

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

??? 21?? ??????????? 2021 (*)

«????????????? ?????????? – ?????????? – ????? ?????????????? ????? (???) – ??????
2006/112/?? – ?????? 2, ??????????? 1, ?????????? ??, ????? 24, ??????????? 1, ??? ?????? 25,
????????? ?? – ??????? ??????????? ????? ?? – ??????? ??? ?? ?????????? ??????????
????? ??? ????? – ?????? 28 – ?????????? ?????????? ?????????? ?????????? ?????????? ?????
????????????? ?????????? – ??????? ??? ?????? ?????? ??? ??? ?????? ?????? ?????? ?????
????? ?????????? ? ?????????? ??? ?????? ??? ??? ??? ?????????? ??? ?????? ?????
????????????? ?????????? ?????????»

????? ??????? C?501/19,

? ? ?????????? ?????? ?????????????? ?????????? ?????? ??? ?????? 267 ????, ???
????????? ?? Înalta Curte de Casa?ie ?i Justi?ie (????????? ?????????? ???????????, ??????????) ??
????????? ??? 22?? ??????????? 2019, ? ?????? ?????????? ??? ?????????? ?????? 28 ???????
2019, ??? ?????? ??? ??????

UCMR – ADA Asocia?ia pentru Drepturi de Autor a Compozitorilor

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Asociatia culturala „Suflet de Român“, ?????????????? ??? ??? ?????????? ???, Pro
Management Insolv IPURL,

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

????????? ??? ??? A. Prechal (?????????), ?????? ???????, R. Silva de Lapuerta,
????????? ??? ???????????, ?????? ??????? ?????? ??? ?????? ???????, N. Wahl,
F. Biltgen, ??? L. S. Rossi, ???????,

????????? ??????????: J. Richard de la Tour

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

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

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

– ? UCMR – ADA Asocia?ia pentru Drepturi de Autor a Compozitorilor, ?????????????? ???
??? A. Achim,

– ? ?????????? ???????, ?????????????? ?????? ??? ??? C.?R. Can??r ??? ??? R.
Ha?ieganu ??? A. Rot?reanu, ??? ??????? ?? ??? ??? E. Gane, A. Rot?reanu ??? R.
Ha?ieganu,

– ? ?????????? ???????, ?????????????? ??? ??? B. Majczyna,

– ? ?????????? ???????, ?????????????? ??? ??? L. Lozano Palacios ??? A. Armenia,

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

??? 1?? ?????????? 2020,

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1 ? ??????? ?????????????? ?????????? ?????? ??? ?????????? ??? ?????? 24, ?????????? 1,
??? ?????? 25, ??????? ?, ?? ???? ?????? 28 ??? ?????? 2006/112/?? ??? ????????,
??? 28?? ?????????? 2006, ??????? ?? ?? ?????? ?????? ?????? ?????????????? ??? (?
2006, L 347, ?. 1), ??? ?????????????? ?? ??? ?????? 2010/88/?? ??? ??????????, ??? 7??
????????? 2010 (?? 2010, L 326, ?. 1) (??? ????: ?????? ???).

2 ? ?????? ??? ?????????????? ??? ?????? ?????????? ?????????? ?????? ??? UCMR – ADA
Asocia?ia pentru Drepturi de Autor a Compozitorilor (UCMR – ADA ?????? ??? ?? ??????????
????????????? ??????????? ??? ???????, ??? ????: UCMR – ADA) ??? ??? Asocia?ia
Cultural „Suflet de Român“ (????????????? ??? «????????? ???», ??? ????: ??????????????
?????), ? ?????? ??? ?????? ??????? ??? ??????????, ??????? ?? ??? ?????? ??????? ?? ???
????????????? ??? (???) ??? ?????????? ??? ?????????????? ?? ??? ?????? ??????? ?
????????????? ??? UCMR-ADA ??? ?? ?????????????? ?????????? ??? ??? ?????????? ???
?? ??????? ?????????? ?????????????? ??? ??? ?????????????? ???.

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

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3 ?? ?????? 2, ?????????? 1, ??? ??????? ??? ?????? ?? ??????:

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

[...]

[...]».

4 ?? ?????? 24, ??????????? 1, ??? ??????? ?????? ????:

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

5 ?? ?????? 25 ??? ?? ???? ??????? ?????????? ?? ????:

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

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

[...]
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6 ?? ?????? 28 ??? ?????? ??????? ???? ?? ??????????

«???? ??????????? ???? ????, ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??????,
????????? ?? ??? ?????? ??????????, ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ??? ??
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?? ?????????? ???

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

7 ?? ?????? 126 ??? legea nr. 571/2003 privind Codul fiscal (????? 571/2003 ??? ??????? ??????????????), ??? 22?? ??????????? 2003, (M. Of., ????? I, ????. 927/23 ?????????? 2003), ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????????? ?????????????? ??? ?????? (??? ????: ??????? ???????????), ?? ?????? ?????? ??? ????? «????????????? ??????», ?????? ?? ???????:

«1. ????? ?????? ??? ??????? ???, ?????????????????? ??? ?????????? ?? ??????? ??? ?????????? ?????? ??? ?????????? ?????? ??? ?????? ??????;:

a) ?? ??????????? ???. ?? ??????? ?? ?? ??????, ???. ?? ?????? ???. ?? ?????? 128 ???.
130, ??????? ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???.
?????????????????? ???. ???. ???. ???. [...].».

8 ?? ?????? 129 ??? ??????? ????????????, ?? ?????? ?????? ??? ?????? «?????? ??????????»,
?????????? ?? ????:

«1. ?????????? ?????????? ?????????? ?????? ?????? ??? ?????? ?????????? ?????????? ??????, ???
????? ?????????? ??? ?????? 128.

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

3. ?? ??????? ?? ??????? ?? ??????????? ?? ??????? ???:

[...]

b) ??? ??????? ??, ?? ???? ?????????????????? ? ?? ??? ?? ?????, ????: ?
?????????? ??/? ? ??????? ?????????????? ?????????????? ?????????????? , ??????????????
??????????????, ?????? ???????????????, ?????? ??? ????? ?????????? ??????????

[...]

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

[...]»

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

9 ?? ????? 13 ??? legea nr. 8/1996 privind dreptul de autor ?i drepturile conexe (????? 8/1996, ??? ???? ?????????????? ?????????????? ?????????????? ??? ??? ?????? ??????????????), ??? 14?? ??????? 1996 (M. Of., ??? I, ????. 60/26 ??????? 1996), ??? ?????? ??? ???? ?????? ??? ?????? ??? ?????????????? ?????????????? ??? ?????????? ??? ?????? ?????? (??? ????: ??? ?????????????? ?????????????? ??????????????), ?????? ?? ???????:

[...]

f) ??? ???????????, ????? ? ??????, ??? ????? ??? ?????, ?? ?????????????? ?????,
????????????????? ??? ?????????? ??? ?????, ??? ?????? ??? ????? ?? ?????? ?? ??????
?? ??? ?????? ??? ????? ??? ????? ??? ????? ??? ????? ??? ????? ?? ?????? ??? ??????

[...]».

10 ? ?????? III ??? ???? ?????? ??? ????? «?????????? ??? ???????
????????? ?????? ?????????? ?????????? ??? ?????????? ??????????». ?? ?????????? ?,
????????? ?? ?? «[?]????????? ??? ?????????? ?????????? ?????????? ?????????? ?????????? ???
????????? ??????????», ?????????????? ??? ??????. ?? ?????? 123 ??? 1234
????????????? ??? ????? I, ?? ????? «????????? ??????????».

11 ?? ?????? 123 ??? ???? ?????? ?????? ?? ????:

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

[...]

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

12 ?? ?????? 1231 ??? ?????? ?????? ?????? ?? ????:

«1. ?? ?????? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ??????????
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[...]

e) ?? ?????? ?????????? ?????????? ??? ?????? ??? ????? [...]

[...]

2. ??? ??? ?????????? ??? ?????? 1 ?????????? ??????????, ?? ??????????
????????? ?????????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ??????
?? ??? ?????? ????.»

13 ?? ?????? 125, ?????????? 2, ??? ?????? ??? ?????????? ?????????? ?????????? ??????????
?? ??? ?????? ?????????? ??? ?????? ??, ?? ????? «????????? ?????????? ?????????? ??????????
????????? ?????? ?????????? ??? ?????????? ??? ?????????? ??????????», ?????? ?? ???:

«[?]? ?????????? [????????? ??????????] ?????????? ?????????? ??? ??? ??????????
????????? ?????? ?????????? ?????????? ? ?????????? ??????????, ?????? ? ??????
????????, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

14 ?? ?????? 1291 ??? ?????? ?????? ??? ????:

«????? ? ?????????? ?????????? ??? ?????? ?????????? ??? ?????? ?????? [?????????]

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

15 ?? ?????? ???, ?? ?????? ?????????? «????????? ?????????? ??????????
?????????» ??? ?????????? ??? ??? III, ??????? I, ??? ?? ??? ?????, ??????????????
?? ??? 130 ??? 135.

16 ?? ????? 130, ?????????? 1, ??? ?????? ?????? ?????????? ?? ??????????:

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

a) ?? ?????????? ?? ?????????????? ?????? ?????? ?????? ??? ?? ?????? ??? ?? ???
????? ??? ?????????????? ??????????, ?????? ??????, ?? ??? ?????? ?????????? ??
????????????? ??????

b) ?? ?????????? ?????????????? ??? ?????? ?????? ?????? ???, ??????????????????
?? ?????????? ?????????????? ??????????, ?? ?????? ?????? ?? ?????????? ??????????????
????????????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????????? ?????? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ?????? ?????????? ??
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ?????? ??????????

[...]

e) ?? ?????????? ?? ??? ??? ?????????? ??? ?????? ?????? ??? ?? ?? ?????????? ??????
?? ?????? ??? ?????????? ?????????? ?????????? [...]?

[...]».

17 ?? ????? 1311, ?????????? 1, ??? ?????? ??? ?????????? ?????????? ??????????
?? ?????? ?????????? ??? ?????????? ??? ?????? 130, ?????????? 1, ??????? b, ?????? ??
????:

«?? ?????????? ?????????? ?????????? ?????????? ?????????? ??? ?????????? ??
[????????? ??? ?????? ??? ?????????? ?????????? ??????] ?????? ??? ?????? ??????
?????????:

a) ??? ?????????? ??? ?????? ??????????, ?????? ?? ??? ?????, ?????? ??? ?? ???
????? ??? ?????? ??? ??????????????

[...]

d) ?? ?????? ??? ?????? ??? ?????????? ?? ?????? ?????????? ?????????? ? ??????????
????????? ??????????????

[...]

f) ?? ?????????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??
????? ?????????????? ?? ?????? ??? ?????? ?????? ?????????? ??????????????.

[...]»

18 ?? ?????? 134 ??? ?????? ?????? ??????? ?? ????:

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

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

a) ?? ?????????? ??????? ?? ??? ?????????? ?? ?????? ?????????? ?? ?????? ??? ??????????
????????????? ?? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?? ?????? ?????? ??????
??? ??????????, ???? ??? ?? ?????????? ?? ?????????????? ?? ?????? ??? ?????? ??? ?????????? ??????
??? ?????????? ??????????????, ?????? ?? ?????????????? ?? ?? ??? ?????? ??? ?????????? ???
????????? ??????????, ?????? ?? ??????????????

b) ? ?????????? ??? ?????? ?????????? ?? ?????????? ?? ?????? ?????? ??????????????
????????? ?????????? ?? ?????? ?????? ?? ?????? ?????? ?????? ?????????? ?? [...] ??? ?
????????? ? ?????? ?????????? ?? ?????? ?????? ?????? ?????????? ?????????? ?? ?????? ??? ?????? ?
????????? ?????????? [...] ??? ?????? ?? ?????????????? ?? ?????? ?????? ?????????? ?? ?????? ??? ??
15 % ??? ?????? ??? ?????????????? ??????????

c) ?????? ?????? ?????? ?????????? ?? ?????? ?????? ??????????????, ?? ??? ?????? ??? ?????????????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??????
????? ??? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??????
??? ?? 15 % ???' ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ???
????? ?????? ?????? ??? ?????????????? ??? ?????? ??? ?????? ?????????????? ???

d) ?? ??? ?????? ?????? ?????????? ?? ?????? ?????? ?????? ?????????? ?? ?????????? ?? ??????????
????? ??? ?????? ?????????? ?? ?????? ?? ?? ??? ?????? ??? ?????????? ?? ???, ?? ?????????? ???
????? ??? ?????? ?????????? ?? ?????????? ?? ?????? ?????? ?? ?????? ??? ?????? ?????? ??? ??????
??? ?????? ??? ?????????? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
??? ?????????? ?? ?????????? ?? ?????? 30 ?????? ??? ??? ?????? ?????? ?????? ?????? ?????? ???

e) ? ?????????? ??? ?????????? ?? ?????????? ?????????? ?? ?????? ??? ?????? ??? ?????????? ??
????? ??? ?????? ??? ?????? ?????? ??? ?????? ??????.

[...]

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

4. ??? ??? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ?? ?????? ?? ?????? ??
????????? ?? ?????? ??? ?????? ?? ?????? ??? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ??
????????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ?????? ?? ??????.

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

19 ? UCMR-ADA ?????? ?????????? ?????????? ?????????? ?????????? ?????????? ?????????? ??????????
????????? ?????? ??? ?????? ?????? ?????, ? ?????? ??? ?????? ?????? ??? ? Oficiul
Român pentru Drepturile de Autor (????????? ?????? ?????????? ?????????? ??????????)
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???
????????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???

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

20 ? ??????????? ????? ??????????? ??? 16 ?????????? 2012 ?????????? ??? ??
????????? ??? ?????? ?????????????? ?????? ?????? ?????? ??????. ??? ??? ?????? ???, ??
????? ??? ?????? ??? ?????? ??? UCMR-ADA ?? ?????????? ?????? ?????? ?????? ??? ??????
????? ?????????? ?????????? ??? ??? ?????????? ??? ?????? ?????? ??? ?????.

21 ?????????? ??? ? ?????????? ?????? ?????????? ?????? ?????? ??? ?????????? ?? ???
????????? ? UCMR-ADA, ? ?????????? ?????? ?????????? ?? ?????????? ??? ??????????
????????? ??? ?????????? ??? ?????? ?????????? ?????? ?????????? ?????? ??? ?????????? ???
????????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ?????? ?????? ??? ?????????? ???
?????????, ?? ?????????? ?????? ?????? ??? ?????? ??? ? ?????? ??? ?????????? ???
????????? ??? ??? UCMR-ADA ??? ?????? ??? ??? ??? ?????? ?? ??? ?????? ??? ?????????? ???
??? ?????????? ??? ?????? ??? ??? ??? ??? ?????.

22 ?? ??? ?????? ?????????? ??? ?????? ?????? ??? ?nalta Curte de Casa?ie ?i Justi?ie
(????????? ?????????? ???????????, ???????), ? UCMR-ADA ?????????? ??? ??
????????????? ?????????? ?????? ??? ?????? ?????????? ??? ?????????? ??? ??? ?????? ???
????????????? ??? ???, ??? ?????? ??? ? ?????? ??? ?????????? ??? ?????????? ??? UCMR-
ADA, ??? ??? ??? ?????????? ???, ?? ??? ???, ?????? ? UCMR-ADA ??? ?????? ?
????????? ?????? ??? ?????????? ???.

23 ?? ?????? ?????????? ?????????? ?????????? ?? ??? ?????? ??? ?????? ??? ?????????? ???
?? ??????????, ??????, ?? ? ?????? ?? ??? ?????? ?? ?????? ??? ?????????? ??? ??????????
????????? ??? ?????????? ?????? ?????? ?????????? ?? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????????? ?????? ?? ?????????? ?? «?????? ?????????? ?? ??????????
?????», ??? ??? ?????? ??? ?????? ??????. ??????, ?????? ?????? ??? ?????? ??? ??
????????? ??? ?????????? ??? ?? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ??????
????????? ??? ?? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????
????????? ??? 18?? ?????????? 2017, SAWP (C?37/16, EU:C:2017:22), ??????????
?? ? ?????????? ??? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??
????????? mutatis mutandis ?? ??????????.

24 ?????? ? ?? ??? ?????? ?????????? ?? ?????? ?????????? ?? ?????????? ??? ?????????? ??
????????? ?????????? ??????????, ??????, ?????????? ??? ?????????? ??? 14?? ??????
2011, Henfling ??. (C?464/10, EU:C:2011:489), ?? ? ?????????? ?????????? ??? ??????????
????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 28 ?? ?????? ??? ??????
????????? ??? ?????????? ??? ?????? ??????. ?????? ?????? ??? ??????, ?????? ??
????????????? ?? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???
????????? ??? ?????? ?????????????? ? ???, ??? ??? ??? ?????????? ?????????? ???
????????? ??? ??? ??? ?????? ?????????? ?????????? ??? ?????????? ???.

25 ??? ??? ?????????? ???, ?? ?nalta Curte de Casa?ie ?i Justi?ie (????????? ??????????
?????????) ?????????? ?? ?????????? ??? ?????? ??? ?????????? ??? ?? ?????????? ???
????????? ?? ?????????? ?????????? ???:

«1) ?????????? ?? ?????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ???
?? ?????? ??? ?????? 24, ?????????? 1, ??? ??? ?????? 25, ?????????? ??, ??? ?????? ???,
????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ???,
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?? ??? ?????? ???,
????????? ??? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?? ??? ?????? ???;
?????????;

2) ?? ?????????? ??????????? ?????????? ??? ??? ?????? ??????, ??? ???? ?? ??????????
?????????? ???????????, ??? ??????????? ??? ??? ?????? ?????? ?????????? ??????????
??? ??? ?????????? ?????? ??? ?????, ??? ?????????? ??? ?????????? ?????? ???,
???? ??? ?????? ??? ?????? 28 ??? ?????? ???, ??? ?????????? ??? ?????????? ?????? ???,
?? ??? ??? ?????? ?????? ?????????? ??????; ??? ?????????? ?????? ?????????? ?????? ?????
??? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ??????
????????? ??????????;»

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

26 ?? ??' ??????????? ????????, ??? ?????? ? ?????????? ??? ?????? ?????? ?????? 27
????? 2020, ?????????? ??? ?????? ?????????????? ?????? ?? ?????????? ?? ?????? ??????
????? ?????????? ?????? ?????????? ?? ?????????? ??? ?????? ?????? ???????. ?? ??????
????????? ??? ?? ?????? ?????????? ??????????.

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

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

27 ?? ? ? ?????? ??????????? ???, ?? ?????? ?????????? ???' ?????? ??
?????????? ?? ? ???? 2, ?????????? 1, ??????? ?, ?? ?????? 24, ?????????? 1, ??
?? ?????? 25, ??????? ?, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ? ?????? ??????????
????????? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?? ?????? ?????? ??????
????? ?????????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????, ??? ? ??????????
????????? ?????? ?? ?????????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????
????? ??? ?????????? ?????????? ?? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????
????????? ?????????? ?, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ???
????? ??? ?????????? ??????????.

28 ??? ? ???? 2, ?????????? 1, ??????? ?, ??? ?????? ???, ?????????? ?? ??? ??
????? ?????? ?????? ??? ?????????????? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

29 ??? ? ???? 24, ?????????? 1, ??? ?????? ???, ?? ?????? ?????????? ??????
????? ??? ? ???? ??? ?????? ?????? ??????. ??? ?????? 25 ??? ?????? ??? ?? ???
??????????, ???????????, ??? ?????? ?????? ?????? ?????? ?? ?????? ?? ??????????????
?? «?????? ?????????», ?????? ??? ?????? ?????????????? ? ?????????????? ??? ?? ???
????? 25, ??????? ?, ??? ?????? ??? ?????? ?????? ??????.

30 ??? ? ???? ???? ?????? ??? ?????????? ?? ??? ?????? ?????????? , ??? ? ???? ?????? ???
????? ??? ?????? ???, ?????? ?? ?????????? ?? ?????? ?????? ?????? ???, ??? ??
????? ??? ?????????? ??? ?????? ??????. ???????, ??? ?????? ?????? ??? ?? ?????? 28 ??
????? ??? ?????? ??? ???? 2, ?????????? 1, ??????? ?, ??? ?????? ???, ??? ??
????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??
????????????? ?, ?? ??? ?????????? ?? ?????? ?????? (????. ?????? ??? 18??
????????? 2017, SAWP, C?37/16, EU:C:2017:22, ??? 24).

31 ??? ???? ?????? ??? ?????? ??? ?????????? ?????? ?????? ??? ? ???? ?????? ??????
????????????? ?? ?????? ?????? ???, ??? ? ???? ?????? ??? ?????? ???, ??? ??????
????? ?????????? ???, ??? ? ???? ?????? ??? ?????????? ??? ?????? ??? ??? ?????? ???

? ?????????? ?????? ????? ???? ?? ?????????? ??? ?????? ?????????????????? ?????????? ????????,
? ?? ?????? ??? ??????? ???? ??????? ???? ??????? ?????? ?????? ?????????????? ?????????? ???
????????????? ??? ?????? ?????? ??????????. ?????? ?????? ??? ?????????????? ?????? ?????? ?????? ???
????????????? ?????????? ??? ?????? ?????????????? ?????????????? ??? ?????????????????? ?????? ???
????????????? ?????????? ??? ?????? ?????? ?????? ?????? ?????????????? ??? ?????????? ??????????
????????? (??., ?????? ????, ?????????? ??? 18?? ?????????? 2017, SAWP, C?37/16,
EU:C:2017:22, ?????? 25 ??? 26, ??? ??? 11?? ?????? 2020, Vodafone Portugal, C?43/19,
EU:C:2020:465, ??? 31 ??? ??? ?????????????? ??????????).

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

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

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

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

36 ???????, ?????????? ???, ?? ??????? ?????? ??? ?????? ??? ??????, ? ??????
??? ?????????? ? ?????? ?????? ??? ?????????? ?????? ?????? ??? ?????? ??????
????????? ??? ?????? ?????? ??? ?????? ??????. ???????, ??? ? ?????? ??? ??????
?? ?????? ?????????? ?????? ??? ?? ??? ?????? ?????? ?????? ?????? ??????????
????????? ?????? ?????????? ??? ?? ??? ?????? ?????? ?????? ??????????, ??????
????????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????????,
????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??????.

37 ?? ?????????? ??? ?????? ??? ?????????? ??? ?? ??????? ??? ? ?????? ?????????????? ???
??? ?????????? ?????????? ?????????? ??????????, ?????????? ??? ? ?????????? ??? ?????? ??????
????????? ??? ?????? ?????? ?????????? ?????????? ??????????????, ??? ? ?????????? ??? ??
????? ??? ? ?????? ?????? ?????????? ??? ?????? ?????? ?????? ??? ?? ??? ?????? ??????????,
????? ?????????? ? ?????? ?????????? ??? ?????? 48 ??? ?????????? ???, ? ??? ?? ??? ?
????????? ?????????? ?????? ??? ?????? ??? ??? ?????? ?????? ??? ?????? ?????????? ???
????????? ???, ??? ? ?????? ?????????? ??? ??? ?????? ?????? ?????? ?????????? ??? ?????? ??????
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????.

38 ???????, ??? ??????? ??? ? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??????
??? ?????? ??? ??? ?????? ??????? ? ?????? ??? 18?? ?????????? 2017, SAWP (C?37/16,
EU:C:2017:22), ??? ??? ??????. ??????, ?????????? ?????? ??? ?????? ??? ?????? ??? ??????
????????????? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??? ??? ??????
????? ??? ?????????? ?????? ??? ??????, ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ??? ?????? ??? ??????, ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ??? ?????? ??? ?????? 28 ??? 30 ??? ?? ??? ?????? ???, ??? ?? ??????
?????????, ?? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??? ?????? ??? ?????? ??? ?????? ???, ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

39 ?????? ?????????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??????
????? ?????????? ?? ?????? ??? ??????, ??? ??? ?????? ??? ?????? 2, ?????????? 1,
????? ??, ??? ?????? ???, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ?????? ??? «????????? ??? ?????? ??????», ??? ?? ??? 25, ?????????? ??, ??? ??????
????, ?????????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??
????? 25 ??? ?????? ??????????.

40 ??? ? ?????? ??? ?????????? ??? ?????? ??? ?????? 2, ?????????? 1, ??????
??, ??? ?????? ??? ?????? ??? ?????? ??? ? ?????? ??? ?????????? ?????????? ??????????
??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ??? ?????? ??? ??????, ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ??????, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

41 ?? ? ?????? ?????????? ???????, ?? ?????? ?????????? ???, ???' ??????, ??
????????????? ?? ?? ??? 28 ??? ?????? ??? ??? ?????? ??? ? ?????? ??? ??????
????????? ?????????? ? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ???

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

43 ????????, ? ??????? ?????????????? ??? ??????????????, ??? ????????,
?????????? ??????? ????????, ?? ?????? ?????????? ??? ??????????. ??????? ??? ??
???? ?????????? ???????, ? ??????????????????, ? ?????? ?????????? ??? ??????????
??? ??????? ??? ??????????????, ?????????? ???, ???????, ??? ?????? ??? ?? ???
????????? ??? ??? ?????????????? ??? ?????????? ??? ?????? ?????????, ? ?????? ??????????
??? ??????????, ?????? ???????, ??? ???????, ?????????? ??? ?????????? ?????? ???
????? (?????? ??? 4?? ??? 2017, ??????? ??? ??????????????, C?274/15,
EU:C:2017:333, ??? 86 ??? ??? ?????????????? ??????????).

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

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

46 ??? ??????????, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ????, ?
????????? ?????????? ?????????? ?????? ?? ?????? ??? ?????? ??? ?????? ?????? ??
?????????????, ???? ??? ?????? ??? ?????? 28 ??? ?????? ???.

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

48 ????????????, ???? ?? ??????? ??? ?????? ??? ?????? ??? ???? ?????? ?????????? ??? ??? ?
????????? ?????????? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ?????????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?
????????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ????????????, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??????.

49 ??? ?????? ?? ??????? ??? ?????? ??? ?????????? ???, ??????? ?? ??? ?????? ?????????? ???
????????? ??? ??????? 28 ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????,
????????? ???, ??????? ??? ???? ?????? ??? ?????? ?????? ??? ?????? ??? IV ??? ??????,
? ?????? ?????????? «????????? ?????? ???», ?? ?????????? ?????? ??????????????????
????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ???, ???
? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??????????
????????? ??? ???, ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? (????).
????? ??? 19?? ?????????? 2019, Am?r??ti Land Investment, C?707/18, EU:C:2019:1136,
????? 38).

50 ??????????, ???? ? ?????????? ?????????? ??? ?????????? ??? ?????????? ??
????????? ???, ???????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

52 ??? ? ?????????? ??? ?????? ??? ?? ?????? 28 ??? ?????? ??? ?????? ??? ?????? ???
??? ? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ???

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

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

53 ?????????? ??? ? ??????? ?????????? ??? ???? ???? ?????? ?????? ?????? ?????? ??????
??? ?????????? ?????????????? ??? ?????? ?????? ?????? ??? ?????????? ?????????? ?????? ,?' ????
????????????? ?? ?????????? ??? ??? ?????????? ??????. ?? ?????? ??? ?????? ??????????????
????? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ???? ?????? ??? ??????????.

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

1) ?? ?????? 2, ?????????? 1, ?????????? ?, ??? ?????? 2006/112/?? ???
??????????, ??? 28?? ?????????? 2006, ??????? ?? ?? ?????? ?????????? ??????
????????????? ????, ??? ?????? ?????????? ?? ??? ?????? 2010/88/?? ???
??????????, ??? 7?? ?????????? 2010, ??? ???? ?????? ??? ???? ?????? ??????????
????????????? ?????????? ??? ?????????? ?????? ?????? ?????????? ?? ??????????
????? ??? ?????? ?????????? ?????? ? ?????? ?????? ?????? ??? ?????? ??????, ??? ?
????????????? ?????????? ??????, ??? ???? ?????????? ??????, ?? ??????????
?? ?????????? ??? ?????? ?????? ?????? ??? ?????????? ?????????? ?????????? ?? ??????
????????????? ?????????? ??? ?????? ?????? ?????? ?????????? ?????????? ??????????, ? ??????
????????? ??? ?????? ???, ??? ?????? ?????????? ??? ?????? ?????? ??? ?????????? ??????????.

2) ?? ?????? 28 ??? ?????? 2006/112/??, ??? ???? ?????????????? ?? ??? ??????
2010/88, ??? ???? ?????? ??? ???? ?????????? ?????????? ?????????? ????
?????????? ??? ?????? ???, ??? ???? ?????? ??? ?????????? ??? ?????? ??????????
????????????? ?????????? ??? ?????????? ?????, ?????????? ??? ?????? ??????????
?? ?????????? ??? ???? ?????? ?????? ??? ?????????? ??? ?????????? ?????? ??? ????
????? ?????????? ??? ???? ?????? ??? «????????????? ??? ?????? ???» ??? ???? ?????? ???
????? ?????? ???, ?? ?? ??????, ?????????? ??? ?????? ?????? ?? ?????????? ??????
????????? ??? ???? ??? ?????? ??????????, ??? ???? ?????? ?????? ?????? ??? ????
????? ??????. ?? ??? ?????? ??????????, ? ?????????? ?????? ??? ?????? ?? ?????????? ??'
????????? ??? ?????????? ??? ?????? ??? ?????? ??????, ??? ???? ???? ?????????? ??? ????
????????????? ??? ?????????? ??? ??????, ?????????????????? ??? ??????
????????????? ?????? (??). ?? ?????? ?????????? ?????????? ?????????? ??????????
?????????????, ?? ?? ?????? ???, ?? ?????? ?????? ?????????? ??? ??? ???? ??????
????????????? ?????????? ??? ?????? ?? ?????????? ?????? ? ??? ??? ???? ??????
??? ?????????? ?????? ??? ?????? ?????????? ??????.

(?????????)

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