

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

PAOLO MENGONZI

??? 12?? ??????????? 2009 (1)

?????? C?29/08

Skatteverket

????

AB SKF

[?????? ??? Regeringsrätten (???????) ??? ??? ?????? ?????????????? ??????????]»

«??? – ??????? ??? ?????? 2, 4, 13, B, ????????, ??, ?????? 5, ??? 17 ??? ?????? ????????,
????? ??? ?? ?????? 2, 9, 135, ?????????? 1, ????????, ??, 168 ??? 169 ??? ??????
2006/112/?? – ?????????? ?? ?????? ?????????? ?????????? ??? ?????? ?????????? ??????????
??? ??? ?????????????? ?????????? ??? ?? ??? ?????? ?? ?????? ??? ?????????????? ???
?????? – ?????????? ?????????? ??? ?? ??? ?????????? ??? ??? ?????????? ??? ?????????? ???
????????????? ??? ??????? ?????????? ??? ?????? ?????????? ?????????? ?????????? ???»

I – ????????

1. ? ??? ?????? ?????? ??????? ?????????????? ?????????? ?????? ??? ?????????? ???
?????? 2, 4, 13, B, ????????, ??, ?????? 5, ??? 17 ??? ?????? ??????? 77/388/??/??/??/
??????????, ??? 17?? ??? 1977, ??? ?????????? ??? ?????????? ??? ?????????? ??? ??????? ???,
??? ??????? ?? ??? ?????? ?????? ?????? – ?????? ?????? ?????? ??? ??????????????
?????: ?????????? ?????????? ??? (2), ??? ??????????????, ???????, ?? ??? ??????
2006/18/?? ??? ?????????? ??? 14?? ?????????? 2006 (3) (??? ????: ??? ??????), ???
??? ??? ??????? ??? ?????? 2, 9, 135, ?????????? 1, ????????, ??, 168 ??? ??????
2006/112/?? ??? ??????????, ??? 28?? ?????????? 2006, ??????? ?? ?? ?????? ?????? ???
????????????? ??? (4).

2. ? ?????? ??? ?????????? ??? ?????? ?????????? ?????? ??? Skatteverket
(????????? ?????????? ??????????), ?????????????? ??? ?????? ???, ??? ??? ??????????
AB SKF (??? ????: SKF), ??? ??? ?????? ???, ??????? ?? ?????????????? ??????????
????????? (5) ??? ?????? ? Skatterättsnämnden (????????? ?????????? ??????) ???
????? ?? ?????????? ?????? ??? ?????? ?????????? ?????? (??? ????: ???) ??? ??
????????? ??? ?????????? ??? ?????? ?????????? ??? SKF, ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ?????????? ?????? (??? ????: ??????????
??????) ??? ??? ?????????? ??? ?????? ??? ?????? (??? ????: ??????????
??????), ??? ?? ?????? ?????? ?????????? ??? ?????? ?????? ??? ?????? ???
????? ??? 2006/112.

|| - ?? ?????? ????????

A - ? ?????????? ??????

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

4. ??????? ?? ?? ?????? 4 ??? ?????? ????????:

«1. ??????????? ?? “????????????? ??? ?????” ?????????????? ?????, ??? ?????? ??????????????
??? ?? ?????????????? ???, ??? ??? ???? ?????????????? ?????????????????? ??? ??????????????
???? ?????????? 2, ??????????? ??? ?????????????? ?????? ? ??? ?????????????? ???
????????????????? ????.

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

[...]»

5. ???? ?? ?????? 6, ??????????? 1, ??????? ??????, ????? ??????????, ??? ???
???????, ??? ?????? ?????????? ?????? ?? ??????????, ?????? ????, ?? ??????? ??????
???????, ?? ????. ?????????????????? ? ??? ???.

6. ?? ???? 13, B, ??????? ??, ?????? 5, ??? ????? ??????? ?????????? ??? ?? ?????
???? ?????????? ??? ?? «?? ??????, ?????????????????? ??? ?? ??????????????????,
???' ?????????? ??? ??????? ??? ?? ??????????????, ?? ?????? ??????? ??????? ???
?????? ??????? ? ???????, ??????? ??? ??????? ?????? [...]».

7. ?? ?????? 17 ?? ???? ?? ??????? ??? ?? ???? ?? ???? ??????????? ???. ??
?????????? ???. 1, 2, 3 ???. 5 ???. ???. ???:

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

?) ??? ??????????? ? ??????????? [??] ??? ???, ??? ??? ??????????? ? ?????????? ??
??? ??????????, ??? ??? ??? ?????????? ??? ??? ?????????? ? ?????????? ?? ???
?????????? ??? ??? ??? ?????????? ??? ???.

[...]

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

????????, ????, ??????????? 2, ??????? ? ?????????? ??? [??], ????, ?? ?????? ??? ?? ?????? ???

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

[...]

?) ???? ??? ?? ?????????????? ??? ?? ?????? 13 [...] ? ????????????) ??? ?),
????????????? 1 ??? 5, ??? ? ?????? ??? ?????????????? ?????? ??? ?????????? ?
????? ?? ?????? ?????? ?????? ?????? ?? ?????? ?????????? ?? ?????? ?? ??????
????? ??? ?????????.

[...]

5. ??? ?????? ?? ?????? ??? ??? ?????????? ??? ?????????????????? ??? ?????????????? ???
????? ??? ??? ?????????? ?????????????? ??? ?????? ?????????? ??? ?????????????? 2
??? 3, ?? ?????? ?????????? ?????????? ??? ??????????, ??? ??? ?????????, ?? ?????? ???
????????? ?????????? ??? ?????????, ? ?????? ?????????? ??? ?????? ??? ?????? ??? [??], ?? ??????
????????? ??? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??????????.

[...]»

8. ? ??? ?????? ?????????? ?? ??? ?????? 2006/112. ??????? ?? ?? ?????? ??? 413, ?
?????? 2006/112 ?????? ?? ?????? ??? 1? ?????????? 2007.

9. ?? ??? 2, ?????????? 1, 9, ?????????? 1, 25, ??????? ?, 135, ?????????? 1,
????????? ???, 168, ??????? ?, 169, ??????? ?, 173, ?????????? 1, ??? ??????
2006/112 ????, ???' ????, ?????????? ?????????? ?? ?? ??? 2, ?????????? 1, 4,
????????? 1 ??? 2, 6, ?????????? 1, ?????? ??????, 13, B, ?????????? ?, ?????? 5, ??? 17,
????????? 2 ??? 3, ??????? ?, ??? 5, ?????? ??????, ??? ?????? ??????.

B – ? ?????? ?????????? ????????

10. ? ??? 200, ??? 30?? ?????? 1994, ??? ??? (Mervärdesskattelagen (1994:200) ???
????: ??? ML) (6) ?????? ??? ?????? ??? 1, ??? 1, ??? ? ??? ?????? ??? ??????
??? ??? ?????????? ?????? ?????? ? ?????? ??????????, ??? ??????????????????
??? ?????? ?????? ??? ?????? ?????????? ??????????????????.

11. ?? ?????? 3, ??? 9, ??? ??? ML ?????? ??? ?????????????? ??? ??? ???,
????? ????, ?? ?????? ??? ?????? ??????, ??? ?????? ??? ??????????????????
??? ?????????? ?????? ??? ?????????????? ?????? ? ?????? ?????? ?????? ???
?????????, ?????????? ??? ?? ?????????????? ? ??? ??? ?????? ??? ???? ?
????????? ?????????? ??????.

12. ?? ?????? 8, ??? 3, ??? ??? ML ?????? ???, ??? ?????? ??? ?? ?????? ???
????????? ?????????????? ??? ??? ?????? ??? ?????????? ??? ??????????????, ?
????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ??????.

III – ?? ?????????? ?????????? ??? ?????? ??? ?????? ??? ??
????????? ??? ??????

13. ? ?????? ?????? SKF ?????? ?? ?????? ?????? ??? ?????????????? ???
??? ?????? ??? ?????????????? ??? ?? ?????? ??????. ? SKF ?????? ?????? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ??????, ?????? ??????, ??????????,
????? ??? ? ??????????, ? ?????? ??? ? ?????? ?????? ??????. ?? ?????? ???
????????? ??? ?????????? ??? SKF ?????? ??? ??? ??' ???.

14. ? SKF ?????????? ?? ?????????????? ??? ?????? ??? ???, ??? ??????? ????, ??
????????? ?? ?????????????? ??? ?????????? ??? ?????????, ??? ?????? ??????? ?? ??????
??? ??????, ?????????????? ??? ?????? ??? ?????? ??????. ?????????, ?????????? ??
????????? ??? ??? 26,5 % ?????????? ??? ????? ?????????? ???????, ? ?????? ???
????????? ??? ?????? ??? 100 % ??? ??? ????? ?????? ???????, ?? ?????? ???????,
????????? ?????????? ?? ????. ? ?????? ??? ?????????????? ?????? ?????? ??? ??????????
????????? ??? ?? ?????????????? ??? ?????? ?????????????? ??? ??????. ??? ??
????????????? ??? ?????????? ???, ? SKF ?????????? ?? ?????? ?? ??? ??????????????
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ??????, ??? ?????? ???
??????????????, ??? ???, ?????????????? ?????? ?????????? ??? ?? ??????? ???
????????????? ????. ? ?????? ??? ?????????? ??? ?????? ?????????? ?? ???.

17. ? Skatteverket ?????? ??????? ?? ???? ?????????? ?????? ?????? ?????? ???
Regeringsrätten, ??????? ?? ???? ?????? ?? ?????????? ?????? ?????? ??? ?? ?? ?? ??
????????? ?? ?? ?? ?????? ?? ?????????? ??????. ? SKF ?????? ?? ?????????? ??
????????????? ?????????? ??? Skatterättsnämnden.

18. ??? ??????? ????, ?? Regeringsrätten ?????????? ?? ??????????? ?? ?????????? ?? ??
????????? ?? ??????????? ?? ?????????? ??????????? ??????????;

«1) ?????? ?? ?????? 2 ??? 4 ??? ?????? ??????? [...] ??? ?? ?????? 2 ??? 9 ??? ??????
2006/112 ??? ??????????, ??????? ?? ?? ?????? ??????? ?????? ?????????????????? ????, ???
?????? ?? ?????????? ?????? ??????????? ?? [??] ? ?? ?????? ?????????????????? ??????????, ???
????????? ??? ?????? ??? ?????? ?????? ?????????? ?? ?????????? ???????, ?????????? ??????????
??? ?????????? ??? ?????? ??? ??????;»

2) ?? ? ??????? ?? ???? ?????? ?????????? ?????????? ??? ? ?????????? ?????? ???
????????? ??? ???? , ??????? ? ???? ??? ?????? ?????? ??? ???? ?????? ??? ???? ??? ???? ???? ???? ????
????? ?????? ?????? , ? ?????? ?????????? ??? ?????? 13, B, ??????? ??, ?????? 5,
??? [?????] ?????? [...] ??? ??? ????? 135, ?????????? 1, ??????? ??, ??? ??????
2006/112, ?????? ?? ???? ?????? ?????? ?????? ?????????????? ????:

3) ??????, ?????????? ?? ???? ??????? ?? ???? ?????????? ?? ???? ??????????, ?? ??????????
????????? ?????????? ?? ???? ??????? ?? ???? ?????????? ?? ???? ??????????, ?? ????
????????? ?? ???? ??????? ?? ????;

4) ????? ??????? ?? ???? ?????????? ?? ???? ?????????? ?????????????? ?? ?? ???? ?????????????? ??
????????? ?? ???? ?????????? ?????????? ?????????????????? ??????????;»

IV – ? ?????????? ?????? ??? ????????????

19. ??????? ?? ?? ?????? 23 ??? ??????????? ?? ?? ????????????, ? Skatteverket, ? SKF, ?
????????? ?????????? ?? ?? ? ?????????? ?? ?? ?????????? ????????????, ?????? ?? ?? ?????????? ??
????????? ??????????, ?????????? ?????? ??????????????. ?? ?? ?? ?? ?????????? ?? ?? ??,
????? ?? ?? ? ?????????? ??????????, ?????????? ?????? ?? ?? ?????????? ?? ?? ?? ?? ??'
????????? ?????????? ?? ?? ?????????? ??? ?????????? ??? 4 ?????????? 2008, ?????????? ?? Skatteverket
?? ?? ?????????? ?? ?? ?????????? ?????????? ?? ?? ?????? ?? ?? ?????????????? ?? ?? ??
????????? ???.

V - ???????

A – ?????????????????? ??????????????

20. ??????????????????, ? ??????? ?? ?????? ?????? ?????? ?????? ?? ?????? ?? ? SKF ??????
?? ??????? ?? ?? ?? ?????????? ?? ?? ?? ?????????? ?? ?? ?? ?????????? ?? ?? ?? ?????????????? ?? ?? ??
?? ?????????? ?? ?? ?? ??, ?? ?? ?????? ?? ?? ?????????????????? ?? ?? ?? ?????????? ?? ?? ??
????????? ?? ?? ?????? ?? ?? ?????????????? ?? ?? ?? ?????? ?? ?? ?? ?????????? ?? ?? ??
????????? ?? ?? ??????.

22. ????? ?? ??????????, ??? ?? ????? 17, ?????????? 5, ??? ????? ??????, ??????????????
??? ?? ??? ??? ?????????? ??? 2, ?????????? ???, ??? ?? ?????????? ?????????? ??? ??????
??? ???, ?? ?????? ? ?? ?????????? ??? ?????????? ?????? ?? ?????? ?????? ??? ?????? ???
?? ??? ?????? ?????? ??? ?????? ?????? ?????? (8). ?? ????? ??????, ??????????,
? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????????????? ?????? ?????? ???
????? ? ?????????????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??????????
??? ?? ?????????????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??????
????? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (9).

23. ?????????????? ???? ?????? ?????? ??? ?????? ?????????????? ?????????? ??? ???? ????
????????????? ???? ?, ????, ??? ???? ?????? ?????? ??? ?????? ??? ?????? ?????? ????
????????????? ???? ?, ????, ??? ???? ?????? ?????? ??? ?????? ???? ?????? ?????? ????
????????? ??????????, ??? ? ???? ?????? ??? ?????????? ?????????? ?????????? ???? ???? ????
????? ??? ???, ?? ??????, ?????????? ?????? ??? ?????? ??? ?????? ?????? ???? ???? ????
????? ?????? (10).

24. ?????????? ?????? ?????????? ?????????? ?? ?????????? ?? ?????????? ?????????? ?????????? ??
????????????? ?????????? ?? ?????????? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ?????????? ??
????: ?) ?? ? ?????? ?????????????? ?? ??????????, ?????????????? ?? «??????», ??????????
????????? ?? ?????? ?????????? ?? ?????? ?????????? ?? ?????? ?????????? ?? ?????? ?????? (?? ???? ???)
2006/112)- ?) ?? ?????????? ?????????? ??????????, ?? ? ?????? ?? ?????? ?????? ?????? ?????????? ??
????????, ?????? ?? ??? ?????? ?? ?????? ?? ?????? ?????????? ?????????? ?? ??? ??? ??? ??????
(?? ???? ??? ?????? 2006/112), ??? ?) ?? ? ?????? ?? ?????? ?????? ??? ??? ???? SKF

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

B – ??? ?? ????? ?????????????? ??????????

25. ??? ?? ????? ?????????? ?? ?????? ??? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ???? ?????
????????????? ??? ?? ??????, ?? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ???
??????, ???' ??????, ?? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ???
?????? ??????, ?????????? ??????? ?????????? ??? ?? ?????? ?????????? ??? ?? ?????? ?????????? ???
??? ?? ??? ?? ?????? 2006/12.

26. ??????? ??? ?? ??????? ??? ?? ?????? ??? ??' ?????????? ??? ?? ?????????? ? SKF, ? ????
?????? ??? ?? ?????????? ?????????????? ?????????? ??? ?? ?????????? ??? ?? ?????????? ???
????????? ??? ?? ??????? ??? ?? ?????? ??? ?? ??????, ??? ?? ?????????? ?? ???, ?? ?????????? ??? ?? ?????,
???? ?? ?????? ???, ?? ?????? ?????????? ???????, ??? ?? ?????? ?????????? ?????????? ???
Skatteverket, ?? ?????? ?????????? ??? ?? ?????????? ?????????? ??? ?? ?????? ??? ?? ?????? ???????,
????? ??? ? ???????.

27. ??????, ??? ?? ?????????? ?????????? ??? ?? ?????????? ?????????????? ??????????????????
????????? ??? ?? ?????? ??? ?? ?????? ??? ?? ?????? ?????????? ??? ?? ??????, ?????????,
????????? ?????????????? ??? ?? ?????? ??? ?? ?????? ?????? ??? ?? ??????, ???
????????? ??? ?? ?????? ?????????? ??? (11).

28. ??????, ??? ?? ??????????, ??????, ?????? ??????, ??? ?? ?????? ?????? ??? ?? ?????? ??? ?? ???? ?
?? ?????? ?????? ?????? ?????????????? ??? ?? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????????? ??? ?? (12) ? ??? ?? ?????????? ?????? ? ?????? ?????? ?????? ???
????????? ??? ?? ??????? ???????, ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ??????? ?
????????? ??? ?? ?????????? ??? ?? ?????? ??? ?? ?????? ??? ?? ?????? ? ?????? (13), ? ??? ?? ???
????? ?? ??????? ??? ?? ?????? ?????????? ??? ??.

29. ???, ??? ?? ??????? ?????????? ?????????? ?????????????? ??? ?? ?????? ??? ?? ????
????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????? ?????? ??? ?? ?????????? ??? ??, ??
????????? ??? ?? ?????? ??? ?? ?????? ??? ?? ?????? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ??
????? ?? ??????? ?????????? ?????????? ??? ?? ?????? ??? ?? ?????? 4, ??????????
2, ??? ?? ?????? ???????, ??? ?? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ??
????????? ?? ??? ?? ??????? ??? ?? ?????? 2 ??? ?? ?????? ??? ??, ??? ?? ?????? ??? ?? ??????
??????????, ?????????????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ?????????? ???
????????? ?????????? ??? ?? ?????? ?????????? ??? ?? (14).

30. ??? ?????? ??? ?? ?????? ??? ?? ??????, ??? ?? ?????????? ??? ?? ? SKF, ??????
????????? ?????????? ??? ??, ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ??
????????? ??? ??, ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ??
???? ?? ?????? ??????? ??????? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ???????, ??? ??
????????? ??? ??, ?????????? ??? ?? ?????????? ??? ?? ??????, ??? ?? ?????? ??? ?? ?????? ? SKF ?????????? ?? ???.
???? ?? ?????? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ??
????????? ?????????? ??? ?? SKF ??? ?????????? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ??
??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ??.

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

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

32. ? ?????????? ??? ??????? ??? ?????? ?? ??????? ??? ??? ?????????? ??? ?????? ?????????? ???.

33. ???????, ????, ??? ? ?????????? ???????, ??? ???? ?????????? ???????, ??? ???? ?????????? ???????,
???? ? ??????? ??? ?????????? ??? ???????, ???????, ?? ?????? ???????, ???
????????? ??? ?????? ??????? ??? ?????????? ??? ???????, ??? ?????????? ??? ??????? ??? ??????????
??????, ?? ?????? ?????????? ??? ???????, ??? ???????, ??? ??????? ??? ??????? ??? ?????????? ???
??? ?? ??? ?????? ??? ?? ???????, ??? ??????. ??? ?? ?????? ???, ? ?????????? ???
????????? ??? ?????? 29 ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ?????? ???
????????? ??? ??? ?????? ?????????? ???.

34. ?????????? ??? ?? ??? ???????????, ??? ?? ?????????? ???????, ??? ?? ?????????? ?????????? ??????????
??? ?????????? ??? ??????? ?? ??????? ??? ?????????? ???????, ??? ?????? ??????????
????????? ??? ?????????? ??? ???????, ??? ???????, ??? ?????????? (15), ?? ?????? ??? ???
????????? ??? ???????, ??? ?????????? ???????, ??? ?????????? ???????, ??? ?????? ??? ?????? ???, ???
????????? ??? ?????????? ??? ?????????? ???????, ??? ?????????? ??? ?????? ??? ?????????? ??? ??????????
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????

35. ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ?????????? ?? ??? ?????? ?????????? ???
?????? 2006/112, ??????? ?? ?????? ???? ?????? ??????? ??? ?????? ??????????
?????: ?? ?????? 2, ??????? 1, ??? 4, ??????? 1 ??? 2, ??? ?????? ???????, ???
??? ?? ?????? 2, ??????? 1, ??? 9, ??????? 1, ??? ?????? 2006/112 ?????? ??? ??????
??? ??????? ??????? ?????????? ?????????? ? ?????????? ??? ?????????? ??? ?????????? ??? ???
????????? ??????? ??????? ??? ??????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ??? ???????,
??? ?????????? ??? ?????? ?? ??? ?????? ??????? ??? ?????? ?????? ??? ?????? ??? ??????
????????? ?????? ?? ?????? ??????? ??? ?????? ??????? ??? ?????????? ??? ?????????? ???
????????? ?????? ??? ?????? ??????? ??? ?????? ??????? ??? ?????????? ??? ?????????? ???.

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

36. ?? ?????????? ??? ? ?????????? ??? ??????? ??? ? ??????? ??????? ??????? ???
????????? ??? ?????????? ??? ?????? ?????????? ??????? ??????? ??? ?????? ??????????
??? ?????????? ??? ?????? ??????? ??? ?????? 2006/112 –?????? ??? ??????, ???
????? ??????????, ?? ?????????? – ?? ?????? ?????????? ???, ?? ?? ?????? ???????
??, ?? ? ?? ?????? ?????????? ??????? ??? ?????? ??????? ??? ?????????? ?? ??? 13, B,
????????? ??, ?????? 5, ??? ?????? ??????? ??? ?? ?????? 135, ?????????? 1, ?????????? ??,
??? ?????? 2006/112.

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

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

?????????? ?? ??????????????? ?? ?????? ??????????????????? ?? ?????? ??????. ??????????, ???
??? ?????? ??? ??????????, ? ?????? ???, ?????????? ??? ?????? ?? ?????????? ?? ?????? ?
?????? ?????????? ??? ?????????????? ?? ?????????????? ???????, ??? ?????????? ???
????????? ??? ?????????? ?? ?????? 13, B, ????????, ??, ?????? 5, ??? ?????? ?????? ??? ??
????? 135, ?????????? 1, ????????, ??? ?????? 2006/112. ??? ?????? ?????? ?????? ??? ??
????????????? ??? ???' ?????????????? ???????, ? ?????????? ?????? ??????,
????????????? ??? ?????? 20 ??? ?????????????? ?????? Kretztechnik, ??? ?????? ??
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????????????? ???????.

39. ? ?????????????????? ??? ?????? ??? ?????? ?? ?????? ??????.

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

41. ??? ??? ?????????????? ?????? Wellcome Trust ?????????? ?? ?????????? ??? ??
????????????? ??? ??? 13, B, ????????, ??, ?????? 5, ??? ?????? ?????? ?????????? ???????
????????? ?? «?????? ??? ?????? ??????» ??? ?????????????? ??? ?? ?????????? ??????
? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ??
????????? (16).

42. ??????, ??? ?????? ??? ?????? ?? ?????? ??? ?????????? ?????? ?????????? ??? ??
13, B, ????????, ??, ?????? 5, ??? ?????? ?????? ?????????????? ??? ?? ??????????
????????????? ?? ?????????? ??? ?????????? ?????? ?????????? ??? ?????????? ?????????? ???
????????????? ??? ?????????? ??? ?????????? ??? ?????????? ?????? ?????????? ??? ?????? ???,
????????????? ??? ?????????? ??? ?????????? ??? ?????????? ?????? ?????????? ??? ??????????
????? ?? ??? ?????? ??????.

43. ??????, ?? ???????? ??? ?????? ??? ????????, ??? ?????? ??? ?? ?????????? ??? ??
13, B, ????????, ??, ?????? 5, ??? ?????? ?????? (?? ?????? ??? ?????? 135, ?????????? 1,
????????? ???, ??? ?????? 2006/112) ?????? ?? ?????????? ?????? ?????????? ??? ??
????????? ?????? ?????????? ?????????????? ??????, ?????????????? ?????? ??? ??????
????????????? ?? ?????? ?????? ??????, ?????? ??? ?????? ?????? ??? ??????
????????????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ??????
????????? ???.

44. ??????, ??? ?? ?????? 13, B, ????????, ??, ?????? 5, ??? ?????? ?????? ???,
??????, ?? ?????? 135, ?????????? 1, ????????, ??? ?????? 2006/112 ?????? ??????
????????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?? ?????? ?????????? ??? ??????
????????? ??? ?? ??? ??????.

45. ???????, ??? ?????? ???????, ??? ?????? ??? ?????? ???, ?? ?????????? ??? ?? ?????? 20 ??
????????????? ?????? Kretztechnik ? ??????? ?? ?????? ??? ?????? ?? ?????? ? ???????.
??????????, ??? ?????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????????? ?????? ??? ??
????? ?? ?? ?????? ?? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?? ??????
????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??????, «????? ?????????????? ??? ??? ???, ?????? ??? ?? ?????? 13, ?,
????????? ??, ?????? 5, ??? ?????? ??????, ?? ?????? ??? ?????? ?????? ??? ?????? ??? ??
????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????????? ??? ?? ?????? ??? ??
????????? ??? ?????? ??????, ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ??????
????????? ?????? ?????? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ??? ?????? ???

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

?????????? ??? ???????? ?? ?????? 13, B, ??????? ??, ?????? 5, ??? ????? ?????? ???
????????? ?????? ?????????????????? ????.

47. ??????????, ? ?????????????? ?????????? ?????????? ??????, ?? ??? ???? ??? ??????
?? ?????????? ?? ?????? ??? ?????? ?????? ??? ?????? ?????? ??????, ?????? ??
????????? ?????? ?????? ??????, ??? ?????????? ??? ?????? 27 ??? ?????? ?????????? ??????, ???
????????? ??? ?????? ?????? ?????? ??? ?????? ??????. ? ?????????? ???, ??? ??? ???
????????? ??????, ?????????? ?? ??? ?????? ?????? ??? ??? ??? ??? ?????? ?????? ? ??????
??? ?????? ????.

48. ???????, ?? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? 13, B, ??????? ??,
????? 5, ??? ?????? ?????? ?????? ?? ?????????? ??? ?????? ?????? ?????? ?? ??????
?????????. ??? ?????? ??? ?????? ?????? ?????, ?? ?????? ??? ?? ?????????? ??? ?????? ??????
??? ??? ?????? ??? ?????????? ?? ?????????? ??? ?????? ?????? ?????? ??? ??????
????????? ?????? ??? ?????? ?????? ?????? SKF ?????? ??? ?????????? ?????? ??????
??? ?????? ??? ?????????? ??? ??????, ?????? ??? ?????? ?????? ?????? ??? ??????
????????? ??????, ??? ?? ?????? ?????????? ?????? ?????? ?????? ?????? ?????? ??????.

49. ? ?????? ??? ?????? ?????? ??? ?????? 13, B, ??????? ??, ?????? 5, ??? ??????
?????? ?????? ?????? ?????????? ??????, ??? ?? ?????? ??? ?????? ?????? ??? ?????? ???,
????? ?????? ??? ?????????? ??? ?? ?????? ??? ?? ?????? ??? ?????? ??? ?????? 16 ???
????????? ?????? Harnas & Helm, ?? ??? ?????? ?? ??????????, ???????????,
????? ??????, ??? ?????????????? ?????? Wellcome Trust, ?????? ??? ?? «
????????? ??? 13, ????, ???, ?????? ??, ?????? 5, ??? ?????? ?????? ??????
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??????
????????? ?????? ?????????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ? ??????
????????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ? ??????
????????? ??? ??????, ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????»
(18).

50. ? ??????? ??? ?????? ?? ?????? 13, B, ??????? ??, ?????? 5, ??? ?????? ??????
????????? ?????? ?? ??????????, ?????? ?? ?? ?????? ???, ?? ??? ??? ?????????? ???
??? ?????? ??? ?????? «??? ?????? ??????» ??? ?? ?????? ?????? ?????? ??? ??????
????????? ??? ?? ?????? ??????. ?? ?????? ???, ??? ?????????? ??? ?????? ??? ??????
13, B, ??? ?????? ??????, ?? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ? ???
????????? ?? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ???, ?????? ?? ?????? ?????? ?????? ?????? (19), ??? ?????? ?????? ??
????????? ??? ?? ?????? ???, ??? ?? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ???, ??? ?? ?????? ???, ??? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

51. ? ?????? ??? ?????? ??? ??????, ???' ???, ?? ?????? ??? ?? ?? ?????? ?????? ???
????????? ? ?????? ??? ?? ?????? ?????? ??????, ??? ? ?????? ??? ?????? ???
????? ??????, ?????? ?? ?????????? ?? ?? ?????? ?????? ?????? ?????? ??? ?????? ?? ??????
???? ?????????? ?? ?????? ??????, ??? ?? ?????? ??? ?????? ??? ?????? 5, ?????????? 8,
??? ?????? ??????, ??? ?????? ?????? ?????? ?????? ??????, ?????? ??? ?????? ??
????????? ?? ??? ?????? ??? ?? ?????? ?????? ?????? ??? ?????? 13, B, ??????? ??,
??, ?????? 5, ??? ?????? ??????.

52. ???????????, ??????? ??? ??????, ?????????? ??? ?? ?? ?????? ?? ?????? ???
?? ?????? 5, ?????????? 8, ??? ?????? ??????, ??? ?????????? ??? ?????? ???
«????????? ??????» ??? ?????? ?????? ?? ?????? 5 ??? ?????? ???, ?????? ?? ?????? ???
????????? ?????? ??????, ?? ?????? ?????? ??? ?????? ?? ??? «????? ?????? ??????», ???
????????? ??? ?????? 6, ?????????? 1, ??? ?? ?????? ?????? ?? ?????????? ???
«???[?????] ??? ?????, ?? ?????? ?????????? ??? ???? ??? ??????». ??????????,

???????, ??????? ???, ?? ??? ?????????????? ?????? Kretztechnik, ?? ??????????
????????? ?? ?? ?????? ? ?????? ??? ?????? ?????? ?? ?????? ?????? ?????? ?? ??????
??????, ?? ?? ??????????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????????????????
???? ?????? ?? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ?????????????????
(20). ???? ??? ??, ?? ?????? 5, ?????????? 8, ??? ?????? ?????? ?????? ?? ??????
???? ?? ?????? ???, ??? ?????? ?????? ?????????? ??? ?????? ?????? ??? ?????????? ???
?????????????, ??? ??? ?? ?????????? ??? ?????? ?????? ??? ?????? ?????????? ???
?? ?????? (21).

53. ????????, ?? ??? ?????????????? ?????? BLP Group, ? ?????? ?????????? ??? ??
?????? ?????????? ?????????????? ??? 95 % ??? ?????? ??? ?????? ?? ?????? ?? ??? ??
??? ?????????? ??? ???????, ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??
????????? ??? ??? ?????? ?????? ?????????? ?????????????? ??? (22), ????,
??????, ?? ?????????? ?? ?????????? ??? ?????? ??? ??? ?? ?????? ??? ?????? ??????????
????????? ?????????? ?????????? ?????????? ?????????? ?????????? ?????? ??? ??
«????????? ?? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ??????», ???? ??? ??
????? 5, ?????????? 8, ??? ?????? ??????.

54. ????????, ??? ?????????? ? SKF ??? ??' ?????????? ?????????? ??? ???????,
?? ???????, ?? ?????????? ??? ??? ?????? ??? ?????? ?????? ?????????? ?????????? ??
????????? ??? ?????????? ?????????? ??? ?????? ???, ??? ??? ?????? ??? ??????
??? ??????????, ? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ??????????????
?? ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????????? ?????????? ??,
????????? ? ??? ?????? ??? ?????? ??? ?????? ???' ?????????? ??? ???????, ??

55. ???? ??? ?? ??? ??????????, ?????? ??? ?? ?????? ?? ?????? ??? ? ??????? ???
????? 5, ?????????? 8, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ????
????????? ???, ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ???, ???
????????? ? ?????? ?????? ??? ? SKF ?????? ?????????? ?????????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ??? ??' ?????????? ??? ???????, ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 5, ?????????? 8,
??? ?????? ???, ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ?????? ?????? ?????? ?????? ??????????????.. ? ?????? ??? ??? ?????? ?????? ???
??? ?????? ?????? ??? ?????? ??? ?????? ???, ?????? ??? ?? ?????? 2 ??? ?????? ???, ???
????? ?????????? ??? ?????? ??? (23).

56. ????????, ?? ??????? ??? ?????? ??? ?????? ?? ?????????? ? ???????, ?? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????????? ??? ?
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? 5, ?????????? 8, ??? ?????? ??????, ??? ?? ?????? ?? «?????????» ???
????????? ??? ?????????? ??? ?????? ??? 13, B, ??????? ??, ?????? 5, ??? ??????
??????, ??????, ??? ??????, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??????
??? ?????? ??????.

57. ????????, ???? ??? ?????? ???, ??? ?????? ?????????? ?????? ??? ??????????
??? ??? ?????????? ???, ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ????
????? ?????? ??? ?????? ??? 13, B, ??????? ??, ?????? 5, ??? ?????? ??????
??? ? ??? 135, ?????????? 1, ?????? ???, ??? ?????? 2006/112.

58. ?? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ?? ?? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????? ? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???, ??? ??
??? ?????? 5, ?????????? 8, ??? ?????? ?????? (????? ??? ??? ?????? 19, ?????????? 1,

??? ??????? 2006/112), ? ?????? ??? ?? ???????, ?? ??? ???????????, ??? ???????????
????? ?????????? ??? ?? ??? ???????, ??????????? ?????? ??? ???????????, ???
?????????? ?? ?????????????? ?????? ??? ?? ?????? ?????? ??? ?????? ?? ?????? ???
??????, ?? ?????? ??? ?? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??????.

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

59. ??? ??? ?? ??????? ??? ?????? ??????????? ??? ?? ?????? ??? ?? ?????????? ??? ???????
?? ?????? ?????????? ??? ?? ??????????? ?? ?????? ??? ?????????? ??? ?????????? ??? ?? ?? ???
????????? ??????? ?? ?????? ??????? ?? ?????? ?? ??, ?????????? ?? ??????? ???
????????????? ??? ?? ?????? ??????? ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??????????
????? ?? ??? ?????? ??????????? ??? ???????, ?????? ???' ???' ???? ?? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

60. ??? ?????? ??? ?? ??? ?????????????? ??? ???????????, ??????????? ?? ???????
?? ?????? ??? ?? ??? ??????, ??????, ???????, ?? ?????? ??? ?? ?????? ???????????
?? ?????? ?????? ??? ?????? ??? ?? ?? ? ?????????? ?????? ??? ?????????? ???
????? ??? ?????? (24).

61. ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ?? ???????????, ??? ?????? ???
???? ?????? ?????????? ??? ?? ?????? ??? ?????? ??? ?????????????? ??? ?? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ??? ?????? ???
????????? ??? ?????? (25).

62. ???????, ?? ?????????? ??? ?????? ???, ?? ??? ?????????????? ?????? Midland Bank,
??? ??? ?????? ?? ??? ?????? ?????????? ?????????? ??? ?????????????? ?????????? ??? ??
??? ?????????? ??? «?????? ??? ?????? ?????», ??????, ?????????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
?? ?????????? ? ?? ??? ??? ?????? (26). ?? ?????????? ?????????? ??? ??? ?????? ???
????????? ??? ?????? ?????????? ?? ?????????? ?? ?? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????????? (27).

63. ????? ??????? ??? ?????? ?????, ?? ?????? ??????????? ??????????? ??? ?? ???????????
??? ??????? ? SKF ??????????? ??? ????? ?? ??? ????? ??????????? ??? ??????? ???
?????????? ??? ?? ??????????? ????????. ????????, ?? ??????????? ????? ?? ??????????? ??
??? ??????? ??? ?? ??????????? ???????, ??? ????? ?? ??? ??????? ?? ??????????? ?? ??
?????????? ??????????? ??? ?? ?? ??????? ??? ??????????? ??????????? ??? ??
?????????? ??????? ??? ?? ??????????????? ??? ?? ??????? ??? ??????????? ???????????, ???
?????????? ??????? ??? ?? ??????????????? ??? ?? ??????? ??? ??????????? ???????????, ???
?????????? ? Skatteverket, ?? ??????????? ?? ??????? ??????????? ??????????? ??????????? ???
??????????, ??? ?? ??? ???????, ???????, ??? ?? ??? ??? ??????????? ??? ??
?????????????? ?? ??????? ???????????, ??? ??????? ??????? ??? ????? ?? ??????? ??? ??????? ??
?????????? ??????? ?? ??????? ??? ??????? ??? ?? ??????? ??????????? ??? ?? ??????? ?? ???????
(28).

64. ??????? ??? ? ??? ??????????????? ??? ??????? ???????????, ??? ??????????? ?? ??
????????? ??? ??? ??????? ??????? ??? ??????? ???????????, ???????????, ???????????????
?????????????? ??? ?? ??? ??????? ??????? ??? ??????? 13, B, ??????? ??, ??????? 5, ??? ??
??????, ? ??? ?? ??????????? ??? ??????? ??????????? ??? ??????????? ??? ??????????????? ??? ??
?????????????? ??? ?? ??????? ??? ??????? ???????, ??? ??????? ???????????, ?? ???????,
?????? ?? ??????? ??? ??????? ??????? ??????? ??? ??????? ??? ??????????????? ??? ???????
(29).

65. ??? ?????, ???????, ? ??? ??????? ????? ??????????? ??????????? ?? ??
?????????????? ??????? BLP Group. ?? ??????????? ???????, ???????????, ??? ?? ??? ??
?????????? ??? ??????????????? ??????? ??? ??????? ? BLP Group ??? ??????? ???
?????????????? ??? ?? ??? ??????????? ??? ?? ??????? ??? ???????, ??? ??????? ??? ?? ??
???? ??????????? ??? ?? ??????????? ??? ?? ??????? ??? ??????? ??? ??????????????? ??? ??,
?? ??????????? ??? ??????????? ??? ?? ??????????? ??? ??????? ??? ?? ??????????? ??? ?? (30).

66. ?? ??????????? ??????????? ???, ??? ??????? ???????, ??? ? ??????? ???
?????????? ??? «?? ? ??????? ??? ??????? ??? ??????????? ??? ??????? ??? ??
?????????????? ??? ??????????? ??? ???????» (31).

67. ? ??????? ??? ??????? ?? ??????? ??? ?? ??? ??????????? ??????????????? ??? ??
????? ??????? ? ??????????????? ??????? BLP Group ??? ?? ??????????????? ??? ??
????????? ? ??????? ??? ??????? ??? ???????????, ??? ??????????? ??? ?? ??
??? ??????? ??? ??????????? ??? ??????????? ??? ?? ??????????? ??? ??, ? ??????? ??? ??
?????????????? ??? ??????????? ??? ?? ??????????? ??? ??????????? ??? ??????????? ??? ??
?????????????? ??? ?? ??????? ??? ??????????? ??? ?? ??????????? ??? ??????????? ??? ??
?????????????? ??? BLP Group. ??????? ??? ???????????, ? BLP ???????????,
?????? ???, ??? ? ??? ??? ??????????? ??? ?? ??????????? ??? ??????????? ??? ?? ??
?????????????? ??? ??????????? ??? ??????????? ??? ??????????? ??? ??????? ??? ??
??????????, ?? ???????, ??? ?? ?? ??????????? ??? ??????????? ??? ??????? ??? ?? ??
?????????????? ??? ??????? ??? ??????? (32).

68. ? ??????????????? ??? BLP Group ??????????? ??? ?? ?? ???????????, ??
????? ??????? ???, ??? ?? ??????? ??????? ??? ??????? ??? ?? ??????????? ??? ??
??? ???????, ?? ?? ??????? ??? ? ??????????? ??????? ?? ??????? ??????? ??? ??????? ??? ?? ??
?????????????? ??? ??????? ???, ???????, ? ??????????? ??????? ??? ??????????? ?
?????????????? ??? ??????? ??? ??????????? (33), ??? ?? ??? ???, ???????, ? ??????? ??? ??
?????????????? ??? ??????????? ??? ??????????? ???????, ? ?? ??????? ??? ???????????
?????????? ??? ??????? ??? ??????????? ? BLP Group ??????????? ??? ?? ??
?????????????? ?? ??? ??????? ??????????? ??? ??????????? ??? ??????? ??? ??????????? ??? ??
?????????? ??? ??????? ??? ??????????? ??? ??????? ??? ??????? ??? ??????????? ??? ??

???? ???? ?????????????? ?????? ?? ?????????????? ??? ?????? ??? ?????????????? ??? ?????? ???
????? ?? ??????? ?? ?????????? ?????? ?????????? ?????? ?? ??? ?????????? ?????? ?????? (34).

69. ???? ???? ????? ?????????? ?????????? ? ?????? F. Jacobs ?? ??? ??????????
???? ???? ?????? ??? ???? ?????? ?????? ? ?????????? ?????? ?????? Abbey National (35),
???? ???? ?????????????? ?????? BLP Group ?????????? ??? ?? ?????????? ??? «?????????
???? ?????? ??? », ??? ?????? ??? ??? ?? ?????? ?????????????? ??? ?????? ??????????????
????????, ?? ?????????? ?????? ???, ??? ?????????? ??? ?????? ?????? ?????????? ???
????????????????? ??? ??? ?????? ??????, ?? ?????????? ??? ??? ???? ?????? ?????????? ???
????? ?????? ??? ?????? ??? ?????? ?????? ?????????? ?????? ?????? ?????? ?????????? ???
? ?????? ?????? ??? ?????? ??????, ??????, ??? ?????? ?????????? ?????? ?????? ?????? ???
????????? ?????? ??? ?????? ??????, ??? ?????? ?????????? ??? ?? ?????????? ?????? ?????? ???
????? ?????? ?????? ?????? (36).

70. ? ??? ?????? ?????????? ?? ??? ?????????????? ?????? BLP Group, ??? ? ???
????????? ???????, ??????, ??? ???? ?????? ???, ?? ?????????? ?????? ??? ??? ??? ??????
????????. ? ??????? ??? ??? ??? ?????????? ??? ??? ?????? ??? ??? ?????? ??? ?????? ???
????????? ? SKF ??? ?????? ?? ?????? ?????, ??? ?????? ??? ?? ?????????? ?????? ?????? ???
????? ??? ?????? ??? ?????? ?? ?????????????? ???, ?? ?????????? ??? ?????? ?????? ??????????????
??? ??????? ??? ?????????? ??? ??? ?????????? ?????? ?????? ?????? ?????? ?????????? ???
????????? ??? ???, ?????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ?????????????? ???
????????????? ?????????????? ??? ?????? ??? ?????? ? SKF.

71. ?? ?????? ?????????? ?????????? ??? ?????? ?? ? ?????????? ??? ?????????????, ???
????? ?????????? ?? ?? ?????? 23 ??? ?????? ?????? ??? ?????? ??? ?????? ?? ??? ??? ?????? ?
????????? ??? ??? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????????? ?????????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ?????? ?????? ??? ?????? ?????? ?? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???
??? ?????????? ??????, ?????? ?? ?????????? ?? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??????.

72. ??? ?????? ??? ??????, ??? ?? ?????? ???, ?? ?????? ?????? ??????.

73. ???????????, ?? ?????????? ?????????? ?? ??? ?????? ?? ?????????? ?????????????? ???
????????????? ??? ?????? 71 ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ??? ???
????????????? ??? ??? ?????? ?????? ?????? ?????? ?? ??????, ?? ?????? ??? ?????? ??? ?????? ???
????? ?????? ?????????? ? ?????????????? ?????? BLP Group, ?????? ?????? ?? ??? ??????
????? ?????? ?????? ?????? ?????????? ??? (??????? ??? ?????????? ??? ?????? ??????)
????? ?????? ?????? ?????????? ??? ?? ??????, ?? ??? ??????, ?? ?????? ?????? ?????? ??????
????????? ?? ?????????? ?? ?????? ??? ?????? ??? ?????? ?????? ?????? (37). ??? ??????
??????, ??? ??? ?????? ??????, ?? ?????????? ??? ?????? ?? ?????? ??? ?????? ?????? ???
????????? ?????? ??? ?????? ?????? ??? ?? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
??????, ?????????????? ?????, ?????? ??? ?????????? ??? ?????? ?????? ?????? ??????
????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??????.

74. ?????, ??? ??? ?????? ???, ?????????? ?????????????? ? ?????????? ??? ?????? ??
????????? ??? ?????? 36 ??? ?????????????? ?????? Kretztechnik ??? ?????? ?? ???
?????, «??????? ??? ?????????? ???, ??????, ? ?????? ?????? ?????? ?????????? ??? ?? ?????? ???
??? ?????? ?????????? ??? ?????? ?????? ??? ???, ??????, ? ?????? ?????? ?????? ??? ?? ?????? ???
Kretztechnik ?? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??????, ??????, ???
????????????? ?????????????? ???, ?????? ?? ?????? ??? ?? ?????? ??? ?????? ?????? ???
????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???

???. ????????, ?? ????????, ?????? ?????????????? ?????? ??? ?????????? ?????????? ?? ??
?????? ??? ?????????? ?????? ?????????????? ??? ?????????? ??? ??????» (38).

75. ? ?????????????? ??? ?????? ?? ?????????? ??? ? ??????? ?????? ??? ?????????? ???
?????? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?? ??? ???
????????? ??? ?????? ?????? F. Jacobs ??? ?????? ??? ?????? Kretztechnik.
????????, ? ?????????? ?????? ?????? ???????, ????, ???, ?? ? ?????? ?????? ?????? ???
?????? ?????????????? ????, ???? ??? ?????? ??? ?????????? ??? ?????? ?????? ??? ??????
??? ??? ??? ?????????? ??? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ???, ???????, ???, ?? ? ?????? ?????? ?????????? ?????????? ??? ?????? ???,
??????, ?????????? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???,
????????, ??????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
????????? ?? ??? ? ?????????? ?????? ?????????? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???
????????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???
????, ?? ?????????? ??? ?????? (39).

76. ?????, ??????, ??? ?? ?????????? ?????? ??? ?????? ??? ?????????? ??? ?????????? ? ??????
????????? F. Jacobs ?? ??? ?????????? ??? ?????? ??? ??????, ??????, ???
?????? ?????? ??? ?????????? ??? ?????????? ??? ?????? ???, ???????, ??? ??????
???? ?????? ?????? ?????????? ???, ??????? ??? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????
????? ???, ??????, ?? ??? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? BLP Group, ?
????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??????.

77. ? ?????? ?????????? ?????????? ?, ???? ??? ?????? ?????? ??? ?????? ??? ?????? ?
?????????, ?????? ?? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ??????
?????? ??? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? (??/? ??? 2006/112). ???????, ??? ? ??????
????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
??? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
??? ?????? ?? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? (40),
?????????, ? ??? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?? ?????? ???
????????? ??? ?????? ??? ?????? ??? ??????.

78. ????????, ? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? (?? ? ??? ?????? ?????????? ?? ?? ??? ??????
2006/112) ??? ??? ??????, ??? ?????? ?? ?????? ??? ?????? ?????? ??????, ???
????????????? ??? ??????, ??? ?????, ??? ?????????? ?????? ??????, ??? ??????, ??? ??? ?????
????????? ?? ?????? ??? ?????? ??? ?????? ?????? (41), ??? ? ??? ?? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??????
??? ?????? ??? ???.

79. ????????, ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ???, ?????? ??? ?????? ??? ?????? ???, ??? ? ??? ?????? ???, ?????????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????
?? ??? ??? ??? ??? ?????? ?? ?????? 13, B, ?????? ??, ?????? 5, ??? ??? ?????? ??? ?
????? ??? ???, ??? ?????? ???, ?? ?????? ??? ?????? ??? ??? ??? ??? ?????? ??? ?
??? ??????, ?????????????? ??? ??? ??? ?????? ??? ?????? ??? ?????? ???

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

80. ????????, ? ?????? ??? ???????????? ???? ?????? ?????? ???? ??? ?????????????? ???? ???
???????, ????????, ??? ?????? ??? ?????????????? ?? ? ?????? ?????? ???? ?????? ???? ???
????? ?? ?????? ?????????????? ?????? ??? ?????? ??? ?????? ?????????? ???? ?????? ????
??? ?????? 13, B, ????????, ?, ?????? 5, ??? ?????? ????????, ?? ????????, ??? ??????
????????? ?????? ?????? ?????? ?????? ?????????? ?????? ?????? ?????????? ???? ??? ????
??? ??? ?????? . ????????, ?????? ?? ???? 17, ?????????? 3, ????????, ??, ??? ??
????? ????????, ??? ?????? ?????? ?????????? ?????? ?????????????? ???? ?????? ??? ??
????? ??? ?? ?????????? ?????????????? ???? ??? ?????? «????? [...] ???
????????????? ???? ??? ?????? 13, ?, ????????, ?? ??? ?, ?????? 1 ??? 5, ??? ???? ????
????? ?????????????? ???? ??? ?????????? ?? ?????? ?? ?????? ?????? ?????? ?????????? ????
?? ?????? ?????????? ?? ?????????? ?? ?????? ??? ?????? ??? ??????????», ?????????? ? ????
????????? ?????????? ?? ?????????? ???? ??? ?????????? ??? ?????????????? ???? ??? ???? ??????
??? ??? ?????? ?????? ?????? ?????? ?????? ???? ??? SKF ??????? ??? ??????????.

81. ????????, ?????? ??? ??? ?????? ?????? ??? ?????? ?? ?????? ?????????? ????
?? ?????? ? ????????, ??? ?????? ?????????? ????, ? ?????? ?????? ?????????? ????
????????? ?????? ?????? ?????????? ?????? ??? ?????? ?????????? ???? ??? ?????? ??????????
????????? ??? ?????? ?????? ??? ?????????? ??? ?????? ?????? ?? ?????? 13, B, ????????, ??, ???
5, ??? ?????? ?????? ???? ??? ?????? 135, ?????????? 1, ?????????? ???, ??? ?????? 2006/112
??? ?? ??? ?????? ?? ?????????? ?????? ?????? ??? ?????? ??? ?????? ???, ??? ??? ??????
????????? ??? ?? ??? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

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

82. ?? ?? ?????? ??? ?????????? ??? ?????????? ???, ?? ?????? ?????????? ????, ???' ??????,
?? ?? ?????????? ??? ?????????? ??? ?????????? ?? ?????????? ?? ?????????? ??? ??????
?????? ??? ???? ?????? ?????????? ??? ?????? ?????????? ?????????????? ?????????? ??? ??
?????.

83. ?????????? ??? ?? ?????? ?????????? ??? ?????? ?? ?????????? ?????????????? ???
?? ?????? ?? ?????? ??? ?????? ?????? ??? ?????????, ?????????? ?????? ?? ?????????
??? ? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ?????????? ??? ?????????? ???
????????? ??? ?????? (42).

84. ?? ??? ??????????, ??? ?????, ??? ?????? ?? ??? ?????? ??? ?????????? ??????????????
????????? ??? ??????????, ??? ?? ?????? ??? ? ?????????? ??? ?????????? ??? ??????
????????????? ??? ?????? ?????????? ?????? ?????? ??? ?????? ??? ?????????? ??? ??????????
??? ?????? ?? ?????? ??? ?????? ?????? ??????.

85. ????????, ??? ?????? ?????? ? ????????, ?????? ??? ?????? ??? ??????
????????????? ?? ?????????? ??? ?? ?????? ?????? ?????? ??? ?????????? ??? ??????
????????? ??? ?????? ??? ?????? ?????????? ?????? ?????? ?????????? ??? ?????? ????
????????? ??? ?????? ?????? ?????? . ??????, ?? ?????? ?????????? ??? ?????? ??????????
??? ?????? ?????? ?????? ??? ?????? ?????????? ?????????? ?????????? ??? ?????? ??????????
????????? ?????????? ??????.

86. ???????, ???????, ??? ?? ??????? ?????????? ??? ?????? ??????? ????????????????,
???' ??????, ?? ?? ?????????? ??? ?????? 2006/112, ??? ?????? ?? ?????????? ?
????????? ?????????? ??? ?????? ?????????? ?????? ??? ?????? ??? ?????????? ?? ??????
??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ??????.

87. ????????, ??, ??? ????????, ? ??? ?????????????????? ??? ??????? ?????????????????? ???
???, ??? ?????? ??? ????? ??????? ??? ?????? ??? ?????? ??? ?????? 2006/112, ?? ??????? ??? ?
????? ??? ???????????????, ??? ???????????, ?? ??? ???? ? ??? ?????????? ?????? ???
????????? ??? ?????? ??? ??????? ?????????? ??? ?????? ??? ??? ??? ?????????? ??? ????????????
??? ??? ?????? ?????????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ??? ??? ??????.
?????????? ??? ?????? ??? ??? ?????? ?????? ?? ?????????????? ?? ?????????? ?????????? ???
?????????? ??? ?????? ??? ?????? ?????? ?????????????? ??????????.

VI – ???????

89. ??? ??? ????? ??????? ???, ????????, ???????????, ????????, ??? ???????????, ??, ???????????, ??
??????????, ??? ???????????, ???????????, ??? ???????, ??, ??? ???????, ?? Regeringsrätten:

2. ??? ?????? ?????????????? ??????? ?????? ?????????????? ??? ??? ?????? ?????????????? ??????????,
????? ? ??????? ?????? ?????? ?????? ??? ?????? ??????, ??????? ?????? ?????? ?????? ?????? ??????
?? ?????? 13, B, ??????? ??, ?????? 5, ??? ?????? ??????? 77/388, ??? ?????????????? ??
?? ?????? 2006/18, ??? ?? ?????? 135, ?????????? 1, ?????????? ???, ??? ?????? 2006/112.

4. «????????????? ??? ????? ?????? ?????????????? ??? ?????????????? ??? ?? ?????????? ??? ?
????????? ??? ?????? ??? ?????????? ??? /? ??? ?????????? ??? ?????? ??? ?????????? ??? ?
????????? ??? ?????????? ????.»

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

2 – EE ????. ??. 09/001, ?. 49.

3 – EE L 51, ?. 12.

4 - EE L 347, ?. 1.

5 – ????????, ??? ?????????????? ?????????? ?????????????? ?????????? ?? ?????????? ??? ?????????? ???
????????? ??? ?????? ??? ?????????? ?????? ?? ??? ?????????? ?????????? ?????????? ??? ??????????????
????? ??? ? ?? ?????? ?? ??? ?????????? ??????????. ?????????? ???, ??? ?????? ??
????????? ??? ????????, ??? ?????? ??? ?????????? ?????? ?????? ??? ?????? ???
????????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ????: ?? . ??????
??? 6?? ?????????? 2008, C?291/07, Kollektivavtalsstiftelsen TRR Trygghetsrådet, ??? ??? ???
????????????? ??? ??? ????????, ??? 16.

6 – SFS 1994:200.

7 – ??., ???????, ??????? ??? 8?? ??????????? 2007, C?435/05, Investstrand (?????? 2007, I?1315, ????? 22 ????? ??? ??? ??????????? ???????????).

8 - ??., ?????? ?????, ??????? ??? 22?? ???????????? 2001, C?408/98, Abbey National
(?????? 2001, ?. I?1361, ????? 25 ??? ????? ?????????????? ??????????).

9 – ?????????????????? ?????????? Abbey National (?????? 26), ??? Investstrand (?????? 23).

10 – ???. ????????????????. ??????? Investstrand (?????? 24 ????. ????. ????????????????. ???????????).

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

12 – ??., ?????? ??????, ?????????????????? ?????????? Wellcome Trust (????? 25), EDM (????? 59), BBL (????? 41), ??? Kretztechnik (????? 20).

13 – ??., ???????, ??? ?????? ??? ?????????? ?????????? ???????????, ?????????? ??? 20??
?????? 1991, C?60/90, Polysar Investments Netherlands (?????? 1991, ?. I?3111, ??? 14),
??? 14?? ?????????? 2000, C?142/99, Floridienne ??? Berginvest (?????? 2000, ?. I?9567,
???? 18), ??? ??? 27?? ?????????? 2001, C?16/00, Cibo Participations (?????? 2001, ?.
I?6663, ??? 20)- ?. ??? ?????? ??? ?????????? ?????????????? ???????????, ??????
Wellcome Trust, ?????????????? (????? 35). ??., ??????, ??????? ??? 6?? ??????????
1997, C?80/95, Harnas & Helm (?????? 1997, ?. I?745, ??? 16).

14 – ???. ??????????????? ?????????? Floridienne ??? Berginvest (????? 19), ??? Cibo Participations (????? 21).

15 – ??., ?????? ?????, ?????????????????? ?????????? Wellcome Trust (????? 33), ??? Kretztechnik (????? 19).

16 – ?. ?????????????? Wellcome Trust (????? 35).

17 – ?????????????????? ???????? Kretztechnik (?????? 20) (? ?????????????? ????. ????.).

18 – ?????????????????? ??????? Harnas & Helm (????? 16) (? ?????????????? ???? ???).

19 – ??., ???????, ??????? ??? 14?? ????? 2008, C?231/07 ??? C?232/07, Tiercé Ladbrooke
(??? ??? ??? ??????????? ??? ????? ??? ???????, ??? 15 ??? ??? ?????????????????
?????????).

20 – ?????????????? ?????? Kretztechnik (?????? 22 ??? 23).

21 – ??., ??????, ???' ???? ??? ??????, ?????? 26 ??? ?????????? ??? ?????? ?????????? ?????????? F. Jacobs ??? ?????? ??? ??? ?????? ?????????? ? ?????????????? ?????? Abbey National. ??., ??????, ?????? ??? 27?? ?????????? 2003, C?497/01, Zita Modes (?????? 2003, ?. I?14393, ??? 39), ? ????? ???????? ?? ratio ??? ?????? 5, ?????????? 8, ??? ??? ?????? ??? ?????????? ?? ?????????? ??? «????????????? ?????? ?????????? ? ?????? ?????? ??????????».

22 – ????? ?????????? ??? ??? ?????????? ??? ?????? ?????????? ?????????? C. O. Lenz ??? ?????
??? ??? ?????? ?????????? ? ?????????????? ?????? BLP Group, ?? ?????? ??????????
????????? (???, ???????, ??? ? ?????? ??????????) ??? ? ?????????? ??? ??????????
????????? ?????????? ??? ?????????? ??? ?????? 13, B, ?????????? ?, ?????? 5, ??? ?????
????????? (??., ?????? ????, ?????? 24 ??? 35 ??? ?????????????? ??????). ??? ??????
33 ??? ?????????? ??? ??? ?????? ??? ??? ?????? ?????? ?????????? ? ?????????????? ??????
Abbey National, ? ??????? ?????????? F. Jacobs ????????, ??????, ?? ??? 13, B,
????????? ?, ?????? 5, ??? ??? ?????? ?????? ?? ?????????? ??? ?????????? ??????????????
????????????????? ??????????.

23 – ???. ?????????????????? ?????????? Abbey National (????? 30), ??? Zita Modes (????? 29).
????? ?????? ?????? ? ?????? ??? ??? ?????? ?? ?????? ??????????? ??? ?????? ??? ?????? ??????
??? ??????? ??? ??????????? ??????? ?? ??? ?????? ??? ?????????? ??? ?????? 5, ??????????? 8,
??? ?????? ???????, ??? ??????????, ??? ??????? 26 ??? ?????????? ??? ???????????, ???
????????????? ??? ?????????????? ??? ?????????????? ?? ?????????????? ??? ?????????????? ??????.

24 – ??., ?????? ??????, ??????????????? ?????? Cibo Participations (????? 26 ??? ??? ?????????????? ??????????).

25 – ?. ??????? ??? 8?? ??????? 2000, C-98/98, Midland Bank (?????? 2000, ?. I?4177, ???? 30), ????? ??? ????????????????????????????? Abbey National (????? 28), Cibo Participations (????? 31) ??? Kretztechnik (????? 35).

26 – ?????????????? ?????? Midland Bank (????? 25).

27 - ???.?

28 – ????? ????????????????, ? ?????????? ??????????? ?????? (??????????, ???' ???) ??? ????

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

29 – ??., ????. ????. ??????? ??., ?????? 36 ????. ?????????? ???. ????????. ?????????? C. O.
Lenz ????. ??????? ???. ????. ?????? ?????????? ? ?????????????? ?????? ?LP Group. ???
???????????. ????. ????. ?????????? ??????????, ?????????? ???. ?????????? ???. ?????? ???. ?????? ???.
????????? ???. ????. ?????? ???. ?????? ???. ?????? ???. ????. ????. ?????? ???. ?????? ???.
????????? ???. ????. ????. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???.
???. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???.
?????????, ????. ????. ????. ????. ????. ?????? ???. ?????? ???. ?????? ???. ?????? ???.
????. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???. ?????? ???.
???????????????. ???. ??????, ??. ?????????? ???. ?????? ???. ?????? ???. ?????? ???.
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30 – ?????????????? ?????? BLP Group (????? 27).

31 – ???. (????? 28 ??? ??????????? ??? ??????????).

32 – ?????????????? ?????? BLP Group (???????, 3, 4, 12 ??? 13).

33 – ?????????????? ?????? BLP Group (????? 19).

34 – ?????????????? ?????? BLP Group (????? 24).

35 – ?????????? ?????????????? ??? 13 ??????? 20

36 – ???. ??????, ???? ??? ?????? ????, ?????? 30 ??? 39 ??? ?????

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????? ?????? ??????????? ?? ??????????? ??????? ???????, ??? ???? ?????? ?? ?????? 5,
?????????? 8, ??? ????? ???????, ??? ?????? ????? ??????? ?????? ??? ????? ???????????
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????? ?? ?? ??????? ??????? ???, ???????, ?? ?? ?????????? ?? ??-.
Kretztechnik (????? 36), ??? ?????? ? ?????? ?????? ?????????? ?? ?????? ??????? ? ??????
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?? ?????? ???????, ??? Cibo Participations, ? ????? ??????? ??? ?????? ?????? ? ??????
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????????? ???????, ?? ??? ??? ?????????? ??? ??????? ??? ??????? ?? ?????? ??? ??????, ??? ??
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???, ???????, ??, ???, ???????????, ???????????, ???, ??, ?????????, ???, ?????, ???????????, ???, ????:
??., ???????, ??????? 32 ???, ?????????? ???, ???????, ??????????? K. Stix-Hackl ????, ???????,
??? ??, ???????, ???????, ??, ???????????????, ??????? Cibo Participation. ??., ???????,
??????????????, ??????? Investstrand (?????? 28 ??? 29), ?????, ???????, ??, ???????????
??????, ??, ??, ??, ???????, ???, ???????????, ??, ???????, ???????, ???, ???????????, ??, ??,
??????????, ???????, ?????, ???, ?????, ???????????, ???, ?????, ??, ???????, ???????, ??, ??,
??????, ??, ???????, ???????, ???, ?????, ???????, ???, ?????, ???, ?????, ??, ???????, ???, ??,
??????????, ???, ???????, ???????.

38 – ?????????????? ?????? Kretztechnik (????? 36) (? ?????????? ??? ????).

39 – ??., ????????????, ?????? 29 ??? 74 ??? 76 ??? ?????????? ??? ?????? ??? ?????? ??? ??? ??????
????????? ? ?????????????? ?????? Kretztechnik.

41 – ??., ???????, ?????? ????, ?????????????????? ?????????? BLP Group (??????? 18 ???, 19, Abbey National (????? 25), ????? ??? Cibo Participations (????? 28).

42 – ??., ??????, ?????? 16, in fine, ??? ??????? ?????????.