

?????? C-371/07

Danfoss A/S

???

AstraZeneca A/S

????

Skatteministeriet

(?????? ?? Vestre Landsret ??? ??? ?????? ?????????????? ??????????)

«????? ?????? ??? – ??? 6, ?????????? 2 – ?????? ?????? ?????????? ??? ?????????? ??
????? ??? ?????? ?????? ??? ?????????? ??? – ?????? ?????? ?????????? ??? ??? – ???
17, ?????????? 6, ?????? ????? – ?????? ??? ?????? ?????? ?? ?????????? ??? ??
????????? ??? ?????? ?????? ?????????? ??? ?? ?????? ?????? ?????? ??? ?? ?????? ??????
??? ?????? ??? ??????»

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

1. ?????????? ?????? – ?????????? ??? ?????????? – ?????? ?????? ?????? –
????? ?????? ?????? ?????? ?????????? ?????? – ?????? ??? ?????? ??? ??? ??????

(?????? 77/388 ??? ??????????, ??? 17 § 6, ?? 2)

2. ?????????? ?????? – ?????????? ??? ?????????? – ?????? ?????? ?????? –
????? ?????? ?????? ?????? ?????? – ?????? ?????? ?????? ??? ???

(?????? 77/388 ??? ??????????, ??? 6 § 2)

1. ?? ??? 17, ?????????? 6, ?????? ??????, ??? ?????? ?????? 77/388 ???
????????? ??? ?????????? ??? ?????????? ??? ?????, ??? ?????? ?? ??? ?????? ?????? ???
?????????, ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ?? ?????? ?????? ???
?????????, ??? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????, ?? ?????? ?????? ?????????? ???
????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????????? ???' ?????? ?????? ??????????, ???, ??? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??????, ? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
????????, ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ???' ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ??? ??? ??? ?????? ??? ?????? ??? ?????? ?????????? ?? ??? ?????? ?????? ??? ?????? ???
??? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????, ?? ?????????? ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ??? ??????.

(?? .????? 44, ??????. 1)

2. ?? ??? 6, ?????????? 2, ??? ?????? ?????? 77/388 ??? ?????????? ???
????????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???

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

(???. ??? 57, 62, 65, ??????. 2)

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

?? 11?? ?????????? 2008 (*)

«???? ?????? ??? - ??? 6, ?????????? 2 - ?????? ?????? ?????????? ??? ?????????? ??
???? ?? ?????? ?????? ??? ?????? ??? ?????????? ??? - ?????? ?????? ?????????? ??? ?? - ???
17, ?????????? 6, ?????? ?????- ?????? ??? ?????? ?????? ?? ?????? ?????? ??? ?????????? ??
????????? ??? ?????? ?????? ?????????? ??? ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ??????????
??? ?????? ??? ?????? ?????»

???? ?????? C371/07,

? ?????????? ?????? ?????? ?????????? ?????????? ?????? 234 ??,
??? ?????? ?? Vestre Landsret (?????) ?? ?????? ??? 1?? ?????? 2007, ? ????
????????? ??? ?????????? ??? 3 ?????? 2007, ??? ?????? ??? ????

Danfoss A/S,

AstraZeneca A/S

????

Skatteministeriet,

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

?????????? ??? ??? K. Lenaerts (????????), ?????? ????????, T. von Danwitz, R. Silva de Lapuerta, ?. ?????? ??? J. Malenovský, ????????,

????? ??????????: E. Sharpston

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

????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ??' ?????????? ?????????? ???
25? ?????? 2008,

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

- ? Danfoss A/S, ?????????? ??? H. Hansen ??? T. Kristjánsson, advokater,
- ? AstraZeneca A/S, ?????????? ??? M. Vesthardt ??? M. Bruus, advokater,
- ? ?????? ????????, ?????????? ??? B. Weis Fogh, ?????????? ??? K. Lundgaard Hansen, advokat,
- ? ?????? ??? ????????, ?????????? ??? . ??? S. Schønberg ??? S. Maaløe,

????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? 23? ?????? 2008,

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

??????

1 ? ?????? ?????? ?????????? ?????????? ?????? ??? ?????? ??? ?????? 6,
????????? 2, ??? 17, ?????? 6, ?????? ??????, ??? ?????? ?????? 77/388/??? ???
?????????, ??? 17? ??? 1977, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??? ?????? ?????? ?????? – ??? ?????? ?????? ??? ?????? ??????????
?????: ?????????? ?????? ??? (?? ????. ??? 09/001, ?. 49, ??? ????: ??? ?????).

2 ? ??? ?????? ?????? ?????????? ??? ?????? ?????? ?????? ??????, ????, ???
????????? Danfoss A/S (??? ?: Danfoss) ??? AstraZeneca A/S (??? ?: AstraZeneca) ???,
?????????, ??? Skatteministeriet (????????? ?????? ?????????? ??? ?? ?????????? ??? ???
????????? ?????? ??????) ?????? ?? ?? ?????????? ?? ?????? ??? ??????
????????????? ??? (??? ?: ???) ??? ?????? ?????? ?????? ??? ??????
????????????? ??? ??? ?????? ??? ?? ??? ?????? ??? ?????? ??? ?????? ??? ??????????.

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

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

3 ?? ?????? 6, ?????????? 2, ??? ??????, ??? ?????? ?????? ??? ?????? ?? ???:

«????????????? ??? ?????? ?????? ??? ?????? ??? ??????:

?) ? ?????????????? ??????, ?? ????? ??????? ? ??????????, ??? ??? ????? ?????? ???
????????????? ??? ?????? ??? ?????????????? ??? ?, ??????????, ??? ?????? ?????? ???
?????????, ??' ??? ?????? ??? ?????????????? ?????????? ??? ?????? ??? ?????? ??????
??? ?????? ?????????????? ????,

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

4 ?? ????? 17, ?????????? 6, ??? ????? ?????? ?????? ?? ????:

«?? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
???????, ?? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
????????????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ???, ??? ???? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ?????????? ????.

????? ?? ?????? ?? ??? ?????? ?????? ?????????????? ???????, ?? ?????? ??? ?????? ???
????????? ??? ?????? ??? ??????????, ??? ?????? ?????? ??? ?????? ??? ?????? ???
??? ?????? ?????? ??? ?????? ??? ?????? ????.»

5 ?????? ????, ??? ?????? ?????????? ?? ?????????? ?????? ??? ?????? 17,
????????? 6, ?????? ????, ??? ?????? ??????, ?????????? ?????????? ??? ?????? ???
????????? ??? ?????? ??? ??????, ??? ?????? ??? ?????? ?????????? ??? ?????? ???.

6 ?????? ??? ?????? 1 ??? ?????? ?????? 78/583/???, ??? ?????? ??? ??????????, ??? 26??
???????? 1978, ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ?????? (??. L 194, ?. 16), ?????????? ? ??? ?????? ?? ?????? ??? ?????? ???,
????? ??? ?????? ?? ?????????? ??? ??????, ?? ?????? ?? ?????? ??? ?????? ??? ?????? ???
????????? ??? 1? ?????????? 1979.

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

7 ?????? ?? ??? ?????? ?????? ??? 102, ??? 31?? ?????? 1967, ??? ??? (??? ????:
????? ????) ? ?????? ?????????? ??? ?????? ?????? ??? ?????? ???, ??? ???? ????
????????? ??? ?????? ??? ?????? . ? ?????? ?????????? ??? ?????? ??? ?????? ??????????
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
????? ??????, ?? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ?? ?????? ??? ?????? ???.

8 ?? ????? 16, ?????????? 3, ??? ?????? ??? ?????? ?? ????:

«????? ???? ??? ?????? ??? ?????? ?? ?????????????? ? ??? ?????? ??? ?????? ???
????????? ?????????? ??? ??????:

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

[...]

?) ?????????? ?????????? ??? ????.»

9 ?? ????? 204, ??? 10?? ????? 1978, ? ?????? ?????? ?? ?????? ??? 1? ?????????? 1978,

????????????? ??? ???? ????? ?? ?????????????? ?? ?????????????? ??? ???? ????? ?????? ??? ??????????
?????. ?? ??????? ?? ??? ?????? ???, ? ?????? ?????????? ?????? ?????? ?????? ?????? ????.
???? ?????, ? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????????????? ??????????????.
?????, ??? ?????????????? ?? ?????????????? ?????? ??? ?????? ?????? ?????????? ???
????????????? ?????????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ??????????
????????? ??? ?????? 16, ?????????? 3, ??? ?????? ????.

10 ??? ??????? ?? 1978, ? Momsnævn (????????????????? ?????????????? ?????????? ???)
????????? ??????? ??????? ?? ??? ?????? ? ?????? ?????? ?????? ??? ??? ??? ??? ??????
????????? ??? ?????? ??? ?????????? ?????????????? ??????, ?? ??? ??????????????, ??
????????????? ?????????????? ?????? ???' ?????????? ?????????? ??? ?????? ??? ?????? ??? ??????????????
??? ?????? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ??? ??????
????????? ??? ?????? ??? ??? ?????????? ??? ?????? ??? ?? ??? ?????? ??? ?????? ??? ?????? ???
??? ?? ?????????? ??? ?????????? (??? ????: ??? ?????). ? ?????????? ??? ??????????
????????? ??? ?????? ??? ?????? ?????? ??? ??? ??? ??? ?????? ??? ?????? ??? ??????
?????????. ? ??????? ??? Momsnævn ?????????? ?? ?????????? ?????????? ??? 31??
????????? 1983 ??? ?????????? ??????? ?? ?????????? (????????? «???-????????»).

11 ? ?????? 375, ??? 18?? ????? 1994, ???????????? ??? ?????? ????. ? ???????????? ???
??????????? ?????????? ??????? ?? ?? ????? 16, ?????????? 3, ??? ?????? ????
??????????? ?? ?????????? ?????????? ?? ?????? 42, ?????????? 1, ?????? 1 ??? 5, ???
????? ????.

«2. ??????????? ???? ??????? ?? ??????? ?????? ? ?????? ?????? ? ? ??????
???????, ???? ??????? ?? ? ?????????????????? ???? ??? ?????? ??? ?????????? ???
????? 42, ?????????? 1 ??? 2, ?????? ??? ?????????? ?????? ? ?? ?????? ??????
????????? ???? ??? ?????? ? ??? ?????????? ???? ?? ?????? ?????? ??? ??????????.

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

13 ???????, ??? ?????????????????? ??? ?????? 10 ??? ?????????? ?????????? ??????????
?????????, ??? ?????? ??? ?????? ??? ??? ?????????? ??? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? ????? ?????????????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????
????????? ??? ?????? ?????????? ??? ?????? ?????????? . ??????????, ?????????? ??? ? ??
???? ?????? ?????????? ?????????? ?????????? ?????????? ??? (?????????) ??????????
??????, ?????????? ??? ?????? ??? ?????? ???????, ??? ???????, ??? ?????????? ?? ?????????? ???
??????? «?????» ?????? ? «?????» ???????, ??? ?????? ?????? ?????? ? ?????? ??????????
????????? ?????????? ??? ?????? ?? ??? ?????????? ?????????? ?????? ?????.

14 ?? ?????? ??????????? ?? 1999 ??????????, ?? Landsskatteret (????????????? ???????????) ?????? ?? ??????? ?? ?????????? ??????????? ??????. ?? ?????????? ?????????? ?????????? ?? ?????? ?? ?????? ?????? ?? ?????? ???, ??? ?????? ??? ?????????? ?? ?????? ??? ?????? ?? ???????????, ?? ?????? ?? ?????? ?? ??????????? ?? ??? ?????? ??? ?????????? ?? ???????????, ?? ?????? ?? ??????????? ?? ??? ?????? ??? ?????????? ?? ???????????, ?? ?????? ?? ??????????? ?? ??? ?????? ??? ?????????? ?? ???????????.

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

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

16 ? AstraZeneca ?????? ?????????????? ?????????? ? ?????, ??? ?????? ???
????????????? ??? ??????? ?? ?????????? ?????????? ????? ?????, ?????????? ??????
??? ??? ???? ?????????? ?????????? ?? ?????????? ?????????? ????? ??????????
????? ??? ??? ??? ?????????????????? ??? ?????? ??? ?????? ??? ?????? ??? . ?????????? ??? ???
????????? ??? ?????????? ??? ??? ?????? ??? ??? ?????? ??? ?????? ??? ?????????? ??? ??????
????? ??? ?????????? ??? ???, ?????????? ?????? ?????? ?????? ????? ?????????????? ???
??? ?????????? ??? ?????????? ?? ??? ????? ?????????????? ?????? ??? ??????
????????? ??? ??? ?????? ??? ??????????

18 ? ?????????????? ?? 1978 ?????????? ?????? ?? ?????????? ?? ????
????????? ?? ???? ?? ?????????????? ? ?? ???? ?? ???? ?????? ?? ?????? ?? ???? ?? ????
????????? ?? ???? ?? ??????? ?? ?????????????? ?? ???? ?? ?????????? ?? ?????????? ?? ???? ?? ????
????????? ?? ?????????????? ?? ??????????????, ?? ?????????? ?? ?????????? ?? ?????? ?? ???? ?? ????
????????? ?? ???? ?? ??? ?? ?????????? ?? ???? ?? ?????????? ?? ?,

19 ?????????? ?? 1999 ?? Landsskatteret ??????? ?? ??????? ?? ??????????? ??
????????? ?? ??????????, ??? ?????????????? ?? ?????? 14 ?? ?????????? ???????, ??? ?
??? ?????? ?? ?????????????? ?????? ??? ??????? ?????????????? ?????????????? ??? ??? ??
????? ???????, ?? ??????? ??????? ?????? ?????? ?????????? ??? ??? ??? ??? ??????????
????? ??? ?????? ??????? ??? ?????? ?????????? ?????????? ?????? ?????? ?????? ??? ??? ??
??? ?????????? ??? ??????? ?????????? ??????????, ?????? 5 920 848,19 ?????? ??????
(DK?) ??? ??????? ?? Danfoss ?? 825 275 DK? ??? ??????? ?? AstraZeneca.

20 ?? Skatteministeriet ??????? ?? ???? ??????? ?????? ??????????, ??????, ??? ? ??????
????????? ?? ???? ?????? ?????? «????????? ??????» ? ????? ?????????????? ?? ????
????????? ?? ???? ?????????? ?????????? ?? ???? 42, ?????????? 1, ?????? 5, ??? ????
???? ???? ??, ???????, ??? ? ?????? ?????????? ?? ???? ?????????? ?? ????
????????? ?? ???? «?????» ? ?????? ?????????????? ?? ???? ?????????? ??

?????? 42, ?????????? 1, ?????? 1, ??? ????? ????.

21 ????????, ??????, ???, ??????? ?? ??? ?????????????? ??????????? ????????, ??
Danfoss ??? AstraZeneca ????? ??????? ?? ?????? ??????? ??????? ??? ??? ??? ?????? ??? ??
?????????, ?? Skatteministeriet ??????? ??? ? ??? ?????? ?? ??????????? ??? ??? ??? ?? ???
?????????, ?? ??????? ?????? ??? ?????? ???????, ????? ??? ?????? 5, ?????????? 2, ???
????? ????. ??? ? ?? ??? ?????????, ? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????
?????? ?????? ?? ?????????????? ?????? ??? ?????? ???????, ??? ? ??? ??? ?????? ???
????????? ?????? ??? ?????????? ??? ?????? ???, ?? ? ??????, ??? ?????? ??
????????? ?? ? ??? ?????? ???.

22 ?? ?? ??? ????? ?????????? ??????????????, ??????, ?? ?????? ??????? ??? ?? ??? ??????????
?? ?? ??? ?? ?????????? ??????? ??? ?????? ??????? ???, ???????, ??
????????? ?? ?????????? ??? ?????????? ??? ?????????? ?????? ??? ?????? ??? ?????? ???.

23 ??? ?? ?????? ??????, ?? Vestre Landsret ?????????? ?? ?????????? ?? ??????????
?? ?? ?????? ?? ?????????? ?? ?????????? ?????????? ??????????:

«1) ??? ?? ?????? 17, ?????????? 6, ??????? ??????, ??? ?????? ??????? ??? ?????? ???
????????? ??? ?? ?????? ?????? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ???
[??] ??? ??????, ?? ?????? ?????????????? ??? ?? ?????? ?????? ?????? ???
????????????? ??? ?? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????????? ?????????? ???
?????? ??????????, ??? ?? ??? ?? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ???
?????? ?????????? ??? ?? ??? ?? ??? ?????? ?????? ?????? ??? ?????? ??? ?? ?????????? ???
????? ?????? ?????????? ??? ?? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????????? ???
??? [??] ??? ?? ?????? ?????? ?? ?? ?????? ???;

2) ??? ?????? ??? ?????? ??? ?????? ??? ?????? 1 ?? ???, ??????, ?????????????? ???
????????????? ??? ?????? ??? ??????????, ??? ?? ?????? ??? ?????????? ??? ?????????? ???
????? ?????? ?? 1978, ??? [??], ??? ?? ?????? ?????? ?????? ?????? ??? [??] ???
????? ?????? ???, ???????, ??? ?? ?????? ?????? ?????? ??? ?? ?????? ?????? ?????? ???
????????? ?????????? ?? ?? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ???,
??????, ??? ?????????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ???;
????????????? ?????????? ?????????? ??? ?? ?? ?????? ??? ?????? ?????? ??? ?????? ??? [??]
????????? ?????? ?? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
?????????;»

3) ??? “?????????”, ??? ?? ?????? ??? ?????? 17, ?????????? 6, ??????? ???,
??? ?? ??????, ??? ?????? ??? ?? ?????? ??? ?????? ??????????, ?? ??? ?? ?????? ???
????????? ??? ?? ?????? ??? ?????? ?? 1978 ??? ?? 1999 ??????, ?????????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??????????,
????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????;»

4) ??? ?? ?????? 6, ?????????? 2, ??????? ?? ???, ??? ?????? ?????? ??? ??????
?? ? ?????? ??? ?????? ?????? ??? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????;»

5) ??? ?? ?????? 6, ?????????? 2, ??????? ?? ???, ??? ?????? ?????? ??? ??????
?? ? ?????? ??? ?????? ?????? ??? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?? ?????????? ??? ?????? ??? ??????;»

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

24 ?? ??????? ???????????, ?? ?? ??? ????? ?????? ??????????? ?? ???? ?? ??????? ??
??????????????, ????, ???? ????, ?? ???? ????? ??????????? ?? ???? ??????? ?? ??????????
(????? «standstill») ??? ?????? 17, ?????????? 6, ??????? ??????, ??? ?????? ??????
????????? ??? ?????????????? ?????? ?? ??????? ??? ?????????????? ?? ?????????? ??????????
?? ???? ??? ?? ???????, ?? ?????????? ?? ?????????? ??? ?????????? ?? ?????????? ?? ???? ??
????????? ??? ?????????? ??? ?????????? ?????????? ??? ?????????? ?? ?????????? ??? ??????
????????? ?????????? ???????????, ??? ? ?????????? ?????, ?????????? ?????????? ??? ??
????????? ?????? ??? ??????? ?????? ???????, ??? ???????, ??? ??????, ??? ?????, ???
??? ?????? ??? ?????????? ??? ???????, ??? ???????, ??? ???????, ??? 1?? ?????????? 1978, ??? ??
???? ??????? ??? ??, ???????, ??? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ???
????????? ?????????? ?????????? ??? ??????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ??????????
?? ?????????? ??????? ??? ??????? ??? ?? ?????? ??? ???????.

25 ??????????? ?? ?????????? ??? ?? ??????? ???? ???? ???? ???? ???? ???? ???? 1?
????????? 1979 [??., ???????, ?????????? ??? 19?? ?????????? 2000, C?177/99 ???
C?181/99, Ampafrance ??? Sanofi, ??????? 2000, ?. I?7013, ??????? 5 ??? 9, ?????? ??? ??
14?? ??????? 2001, C-40/00, ??????? ??? ???????, ??????? 2001, ?. I-4539, ??????? 5 ???
9- ??., ???????, ?????? 1 ??? ?????? 78/583 ???, ?????, ????? 176, ??????? ???????, ???
????????? 2006/112/?? ??? ???????????, ??? 28?? ?????????? 2006, ??????? ?? ?? ??????
????????? ?????????????? ??? (?? L 347, ?. 1)].

26 ??????????? ?? ??????? ???, ??????? ?? ???? ?????????? ??? ???? ???? ???? ?? ???????
??? ??? ??? ???????, ??????? ????, ??? ?? ?????? 2 ??? ????? ???????, ? ???
?????????? ?? ??? ????? ?????????? ??????? ???? ???????, ??????? ?????????? ??? ?? ??? ??
?????? ?????? ??? ??????????? ??????. ??? ????? ???????????, ?? ??????? ?????????? ??? ?? ??? ??
?? ?????????? ?? ?????? 17 ?? . ??? ????? ??????? ??????? ?????????? ?????????? ??? ??
????????? ??? ??? ??, ???' ?????, ??? ?????? ?? ?????????? . ??????? ?????? ??? ?? ??
?????? ??? ?????? ??? ?????????? ??? ?????????? ?????? ??????. ??? ?????????? ??? ??
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ?????? ?????? ??? ??
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ?????? ??? ??
????????? ??? ?????????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????? ??? ??
????? (??., ???????, ??????? ??? 8?? ?????????? 2002, C?409/99, Metropol ??? Stadler,
????????? 2002, ?. I?81, ?????? 42 ?????? ??? ??? ????? ?????????? ??????????). ???????, ??
????????? ??? ?????????? ?????????? ??? ??? ?????? ??? ?????????? ?????????? ??? ??
??, ?? ?????? ??????? ??? ?????????? ??? ?????????? ??? ?????? ?????, ?????? ?? ??????????
????????? (????????????? ?????? Metropol ??? Stadler, ?????? 59).

27 ?? ?????? 17, ?????????? 2, ??? ?????? ??????? ?????????? ??? ???? ???? ??
?????? ??? ??? ?? ?????? ??? ?????????????? ?????????? ??? ?????? ??? ??
????????????? ?? ??? ?? ?????? ??? ?????? ??? ?????????? ??? ?????????? ?? ???? ?????????? ?? ???? ??
?? ??????????, ?????? ?? ?? ?????? ?????? ???? ?????????? ?????????????? ??? ?????? ??? ??
????????????? ??? ?????????? ?????? (????????????? ?????? Metropol ???
Stadler, ?????? 43).

28 ?? ??? ?????? ?????? ?????????? ?????? ??? ?? ?????????? ?????????? ?????? ???
?????? 17, ?????????? 6, ??? ?????? ??????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??
????????, ?? ?????? ??? ?????? ?? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ??? ??
?? ??? ?????????? ??? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ?? ?????????? ??? ??
????????? ??? ?????? ?????? ?????, ?????? ?? ?????????? ?? ?????????? ??? ??
????????? ??? ?????? ?????? ?????? (?? . ??????? ??? 14?? ?????? 2001, C-345/99,

????????? ??? ??????????, ??????? 2001, ?. I-4493, ????? 19, ??? ?????????????? ??????? Metropol ??? Stadler, ????? 44).

29 ???????, ??? ?????????????? ??? ????? 5 ??? ?????????? ??????????, ?????????? ??? ??
????????? ??? ??? ?????????????? ?????? ??? ?????????? ??? ??? ?????? ?????? ? ??????????
????????? ??? ?????? 17, ?????????? 6, ????? ??????, ??? ????? ??????, ?? ?????? ??? ??
????????? ?? ?????????? ??? ?????????? ?????????? ?????? ?????? ?? ??? ?????????? ??? ??
????????? ?????????? ??? ???, ??? ??? ? ?????????? ?????????? ?????????? ??????????
????????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?? ?????????? ?????????? ???
????????? ?????????? ??? ?????? ??? ????. ?? ?????????? ?????? ??? ??????????????,
?????????, ??? ??? ?????? ?????? ?????? ?????? ? ?????? ?? ?????? ??? ?????? ??? ??
????????? ??? ?? ?????? ?????? ?????? ??? ??? (??????? ??? 8?? ?????????? 2005, C-
280/04, Jyske Finans, ?????? 2005, ?. I?10683, ??? 23 ??? ??? ??????????).

30 ????? ??????? ?? ???????????, ?? ?? ????? 48 ??? ?????????????????? ?????????? Metropol
??? Stadler, ?? ????? 17, ??????????? 6, ??? ????? ??????? ?????????????? ????? «standstill»,
????????????? ?? ??????????? ??? ??????????????? ??? ?? ?????? ?????? ?????? ??????????????
????????????? ?? ?? ?????????? ?????????? ??? ?? ?????? ?????? ??? ?? ?????? ?????? ??????????
?? ?????? ??????.

31 ???????, ?? ?????????? ????? ???? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?? ??????
 ?? ?????????? ??? ?????? ???, ?????? ??? ?? ?????????? ?????????? ?? ?????????? ??? ?????????? ?? ??????????
 ??? ?????????? ??? ?? ?????????? ?????????? ??? ???, ?? ?????????? ?????????? ??? ?????????? ?? ??????
 ??? ??????? ??????? ??? ?????????? ?????????? ??? ?? ?????????? ?????????? ???
 ?????????? ??????? ??? ??? ?????????? ?????????? ??? ??? ?????????? ?????????? ???
 ?????? ??? ?????? ?????? (????????????????? ?????? Metropol ??? Stadler, ??? 48).

32 ?????????? ?????, ????. ???? ???? ? ?????????????? ??????? ??????? ??????? ?????????
?????????????, ????. ????. ???? ???? ???? ?????? ????. ???? ???? ??????, ???. ???? ???? ???? ???? ????
????????????? ??????????? ????. ???? ???? ???? ?????? ?????????? ????. ???? ???? ???? ???? ???? ????
???? ???? ???? ???? ?????, ?????????? ????. ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? 17,
????????? 6, ??????? ??????, ????. ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? ???? 17,
????????? 2 (????????????????? ?????????? ????. 14?. ??????? 2001, C-345/99, ???????
???? ?????, ????. 22, ????? ???? Metropol ??? Stadler, ????? 45).

33 ??????????, ? ?????? ??????? ??? ?????????? ?????????????? ?????????????? ??? ?? ???
17, ?????????? 6, ??????? ??????, ??? ???? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? 17,
?????????? 2, ??? ?????? ?????? ?? ???? ?? ??????????? ?? ??????????, ??? ??? ??????
????? ??? ????? ??????, ?? ??? ????? ?????????? ?????????? ??? ?????? ???,
?????????? ???' ???? ??? ?????? ??? ?????? ??? ?????? ??? ?? ??? ?????? (?????????????????)
????????? ??? 14?? ??????? 2001, C-40/00, ??????? ??? ?????? ??? 17, ??? ??
Metropol ??? Stadler, ??? 46).

34 ?? ???? ??????? ??????? ?? ???? ?????????????? ?????????????? ?? ???? ?????????? ??
?????? ?? ???? ??????? ?? , ?? ???? ?????? ?????????????? ?? ???? ?????? ?? ???? ??????????
????????????? ?? ???? ?????? ??????? ?????? ?? ???? ?? ???? ?????? ?????????????? (?????????????????
?????? ?? 14?? ??????? 2001, C-40/00, ??????? ?? ???? ???????, ?????? 18).

35 ??? ?? ??????? ?????? ??? ??????? ??????? ?? ??? ?????? ???????????? ??? ??? ??? ?????
?????????? ??? ?????????? ???????????.

36 ???????, ?????????????? ??? ??? ?????, ??? ??? 1? ?????????? 1978, ??????????

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

37 ????? ?? ??????? ?????????? ?????????? ?????????? ????? ?? ?????? ?????????? ?????????????????? ??? ?? ??? ??
??????, ? ?????????????? ??? ?????????????? ?????????? ??? ?????????? ? ?????? ??? ??
????????????? ?? ??? ?? ??? ?????????? ????? ?? ??????? ?????????? ??? ?????????? ?????????????? ??????????????.

38 ??????????, ?????? ?? ?????????????????????????????, ??? ?????????? ??? 1978,
????????? ? ??????? Momsnævn, ??????? ?? ??? ?????, ??????, ? ??? ?????????? ??? ??
??? ??? ?????????? ?????????? ??? ??????? ?? ?????????? ?????????????? ?????? ?? ??????????????
????????????? ??????? ?? ??? ????? ?????? ??? ?????????????? ?????????? ???, ???????, ?
????? ??? ?? ?????? ?????? ??????.

39 ????? ?????????? ?? ???? ????????????, ??? ???? ?????? ?????? ??? ?????? ??? ??????
????????? ??? ??????, ?? ??????? ??????? ??? ?????????????? ??? ?????????????? ?????????? ???
??? ??? ??? ??????? ??? ?????? ?? ?? ?????? 16, ?????????? 3, ??? ?????? ??? ?????? ??? ??? ??????
????????? ?????????? ??? ?????? ??? ?????????? ?????????????? ??????????????.

40 ????????, ????????????, ???, ??? ???? ????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?????? ??? ????, ? ????????????, ??? ?? ??? ????? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????
?????????? ??????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ?????? ??? ?????? ??? ??????
?????????? ??? ??? ??? ??? ?????????? ??? ?????? ???????, ??? ??? ??? ?????? ??? ??????
?????????? ??? ???????????.

41 ????????, ??? ????????????, ??? ?????? 33 ??? ?????? ????????, ??? ??????????
?????? ??????? ??? ????? ?? ?????????? ?? ???????, ??? ??? ?????? ?????? ??? ?????
???????, ??? ????????????, ????????????, ??? ??????? ???, ????????????????, ???' ????? ???
????? ??? ??? ????? ??? ?????? ?????.

42 ?????????????? ??????????, ?????????????? ??? ? ?????? ?????????, ??????????????,
????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? 1978 ??? ?? 1999, ??????????
????????? ?????????? ??? ??? ??? ?????? ?????? ?? ??? ?????? ?????????? ??? ??????
??? ??????? ??????????????, ??? ??????? ?? ?????????? ?????????????? ?????????? ???
????????? ?????????? ??? ?????? ??????. ???????, ?????????????? ???, ??? ?????? ???
?????? 17, ?????????? 6, ??????? ??????, ??? ?????? ??????, ?????? ?? ??????????
????? ??? ?????? ?? ??? ?????????????? ?????????? ???, ??? ??? ?? ??????????
?????? ?????? ??? ? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?????? (????????????? ?????? Metropol ??? Stadler, ??? 49).

43 ???????, ?? Skatteministeriet, ???????????, ???' ?????????? ??? ?????? 42,
????????? 1, ?????? 1 ??? 5, ??? ?????? ????, ?? ?????? ?????????? ??? ???? ???
????????? ??????? ?? ??? ?????? ?????????? ??? ?????? ??? ?????????? ???????????,
????????? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ???
????????? ?????????? ??? ?????? ??? ?? ??? ?????? ?????????? ??? ?????? ??? ??????
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 17, ?????????? 6, ??????
??????, ??? ?????? ????.

44 ??????? ?? ??????? ???????, ? ??????? ?? ?? ?????? ?????????? ??????? ?? ??
?? ?? ?????? 17, ?????????? 6, ??????? ??????, ?? ?????? ??????? ??????? ?? ??????????
?? ?? ?????? ?????? ?? ??????????? ?? ?????? ?????? ?? ???????, ??? ?? ?? ?????? ??????? ??
?????? ?? ??, ?? ??????? ?????????? ?? ?? ?? ?? ??????? ?? ??????? ?? ??????? ?? ??

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

??? ??? ??? ??? ?????????? ??' ??????? ?????????? ??????????, ???, ??? ??? ??? ?????? ???

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

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

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45 ?? ?????? ???????????, ?? ?? ??????? ??? ?? ?????? ?????? ?????? ??? ?? ?????? ??

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

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

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

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

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

????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 6, ?????????? 2, ??? ????

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46 ?????????????? ?? ?????????? ??? ? ??????? ??? ?????? ?????? ?????????? ?????????? ???

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

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

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

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

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

?????, ?????? (??., ??????, ?????? ??? 26?? ?????????? 1996, C-230/94, Enkler,

????????? 1996, ?. I-4517, ????? 35- ??? 16?? ?????????? 1997, C?258/95, Fillibeck, ???????

1997, ?. I?5577, ????? 25- ??? 17?? ????? 2001, C?322/99 ??? C?323/99, Fischer ???

Brandenstein, ?????? 2001, ?. I?4049, ????? 56, ????? ??? 20?? ?????????? 2005,

C?412/03, Hotel Scandic Gåsabäck, ?????? 2005, ?. I?743, ????? 23).

47 ??? ?????????? ? ??? ?????? ?????????? ?? ??? ?????? ?????????? ?????????? ??? ?????? ??

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

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

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

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

?? ?????????????? ?? ??????. ??? ?? ?????? ???, ?? ?????? 6, ?????????? 2, ?????????? ??,

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

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

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

????????? ??? (??., ??????, ?????? ??? 6?? 1992, C-20/91, de Jong,

????? 1992, ?. I-2847, ????? 15- Enkler, ???????????, ????? 33- ??? 8?? ?????? 2001,

C?415/98, Bakcsi, ?????? 2001, ?. I-1831, ????? 42- Fischer ??? Brandenstein,

??????????, ????? 56, ??? Hotel Scandic Gåsabäck, ???????????, ????? 23).

48 ???, ?? ??? 6, ?????????? 2, ?????? ??, ??? ?????? ?????? ??? ?????? ??

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

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

????????? ??? (?????????????? ?????? Hotel Scandic Gåsabäck, ????? 23).

49 ??? ??? ?????? ?????? ?????????? ?????????? ?????? ?????? ???, ?????? ???

????????? ?????? ?????? ??? ?????? ??? ?????? ??? 1978 ??? ?? 1999, ? ?????? ???

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

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

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

?????? ???? ?????????? ?? ??????????? ?? «?????????????» ??????????, ????. ????? ????? ?????? ?
?????? ?????????? ??????? ?????? ????. ??? ?????????????? ??????? ?????????? ????. ?? ?? ??
????? ? ?????????? (??.. ?????????????? ??????? Hotel Scandic Gåsabäck, ??????? 22 ??
24).

50 ?????????? ?? 1999 ?? Landsskatteret ??????? ?? ?????????? ?? ?? ????????, ?
?????? ?????? ??????? ?? ??????? ??????????? ???????, ??????? ?????? ??
?????????? ?? Danfoss, ?? ??????? ?? ??????? ??????? ?? ?? ??????? ?? ??????? ?? ??????????????
?????????? ?? ??????? ?? ??, ?? ?? ??????, ?? ??????????????? ?? ????????. ??????, ? ??????
???? ?????????? ?? ??? ??????? ?? ??????? 6, ?????????? 2, ??? ????? ??????? ?? ??
?? ?????????? ?? ?????????? ?????? «?????? ?? ?? ?? ??????????».

51 ????????, ??????, ??????, ?? ?????????? ? ?????? ?????????? ?????????????? ??????
?????? ?????????? ?? ??????? ??' ??????? ?????????? ?????????? ??????? ?????? ????.
?????? ?? ?????????? ?????? ?????????? ??? ?????????? ?????? ???.

52 ???????, ?????????? ??? ? Danfoss ????? ?????? ??? ??????? ??? ?????????
?????? ??????? ??????? ?????????? ?????????? ??? ?????????? ??? ?? ??????? ???
?????????? ?? ??? ?? ??????. ? AstraZeneca ????? ?????????? ??????? ?? ???
?????????? ?? ?????? ?????????? ?????????? ??? ??????? ??? ?????? ???.

53 ????? ???? ??? ??????? ?????????? ?????????????? ?????????????? ?????????????? ??? ??? ??? ??? ??? ??????????
????????????? ??? ?????????? ??? ?????????????? ?? Danfoss ??? AstraZeneca ?????????? ?????? ?????????? ?????? ?????? ???
????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????????????. ??????????, ?
AstraZeneca ?????????? ?????? ??? ?????? ?????????????? ??? ?????? ?????? ??? ?????? ??? ?????
????????? ?? ??? ?????? ??????????, ??? ?????? ???, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ????. ?????????, ?? ?????? ??? ??????????
????????????? ??? ?????? ?????????????? ??? ?????? ??? ?????????? ?????? ??? ?????????? ??? ?????? ??? ?
????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????????? ???.

54 ?? ??????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ?? ?? ??????? ?? ?????????? ?? ?????????? ?? ??
?????? ?? ?? ?? ?????? ?? ?????? ?? ?? ?? ??????????.

55 ???????, ??? ?????????????? ??? ?????? ?? ?????? ??????? ?? ???????
????????????? ? ?????????????? ? ?? ?????????????? ??? ?? ?????? ?? ??????? ?? ???????
????????????? ??????? ??????????, ?????? ??? ??? ?????? ??????? ??? ??????? ?? ???????
????????????? ????. ???????, ?? ??????? ??? ?????????????? ??????? –??? ?????? ??
?????? ?? ?????? ?????????– ??? ?? ??????? ?????????????? ??? ??????? ?????? ???????
?????????????, ?? ??? ??? ?????? ?????? ?????????? ??? ??????? ?? ?????? ?????? ??????? ??
?????? 6, ?????????? 2, ??? ?????? ???????.

56 ????????, ?? ?????? ?? ?????????? ?? ? ?? ?????? ?? ?????????? ?????????????? ??????
?????? ?????????? ?? ?????????? ??' ??????? ?????????? ?????????? ??????? ??
????????????? ?? ?????? ?????????? ?? ?????????? ?????? ?????? ?? ?????????? ??????
?? ?????????? ?? ?, ??????????, ?? ?????? ?????? ?? ?????? ?? ??????????.

57 ????????????????? ??? ????? ?????????? ?????????????? ?????????? ?? ?????????? ?? ????,
???? ?????? ???, ?????? ??? ???? ?????? ??? ?????????? ????. ? ?????????? ??? ?????????????? ????
????????? ????, ??????? ? ?????????? ?????????????? ?????? ?? ?????????? ??? ???? ????
????????? ??? ???? ?????????????? ??? ???? ??? ?? ?????????? ??? ???? ?? ?????? ?????????? ????.
?????????, ???? ?????????????? ? ?????????? ??? ???? ??' ?????????? ??? ???????, ? ??????
????????? ???? ????? ?????????? ????, ???????, ???? ?????????? ?????????? ??? ?????????? ????

? ?????????? ??? ???? ?????????? ??????? ??? ?????????? ?????? ?????? ??? ??????? ?? ??????? ?
?????????. ??? ???? ??????, ??? ?????????? ???????, ? ?????? ?????????? ??? ??????? ?
??? ?????? ?????? ?????????? ?????? ?????????? ?????? ?????????? ?????? ?????????? ???
????? ??? ?????? ??? ?????? 6, ?????????? 2, ??? ?????? ??????.

58 ??????????, ??? ?????? ???????, ?? ?????? ??? ?????????? ?????? ?????? ??
????????? ??? ?? ?????? ??? ??????? ?????? ?????? ?????? (??., ??' ?????? ??? ?? ?
????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,?
????????????? ?????? Fillibeck, ?????? 29 ?? 30).

59 ??????, ? Danfoss ??????????, ??? ?? ?????????? ??? ?? ?????? ??????????,
??? ?? ?????? ?????? ??? ?????????? ??? ?????????? ??? 1 % ??? ?????? ???
?????????, ??? ?? ?????? ?????? ??? ??????, ?????????? ??? ?????????? ??? ?? ?
????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???' ?????? ???, ?
????????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
????? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???.

60 ?????????? ??? ? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????????? ???
??????, ?????? ???, ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???
????????, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ???' ???.

61 ??????, ??? ?????? ? Danfoss ??? ??' ?????????? ?????? ?? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ??
????????? ??? ?????? ??? ?????? ???, ??? ???, ??? ??, ??? ?? ??? ?????? ???, ??? ?
????????? ??? ?????? ??? ?????? ?????? ??? ??????.

62 ??? ??? ?????? ??? ?????? ???, ? ?? ?????? ??? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

63 ??????, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

64 ??????, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ???, ?? ?? ?????? ??? ?????? ??? ?????? ???
??? ?? ?????? ??? ?????? ??? ?????? ???, ??????, ?????? ??? ?????? ??? ??
????? ?????? ???, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

65 ?????? ??? ?????? ???, ? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?? ?????? 6, ?????? 2, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
? ?????? ???, ?????, ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ???
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? -?? ?????? ?? ?????? ?? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

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

66 ?????????? ??? ? ??????? ?????????? ??? ?? ??? ????? ????? ?????????? ??? ?????? ?????
??? ?????????? ?????????????? ??? ?????? ?????? ?????? ??? ?????? ??????????????, ?' ????
????????? ?? ??????? ??? ?????????? ??????. ?? ????? ??? ????? ??????????????
???? ??????? ?????????? ??? ??????????, ??? ?? ??? ??????????, ??? ??????????????.

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

1) ?????? 17, ?????????? 6, ?????? ??????, ??? ????? ?????? 77/388/??? ??
??????????, ??? 17?? ??? 1977, ??? ?????????????? ??? ?????????? ??? ??????
?????, ??? ?????????? ?? ??? ????? ?????? ?????? ????????? - ??? ????? ?????? ???
????????????? ????: ?????????? ?????????? ???, ?????? ?? ?????????? ??? ??
????? ??? ?????????? ?? ??? ?????? ?????? ?? ?????????, ??? ???? ?????? ?????? ???
????? ?????? ???, ?? ?????????? ?????????? ??? ?????? ?????????????? ??? ?????? ??? ??
????? ??? ?????? ??? ?????????? ?????? ?? ?????????? ??? ?????? ?????????????? ??? ??????
??? ?????????? ?????????????? ??? ?????? ?????? ??? ?? ??? ?????? ??? ?????????? ??'
????????? ?????????????? ?????????, ???, ??? ?????? ?????? ??? ?????????? ?????? ???
????? ???????, ? ?????????? ?????? ??? ?????? ?????? ?????????? ?????????? ??? ?? ???
??????, ??? ?????????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ???
????????? ?????? ?????? ???' ?????????? ?????? ??? ?????? ??? ?????? ??? ??????????????
??? ?????? ?????????? ??? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??
??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ???
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???

2) ?? ?????? 6, ?????????? 2, ??? ?????? ??????? 77/388 ?????? ?? ?????????? ??
??? ?????? ??? ? ?????? ????, ??????, ??? ?????? ??? ???? ?????? ??? ??????????
????????????? ?????? ?????? ?????????? ?????? ?????? ??? ?????? ?????????? ??????????
????? ??? ?????????? ??????, ?????? ??? ?????????? ?????? ?????? -??? ??????
?? ?????? ?? ?????? ?????????- ??????? ??? ???? ?????? ??? ??????????
??? ?????? ?????????? ?????????? ??????. ???????, ? ?????? ??? ?????? ??? ??????????
??? ?? ?????? ?????????? ?????? ?????? ?????? ?????????? ??? ?????? ??? ??????????
??? ?????? ??? ?????????? ????, ?????? ?? ???? ?????? ??? ?????????? ??? ?????????? , ??? ?
?????? ??? ?????????? ??? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ??????????
????????? ?? ?????????? ?? ?????? ??? ?????? ?????????? -?????? ??? ?????? ??????
?? ?????????? ??? ?? ?????? ??????.

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

* ?????? ?????????????; ? ??????.