

62018CJ0707

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

??? 19?? ?????????????? 2019 ( \*1 )

«????????????? ?????????? – ?????????? – ?????? ?????? ?????? ?????????????????? ?????? –  
?????? 2006/112/?? – ?????????????? ??????? – ??????? ??? ?????????????? ?????? ?????? ?????? –  
????????? ?????????? ??? ?? ?????? ?????? ??????? ??? ?????? ?????? ?????? – ?????? ??? ??  
????? ??????? ??? ?? ?????? ?????? ?? ?????? ?????? ?????? – ?????? ??? ?????? ??????  
????????????? ?????? ?????? – ?????????? ?? ?????? ?????? ?????? – ?????? ??? ?????? ??????  
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????? ??????? C?707/18,

??. ?????????????? ?????? ?????????????? ?????????? ?????? ??? ?????? 267 ????, ???  
?????? ?? Tribunalul Timi? (????????????? ??? Timi?, ???????) ?? ??????? ??? 30??  
????????? 2018, ? ?????? ??????? ??? ?????????? ??? 13 ?????????? 2018, ??? ???????  
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Am?r??ti Land Investment SRL

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Direc?ia General? Regional? a Finan?elor Publice Timi?oara,

Administra?ia Jude?ean? a Finan?elor Publice Timi?,

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

?????????? ??? ??? L. S. Rossi, ??????? ???????, J. Malenovský (?????????) ??? N. Wahl,  
???????,

?????? ??????????: G. Hogan

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

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

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

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? ?????????? ??????????, ?????????????? ??? ??? C.-R. Can??r, ?????? ??? ??? R. I.  
Ha?ieganu ??? L. Li?u,

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? ?????????? ??????????, ?????????????? ??? ??? L. Lozano Palacios ??? ??? A. Biolan,

?????? ??? ?????????? ??? ?????, ????? ?????? ??? ?????? ?????? ????????????, ?? ?????????? ???  
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1

? ?????? ?????????????? ?????? ??? ???????? ??? ?????? 24, 28, 167 ??? 168 ???  
?????? 2006/112/?? ??? ??????????, ??? 28?? ???????? 2006, ??????? ?? ?? ??????  
?????? ????? ?????????????? ??? (?? 2006, L 347, ?. 1, ??? ????: ?????? ???).

2

? ?????? ??? ?????????? ??? ?????? ???????? ??????? ??? Am?r??ti Land  
Investment SRL, ??????, ??? ??? Direc?ia General? Regional? a Finan?elor Publice Timi?oara  
(?????? ?????????? ?????? ?????????? ??? ?????????? ??? Timi?oara, ???????) ???  
??? Administra?ia Jude?ean? a Finan?elor Publice Timi? (????????? ???????? ??????????)  
??? ????? ??? Timi?, ??????), ???????, ??????? ?? ?? ???????? ?????????? ???  
????????????? ??? (???) ??? ?????????? ??? ??????? ?? ??? ?????? Am?r??ti Land  
Investment ??????????????, ??? ?????, ?? ???????? ?????????? ??? ??? ?????  
??? ?????? ?????? ?????? (?? ????: ?????? ??????) ??? ?????????? ??? ?????? ???  
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3

?? ?????? 2, ?????????? 1, ??? ?????? ??? ??? ?? ????:

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

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?? ?????? ???????, ??? ?????????????????? ?? ?????? ?????? ??? ?????? ???  
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4

?? ?????? 24, ?????????? 1, ??? ?????? ??? ?????? ?????? ?? ????:

«?? “????? ??????” ?????? ??? ?????? ???? ???? ??? ?????? ?????? ?????? ????.»

5

?? ?????? 28 ??? ?? ??? ?????? ??? ?? ????:

«????? ?????????? ???, ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ?? ?????? ?????????, ?????????? ??? ?????? ??? ?????? ??? ?????? ???  
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6

?? ?????? 167 ??? ????? ??????? ??????? ?? ????????:

7

?? ?????? 168 ?? ??????? ???, ??? ?????????????????? ??? ?????? ??? X ? ??????  
?????????? «?????????», ??? ??:

«???? ?????? ??? ?? ?????? ??? ?? ??????????? ?????????????????????? ??? ??? ????? ?????????? ???  
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? ???? 227/2015

8

?? ???? 297, ?????????? 4, ??? Legea nr. 227/2015 privind Codul fiscal (????? 227/2015 ????)  
?? ???? ?????? ???:

«???? ?????????????? ??? ????? ????? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ??????, ?????? ?????? ?????????????????? ??? ??? ??????;

a)

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[...]]».

9

?? ?????? 271, ??????????? 2, ??? ?????? ?????? ?????? ?????? ?? ????????:

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

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

10

?? ???? 885, ?????????? 1, ??? Legea nr. 287/2009 privind Codul civil al României (????? 287/2009 ??? ?? ?????????? ?????? ??????) (Monitorul Oficial al României, ????? I, ????. 505, ??? 15?? ?????? 2011, ??? ????: ?????? ??????) ????? ?? ????:

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

11

?? ?????? 886 ??? ??????? ??????? ??????? ?? ????:

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

12

?? ?????? 888 ??? ?????? ?????? ?????????? ?? ????:

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

13

?? ?????? 893 ??? ?? ????? ??????? ??????? ?? ?????????;

«? ?????????? ?????????? ?????? ?????? ? ? ?????????????????? ??????;

a)

?????? ????????, ?? ????, ??? ???? ?????????? ?????????????? ??? ??????????, ??? ?????????? [...]».

14

?? ?????? 1244 ??? ??????? ??????? ?????????? ?? ???;

«?????? ???? ???? ?????????????? ??? ?????????? ??? ??????, ??????? ?? ?????????????? ?? ??? ??????  
???????, ??? ????? ?????????? ??????????, ?? ?????????? ?????????????? ? ???????  
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15

? Am?r??ti Land Investment ?????????? ??? ?? ???????? ??? ????? 2014 ?? ????? ??  
?????? ???????? ?????????????? ??, ??? ?????, ? ??????? ????? ?????????? ??????????.

16

? ??????????? ???. ?????????? ???. ?????????????? ???. ?????? ???. ??? ??????. ????. ??????, ??????  
?????????? ???. ?????? ???. ?????? ???. ?????????????? ???. ?????? ???. ?????? ???. ?????? ???.  
Am?r??ti Land Investment, ?????? ???. ?????? ???. ?????? ???. ?????????? ???. ?????? ???.  
?????????? ???. ?????????? ???. ???. ???. ?????? ???. ???????????. ?????? ??????, ?????? ???.  
??? ?????????? ???. ?????????? ???. ???. ?????? ???. ?????? ???. ??? ???. ?????? ???.  
????? ???. ???. ???. ???????????. ??. ???. ???. ?????? ???. ?????? ???. ???. ???. ???????????.

17

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

18

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????????????? ???? ?????????? ???? ?? ?????? ???? ?????????? ???? ?????? ???? ?? ????  
?????????????, ? Am?r??ti Land Investment ?????? ?????? ??? ?????????? ??? ?????????? ???? ??????????  
???? ??????????, ?????????????? ?????? ??? ?????? ?????????? ?????????? ??? ??????????  
??? ??? ??????????, ?????????????? ???? ?? ?????? ??? ?????????? ??????. ??????????, ?????? ???  
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19

????????????? ??????? ???? ?????????? ?????????????? ?????????????? ?????????????? ?????? ?? ??? ?????? ?  
????????????? ??? ?????? ?????? ??? ?????? ?? ?????????????? ? Am?r??ti Land Investment,  
?? ?????? ??? ???????, ???? ??? ?????? ?????????? ??????????, ??????????, ?????????? ???????,  
??????????? ??? ????????????, ??????????, ???????????????, ?????? ??? ?????????? ??? ??????  
?????????. ????????, ? ?????????? ??? ?????? ?????? ??? ?????????? ??? ?????? ??  
????????????? ????????????, ???? ?????? ?? ?????????? ? Am?r??ti Land Investment ???  
????????? ?????????? ????????????, ?? ?????? ? ?????? ?????? ?????? ?? ?????????? ??? ?????????? ??? ???  
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20

21

???????????? ? ?? ?????? ?????? 2000 ??? ? ?? ??????? ? ? ?? ?????????? ? ?? ?????????? ? ?? ?????????? ? ??  
??? ?????? ? ?? ?????????? ?????? ?????? ?? ?????????? ?????????? ??????????, ??? ?????????? ???  
????? ? ?? ?????????????? ??? ? ?? ?????? ??? ? ?? ?????????? ??? Am?r??ti Land Investment.

22

???? ? ?? ?????????? ??? ???????????, ? Am?r??ti Land Investment ????????, ??? 23  
?????????? 2017, ?????? ?????????? ??? ? ?? ??? ? ?? ????? 73828 ?????????? ??? (RON)  
(?????? 15456 ???), ? ?????? ?????? ??? ? ?? ?????????? ??? ???????.

23

?????????, ? ?????????? ??????? ? ??, ?? ???????, ?? ?????????? ?????????? ???  
????? 41911 RON (?????? 8772 ???), ?? ??? ??????? ?? ? ?? 750 ??? ??  
?????? ?? ?????????? ??? ? ?? 20 ??? ??????? ?????????? ?????????? ??? ??????????  
?? ? ?? ??????? ??? ?????????? ??? Am?r??ti Land Investment ?????? ???????,  
?????? ?? ??? ?????????? ??? ?????????? ?????????? ??? ?? ??????? ??? ??????????  
?????? ?? ??? ?????????? ?????????? ??? ?????????? ?? ?????????? ??? ?????????? ??? ??????????  
????.. ? ?? ??? ?????????? ?????????? ???, ?? ?????????? ??? ?? ?? ???  
??????????, ? Am?r??ti Land Investment ???, ?????, ?????????? ?????? ?????? ???,  
?????????, ?????????? ??? ?????????? ?????? ??? ?????? ?? ?????? ?????? ?????????? ???  
????? ????.

24

? Am?r??ti Land Investment ?????? ?????????? ??????? ??? ? ?? ?????? ??????????  
????????????? ???, ? ?????? ?????????? ??? ?? ?????????? ?????????? ?? ??? ??????????  
?? ? ?????? ??? ?????? ?????? ?????? ?????? ?????????? ?????????? ??? ?????????? ??? ??  
????????? ??? ?????, ?????? ?????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ??? ???  
????????????? ??? ??? ?????????? ?????? ?????? ?????????? ?????? ??? ?????? ?? ?????????? ???  
??? ??? ?????????? ??? ??? ?????? ?????? ?????????? ??????.

25

????? ??? ?????????? ???????????, ? Am?r??ti Land Investment ?????????? ??? ??  
?? ? ?????? ??? ?????? ?????? ? ?? ??? ? ?? ?????? ?????????? ?? 750 ??? ??  
????????? ?????? ?????? ?? ??? ???????, ??? ?????? ?????????? ?? ??? ??? ??????  
????????? ?????? ??? ?? ??? ?????? ?????? ?????????? ??? ?????? ??? ?? ???.

26

??????, ?????????? ??? ? ?? ?????? ??? ?????? ??? ? ?? ?????? ??? ?????????? ???  
?????? ??? ?????? ??? ?????????? ??? ? ?? ?????? ??? ?????????? ?????????? ??? 750 ???  
?? ? ??????, ?????????? ?? ? ?? ?????????? ??? ?????????? ??? ?????? ??? ?? ?????????? ??  
????????? ?? ? ?? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ???  
????????? ?????? ??? ?????????? ??? ? ?? ?????? ??? ?????????? ???????. ? Am?r??ti Land  
Investment ?????????? ???, ??? ?????, ?? ??? ?????, ?? ?????? ??? ?????? ?? ??? ??? ???  
????? ??? ??????, ?????????? ?? ? ?? ?????????? ? ?????????? ??? ?? ??? ?????? ??? 750  
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27

????????? ??? ? ?? ?????? ??? ?????? ??? ? ?? ?????? ??? ?????? ?????????? ?? ??????????  
????????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????, ?? Tribunalul Timi?

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

«1)

???? ? [?????? ???], ??? ????? ?? ????? 24, 28, 167 ??? 168, ???????? ??, ??? ?????? ???,  
??? ?????? ?????? ?????????? ?? ?????? ??? ????? ?????? ?????? [?????? ??????] (?????? ??????) ??? ??? ????? ?????????? ????? ?? ?????? ?????? ?????? ??????, ? ??????,  
????????? ????, ? ?????? ?????????? ?????? ?????? ??? ?????? ?????? ??  
??????????????, ?? ?????? ??? ??????, ?? ?????????? ?????????? ??? ??? ?????? ?????? ??????  
???? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??????  
????????? ?? ??? ?????? ??????, ??? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ???  
????????? ??? ?????? ???????;

2)

???? ? [?????? ???], ??? ????? ?? ????? 167 ??? 168, ???????? ??, ??? ?????? ??? ??  
????????? ??? ?????? ?????????? ?? ???????, ?????????? ????, ??? ?????? ???  
?????? ?????? ??? ?????? ?????? ?? ?????? ??? ?????? ?? ?????? ??? ?????? ?????? ?????? ???  
????????? ?????? ??? ?????? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ???  
????????? ??? ??? ?????? ?????? ??? ?????? ?????? ?? ?????? ?????? ??? ?????? ?????? ???  
????????? ?????? ?? ?????????????? ?? ?????? ?????????????? ??? ?????? ?????? ??? ?????? ???, ??  
????? ?????? ?????? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ???;??;

3)

????? ?? ?????????? ??? [?????? ???], ??? ????? ?? ????? 24, 28, 167 ??? ?? 168,  
????????? ??, ??? ?????? ??? ?????? ??? ?????? ?????? ?????????? ?? ???????, ???????????  
???? ???, ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?? ??? ?????? ??? ?????? ?????, ??? ?????? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ??????  
????????? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
????????? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
????????? ?????? ?????? ??? ?????? ?????, ??? ? ?????? ??? ? ?????? ??? ?????? ?????? ??? ??  
????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ???;??;

4)

?????, ??? ?????? ??? [?????? ???], ?? ?????????? ?????? ??? ?????????? ??  
????????? ?? ?????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ??????,  
???? ?????? ?????????? (??) ?? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???  
?????????, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ??????, ???  
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??  
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28

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

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

29

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

30

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

31

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

32

? ? ??????, ? ?????? ?????? ?????? ???, ??? ? ?????? ?????? ??? ?????? ?????? ??? ?  
?????, ? ?????? ?????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
?? ??? ?????? ?????? ??? ???? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ????  
??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???' ?????? ???  
????? ??? ?????? ??? ?????? ? ?????? ?????? ?????? (?? ???: ??????), ? ????  
????????? ??? ?????? ??? ???? ?????? ??? ?????? ?????? ?????? ??? ?? ????  
?????????.

33

??????, ? ?????? ??? ?????? ?????? ??? ???? ???? ?????? ?????? ?????? ??? ????  
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34

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

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

36

?????????, ??????? ?? ?????????????? ??? ?? ????? 28 ??? ?????? ??? ?????????? ???, ???  
????????????? ????, ?????????? ??? ?????????? ??? ????? ?????????? ???, ??????, ??????????  
?? ?????? ????????, ?????????? ??? ?????????? ??? ?????? ?????????? ??? ?????????? ??? ????  
?????????.

37

?????????, ? ??????? ?????? ?????? ?????? ???, ???? ?????? ?????? ????????, ?????????????? ?????????? ???  
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??????, ??? ?????? ??? ?? ??? ?????? ?????????? ??? ?????????????? ?????????? ??? ????????,  
?????? ??????????, ??? ?????????, ?????????????? ??? ?????????? ??? ?????? ??? ??????????????  
??? ?????????? ??? ?????? ?????? (??????? ??? 4?? ??? 2017, ??????? ???  
?????????????, C?274/15, EU:C:2017:333, ??? 86).

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????? ??? ??????? ????????, ??? ?????????? ??? ?? ????? 28 ??? ?????? 2006/112  
?????????? ??? ?? IV ??? ?????? ?????, ??? ?????????????? «????????????? ??????»,  
????? ?? ?????? ????? ???, ?? ? ?????? ?????????? ?????? ??? ?????? ?????????? ???  
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????????????? ??? ?? ?????????????? ??? ?????? ??? (????. ?????? ??? 4?? ?????? 2017, ??????? ???  
???????????, C?274/15, EU:C:2017:333, ??? 87).

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????? ???????, ?????????? ?? ???? ?????? ??? ?????? 28 ??? ??????? ??? ?? ?????????? ???  
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????? 28, ??????? ?? ?????????? ??? ?????????? ??? ?????? ?????????? ??? ?? ??? ?????? ??? ???????  
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?????????????????? ? ? ??????? ??, ?????? ?? ?????? ?? 167 ??? 168, ?????????? ??, ?????? ??  
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????????? ?? ?????????? ??? ??? ?????????? ?????? ??????. ?? ?????? ??? ?????? ??????????  
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1)

? ?????? 2006/112/? ? ???????????, ??? 28? ?????? 2006, ?????? ?? ?? ????  
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?? ?????? ??? ?? ??? ?????? ???, ?????? ?? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ???  
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2)

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

( \*1 ) ?????? ??????????: ? ???????.