? "????????? ??????????" (" soins a la personne" ??? ?????? ??????, "medical care" ???
?????? ??????) ??? ?????????? ??? ?????? ?) ??? ?????????? 1 ??? ?????? 13,
????? ?.

24 ??? ? ??? ?????????? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????????????? ?????????? ?
) ??? ?) ??? ???, ??? ?????? ?????? ??? ?????? ??? ??????, ?????????????? ? ???
"medical care", ? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?? "soins medicaux"
??? ??????? ?) ??? "soins a la personne" ??? ?????? ?). ?????????? ??? ?????????? ???
????????? ??? ??????, ? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ?) ??? ?) ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ? ?????????? ??? ?????????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ??? ?????? ?????? ?????? ??????, ?????? ?????? ?? ?????????? ??? ??????
?? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?) ??? ?????????? ??? ??????????
?? ??? ?????????? ?).

25 ? ?????????? ??????????? ??? ? ??? "?????? ??????" ?????? ?? ??????????? ??
?????????????? ??? ???? ?????? ????????, ??????????? ??? ???? ??????? ?????? ??
????? ????????, ?? ??? ???? ????? ??????????? ??? ??? ?? ??? ?????? .

26 ??????????? ?????????? ??? ?? ?????????? ??? ?????????????? ??? ??? 13, ?????? ?,
?????????? 1, ?????????? ??????? ?? ????? ??? ??? ??? ?????? ?????? ?? ???
????????? ?????? ??? ?????? ????????, ?????? ?? ?????????? ??? . ??? ??????????
??????????, ? ?????? "?????? ??????" ??? ?????? ?? ?????????? ??? ??? ??
????????? ??? ?????? ?????? ?????? .

27 ??????, ? ??????? ??????? ??? ?????? ? ??? ?????? ?????? ?????? ?? ???????
????????? ??? ??????? ?????? ??? ??? ?????? ????????, ?? ??? ??????, ??? ???
????? ??? ??????? ?, ?, ?, ?,) ??? ?. ????????, ??? ??????? ?) ? ???????
????????? ?????????? ??? "?????? ?????? ?????????? ".

28 ??? ??? ???????, ?? ??????? ??? ?????? ?' ?????????? ??? ??? ???????
????? ??? ??????? ??? ?????????? ??? ?????????? ?) ??? ??? ??????? ???
????????? ??? ??????? ?) ??? ??? ?????? ??????. ????????, ??? ??????? ???
????? ??? ?????????? ??? ?????? ??? ?????? ??????? ??? ??????? (cure
mediche/prestazioni mediche - medische verzorging/gezondheidskundige verzorging), ??
????????? "soins médicaux" ?? "soins a la personne", ??? ?????????????????? ???????????
?? ??????? ?) ??? ??? ??????? ?, ??? ?????????????? ?????????? . ? ???
????????? ??? ?????? ??? ?????? ??? ?????????? ?????? ?? ??? ?????? ?????????? ???
????????? ??? ?????? ??? ?????????? ?????????? ??? ???????, ??? ? ?????? ?????????
????????? ??? ?????? ??? ?????????? ??? ?????????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????????? ?????????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????????? ?????????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? .

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

30 ??????? ??? ?????? ?? ??????? ?? ?????????? ??? ?????????? ??? ?????? ??? ???????
?? ??????? ??? ???? ?????? ?????? ?????? ??? ?????? ??? ?????? ?) ??? ?) ???
????????? 1 ??? ?????? 13, ?????? ?, ? ??? ?????? ??? ?? ??? ?? ?????????? ??? ???
????????? ????????, ?????? ??? ?????? ??? ?? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ??? ?????? ?? ??? ?????????? ?????? ??? ?????? ??? ?????? ?????? ???
??? ??? ??? ?????? ??? ?????????? ??? ?? ??? ?????? ??? ?????? ?????? ?????? ???
????????? ?).

31 ?? ?????????? ??? ??? ?????? ?? ??? ?????? .

32 ????????, ?? ???????) ?????? ?? ???? ????? ?????????????? ??? ?? ??? "??
????????????? ??? ??????? ??????????, ????? ?? ?? ????? ?????????????? ?? ?????? ???????,
?? ?????? ?????????? ??? ?????????????? ??????? ?????? ??? ?????????????? ???????
????????? ??? ?? ?????????? ??? ????? ?????????? ???????, ??? ??????????
???????, ?????? ?????? ?????????? ?????????????? ??? ??????????, ?????? ??? ?? ??? ?????? ?????????? ???
????? ??????, ?????? ?????????????? ". ???????, ?????????? ??? ??????? ???
????????????? ??? ?????? ??????? ?????????? ?????????? ?????????????? ?? ??????????????????
?????? ?????? ?????????????? ???, ?? ?????????? ??? ?????? ?????????? ???????, ???
????? ? ?????????? ??? ?????????? ?????.

33 ??????????, ?? ??????? ?) ?????? ?? ???? ????? ????? ?????????????? ??? ?? ??? "???"
?????? ??????? ???????????, ?? ?????? ?????????????????? ??? ??????? ??? ??????? ?? ???????
?????? ?? ??????????? ?????????????? ". ?? ? ?? ??? ?? ??????? ??? ??????? ??, ? ???"
????????? ?????? ?? ?????? ?? ??????? ?? ???? ?????????? ??????????, ??? ?? ??? ?? ?
?????????? ??, ??????? ?? ???? ?????? ?? ???? ?????? ?? ???? ?????????????? ???"
????????????? ?? ?????????? ?? ???? ?? ?????? ?? ???? ?????????? ?? ???? ?? ??? ?? ???? ???"
?? ???? ??????? ?? ???? ???????, ? ?? ???? ?????? ?? ???? ?????? ?? ???? ?????? ?? ???? ???? ???"
????????? ?? ???? ?? ?????????? ?? . ?? ? ?? ?????? ?? ???? , ??? ?? ??? ?? ???? ???"
????????? ?? ???? ?? ?????? ?? ???? ?????? ?? ???? ?? ???? ?????? ?? ???? ?????? ?? ???? ???"
??????????, ? ?? ??????? ?? ???? ?????? ?? ???? ?? ???? ?????? ?? ???? , ??? ?? ?????????? ???"
?? ???? ?? ?????? ?? ???? ?? ???? ?????? ?? ???? ?????? ?? ???? ?????? ?? ???? ???"
????????? ?? ???? ?? ?????? ?? ???? ?????? ?? ???? ?? ???? ?????? ?? .

35 ??? ?? ??????????? ?? ??????????? ?? ?????????? ?? ??????? ?? ??? ?? ????? ?? ?????????????? ?? ????
????????? ?) ??? "??? ??????? ?????????? ??????????????", ??????? ?? ?????????? ???, ??????
??? ?? ?????? 13 ?? ??????? ?? ?????????? ?????? ??? ?? ?????????? ?????????????? ????? ???
?????? ? ?????????? ??????? ?????????? ?? ??? ?????? ??????????, ??? ?? ?????? ?????????? ????
??? ??????????? ??? ?? ?????? ? ?????????? ??? ?????? ??????????????, ??? ?? ??? ???
????????? ??? ?????????? ?? ??? ?? ?????? ?????? ?????? ??? ?????? 2, ?????????? 1, ??? ??????,
?????? ?? ??? ?? ??? ?????? ??? ?????????????? ??? ?????? ?????????? ?? ?????????? ????
??? ?? ??????? ?????????? ?? ??? ?????????????? ?? ?????????? . ?? ??????????
????? ??????????? ??? ?? 13, ?????? ?, ?????????? 1, ?????? ?????????? ????
?????? ???????, ?????? ?????????? ??? ?? ??? ?????????? ????. ??? ??????????
????? ??? ?????????? ??? ??????????), ??? ?????? ??? ?????????? ??? ?????? ????
????????? ??? ?? ??? ?????????? ??? ?????? ?????????? ??? ?????????? ??? ??????????????????
??? ?????????? ??? ?????????????? . ??????????, ?? ??????????) ?????????? ??? ???
?????? ??????? ?????????? ??? ?????????? ??? ?????? ?????????? ??? ?????????????? ???,
????????? ??? ?????????? ??? ?????????, ??? ?????? ??? ?????? 5 ??? ??????, ?? ??
????????? ??? ?????????? ??? ?????? ?????????, ?? ?????? ?????????? ??????????
?? ??? ??????.

36 ???????, ?????? ?? ??????? ??? ?? ?????? ??????? ??? ?????? ?????????? ???
?????? ???????, ?????????????? ??? ?? ??? ??? ?????????? ??????, ??????? ?????? ???
????????? ??? ?????? ??? 1983 ??? ??? ????? ?????????? ???, ?????????? 6,
????????? 7 (???), ?????? ??? ?????????? ??? ?????? ??? ?? ?????? 13, ?????? ?,
????????? 1, ???????), ??? ?????? 77/388 ??? ??????????, ??? 17? ????? 1977, ???
????????? ??? ?????????? ??? ??????, ??? ?????????? ?? ??? ????? ?????? ??????
?????? .

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

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

37 ??? ?? ??? 69, ?????????? 2, ??? ?????????? ???????????, ? ??????? ???????
????????????? ??? ?????????? ????. ?????? ?? ????? ???????, ?????? ?? ???????????
??? ??????? ????.

??????????

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

?? ????????

?????????:

1) ?? ?????? ??????? ??? ?????? ?????????? ??? ?????? ???????????, ??????????????
??? ??? ??? ??? ?????????? ????, ?????? ??? ?????????? ??? ?????? ??? 1983 ???
??? ????? ?????????? ????, ?????????? 6, ?????????? 7 (???), ?????? ???
????????? ??? ?????? ??? ?? ?????? 13, ?????? ?, ?????????? 1, ??????? ?), ???
????? 77/388 ??? ??????????, ??? 17? ????? 1977, ??? ?????????? ??? ??????????
??? ?????? ????, ??? ?????????? ?? ??? ????? ?????? ?????? ?????? .

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