

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

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

??? 8?? ??? 2019 (*)

«????????????? ?????????? – ????? ?????? ?????? ?????????????????? ?????? (???) – ??????
2006/112/?? – ????? 168, ??????? ?? – ??????? ??? ?????? ?????? – ??? ????
????????????? ??? ?? – ?????????????? ??? ?????? ??? ?????? ?????? ?????????????? ??? ?? ??
????????????? ?????????????? – ?????????????? ??? ?????? ??? ?????????????? ?????? ??? ?? ??
????????????? ??? ?????????????? ??? ?? ?? ?????????????? ??? ?????? ??? ?????? – ??
????????? ?????????? ?????????? ??? ?????? ?????????? – ??? ??? ?????????? ??? ?? ??»

???? ??????? C-566/17,

? ? ?????????? ?????? ?????????????? ?????????? ??? ?????? 267 ????, ???
?????? ?? Wojewódzki S?d Administracyjny we Wroc?awiu (?????????? ???????????
?????????? Wroc?aw, ???????) ?? ??????? ??? 10?? ??????? 2017, ? ????? ??????? ???
?????????? ??? 26 ??????????? 2017, ??? ??????? ??? ???

Zwi?zek Gmin Zag??bia Miedziowego w Polkowicach

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Szef Krajowej Administracji Skarbowej,

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

?????????? ??? ??? K. Lenaerts, ??????? ??? ???????????, ?????????????? ??? ??????????
??????????, A. Prechal, C. Toader, A. Rosas (?????????) ??? M. Illeši?, ???????????,

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

?????????: R. ?ere?, ?????????? ??????????,

?????? ??? ??? ??????? ??????????? ??? ??????? ??? ??' ??????????? ??????????? ???
20?? ??????????? 2018,

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

- ? Zwi?zek Gmin Zag??bia Miedziowego w Polkowicach, ?????????????? ??? ??? P.
Ko?mi?ski ??? K. Ziemska, radcowie prawni, ??? ??? ??? ??? P. Ka?mierczak, doradca
podatkowy,
- o Szef Krajowej Administracji Skarbowej, ?????????????? ??? ??? B. Ko?odziej ??? J.
Kaute,
- ? ??????? ???????, ?????????????? ??? ??? B. Majczyna ??? ??? A. Kramarczyk –
Sza?adzi?ska,
- ? ??????? ???????, ?????????????? ??? ??? J. Jokubauskait? ??? M. Siekierzy?ska,

???? ?????? ?? ?????? ??????????? ??? ???????? ??? ?????? ?? ???????????
?? 6?? ??????????? 2018,

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

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1 ? ?????? ?????????????? ?????????? ?????? ??? ?????? ??? ?????? 168, ?????????? ?,
?? ??????? 2006/112/?? ??? ??????????, ??? 28?? ?????????? 2006, ??????? ?? ?? ??????
?????? ?? ????? ?????????????? ??? (?? 2006, L 347, ?. 1, ??? ????: ?????? ???).

2 ? ?????? ??? ?????????? ??? ?????? ?????????? ?????? ??? Zwi?zek Gmin
Zag??bia Miedziowego w Polkowicach (?????? ????. ??? ?????????? ?????? ???
Polkowice, ??? ????: ????? ????) ??? ??? Sze? Krajowej Administracji Skarbowej (?????????
???. ?????? ?????????? ???, ??? ????: ?????????? ???), ??????? ?? ?????? ???
????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
???. ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
???. ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ???
????? ?????????? ??? ?????? ??? (???. ????: ?????? ???)).

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

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

3 ? ?????? I?? ?? ?????? ??? ?????????? «????????? ????. ????.».
???, ?? ????? 9, ?????????? 1, ?????? ??????, ??? ?????? ?????? ???:
«?????? ?? “????????? ????.” ?????????? ????, ????. ?????? ?????????? ????.
????????? ????, ?????????? ?????????? ????, ????. ????. ????. ????.
???. ?? ?????????? ????. ????. ????. ????.»

4 ??? ?? ?????? ???. ?? ?????? 13, ?????????? 1, ?????? ??????, ??? ?? ?????? ??????
?????:

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

5 ? ?????? X ??? ?? ?????? ???, ??? ?????????? «?????????», ?????????? ????.
?????????, ?? ?? ?????? ?? ?????? ????. ????. «????? ???. ?????? ????.
?????». ??? ?????? ???, ?? ?????? 168 ?????? ???:

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

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

[...]».

6 ?? ???????? 2 ??? ??? ????? ?????? ?????? «????????? ??????». ??? ?? ???
?????????, ?? ??? 173 ??? ?????? ??? ?????? ??? ??:

«1. ??? ?????? ?? ??? ?????? ??? ?? ?????????? ??? ?????????????????? ??? ?????????????? ???
????? ??? ??? ?????????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ???
????????????? [??? ????] 168 [...] ??? ??? ??????, ?? ?????? ??? ?????????? ??? ??????????
????????, ? ?????? ?????????? ??? ?? ??? ?????? ??? ??, ?? ????? ?????????? ??? ?? ???
??? ?????? ??? ?????? ??? ?????? ??????????.

? ???????? ???????? ?????????? ?????? ?? ?? ??? 174 ??? 175, ??? ?? ?????? ???
????????? ??? ?????????????? ??? ?? ??? ?????????? ??? ??.

2. ?? ?????? ??? ?????? ?? ?????? ?? ?????????? ??? ?????????? ???:

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

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

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

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

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

7 ?? ?????? 174 ??? 175 ??? ?????? ?????? ?????? ??? ?????????? ??? ?? ??????????
????????.

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

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

8 ?????? ??? ?????? 217 ??? Konstytucja Rzeczypospolitej Polskiej (????????????? ???
????????????? ??? ???????), ??? 2?? ???????? 1997 (Dz. U. ????. 78, ??? 483), ?????
????????? ?? ????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??????
????? ?????????????? ????, ??? ?????????? ?????, ??? ?????????? ?????, ??? ?????????? ??????
????? ?????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ????
????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
?????.

? ?????? ????

9 ?? ?????? 15, ?????????? 6, ??? Ustawa o podatku od towarów i usług (????? ???? ???
????? ???? ??? ?????? ??? ???????), ??? 11?? ?????? 2004 (Dz. U. ????. 177, ??? 1054),
????? ???? ???? ??? ?????? ??? ?????????? ?????????? ??? ?????? ??? ?????? ??? ??????
(??? ????: ???? ????), ?????? ?? ??????:

«??? ?????????? ???? ???? ?? ?????? ?????? ???? ?? ?????? ?????? ???? ???? ???? ????
????????????? ???? ???? ???? ?????? ?????? ?????? ?????? ?????????? ?????? ??????????
????????????? ???? ?????? ???? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ??????.

10 ?? ?????? 86, ?????????? 1, ??? ?????? ???? ???? ?? ????:

«????? ?????? ???? ?? ?????? ???? ?? ?????????? ?????????????? ??? ?????????????? ?????? , ?
????????????? ???? ???? 15 ?????????? ???? ???? ???? ?????? ?????? ???? ????
????????????? ???? ???? ?????? ???? ???? ?????? ???? [...]».

11 ?? ?????? 90, ?????????? 1 ??? 3, ??? ?????? ???? ?????? ???? ????:

«1. ??? ?????? ???? ???? ???? ?????? ???? ???? ?????? ???? ???? ?????? ???? ???? ????
????? ???? ???? ?????? ???? ?????? ???? ?????? ???? ???? ?????? ???? ???? ???? ????
????? ???? ???? ?????? ???? ?????? ???? ?????? ???? ???? ?????? ???? ???? ?????? ????
????? ???? ???? ???? ?????? ???? ???? ?????? ???? ???? ???? ?????? ???? ???? ?????? ????
????? ???? ???? ???? ?????? ???? ????.

2. ??? ??? ?????? ?????? ?? ?????????? ?????? ?????? ???? ???? ???? ???? ????
????????? ???? ???? ?????? 1, ? ?????????? ???? ???? ???? ???? ???? ???? ????
??? ?? ???? ???? ?????????? ???? ???? ???? ???? ???? ?????????? ???? ???? ????
????? ???? ???? ?????????? ???' ?????? ???? ???? ???? ???? ???? ???? ????
??? ???? ???? ?????? ???? [...]

3. ? ?????? ???? ?????? ???? ?????? ???? ?????? 2 ?????????? ???? ?? ???? ???? ????
????? ???? ???? ???? ?????? ???? ?????? ???? ???? ???? ???? ???? ???? ????
????? ???? ???? ???? ?????? ???? ???? ?????? ???? ???? ???? ???? ???? ????
??? ???? ???? ???? ?????? ???? ???? ???? ???? ???? ???? ???? ???? ????
????? ???? ???? ???? ?????? ???? ????.

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

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

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

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

13 ??? ?? ???? 2013, ? ?????? ?????? ??????? ?????????????????? ?????????? ??? ?????? ???????
?? ?????? ????????????, ????, ??? ?????????? ??? ?????????? ?? ?????????? ?? ?????????? ?????? ???
????? ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ?????????? ?????? ?????? ???????
????????? ??? ?????? ??? ?????????? ?????????? ??? ??????????. ? ?????? ??? ?? ???
????????? ?????? ?????????? ?????????? ????????????, ? ?????? ?????????? ??? ?????? ?????? ?????????? ???
????? ?????????? ??? ?? ?????? ??? ?????????? ? ?????? ?????? ??? ??? ?? ??? ?????? ??????????
????????? ???, ??? ?? ?????????? ??? 2013 ??? 2015, ?????????? ???' ???, ?? 59
368,18 ?????? ??? (?????? 13 845 ???), ?? 372 166,48 PLN (?????? 86 796
????) ??? ?? 386 393,79 PLN (?????? 90 114 ???), ???????????.

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

15 ????? ??????????? ?? ??? ???? ????? ?????? ?? ??? ???? ?????? ?? ??? ???? ???? ?????????????? ??? 2013 ???
2015, ? ?????? ?????? ??????? ??????? ?? ??? ?????????? ?????? ??? ?????????? ?????? ??? ?????? ?????? ??????????????
????????? ??????? ?? ??? ?????????? ??? ?????? ??? ?????? ????. ??? ?????????????? ?????? ?????? ??? ?????? ???,
??? 17?? ?????????? 2016, ? ?????????? ?????? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???,
????? ?????? ?????????? ?? ??????, ??????, ?? ?????????? ??? ?????????? ??? ?????????? ???
????????? ?????????? ?? ?????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????
????????? ????. ??????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ??????????
????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ?????? ?????? ??? ?? ??? ?????? ???
????????? ?? ?????????? ?? ?????? ??? ?????????? ?????? ?????? ??? ?????? ?????? ???
????????? ??? ?? ?????????? ?? ?????? ??? ?????????? ?????? ??? ?????? ?????? ??? ?????? ???
?? ?????????? ???, ?????? ?? ?????????? ?? ?????? ??? ?????? ???, ? ?????? ??? ?????? ??? ??????????
?? ?????? 90, ?????????? 3, ??? ?????? ??? ???, ?????? ??? ?????? ??? ?????? ??? ??????????
?????????????, ?????????? ?? ??????????????, ?????? ??????????, ?? ?????? ?????????? ??? ?????????? ???
?? ?????????? ??? ?????? ?, ?????? ???, ?????? ??? ?????? ??? ?????? ?????????? ?????? ???
????????? ?????? ?????? ???, ?????? ???, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????? ?????? ??????.

16 ? ?????? ?????? ??????? ?????????? ?????????? ??? ?????????? ??????????????, ??? Wojewódzki
S?d Administracyjny we Wroc?awiu (????????????? ?????????? ?????????? ?????????? Wroc?aw,
????????) ?? ?????? ??? ??????? ??? ?? ????? ?????????????? ??????????, ??? ?????????? ???
?????? 86, ?????????? 1, ??? ????? ????. ?????????? ????? ?? ?????? ??? ?????? ???, ???
????? ??? ?????? ???????, ? ?? ??? ?????? ??? ?????????? ??????? ?????? ?????? ??????????????
??? ?????????????? ??? ??????? ?????????? ??? ?? ?????? ?????? ?????? ?????? ???
????????? ? ??? ?? ?????????? ?????????????? ??? ?????????? ??? ?????? ????. ?? ??
??????, ? ??? ?????? ?????? ???????????, ??????, ??? ??? ?????????? ?? ?????????? ??????
????????? ??? ?????????????? ??? ??????? ??? ?????? ?????? ?????? ??????. ???????, ??
????????? ??????? ??? ?????? ??? ?? ?????? ?????? ?????? ??????, ??? ???????, ??
?????????????, ?????? ??? ?????????? ??? ?????????? ??? ?????? 90 ??? ?????? ????,
?????? ?? ??? ?????????? ?????????????? ??? ?????????? ??? ?????? ??? ?? ??? ?????? ???
????????????? ??? ??? ?????? ???.

17 ?????????????? ????, ?? ?????? ?????????? ?????????????? ???, ??? ???? 1?
?????????? 2016, ?? ??? ??????? ??? ??????? ?? ?????????????? ??? ?????? 90 ??? 91 ???
????? ????, ? ??????? ?????????? ??? ?????? ?????????? ?????? ?????? ?????? ?????? ??
??? ??????? ??? ?????????????? ??? ?????? ?????? ??? ?????? ??????. ??????? ???
????????????? ??? ?????? ???, ?? ?????? ?????? ?? ?????? ??? 1? ?????????? 2016, ??
????? ??? ?????? ??? ??????, ??? ?????? ?? ?????? ?????? ?????????? ??? ?????? ?????? ??
??? ?? ?????????? ??? 2013 ??? 2015, ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ?? ?????????? ????

18 ???????, ?? ?????? ?????????? ?????????? ??? ? ?????? ??? ?? ??????? ???????
?????? ?? ??? ?????????? ??? ?????? ??? ?????????????? ??? ?????? ??????? ??? ??? ??????
?????? ??? ?????????? ????. ??? ?? ?????????? ??? ?????????? ?????? ?????????? ???,
????????? ??? ? ?????? ??? ?????? ?????? ??????, ?????????? ??? ?????? ??? ??
????????? ?? ?????? ??? ?? ?????? ?????? ?????? ?????? ?????????? ?????? ??? ?????? ???
????? ??? ??? ?????? ??? ?????? ?????? ???.

19 ?????? ?? ?? ???, ?? ?????? ?????????? ?????????? ??? ?? Naczelnego S?d
Administracyjnego (?????? ?????????? ?????????, ??????) ??????, ?? ?????? ??? 24?
????????? 2011, ???, ??????? ?????? ?????? ??? ?????? ??? ??????, ? ?????????? ????
????? ??? ?????? ?????? ??? ?????? ???, ?????????????? ??? ?????? ??? ??
????????? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??
????????? ??? ?????? ?????????? ????. ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ??????????, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?, ??? ?????????? ??? ?????? 217 ??? ?????????? ??? ?????? ??? ?????? ???
?????????, ?? ?? ??? ?????? ?????? ???, ??? ?????? ?? ?????? ?? ?????? ??? ?????? ???
??? ?????? ??? ?????? ???, ??? 1? ?????????? 2016, ? ?? ?????????? ??? ??
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????????????? ??? ?? ?????? ???
????????? ??? ?????? ?????????? ????.

20 ???????, ?? ?????? ?????????? ?????? ??? ?????? ??? ?????? ?? ?????? ?? ???????????
????? ??????? ?????????? ??? ?????? ?????? ?? ??? ?????? ????. ?? ?????????? ???
??????????, ???????, ??? ?? ?????? 86, ?????????? 1, ??? ?????? ???, ??? ??
????? 168 ??? ?? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ???
????? ???, ???????, ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ???.

21 ?? ?????? ?????????? ????, ????, ??? ? ?????? ??? ?????? ??? «?????»
????????? ??????? ?? ??? ???????, ?????? ?????????? ??? ?? ??????????
??????????, ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
??? ?????? ?? ??? ???????, ?? ??? ?????? ???????, ?? ?????? ??? ?????? ??? ??
?????, ?? ?????? ??? ?????? ??? ?????, ?????? ?????? ??? ?????? ??? ?????? ??? ??
????? ?? ??? ???????, ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ??
????? 168 ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
?????, ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,
? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????. ?? ??????
????????? ???????????, ???????, ??? ? ???? ??? ?????????? ? ?????????? ??? ?????? ???
????? ? ?????????? ??? ?????? ???, ?? ?????? ?????? ??? ?????? ??? ?????? ??? ??
????? ?????? ??? ?????? ???.

22 ??? ??? ????????, ?? Wojewódzki S?d Administracyjny we Wrocławiu
(???????????, ?????????? Wroclaw) ?????????? ?? ?????????? ??? ??????? ???
????????? ??? ?? ?????????? ??? ?????????? ?? ?????????? ?????????????? ????:

«????? ?????? ??? ???? 168, ????????, ??, ??? ?????? [??] ?????? ??? ???? ???
????????????? ??? ?? ?????? ?????????? ???? ?????? ?????? ?????????? ?????????? ???
??? ?????????? ??? ?? ?????? ?????? ???? ?????? ??? ?????? ?????? ??? ?????????? ???
????????????? ??? ?? ?????? ??? ?????? ??? ?????? ?????? ??? (????????????? ???
????????????? ??? ?? ?????), ??? ?? ?????? ??? ?? ?????? ?????? ?????? ??? ?????? ??????
??? ??, ??? ?? ?????????? ??? ?? ?????? ?????? ?????? ?????? ??? ?????? ??????
????????????? ??? ?? ?????? ??? ?????????????? ??? ?????? ?????? ??? ?? ?????????????? ???
?????????;»

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

23 ?? ?? ?????????? ???, ?? ?????? ?????????? ???, ???' ??????, ?? ?? ???
168, ????????, ??, ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????????? ?? ???
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ?????????? ???
??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ???
????????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?? ?????????? ???
????????? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????? ???
????????? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???,
?????????.

24 ?????????? ?? ??? ?????? ?????????? ??? ?????? ??? ?????????? ???,
?????????????, ?? ?????? ?????? ??? ?????????? ??? ?????? ???, ??? ??????????
??? ?? ?????? ??? ?? ??? ?? ?????????? ??? ??????????.

25 ??????, ?? ??? ?????? ??? ?? ?????????? ?????????? ??????????, ?????? ???,
????? 168 ??? ?????? ????. ??? ?? ?????????? ?? ??? ?? ?????? ??? ??????, ? ?????????? ???
????? ??? ?? ?????????? ?? ?????????? ??? ?? ?????? ?????????? ??? ?? ?????? ??? ?????????? ???
????????????? ??? ?? ??? ?? ?????? ??? ?? ?????????? ??? ?????????? ??? ?? ??? ?????????? ???
??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ??? ?????????? ??? ?? ???
????????? ??? ?? ???, ??? ?????? ??? ?? ?????? ??? ?????? ?????????? ??? ??? ???
????????? ??? ?? ?????????? ??? ???.

26 ??????, ? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???
??????????. ? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ??? ? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?? ?????? ??? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??????. ??????????, ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ?????????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
16? ?????? 2016, Mateusiak, C-229/15, EU:C:2016:454, ??? 24 ??? ??? ?????????? ???
?????????).

27 ??????, ?????????? ??? ?????? ?????????? ??? ?????? ???, ???, ?? ?????? ??

???????????? ????? ???? ???????, ??????????? ??? ???? ?????????? ??? ???? ?????, ??? ?????? ????
????????? ??? ?? ?????????????? ?? ?????? ??? ???? ?????????? ??? ???? ??? ?????? ???
????????????? ?????????????? ??? (??., ????, ?????? ??? 16?? ?????????? 2012, Eon
Aset Menidjmunt, C-118/11, EU:C:2012:97, ??? 69). ????????, ?????????? ???? ?? ??????
?? ???????, ?? ??????? ??????? ??????, ??? ???????, ?? ?????????? ?????? ???
????????? ??? ?? ??? ??????? ?????? ??? ?????? ??? ?????????? ?????????? ??? ???????,
?? ??????? ?????? ??? ?? ??? ??????? ?????? ??? ?????????? ?????????? ??? ??????? ???
????????? ?????????? ??? ?? ??? ??????? ??? ?????? ??? ?????????? ?????????? ??? ??????? ???
????? ? ??? ??????? ?????? ??? ?????? ??? ?????? (????. ?????????? ??? 13?? ??????
2008, Securenta, C-437/06, EU:C:2008:166, ??? 27, ??? 6?? ?????????? 2012, Portugal
Telecom, C-496/11, EU:C:2012:557, ??? 36, ??? 36, ??? 16?? ?????? 2015, Larentia +
Minerva ??? Marenave Schiffahrt, C-108/14 ??? C-109/14, EU:C:2015:496, ?????? 23 ??? 24).

28 ????????, ??? ??????? ??? ???? ?????????? ??? ???? ?????????? ?? ?????? ???
?? ?????????? ??? ?? ?????????????? ??? ?????????????? ??? ?????????? ??? ?????????? ???
????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ?????????? ??? ???????,
????????? ??? ?????????? ??? ?? ??? ?????? 173 ??? 175 ??? ??????? ???
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???
????????? ???, ?? ?????? ?? ?????? ?????????? ??? ?? ?????? ??? ?????????? ???
????????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? . ???????, ?? ??????????
???? ?????????? ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ???
????????? ??? ?????? ??? ?? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ???
????????? ?????? (????. ?????????? ??? 13?? ?????? 2008, Securenta, C-437/06,
EU:C:2008:166, ??? 33, ??? 6?? ?????????? 2012, Portugal Telecom, C-496/11,
EU:C:2012:557, ??? 42, ??? 16?? ?????? 2015, Larentia + Minerva ??? Marenave
Schiffahrt, C-108/14 ??? C-109/14, EU:C:2015:496, ??? 27). ????????, ?????????? ?? ???
????? ?? ??????? ???? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ???
????? ?????? ???, ?? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????????? ??? ??????
??? ??? ?????? ?? ?????????? ??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ???
????????? ?? ?????????? ??? ?????? (????. ?????????? ??? 14?? ?????? 2000,
Floridienne ??? Berginvest, C-142/99, EU:C:2000:623, ??? 32, ??? 27?? ?????????? 2001,
Cibo Participations, C-16/00, EU:C:2001:495, ??? 44, ??? 29?? ?????? 2004, EDM, C-
77/01, EU:C:2004:243, ??? 54).

29 ??????, ?????? ?? ?????????? ??? ???? ?????????? ??? ?????? ?????? ???, ?????????? ???
????? ??? ?? ?????????? ??? ?????? ???, ? ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ??????????
????????????? ??? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
??? ?????????? ??? ?????? ???, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ???, ??? ??? ?????? ???, ?? ?????? ??? ?????? ??? ?????? ???
????????? ?? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ?? ?????????? ??? ??? ?????? ?????????? (??., ????, ????, ??? 25??
????? 2018, Gmina Ryjewo, C-140/17, EU:C:2018:595, ??? 58 ??? ??? ??????????)

30 ?? ??????????, ??? ??? ?????? ??? ?????????? ??? ?????????? ???, ??? ?????????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ???, ? ?????????? ??? ??????
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????

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

31 ??? ??????, ???????, ?? ??????? ?? ??? ?????? ??????? ??????? ??????? ??? ??
?????????? ??????????? ??? ?? ?????? ??? ?????? ?????? ?? ???, ?? ?????? ??? ???????
??? ???, ??????? ??????? ??? ?????? ??? ??????? ??? ??????????? ??? ??????? ???
?????? ?? ?????? ???????.

32 ?? ????????, ?????? ?? ??????????? ??? ? ?????????? ??? ?????? ? ???????????
????? ??? ?? ??????????? ?? ??? ??? ??????????? ??? ??????? ??? ??????? ???
?????? ?? ?????? ??????????? ??? ?? ?????????? ??????????????? ??????????? ??? ??
?? ?????? ??? ?????? 168, ??????? ??, ??? ?????? ???, ???????, ? ?????? ???
????????? ??????? ??????? ??? ?????????????? ????? ?????? ??????? ?????????????? ???
????? ??? ?? ?????? ??? ?? ?????????? ?????????????? ??? ?? ?????? ??????? ???
????????????? ??????? ??? ?????????? ???.

33 ??? ??????? ??? ?? ??????????? ??? ?? ??????????? ??? ?? 26 ??? ??????? ??????????
?????????, ??? ?? ?????? ?? ?????????? ??? ?????????? ?? ?????????? ??? ??
????????????? ??? ?? ??????? ??? ?? ?????????? ??? ?? ?????? ?????????? ??? ??, ??? ??
????? ??? ?? ??????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ?????? ??? ?? ??????.

34 ??????, ? ?????? ?? ?????? ??????? ??????? ??????? ??????? ?? ?? ??????? ???
?? ??????? ???????, ?????? ??????????? ??? ?? ?????????? ??? ??????? ???????????, ???
????????????? ??? ?? ??????? ??? ??????? ?????? ??????. ???????, ?? ?????? ???
????????? ?????????? ?????????? ??? ?? ?????? ??? ?????? ??? ?????????? ??? ?? ???
?????? ???????.

35 ??????, ??? ?? ?????? ? ?????? ??????? ???????, ??? ??????????? ???????????
?????????, ??? ??????? ??? ?? ??????????? ??? ?????? ??????? ??????? ?????????? ???
?????? ?? ??? ?? ??????????? ??? ?? ??? ?? ??????? ?????? ?????? ?????? ?? ?????? ???
????????????? ??? ?? ??????? ??? ??????? ?? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??? ?? ??????? ?????????? ???, ? ?????? ??? ?????? ?????? ?????????? ??????????
????????? ?? ??? ?? ??????? ?? ??????? ??? ?????? ??? ?? ?????? ??? ???????????, ? ???
?? ??????? ??? ?????? ??? ?????? ??? ??????? ??? ?????? ??? ?? ?????? ??? ??????? ???.

36 ??????, ??? ??????? ? ?????? ??????????? ??? ?? ?????? 57 ??? ?????????? ???,
?? ?? ?????????? ?? ?????????? ???, ??? ? ?????? ???, ??? ?????? ???, ??? ?????? ???
????????????? ??? ?? ?????????? ?????????????? ?? ??????? ?? ?????? ??? ?????? ???
?? ?????????????? ??? ?? ?????? ??? ??????? ?????? ??????? ?? ??? ?????? ??? ??????????
????????? ??? ?? ??????? ??? ?????????? ?????????? ???, ? ??????, ??? ?? ?????? ???
????????? ?? ?????????? ??????? ??? ?????? ?????? ??? ?????? ??? ?????????? ??? ??
??? ??? (????. ??????? ??? 9?? ??????? 2009, NCC Construction Danmark, C-174/08,
EU:C:2009:669, ??? 41 ??? ??? ??????????? ???).

37 ?? ?? ??????, ? ?????? ??? ??????? ??? ??????? ?????? ??????? ??????? ???????
?????? ?? ?? ?????????? ??? ?? ??????? ???????????, ?????? ??????????? ??? ??
?????????? ???????????, ??? ?????????????? ??? ??????? ??? ???????, ?? ???????, ??
????????? ?? ?????? ??? ?????????? ??? ??????? ??? ?? ??? ?????????? ??? ?? 168
?? ??????? ???.

38 ?? ?????? ?????????? ???????????, ???????, ??? ? ?????? ??????? ???

? ?????????? ??? ??????? ?????????? ?????? ???????, ??? ?????? ??? ?????? ?????? ?????? ??????,
????????????? ??? ?????? ??????? ??? ?????? 217 ??? ?????????? ??? ?????????? ??? ?????? ???
??????, ?? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ??????.

39 ???????, ?????? ?? ???????? ???, ??? ?????????? ??? ?????? ??? ?????? ??????????????
????????? ??? ?????? ?????, ? ??? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? . ?????? ?
????? ??? ??????, ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? 110 ??? ??????????
???, ??? ?????????? ?????????? ???, ??? ? ??, ??? ?????? ??? ??? ? ?????? ?????? ?????????? ???
????????? ?? ?????? ?????????? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ???, ?????????? , ??
????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ?? ?????? ??????????
????? ??? ?????? ?????????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

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

42 ??? ?????, ?????????? , ?? ?????? ?????? ?????????? , ??? ?????? ?????? ?????? ?????????? ???
????????? ??? ?????? ??? ? . ? ?????? ??? ?????????? ?????? ?????? ?????????? ???
????????? ??? ?????? 168 ??? ?????? ??? . ??? ?????? ?????????? ?? ?????????? , ?? ?? ???
????????? ??? ?????????? ?? ?????????? ??? ?????? ?????? ?????????? ??? ?? ?????????? ??? ??????????
????????? , ??? ?????????? ??? ?????? ??? ?????? ?????? ?????????? ?????????? ?? ??? ??? ???
????????? ??? (????. ?????? ??? 10?? ?????? 2005, ?????? ??? ?????? ?????? ?????????? , C-
33/03, EU:C:2005:144, ??? 16 ??? ?????? ?????????? ??????????).

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

44 ???????, ?? ?????, ?????????? ??? ?????? ?????????? ?? ?????????? , ??? ??????
?? ?????? ??? ?????? ?????? , ?? ?????????? ?? ?????????? ?? ?????? ?????????? ???
??? ??? ?????? ?????????? ??? ?????? ??? ?? ?????? ?????????? ?????? ?????? ?????? ,
????????? , ?????????? ??? ?????? ?????? ?? ?????? ?????? ??? ?? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

45 ???' ????, ????, ?? ??????????? ??? ???? 168 ??? ?????? ??? ???????????
??? ??????? ??? ?????? ?? ???? 86 ??? ?????? ????. ? ?????????? ??? ?????? ??????
??????????, ??? ???? ?? ???? 168 ??? ?????? ???, ??? ? ?????????? ??? ?????? ??????
????????? ??????? ??? ???? ?????????? ??? ?????? ?????????????? ??? ?????? ?????? ????
??? ???? ??? ???? ?? ?????????? ?????????????? ??? ?????? ?????????? ?????? ?????? . ???????,
?? ????? 86 ??? ?????? ??? ??????, ?????????? ??? ?????? ? ?????????? ?????????? ??????????
??? ?????? ???????????, ?? ?????????? ?? ?????????? ??? ?????? ??? ? ?????????? ???
?????????? ???????.

46 ?? ????????, ??? ?????????? ??? ???? ??????? ??? ???????????, ?????????? ???????
???????, ??? ?? ?????????? ??? ?????? ??? ?????????? ?????????? ???????????, ???????,
?? ???? ??????? ??? ???? ?????????? ?????????? ??? ?????????? ?????????? ??????? ??????
?????????? ??? ???? ?????????? ?????????? ???????????, ? ?????????? ??? ?????? ?????? ????
????????, ??? ???? ?????????? ?????????? ?????????? ???????????, ?????????? ?????? ?????? ???
????????? ??????? ??? ???? ?????????? ??? ???? ?? ?????????? ??? ?????? ?????? ?????????? ???
?????. ????????, ??????? ?? ???? ??????? ??? ?????? ??? ?????? ?????? ??? ???? ???????????, ?
?????????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????????? ?????? ??? ???? ?????? ??? ????
????? ????????. ??? ???? ?????????? ??? ?????? ??? ?????????? ?????? ?????? ??? ???? 86
??? ?????? ???, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ???? ?????????? ???
?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???.

47 ?????, ?? ??????? ??? ???????????????, ? ??????? ??? ?????? ??? ?????? ??? ?????? ???
?????? ??????? ??? ??????? ??? ???? ?????? ?????????? ??????? ??? ???? 168 ???
?????? ???.

48 ??????, ?????? ?? ???????????, ??????, ??? ???? ?????? ??????????? ?????????? ??
??????????, ??? ?????? ?? ???????, ?? ?????? ?????? ??? ?????? ?????? ??????? ??? ??????
??? ?????? ??? ???? ?????? ??????? ???????, ???????, ??? ?????? ??? ?????? ???
?????????? ??? ???? ?????? ?????????? ??????? ??? ?????? ?????? ?????????? ???????????
????? (????. ?????????? ?? 26?? ?????????? 1996, Arcaro, C-168/95, EU:C:1996:363,
?????? 41 ?? 42, ??? 5?? ?????? 2007, Kofoed, C?321/05, EU:C:2007:408, ???? 45, ????
??? ?? 15?? ?????????? 2011, Franz Mücksch, C-53/10, EU:C:2011:585, ???? 34).

49 ??????, ?????? ? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ???
????? ?? ?????????? ??? contra legem ??????? ??? ?????? ?????? (??., ?????,
????? ??? 15?? ?????? 2008, Impact, C-268/06, EU:C:2008:223, ??? 100 ??? ???
??????????, ???????, ?? ?????? ?????????? ??? ?????? ??? ?????????? ?? ???????????,
?? ?????????? ???, ??? ?????? ?????????? ??? ???? ?? ?????????? ??? ?????? ??? ??????????? ??
????????? ??? ?????? ?????? ???? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????
(????????? ??? 19?? ?????? 2016, DI, C-441/14, EU:C:2016:278, ??? 33, ??? 17??
????????? 2018, Egenberger, C-414/16, EU:C:2018:257, ??? 72, ??? ??? 11?? ???????????
2018, IR, C-68/17, EU:C:2018:696, ??? 64).

50 ??????????? ??? ?????? ??? ???????????, ??? ?????????? ??????????? ???????
????? ?? ?????? ? ??????? ??? ???? 168, ??????? ?, ??? ?????? ??? ?????? ???
????? ?? ?????????? ?? ?????? ?????? ??????? ??? ?????? ?????? ?????????? ??? ??????
?? ?????????? ??????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????????? ??? ??????
??????, ??? ???? ??????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ??????
?????? ?? ?? ??????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ????
????????? ??? ??? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????????? ???
????????? ??? ??? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????????? ???

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

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

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

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

? ? ????? 168, ?????????? ??, ??? ??????? 2006/112/?? ??? ?????????? , ??? 28??
????????? 2006, ??????? ?? ???? ?????? ?????? ?????? ?????????????? ?????, ???
??? ?????? ??? ?????????? ?? ???? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??????????????
???? ??? ? ?????????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????????????? ???
(???) ?????? ? ?????? ?????????? ??? ?????????? ??? ?????? ?????? ?????? ???
????????? ??? ??? ?????????????? ??? ?????????????? ?????? ?????????????? , ?? ??????
????????? ???, ??? ??? ?? ?????????? ?????????????? , ?? ?????? ???
????????? ??? ?????? ?????????? ???, ??? ??? ?????????? ??? ?????? ?????????? ??? ?????? ??????????
????????? ??? ?? ?????????? ?? ?????????? ??? ?????? ?????????? ?? ?????????????? ??
???? ??? ?????????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?? ?????? ??? ?????????? ???
???? ??? ?????????????? ???, ??? ?????????? ?????????? ?????? ?????????????? ???, ??? ??????????.

(?????????)

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