

@import url(../../../../css/generic.css); EUR-Lex - 61998J0012 - EL

Avis juridique important

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61998J0012

?????? ?? ?????????? (?????? ?????) ??? 3?? ??ß?????? 2000. - Miguel Amengual Far
???? Juan Amengual Far. - ?????? ?? ???? ?????? ?????????????? ??????????: Audiencia
Provincial de Palma de Mallorca - ??????. - ??? ?????? ??? - ?????????? ????????? -
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(?????? 77/388 ??? ??????????, ????? 13, ????? ?, ??????? ??)

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\$?? ??? 13, ??? ?, ??????? ??, ??? ?????? ??????? 77/388/??? ??? ?? ???????????, ???
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?? ?? ??????????, ???' ??????? ?? ?????? 177 ??? ??????? ?? (?? ?????? 234 ??),
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Miguel Amengual Far

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Juan Amengual Far,

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??, ??? ?????? ?????? 77/388/??? ??? ??????????, ??? 17?? ??? 1977, ??? ??????????
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(???????, ????),

?????????? ??? ??? R. Schintgen, ??????? ????????, G. Hirsch (????????) ??? ?. ??????,
???????,

?????? ??????????: A. La Pergola

?????????: R. Grass

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

- ? ??????? ????????, ?????????????? ??? ??? S. Ortiz Vaamonde, abogado del Estado,

- ? ??????? ????????, ?????????????? ??? ??? K. Rispal-Bellanger, ?????????????? ???
????????? ??????? ?????????? ??? ?????????? ????????????, ??? ??? G. Mignot, ??????????
????????? ??????? ??? ??? ??????????,

- ? ??????? ??? ?????????? ????????????, ?????????????? ??? ??? M. D?az-Llanos, ??????
???????, ??? ??? C. G?mez de la Cruz ??? E. Traversa, ??? ??? ?????? ????????,

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??? 21?? ??????? 1999,

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1 ?? ??????? ??? 12?? ?????????? 1998, ? ?????? ??????? ??? ?????????? ??? 20
????????? 1998, ?? Audiencia Provincial de Palma de Mallorca ??????? ??? ???????????, ???
????????? ??? ?????? 177 ??? ??????? ?? (?? ?????? 234 ??), ??? ????????????

? ?????????? ?? ??? ???? ??????? ?? ??????? 13, ?????? ?, ?????????? ??, ??? ?????? ???????
77/388/??? ?? ???? ??????????, ??? 17?? ??? 1977, ??? ?????????? ??? ?????????? ???
?????? ?????, ??? ??????? ?? ??? ?????? ?????? ?????? ?????? - ?????? ?????? ???
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2 ?? ?????????? ??? ??????? ?? ?????? ?????????? ??? Miguel Amengual Far,
?????????, ??? ?? ?????? ??? Juan Amengual Far, ??????, ?? ?????????? ??? ??
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3 ?? ?????? ?????????? ?????????? ?? ? ?? ?????????? ??? ?? ?????? ?????????? ??????????
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4 ?????????? ???, ??? ??????? ?? ?? 4, ?????????? 2, ??????? b, ?? 11,
????????? 2, ??? ??? 37/1992, ??? 28?? ?????????? 1992, ??? ?? ?????????? ??????????
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???? ?????????? ??? «??? ?????????? ??? ?????????? ?? ?????????? ??? ?????????? ??? ??
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a) (...)

b) ?? ?????? ? ?????? ?????? ??? ?????????? ?????????????? ?????????????? ???
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5 ??????, ?? ?????? ?????????? ?????????? ?? ?? ??? 37/1992 ?????????? ???
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????? 13, ??? ?, ??? ?? ??? ??????.

6 ??? ? ?? ??? 13, ??? ?, ??? ?? ??? ??????:

«??? ??? ?????????? ??? ?????????? ?????????? ?? ???????, ?? ?????? ??? ?????????????? ??? ??
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1. ??? ?????? ?????? ?????????? ??? ?????????? ?? ?? ?????????? ??? ?????? ???,
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2. ??? ?????????? ??? ?? ??? ?????????? ??? ??????????.

3. ??? ?????????? ??????? ??? ?????????? ??? ?????????? ??? ??????????.

4. ??? ?????????? ??????????????.

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7 ??????? ????, ?? Audiencia Provincial de Palma de Mallorca, ?????????? ??? ? ???????
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«1) ??????? ?? ? ?????????? ?????? ??? ?????????? ?????????? ?????????? ?? ?????? 13, ????,
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??? ?????? ?????? ?????? ?????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ????

2) ?? ??????? ?? ? ?????? 13, ????, ?? ?????? 77/388/???, ?? ?????? ?????????? ???
????????? ??? ?????? ??????, ??????? ?? ? ?????? ?????????? ???????, ??????????
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???' ?????? ??????..»

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8 ?? ?? ?????? ??????? ??, ?? ?????? ?????????? ?????? ???' ?????? ?? ?? ?????? 13, ????
?, ??????? ??, ?? ?????? ??????, ?????????? ?????? ?????, ?????????? ??? ?????? ???
?? ??????? ?? ?? ?? ?????????? ?????? ??? ?? ?????????? ???, ???' ??????,
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9 ??????????????, ? ?????? ?????? ?????????? ?????????? ??? ?? ?????? 13, ????, ??, ???????
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10 ??????, ?????? ?? ??????????, ????? ?????????? ?????? ?????????? ?????????? ??? ??????
7 ??? ?????????? ?? ?????? ??? ?????? ?????????? ??? ?? ?????? ?????????? ?????????? ???
????? 13, ????, ?????? ??, ??? ?????? ??????, ?????? ?? ??? ?? ?????? ?????? ???
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????????? ??? ?????? ?????? (??., ??? ?? ?????? ???, ?????? ??? 15??
????????? 1993 ??? ?????? C-63/92, Lubbock Fine, ?????? 1993, ?. I-6665, ??? 13).

11 ??????, ?? ?????? ?????????? ?????????? ?? ?? ??? ?????? 37/1992 ?????? ?? ??????
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?? ?? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? 13, ????, ??, ??????? ??,
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12 ??????, ?????? ?? ?????????? ???, ??? ?? ?????? 189, ?????????? 3, ??? ??????? ??
(?? ?????? 249, ?????????? 3, ??), ? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ??
?????????, ??? ?????? ?? ?????????? ?????????, ??? ?????? ??? ?????? ??? ?????? ??? ??
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13 ???????, ??? ?????? ??? ?? ?????? ??? ?????? 13, ????? ?, ??????? ?, ??, ???
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14 ???????, ?????? ?????????? ?? ?????? ??????, ?????????? ?????????????? ?? ?????????? ??
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15 ???????, ? ??????? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ?????? 13, ????? ?,
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16 ?????? ??? ??????? ??? ?????? ?????? ??????????, ??????? ? ?????? ???
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17 ?? ??? ??? ?????? ?????? ?????????? ? ?????? ??? ? ?????? ?????? ?????? ??? ?
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Audiencia Provincial de Palma de Mallorca, ??????????:

? ?????? 13, ????? ?, ??????? ??, ??? ?????? ?????? 77/388/??? ??? ??????????, ??? 17??
???? 1977, ??? ?????????? ??? ?????????? ??? ?????? ?????, ??? ?????? ??? ?????? ??? ???
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