

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

PHILIPPE LÉGER

??? 15?? ??????????? 2005 1(1)

????????????????? ?????????? C-394/04 ??? C-395/04

????????????? & ??????????? ?????? ?????? - ????? AE

????

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

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

«????? ??????? ??? – ??????? – ?????? 13, A, ?????????? 1, ??????? ?? – ??????? ???
?????????? ?????? ?? ?? ??????????? ??? ??????? – ?????????? ??????????? ???????????
??? ?????????????? ??? ??????? ??????????? ?? ????? – ?????? ??????? ??? ??????
????? ??????? ???»

1. ?? ?????????? ??? ?????????????? ??????????, ??? ?????? ?????? ??? ??????????? ??
????????? ??? ???????????, ??????? ??? ?????????? ??? ??????? ??? ??????? ??? ?????? ??
????? 13, A, ?????????? 1, ??????? ??, ??? ?????? ??? (2) ?????????? ?????? ?? ??
?????????? ??? ??????? ??????????.

2. ?? ?????? ??? ???? ??? ?????? ?????????? ?????? ?????????? ?????????????? ???
????????????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ??? ???? ?? ??? ??
????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????????? ??? ?? ?? ?????????? ??? ?????? ?????? ?????? ???
????? ?? ?????????? ??? ??? ????? ?????????? ??? (3) ???' ?????????? ??? ??????????
?????.

I – ?? ?????? ???????

? – ?? ?????????? ???????

3. ? ??? ?????? ?????? ??? ?? ?????????? ??? ?????? ?????? ?????? ??? ?? ?? ?? ??
????. ????, ????, ????, ????, ????, ????, ????, ????, ????, ????, ????, ????, ????, ???
????? 2, ?????? 1, ?????? ??? ?????????? ??? ?????? ??? ?? ?????????? ?????? ??? ??
????????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ??
????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ?????????? ??? ?? ?????? ??? ??
????????? ?????? ????, ??? ?????? ?????????? ??? ?? ?????????? ??? ?? ?????????? ???,
????????? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ??
?? ?????? ??? ?????? ??? ?????? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ??.

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

5. ?? ????? 13 ??? ????? ????????, ??? ?????? ?, ??? ?????????? ??
????????????? ??? ????? ?????????? ?????????? ?????????? ???????????. ? ?????????? 1 ???
????????? ??? ??? ?? ???:

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

[...]

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

[...]».

6. ?? ????? 13, A, ?????????? 2, ????????, ??, ??? ?????? ??????? ?????? ??? ?? ???
????? ??????? ?? ???????, ??????? ?? ??? ?????? ???????, ??? ??? ?????? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? 1, ??????? ??, ?????????? ?? ?????????? ??? ?????? ??? ?????? ?????????? ???
??????.

7. ?? ??? ????? 13, A, ?????????? 2, ?????? ??? ??????? ??? ???:

«?? ?????? ?????????? ??? ?? ?????????? ?????? ?????????? ??? ?? ??? ?????????? ???
????????? ??? ?????? 1, ?????????? ??, ??, ??, [??], ??, ?? ??? ??? ??, ??:

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

? - ?? ?????? ????

8. ?? ????? 18, ?????????? 1, ??? ????? 1642/1986, ? ?????? ?????? ??? ????? «?? ??
????????? ??? ????? ?????????? ??? ?????? ??? ?????? ??????» (?EK A? 125), ??????:

«1. ?????????? ??? ?? ???:

[...]

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

[...]» (5).

II – ?? ?????????? ????????????

9. ?? ?????????? & ?????????? ?????? ?????? - ????? AE (6) ?????? ?????? ??????
????????? ??????, ??? ?????? ? ?????????? ?????? ?????????? ?????? ?????? ??????
????????????? ??? ?????????? ??????.

10. ?????? ?????? ??? ?????????? ?????? ?????? ??? ?????? ??? ???? ?????? ??? 1992 ???
1993, ? ?????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ??? ???? ?????? ??? ???,
??????, ??? ??? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ???? ?????? ???????????
?? ?????? ???, ???????, ??? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????? ???
????????? ????. ??? ?????????, ? ?????? ?????? ??? ?????????? ??? ?????????????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ???.

11. ?? ?????????? ??? ?? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??????????????
??? ?? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????????
??? ?? ?????????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ???, ?? ?? ??? ?????? ???
??? ?????? ???????, ??? ?????? ?? ?????????? ??? ?? ?????? ??? ?????? ?????????? ?????? ??? ??
????????????? ??? ?????? ?????????, ?????? ?????? ??? ?????? ??? ?????? ??? ?????????????? ??? ?????? ???
??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??? ?????? ???.

12. ?? ?????? ?????? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??????????
??????.

III – ?? ?????????? ???????

13. ?? ?????? ?????????? ?????? ??? ?????? ?????????? ??? ?????? ??? ??????, ?? ??????
????????? ?????????? ??????, ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????
????? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????, ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ???
???? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

14. ?? ?????? ?????????? ?????????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 13, A,
????????? 1, ??? ?????? ??????. ?????????? ???, ??? ?????? ??? 11?? ??????????
2001 ??? ?????? ?????? ??? ?????? (7), ?? ?????????? ?????? ??? ?????? ??? ?????? ???
??? ?????? ?? ?????? ?? ?????????? ?????????? ?????? ?????? ?????????, ?????? ??? ?????? ???
??? ?????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?????? ??? ?? ?????? ??? ?????? ???.

15. ?? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ??? 6?? ?????????? 2003 ???
???????? Dornier (8), ??? ?? ?????????? ??? ?????? ??? ?? ?????? ?? ??? ?????? ??????
??? ?????? ??? «????? ?????????? ???» ?????????? ??? ??? ?????????? ?????? ???
???. ?? ??? ?????? ???, ?? ?????? ?????? ?? ?????? ??? ?????? ?????? ??? ?????? ???
??? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

16. ??????? ?????????? ??????? ??????? ???, ??? ???? ?? ?????? ?????????? ?? ???????????
??? ?????? 13, A, ?????????? 2, ??????? ??, ??? ?????? ???????, ??? ??????, ??? ??
????????? ??? ?????????? ????? ?? ?? ?????????????? ??? ?????????? ???????????, ?????? ??
????? ??????????. ???????, ?? ?????????? ?????????? ??? ?????????? ?????, ??? ??????
??? 20?? ??????? 2002 ??? ?????? ??????? ?????? ??? ?????????? (9), ??? ?????? ??? ?
????? ??? ??????? ?????????? ??? ?????????? ?????? ?? ??? ?????????????? ??????????
????????? ??? ??????? ?????????? ??? ?????? ?????????? ?????? ??? ?????? ?????? ??????????
??? ??? ??????????. ?? ??? ?????? ??????? ???, ??? ?????? ??? ?????????? ???, ?? ??????
?????? ??? ?? ?????????? ?? ?????????? ???.

«??????, ?? ????' ????? 13 A ????. 1 ????. ?? ??? ??????? 77/388/??? ??????, ??????
????????? ??? ??????????? ?? ??????? ????? ?? ?????? ??? ?????? ?? ?????? ?? ??????
?????? ??????????? ??? ?????? ??????????? ?? ??? ?????????????? ??? ??????? ?? ??????
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??????????, ?? ??????????? ???
?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????;»

IV – ???????

18. ?????????????????? ??? ???????, ?? ?????? ?????????????? ?????? ??? ?????? ??? ????
13, A, ?????????? 1, ?????????? ?, ??? ?????? ?????? ?????? ?? ?????????? ??? ?????????? ??? ????
????? ? ??? ??? ?????????????? ?????? ?????????? ?????????? ?????????? ??? ?????????????? ???
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ? ??? ? ??? ? ??? ? ??? ????
????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ???? ??
????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? .

19. ?????????? ????? ?????????? ?????????? ? ?????????????? ??????????????, ? ?????????? ??????????????
???? ? ?????? ?????????? ??? ?????????????? ??????????, ???' ????, ??????? ??? ??????????
???? ?? ???? ?????????????????? ?? ?????????? ?????? ??? ?????????? ?? ?????? ??????????
????? ????. ??? ?????? ??????? ??? ??, ?????? ?????????????? ??? ?? ?? ??????? ?? ???
????????? ?? ?????? ?? ?????????? ??? ?????????? ??? ?????????????? ??? ?? ?? ??????? ?? ???
????? ??? ?????? (10).

20. ?????????????????? ??? ???????, ?? ?????? ?????????????? ?????????? ?????????? ??
????????????? ?? ? ? ?????????? ??????? ??????????, ?? ? ? ? ? ?????? ???, ??????? ??
????????????? ?????? ?? ? ? ?????????????? ??? ??????? ?????????? ??? ??, ??? ? ??????????,
?????? ??????? ?? ?????????????? ??? ???' ?????????? ??? ?????? 13, A, ?????????? 1,
????????? ??, ??? ?????? ???????.

21. ?????????????????? ?? ?????? ?????????????? ?????????? ??? ??????? ??????. ??????, ??????,
??? ?? ?????????????? ?? ?????? 13, A, ?????????? 2, ??????? ??, ??? ????? ?????? ???
?????? ?????????? ??????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????
????? ?? ?? ?????????????? ?? ?????? ??????. ??? ?? ?????, ?????????? ??????????
??? ?????????????? ?? ??? ?? ?????? ?? ?????? ??? ?????? ?? ?????????? ?? ?????????? ???
????????? ?????????? ?? ?????????? ?????????? ?? ?????? ??? ?????? ?????? ?????? ??????
????????? ??????.

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

23. ?????, ?? ?????? ??????? ??? ???? ???????, ???????, ?????????? ?????? ???
?? ???????????, ??? ?????????????? ?????? ?????? ??? ?????????? ??? ?????????? ???
????????? ?? ?????? ?????????? ???.

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

25. ?????, ?????????? ??? ???? ?????? ???, ?????? ???, ??? ?????, ??????? ???
?? ?????? ?????? ?????? ?? ?????????? ?? ?????????? ??? ? ?????????? ??? ?? ?????????? ???
????????? ??? ??? . ???' ???, ?? ?????? ?????? ?????? ?????? ?? ?????????? ??? ?? ?????????? ???
????? ?????????? ??? ?????? ?? ?????? ?????????? ??? ?? «?????????» ??? ?????????? ??? ??
????? ?????? ?? ?????? ?? ?????? ?????? ?????? ?? ?????? ?????????? ?????? ?????? ?????? ???
????? ?? ?????? ?????? ?? ?????? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ???
????? ?? ?????? ?????, ?????, ??? ?????????? ??? ?????? 13, A, ??? ?????? ??????
??, ??????, ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????????? ?????? ?????? ???.

26. ?????, ??? ???? ?? ?????????? ??? ?????? 13, A, ??? ?????? ??????, ???
????????? ?? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ?? ?????????? (11), ?
????? ??? ???? ?? ?????? ?? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??
????????? ??? ?????? ?????? . ??? ???? ?????, ??? ?????? ??? ?????? 13, A,
????????? 1, ??????? ?, ??? ???? ?????, ?????? ?????? ?? ?????? ??? ?????? ??? ???? ???? ???? ?
????? ?????? ?????? ?????? ??? ?????? ???.

27. ??? ?????? ? ???????, ??? ???? ?????? ??? ?????? ?????? ??? ?????? ?????? ?? ??????
?? ? ? ? ???? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?? ?????????? ???
????????? ??? ???????, ?????? ? ??? ?????? ?????? ?????? ??? ?????? «?? ??????
????????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???
????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ???
????? ?????? ??? «?? ?????? ?????????? ???» ?????????? ??? ?????? ??? ?????? ???
?? ? ? ? ???? . ???' ???, ??? ???? ?????? ?????? ??? ?????? 13, A, ????????
1, ??????? ?, ??? ?????? ?????? ?????? ??? ???? ?????? ??? ?????? ??? ?????? ???

?????? ?? ?? ??????????????? ?? ?? ??????? ?????????? ?????????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ??
 ??????????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ?? ??????? ?? ??
 ??? ?? ?? ?? ?? ??????? ?? ?? ??????? ?? ?? ?? ?? ?? ?? (12).

28. ????????????, ??? ?? ??????? ??? ?????? 13, A, ?????????? 1, ??????? ??, ???
????? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ?????????????? ??????????? ???
????? ??????? ?? ???????, ??? ? ?????? ??????? ?? ???????, ?????????????? ???.
????????????? ?? ??????????.

29. ????????, ??? ???? 13, A, ?????????? 2, ????????, ??, ??? ?????? ??????? ???????
????????? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??????. ???, ??? ?? ??????
??? ?????????? ????, ?? ?????? ?????????? ??? ?? ?????????? ?????? ?????????????? ???
????????? ??? ??????????, ?????? ????, ??? ?????? 13, ?, ?????????? 1, ??????? ??, ???
?? ??? ?????? ????, ??????, ??? ?????? ?????????? ??? ?? ?????? ??? ?????? ??? ??????????
????????? ???, ???????, ?????????? ??? ?? ?????? ??? ?????? ??? ?? ??????????
????????? ??? ??????? ??? ?? ??? ?????????????? ??? ?? ?????? ??? ?????? ??? ?? ??????????
????? ?????? ??? ??????? ??? ?? ?????????????? ??? ?? ?????? ??? ?????? ??? ?? ???.

30. ?????????? ?? ??????????? ??? ?????????? ??? ?????? 13, A, ??????????? 2, ?????????? ?,
??? ?????? ??????? ??? ?????????????? ?????? ??????? ?????? ?????? ??????, ??? ???????????
??? ??? ?????????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ???
?? ?????????? ??? ?????? ???????, ????, ??? ? ?????? ??? ?????? ?????? ??? ?????? ??? ???? ?????? ??? ????
????? ?????? ????, ??? ? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ???? ?????? ??? ?????.
??????????, ??? ???? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ???? ?????? ??? ???? ????
?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ???
?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 13, ?, ???????????
1, ?????????? ??? ?????? ??? ??, ??, ??, ??, ???, ??? ??? ??? ?. ?? ?????? ??? ?????? ??? ????
????? ??? ??? ??? ?????????? ??? ?????? ?????? ?????? ?????? ??? «????? ??????????» ?
??? «????????? ???» ?? ?????????? ?????? ?????? ?????? ?????? (13).

31. ????? ??????????, ?? ?????? 13, A, ??????????? 2, ?????????? ?, ?? ?????? ?????? ???????,
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?? ?????, ?? ??????
????????? ?????????????? ?? ?????? ?? ?????????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??
????? ??? ?????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??
????????? ?????????? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? . ??????????????,
?? ?????????? ???, ?? ?????? ??? ?????? ?? ?????? ?????? ?????? ?????? ??? ?? ?????????????? ??
??? ?? ?????????????? ?? ?????? ??????, ??? ?? ?????????????? ?? ?????? ?????? ??? ??
????????? ??? ?????? 13, A, ??????????? 2, ?????????? ?, ?? ?????? ?????? ???????, ?? ?????
????????? ??? ?? ?????? ??? ?? ?????? ?????? ?? ?????? ?????????????? ?????????? (14). ??? ?? ?????? ???
????? 13, A, ??????????? 2, ?????????? ?, ?? ?????? ?????? ?????? ?????????? ??? ?? ??? ?? ???
????????????? ??? ?????????? ?????? ?????? ?????????????? ?????????? ??? ?? ?????? ???,
????????????? ??? ?????? ??? ?????????????? ?????? ?????????????? ??? ?????? ??????, A, ??????????? 2, ??????????
??, ?? ?????? ??? ?????? ?????????????? ??????????.

33. ? ??? ?????? ?????????? ??? ?????????????? ??? ?????? 13, A, ??????????? 2, ?????????? ?,
??? ?????? ?????? ?????????????? ??? ??? ?????????????? ?????? ?????? ?????? ?????? ???
?????????. ??? ? ? ?????????? ?????????? ??? ??? ?????????? ?? ? ? ??????????

? ?????????????? ??? ?????????? ?? ?????????? ?????? ??? ?????????? ?????????????? ?????????? ?????????? ?
?????? ?? ?????????? ??? ??? ???' ?????????? ??? ?????? 13, A, ?????????? 1, ?????????? ??, ??? ?????? ??????.

34. ? ?????????? ?????????? ?????????? ??? ??? ?????? ?????? ??? ? ?????? ?????? ??? ?????? ??? ??????????
??? ?????????? ?????? ?? ??? ?????????? ??? ?????? ?????? ?????? ?????? ?????????? ?????????? ??????????,
????????? ? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????????? ??? ?????? ?????????????? ??? ??? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
??? ?? ?????????? ??? ?????? ??????. ?? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
??? ? ??????, ?????? ?????? ??? ?????? ?? ?????? «????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??????
?????????, ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????
???? ????????, ??????, ?????, ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?? ??????
?? ??? ?? ?????? ?????? ?????????? ??????» (15).

35. ? ?????????? ???, ??? ?????? ?? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???
????? ?? ?????? 13, A, ?????????? 1, ?????????? ??, ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????????
??? ?????????? ??? ?? ??? ?????????????? ?????????? ???, ??????, ?????????????? ??????
??? ?????????? ??? ?????? 13, A, ?????????? 2, ?????????? ??, ??? ?? ?????? ?????? ???
??? ?? ?????? ??? ?????? ?? ?????? 13, A, ?????????? 1, ?????????? ??, ??? ?????? ???
????? ??? ?????????? ??? ?????? ?? ?????? ?????? ??? ?????? ?????? ?????? ??????.

36. ???????, ??? ?????? ?? ?????????? ???, ??? ?????? ?????? ?????? ??? ?????? ?????????? ??? ?????? 13,
A, ?????????? 2, ?????????? ??, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???
???, ?? ?????? ??? ?????????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ??????
????????? ? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????, ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

38. ??? ???????, ??? ?????? ?? ?????? ?? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
??? ?????? ???, ?????????? ??? ?? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.
????????? ??? ?????? ?????????? ???, ?. ., ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
???? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?? ??? ?????? ??? ?????? ???, ? ?????? ?????? ??? ?????? ??? ??? ???.

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

?????? ???? ?????????? ???? ???? ?????? ???? ?????? ???? ??????????, ?? ?????? ???
 ?????????? ???? ?????????? ?????????? ?? ????. ?? ??????????, ?????????? ??? ?????? ???
 ??? ?????????????????? ??? ??????????, ?????? ??? ? ?????????? ??? ?????????? ???
 ?????? ??? ?????????? ?????? ?? ??? ?????????????? ??? ??? ??????, ??????, ??? ??
 ?????? ?????? ??? ??????????, ? ?????????? ??? ?????????? ??? ??? ?????? ??? ?????? ???
 ?????????? ??? ??? ?????????? ??? (16).

40. ??????? ???? ?????????????? ??? ?????? ??? ??????????????, ? ?????? ?????????????? ??? ??????????
????? ??? ?????????? ?????????? ?????????? ?? ?????????????? ?? ??? ?????????? ?????????? ??? ?????????? ???
????? ??? ???????, ? ??????, ?? ?? ??? ?????? ???, ?????????? ?????? ?????? ?????? ??? ??????????
????? ?? ?? ?????????????? ??????????. ??????????, ?????????? ??? ?? ?????????? ?????? ??????
????????? ?? ?????????????? ?? ?????????????? ??? ???' ?????????? ??? ?????? 13, A,
????????? 1, ?????????? ??, ??? ?????? ??????.

41. ????????, ??? ????????, ??? ? ????????, ??? ?????????????????? ?? ?????? ?????? ? ?????? ??? ????????, ??? ????????, ?? ?????? ????????, ??? ????????, ??? ? ????????, ??? ?????????????? ?? ?????? ?????? ??? ?????? ????. ????
????? ????????, ?? ???????????, ? ?????????? ??? ???????????, ? ?????? ?????????????? ??? ?????? ???????????, ??? ?????? ???????????, ??? ?????? ???????????, ??? ??
??????????, ??? ?????????? ??? ?????????????? ??? ?????????????? ??? ?????????????? ??? ?????? ??? ?????? ???????????, ??? ?????? ???????????, ??? ??
??????????, ??? ?????????? ??? ?????????????? ??? ?????? ??? ?????? ???????????, ??? ?????? ???????????, ??? ?? (17). ????, ?? ???????????, ????, ???
??????????, ??? ?????????? ??? ?????? ??? ?????????????? ??? ?????? ??? ?????? ??? ?????? ??? ????????, ??? ?????? ???
??????????????, ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????????? ??? ????????, ??? ?????? ???
??????????, ??? ????????, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???????????, ??? ???????????, ???
????????????? ???, ??? ?????? ??? ????????, ?? ?????????? ??? ?????? ??? ?????? ???????????, ??? ???????????, ???
????? (18). ????, ???????????, ? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??????????, ???????????, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
??????????, ???? (19).

42. ????????, ??? ?? ?????????? ?? ?????? ??? ?????????? ??? ?????????????? ??? ?? ??????
13, A, ?????????? 1, ????????, ??, ??? ????? ??????, ?? ???????, ?? ?????? ??? ??????????????
????? ??? ??????? ?????????????? ?????????? ?????? ?? ?????? ?????????? ??????????????
?????. ????? ?? ?? ??? ????? ?????? ?????? ?????? ?????? ? ?????????? ??? ?? ??? ?????? ?? ??????
????????? ????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????? ?? ?
????????????? ??? ?????? ??????????. ??? ????? ???????, ? ?????????? ??? ?? ??? ?????????? ??
????????? ??? ?? ?????? ?????? ?????? ?????????? ?????????? ?????? ??? ?????????? ??? ??
?? ?? ?????????? ??? ?????? ??????????, ?? ?????? ???, ??? ??????, ??? ??????, ??? ?????? ??
????? ??? ?? ?????????? ?? ?????????? ?????? ?????? ?????????? ? ?????????? ??? ??
????????? ??? ????? ?????????? ??????????.

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

44. ?????? ??? ??? ?????? ??? ?????????? ??? ?????????? ?????????? ?? ?????????? ?? ?????????? ???
????????????? ? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ???
??? ??? . ??? ?????????????? ?? ?????? ?????????? ??? ?????????? ??? ?????????????????? ???
?? ?????????? ??? ?????????????? ?????? ?????????? ?????????? ??? ?????? ?????? ??? Dornier ??? ??
????????? ?? ? ?? ??? ?????? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ??? ?? ?????????????? ??? ?????????? ??? ?????????? ??? ?????? , ? ?????? ???
«????????? ???» ?????? ?? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???
????? ?? ?????? ?????????? ??? ?? ?????????? ??? ?????? ?? ?????????? ??? ?????? ?????? ??????.
?????????????, ??? ?? ??????????, ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ?????? ??? ??????
????????? ??? ?? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?? ?????? ??? ?????? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? (20).

45. ??????, ??? ?? ?????? ?? ?????? ?? ??? ?????? ?? ?????? ?? ?????????? ??? ?????? ??? ?????????? ??? ?? ?? ???
????????? ??? ?? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? 13, A,
????????? 2, ????????, ??, ??? ??? ?????? ???????, ???????, ??? ?????? ??? ?????? ?? ?????????? ???
????????? ??? ?? ?????????? ?????? ?????? ??? ?????????? ??? ?????????? ??? ?????? , ?
????????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????
????? ?? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????
????? ?? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????
????? ?? ??? ?????????? ??? ?????? ??? ?????? ???' ?????? ??? ?????? ??? ?????????? ??? ??????
????? ?????????? ?? ?????????? ??? . ??????, ? ??? ?????? ?????????? ??? ??????????
????????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

46. ???????, ? ?? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????????? ???
????????????? ??? ?? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????????? ???
??? ??? ??? ?????? ?????????? . ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???,
????????? ??? ?????? ?????????? ??? ?? ??? ?? ??? 13 ??? ?????? ??? ?????? ??? ?????? ??? ??????
?? ?????????? ???, ?????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ???
????????????? ??? ?????? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???
????? ?? ?????? ?????????? ??? ?????? ??? (21). ??? ?????? ??? ?????? ?????????? , ?????? ??
????????????? ??? ??? ? ??? ?????? ??? ?????? ??? ?????????? ??? ??? ??? ??? ??? ???
????????????? ??? ?????? ?????????? , ??? ?????? ?????? ??? ?????????? ??? ?????????? ???
????????????? ??? ?????????? (22). ??? ?????? , ?? ?????? ??? ?????? ??? ?????? ???
????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 13, A,
????????? 1, ?????? ???, ??? ?????? ???.

47. ? ???????? ??? ?????????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ??????????
????????????? , ? ?????? ??? ?????? ??? ?????? ?? ?? ?????? ?????? ??? ??? ??? ?????? ??? ??????
?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? (23). ?? ?????????? ,
????????? ??? ??? ?????? ??? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???

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

48. ????, ??? ?? ?????????? ?????????? ??? ?? ?????????? ??? ?????????????? ??? ?? ??? ?? ????
13 ??? ?????? ??????? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ???????, ?? ??????
????? ?? ?????????? ?? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
??? ??? ?? ??? ?????? ?????? ??? ??? (24). ?????? ?????????? ??? ? ?????? ??? ?????? ??? ??????
??? ?????????? ??? ?? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????
????? ?????? ? ?????? ?????????? ??? ?? ?????????????? ??? ?????????????? ?????????????? ???
????????? ???.

49. ???????, ?????????? ??? ?????? ??? ??????? ??? ?????????? ??? ?????? ?????? ??? ??
????????? ??????? ??? ??????? ?? ?????????? ?? ?????? ??? ?? ?????????? ??? ??????? ???
????? ?? ?????? 13, A, ?????????? 1, ??????? ??, ??? ?????? ?????? ?????????? ?????????? ???
?? ?????????? ??? ?????? ??????.

50. ??? ?????, ??? ?????? ?? ?????????? ??? ?? ?????????? ?????????? ??? ???????, ??
????????? ???????????, ?? ?????????? ??? ?????? ?????? ?????????? ??? ?????????? ??? ?? ??? ?? ??? 13,
A, ?????????? 1, ??????? ??, ??? ?????? ??????. ??? ??????, ? ?????????? ??? ???????
????? ?? ??????? ?? ?????? ??? ?????????? ?????????? ??? ?????????? ??? ?????? ??? ??????? ???
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ???
????? ???????, ? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ???????
????? ?? ?????????? ???.

51. ??? ??????? ??? ?????????? ??? ??????? ?? ?????????? ??????? ???, ?? ??????????
??????????, ? ?????????? ??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ?? ??????
?????????? ??? ?? «?????????» ??? ?????????? ??? ??? ? ?????? ?????? ??? ?????? ??? ?????????? ??
????? ?? ?????? ?????? ?? ?????????? ??? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????????? ??
????????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ???, ?.?, ??? ? ?????????? ???
????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???.

52. ? ?????????? ?????????? ??? ?????? ??????? ?? ?????? ?? ??? ?????? ?? ?????????? ??
?????? ?? ?????? ?? ?????? ?????? ??? ??? ?? ?????? ?? ?????? ?????????? ??? ?????????? ??
?????? ?? ?????? ?????????? ?? ?????? ?????????? ??? ?????????? ??? ?????? ?? ?????? ??? ??????
?????? ?? ?????? ?????? ??? ??????, ?????????? ?????? ?????? ??? ?????? ?? ?????????? ???
????????????? ??? ?? ?????? ?????? ?????????? ??????, ?????? ?? ?????? ??? ?????????? ??? ?????????? ??
????????????? ??? ?? ?????? ?????? ?????????? ??????, ?????? ?? ?????? ??? ?????????? ??? ?????????? ??
????? ?????????? ??? ?? «?????????» ??? ?????????? ?????? ??? ?????? ??? ?????????? ??
????? ?? ?????, ??? ?????? ?????? ?????????? ??? ?????? ?? «?????????» ??? ??? ??????
????, ??? ??????? ?? ?????? ?????????? ??? ?????? ?? ?????? ?????????? ??? ?? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??
????????? ??? ?? «?????????» ??? ?????????? ??? ?????????? ??? ?????????? ???.

53. ??????, ??? ??? ??????? ?????? ?????? ?? ??????? ??? ?? ?????? ??? ???????, ???
?? ?????????? ???????????, ?? ?????????? ?????????? ??? ?? «?????????» ???
??????????????, ??? ??? ?????? ??????? ??? ?????? ??? ?????????? ??? ?????????????? ??? ??????

?????? ?? ?????????????? ??????, ?????????????? ?????? ??? ????? ?????? ?????????? ?????????? ???
????????????? ??? ??????? ?? ?????????? ??? ?????? ?????.. ??????, ?????? ?? ?????????? ??? ????
?????? ?????? ??? ?? ?????????? ??? ?????? ?????? ?????? ??? ??? ??? ??? ??? ?? ?????????? ???
?????? ?? ?????? ?????? ??? ?? ??????? ?????????? ??? ?????????? ??? ?????????????? (25). ???
???????, ??? ?? ?????????? ?? ??? ?????? ?????? ??? ??? ?????????? ??? ?????? ?? ?????? ???
????????????? ?????????? ??? ????? ?????????? ?????? ?????? ??? ????? ?????????? ?????????? ???
?? ?? ?????????? ??????? ?????? ?????? ?????? ??????????. ????????, ??? ?????????? ?????????? ??
?????? ??? ?????????????? ????????, ?????? ??? ??? ?? ?????? ???.

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

57. ?????? ??' ???, ??? ???. ??????????? ???. ?????????? ?????????????? ?????????? ??, ?????????? ??
????? ???. ??????????????? ???. ??????, ???. ?????????? ???. ?????????? ???. ?????? ???. ?????????? ???.
?????. ?????, ????. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????? ???. ?????? ???.
????????????? ???. ???????????, ???. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????? ???.
????? ???. ??????. ??????, ??. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????? ???.
????. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????? ???.
????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????? ???.
?????????, ????. ????. ?????? ???. ????. ?????????? ???. ?????? ???. ?????? ???. ?????? ???.
????????? ???. ??????????. ?????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????? ???. ?????? ???.
?????????, ???. ?????? ???. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????????? ???.
????????? ???. ?????????? ???. ?????? ???. ?????????? ???. ?????? ???. ?????? ???. ?????? ???.
1, ????. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???.
????????? ???. ????. ????. ?????? ???.

58. ?????????????? ?????? ????? ??????????, ??? ?????? ?????????????? ?? ?????? ???
?? ?????? ?? ?????????? ?? ?????????? ?? ?? ?????? ?????? ?????? ?? ?????? ?? ?????? ?? ??????

?????????? ?????? ?????? ?? ???????????? ?????????? ??????????. ?? ?????? ?????? ??
?????????? ??? ?? ?????? ?????? ??? ?????? ??? ?????? ?? ?????? ?? ?????? ??? ??????
????????? ??? ?? ?????? 13, A, ?????????? 2, ?????????? ?, ??? ?????? ??????.

59. ?????? ??? ?????? ?????? ?? ?????????? ??????, ?????????? ?? ?????? ??? ?????????????? ?????? ?
????????? ??? ?? ?????? 13, A, ?????????? 1, ?????????? ?, ??? ?????? ?????? ?????? ???
????????? ??? ?? ?????? ??? ?????? ??? ?????????? ?????? ?????? ?????????? ?????????? ???
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????????? ??? ?? ?????? ??? ?????? ??? ?????????? ?????? ??????.

V – ??????????

60. ?????? ??? ??????, ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????????? ???
????????? ? ??? ??????:

«?? ?????? 13, A, ?????????? 1, ?????????? ?, ??? ?????? ?????? 77/388/???, ??, ??? ?????? ??????????,
?? 17?? ??? 1977, ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ???, ??? ??????????
?? ??? ?????? ?????? ?????? – ?????? ?????? ?????? ?????????????? ??????: ??????????
????????? ???, ?????? ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ? ??? ??? ?????????? ???
????????? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ???
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? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??
? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??.

1 – ?????? ??? ??????????: ? ??????.

2 – ?????? ??? ??????????, ?? 17?? ??? 1977, ??? ?????????? ??? ?????? ?????????? ???
????? ???, ??? ?????? ?? ??? ?????? ?????? ?????? ?????? – ?????? ?????? ???
????????? ????: ?????????? ?????? ?????? ??? (?? ????. ??? 09/001, ?. 49, ??? ????:
????? ????).

3 – ??? ????: ???.

4 – ?. ??? ???????? ?? 26?? ??? 2003, C-305/01, MKG-Kraftfahrzeuge-Factoring
(????? 2003, ?. I-6729, ??? 38), ??? ??? 21?? ??? 2005, C-25/03, HE (?? ???
????? ?????????? ??? ??????, ??? 36).

5 – ?. ??? ?????? ??? ?????? ?, ?. 4.

6 – ??? ????: ???.

7 – C-76/99 (????? 2001, ?. I-249, ??? 23).

8 – C-45/01 (????? 2003, ?. I-12911).

9 – C-287/00 (????? 2002, ?. I-5811, ??? 31 ??? 48).

10 – ??? ??? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??
?? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???, ? ???
????? ???, ??? ?????? ??? 17, ?????? 5, ??? 19, ??? ?????? ?????? ?????? ??? ??.

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

11 – ?. ??? ?????????? ???. ?????? ???. ?????? ???. ??????, ????. 22.

12 – ?, ??., ??? ??? ??????, ??? ?????? ???. 23?? ?????????? 1988, 353/85, ?????????? ???.
????????? ?????????? (?????? 1988, ?. 817, ??? 32), ??? ??? ?????????????? ??????
Dornier, ????. 33.

13 – ?????????? ???. ???. ???. 13, A, ?????????? 1, ??????????, ??? ?????????? ???. ??.,
??? ?????? ?????????? ???. ???. ?????????? ?????? ???. ?????? «????????? ?????» ???. ???.
????????? ???. ???. ?????? ?????? ???. ???. ?????????? ?????? ???. ?????? «????????? ?????» ???. ???.
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? ?????????? ?????? ?????? ???. ???. ?????? ???. ???. ???. ???. ???. ???. ???. ???. ???.
«????? ??????» ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???.

14 – ???. ??? 13, A, ?????????? 2, ????????, ???. ????. ???. ???:

«???. ????. ????. ?????????? ???. ???????, ??????? ???. ????. ?????????? ???. ???. ???.
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– ???. ????. ?????????? ???. ???????, ???. ???. ???. ???????, ???. ???. ???. ?????????? ???.
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– ???. ????. ???. ?????? ???. ?????????? ???. ???????, ???. ???. ???. ?????? ???. ???.
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– ???. ?????? ???. ???. ?????? ???. ???. ?????? ???. ???. ?????? ???. ???. ???.
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15 – ?. ???. 48. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???.
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???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???. ???.

16 – ?. ???. 24.

17 – ?. ???. ?????????? ?????? ?????? ?????? ?????? ?????? ?????? 23, ??? Dornier,
????? 43.

18 – ?. ???. ?????????? ?????? Dornier, ?????? 47 ??? 48.

19 – ??????, ??? 43.

20 – ?. ??? ?????????? ??? 22?? ???????? 1998, C-308/96 ??? C-94/97, Madgett ??? Baldwin (?????? 1998, ?. I-6229, ???? 24), ??? ??? 25?? ?????????? 1999, C-349/96, CPP (?????? 1999, ?. I-973, ???? 30).

21 – ??., ?????? ????, ??? ???????? ??? 5?? ?????? 1997, C-2/95, SDC (?????? 1997, ?. I-3017, ???? 20)- ??? 10?? ???????? 2002, C-141/00, Kübler (?????? 2002, ?. I-6833, ???? 28), ??? ??? 20?? ???????? 2003, C-307/01, D'Ambrumenil ??? Dispute Resolution Services (?????? 2003, ?. I-13989, ???? 52).

22 – ?. ??? ???????? ??? 12?? ???????? 1998, C-149/97, Institute of the Motor Industry (?????? 1998, ?. I-7053, ???? 18), ??? ??? 14?? ???????? 2000, C-384/98, D. (?????? 2000, ?. I-6795, ???? 20), ????? ??? ??? ?????????????? ?????? D'Ambrumenil ??? Dispute Resolution Services, ???? 54.

23 – ?. ??? ?????????????? ?????? Kübler, ???? 30, ??? Dornier, ?????? 42 ??? 44.

24 – ?. ??? ?????? ??? 15?? ?????? 1989, 348/87, Stichting Uitvoering Financiële Acties (?????? 1989, ?. 1737, ???? 11), ????? ??? ??? ?????????????? ?????? CPP, ????? 15- ?????? ??? ???????, ????? 21, ??? D'Ambrumenil ??? Dispute Resolution Services, ???? 52.

25 – ??., ?????? ????, ??? ?????? ??? 13?? ?????? 1990, C-30/89, ??????? ??? ?????? (?????? 1990, ?. I-691, ???? 23).