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**EMI Group Ltd**

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**The Commissioners for Her Majesty's Revenue & Customs**

[?????? ??? London VAT and Duties Tribunal, London, (?????? ??????) ??? ?? ?????  
????????????? ??????]

(???? ?????? ??? – ?????? 5, ?????????? 6 – ??? ?????? ?????? – ?????? – ?????? –  
????????????? ?????? – ?????? ?????? ??? ?????????????? ??????)

I – ????????

1. ?? ?? *Essai sur le don*, ?? ?????? ??????? ?? 1925, ? ??????? ?????? ??????????????  
Marcel Mauss ?????? ?? ?????? ?? ?????? ?????? ?????? ?????????? ?? ?????????? ?? ??  
????????? ?????????? ?? ?????? ??????. ?? ?????????? ?????? ?????? ?????? ??????????  
?????????????, ??? ?????? ?????? ?????? ?????? ?????????????? ?????????? (2).

2. ????? ? ?????????? ??? ?????? ?????? ??????, ??? ?????? ?????????? ?? ??????? ??? ?  
????????? ??? ?????????? ?????? (?? ???: ??), ? ?????? ?????? ?? ?????? ??????????????  
????? (?? ???: ??) ?? ?????? ??? ?????????? ??? ?????????? ?? ?????? ?? ??????  
????? ?????????? ?????? ??? ?????? ?????????? (3), ??? ?????? ?????? ??? ?????? ?? ??????????  
?? ?????????? ?????? ??? ?????? ?????????? ??? ?????? (4). ??? ?? ??????, ??? ??????????????  
???????????, ?? ?????????? ??? ?????? ?????????? ?? ??? ?????? ??? ?????????? ???  
????????????? (5). ??? ?????? ?? ??? ?????? ??? ?????? ??? ?????? ?????????? ??????????????  
? ??????????, ?? ??? ?????? ?????????? ?????????????? ??? ??? ?????????? ??? ??????????  
????????? ?????? ??? ??? ?????? ??? ?????? ??? ?????? (6).

3. ??????, ? ?????? ?????? ?? ?????? ?? ?????? ?? ?????????? ?????????? ? ?????? ?????? ???  
????????????? ??? ??? ??? (7). ??? ?????? ?????? ?????????? ?????????????? ??????????????  
??? ?????????? ??????, ??? ?????? ?????????? ?? ?????????? ?? ?????????????? ??? ??? ??? ??????????  
??? ?????????? ?????? ???, ?? ?????? ?????? ?????????? ??? ?????? ?????? ??? ?????? ?????? ???  
?????????, ?? ?????? ?????? ??? ?????? ?? ?????? ?????? ??? ?????? ?????????????? ??? ??????????  
?????? ??? ?????? ??? ?????????????? ??? ?????????? ?????? ?????????????? ??? ?????? ??? ??????????.

4. ? ??????? ?????????? ?????????????? ?????????? ??? ?????????? ??? ?? London VAT and Duties Tribunal ?????? ??? ?????????? ??? ?????????? ?????????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????????? ???, ???? ?? ?????? ? ?????? ?????? ?? ?????? ?? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (8). ??? ? ?????? ?????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (9), ? ??? ?????? ?????? ?????? ? ?????? ??? ?????? ??? ?????? ?? ?????? ?????? ??? ?????? ?????? ?? ??????.

II - ??????? ????????

????????? ??? ?????????? ?????? (10)

5.     ?? ???? 5, ?????????? 6, ??? ????? ??????? ??? ?????:

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

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

6. ??????????? ????? ?? ?????????? ??? ?????? 5, ?????????? 1, ??? ?????? ??? ????  
??? 1994, ??? ?? ???? ?????? 5, ?????????? 1, 2, 2ZA ??? 3, ??? ?????????? 4 ???  
????? ????, ?? ?????? ????? ?????????????????? ?????????????? ??? ?? ?????? ???  
????? (??? ??? ?????? ??? 1987 ??? ??????).

7. ??????????, ?? ??????? ?????, ??? ?????????, ?????????? ????? ? ?? ??????  
????????? ??? ?????? ?????? ?????? ? ?????????? ?????? ??? ?????????? ??????????  
???? ???????? ?????? ?? ?????? ??????. ?????????? ?????????? ??? ?? ??????????????  
???? ??? ?? ??????. ??? ?????? ?? ?????????????? ???, ? ??? ?????? ??? ?????? ??  
????????? ??? 50 ?????? ?????????? (GBP) ??? ?????? ??????. ??? ?????? ?? ??????????, ??  
?? ??? ?????? ?????? ?????????? ??? ?????? ??????, ?????????? ??? ?? ??? ?????? ??  
?? ?????. ??? ??? ?????? ??? 1993, ? ?????? ?????? ??? ?????? ??? ?????????? ??????  
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????.

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

8. ? EMI Group Limited (??? ????: EMI), ??????? ??????? ??????? ??????? ?????? ??  
????????? ??? ??????? ?????????????? ???????, ?????????? ?????? ?????????? ????????  
?????????????, ??? ?????? ?????? ???????, ??????? ??? ?????????? ?????? (compact discs,  
??? ????: CD) ?? ??????? ???????, ?? ?????? ??? ??????? ??? ?????????? ?????? ?????????????? . ?  
EMI ?????????? ??? ? ?????? ??????? ??? ? ????? ?????????? ?????? ?????????? ???  
?????? ??? ?????????????? ???, ?????? ??? ?????? ?????? ?? ?????????? ?? ? ?????????? ??  
????? ?????? ??? ??????? ??? ? ? ?????????? ??? ? ?????? ?????? ??????.

9.     ?????????? ???? ?????????????? ??? ???. ???? ?????????????? ???. ?? CD ??????? ??  
?????? ??????? ???. ?????? ???. ???? ?????????????? ???. ???? ?????????????? ???. ???? ??????????????  
(?.?. ??????? ???. ?????????????? ???. ???. ???? ?????????????? ???. ???. ???? ??????????  
?????????????, ???. ???? ?????????????? ???. ???. ???? ?????????????? ???. ???? ?????????? ???. ???

? ????????????????) ??? ?? ?????? ??? ?????????????????? ??? ?????????? ??????????,  
????? ?????????? «pluggers», ?? ?????? ?????????? ?? CD ?? ??? ??????, ?? ????  
????????? ????. ? EMI ?????????? ?? «pluggers» ?????????? ??? ?????????? ??????????,  
?? ?????? ?????????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????  
??????????.

10. ??? ?????? ???, ? EMI ?????????? ?????????? ?????????????? ?? ?????????? ??????: CD  
????????? (CDR) (11) ?? ?????? ???, ?? ?????? ?????? ?? ?????? ??? ?????????? ?? ???  
????? ?? ?????????? ?????? ?? ??????????, CDR ?????? ?????????? ???, ?? ???  
????????? ?? ??? ?????? ??? ?????? «sampler» CD (CD «?????») ?? ??? ??? ??????  
? ??? ?????? ?? ?????????? ?? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????, ?  
?? ?????? ?????? CD, ??? ?????? ?????? ?????? ?? ??? ?????? ?? CD ?? ?????? ??? ?????.  
?? CD ??? ?????? ?????????? ?? ??? ?????? «?????????» ??????, ?????????? ?  
?????????»- ?? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ??????  
??? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????? Virgin Records  
Limited, ? ?????? ?????? ?????????? ?? EMI. ??????????, ??? ?? ?????? ?? ??? ??????  
????????? ?????? ?? ??????????, ?????? ??? ?????? ?????? ??? ?????? ?????? ?? ???  
????????? ?????? ?????????? ?? ?????????? ?????? ?????? ?????? ?????? ??? ??????  
????????? ??? ??? ??? ??? ?????? ?????? ?????? ?????? EMI ?????? ??? ?????? ?? ???  
????? ????.

11. ??? ?? ?? ?????? ??? ?????? ?????? ?????? ??????????, ?? 90 % ?????? ??? CD ??? ??????????  
?? ?????? ?????????? ?????????? ?? ?????????? ??? ?????????? ??????. ??? ?? ??????????  
????????? ??? ?????????? ?????? ?????? ?????? ?????? ?? ?????????? ??? ??????  
????????? ??? ?????????? ??? ?????? ?????? ??????. ?????? ??? ?????????? ??????????  
????????? (single) ?????????? ?????? 2 500 CD, ?????? ?? ??? ?????????? ??????????  
????????? (album) ?????????? 3 000 ?? 3 750. ??? ?????? «plugger» ?????? ??  
????? ?????? ?? 600 ?????????? ?? ??? ?????? ?????? ??????. ??? ?? ?????? ?????? ??  
????? ???, ?????????? ???, ??? ??? EMI, ??? ?????????? CD album ?????? ??  
????????? ??????.

12. ??? ??? ?????? ??? 1987 ??? ??? ?????? ??? 2003, ? EMI ?????????? ??? ??? ??  
????????????? ??? ?????????? ??? ?? ?????????? ??? ?????? ?????? ??? ? ??????  
????????? ??? ?????? ??? ?? ??? 5, ?????????? 6, ??? ?????? ?????? ??? ??, ??  
?? ?????, ??? ?????? ???, ? EMI ?????? ??? Her Majesty's Revenue and Customs  
(????????? ??? ?????????? ??? ?????? ?????? ?????? ??????) (?? ?????: Commissioners)  
????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ????.  
????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? Commissioners, ? EMI ?????????? ???  
????? ??????.

13. ??? ??? ?????? ??? 2003, ? EMI ?????? ?? ?????????? ??? ??? ?? ?????? ??????  
CD. ?? Commissioners ?????? ??? ?????? ?????????? ??? ?????? ??? ?? ?????? ??? ??  
?? 2003 ??? ??? ?????? ??? 2004, ??? ??? ?????? ? EMI ?????????? ?????? ???  
????????? ??????.

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

«1) ??? ?????? ?? ?????????? ? ?????? ?????? ?????? ??? ?????? 5, ?????????? 6, ??  
????? ?????? ??? ??? ?????????? ??? ?????? ??? ??????;»

- 2) ???????????, ??? ????? ?? ?????? ???????????????? ??? "?????????" ??? ???  
?????? ??? ??????????? ?????????? ??? ?????? 5, ?????????? 6, ??? ??? ??? ??????;
- 3) ??????????? ?? ????? ?? ?????? ?????? ?????????????? ?????????????? ??? ?????? ??? "?????????"  
??? ??????????? ?????????? ??? ?????? 5, ?????????? 6, ??? ??? ??? ??????, ??? ??????  
????? ??? ?? ????????????:
- i) ??? ??????????? ???????, ?? ????? ?? ?????? ?? ?????? ?????? ??? ??? ??? ?????? ??  
????? ??????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????????? ??? ?????????????? ?  
????????? ??? ?????? ??? ?????? (??? ?? 1993),
- ii) ????? ?? ? ?? ?????? ??? ?? ?????????? ??? ?????????? ??? ?? ?????? ?????????? ??? ??  
?????????, ?? ?????????? ??? ?? ?????????? ??? ????? ?????????????? ? ??? ?????????? ??????????  
????? ??? (???? ?? 1993);
- 4) ??????????? ?? ?????? ??? ?? ?????????? ?????? ?????????? ??? ?????? ??? "?????  
????? ??????" ??? ?????? 5, ?????????? 6, ??? ??? ??? ??????, ??? ?????? ??? ??  
???????????
- i) ??? ??? ??? ?????? ?????? ?????? ?????? ?????????? ??? ??? ??? ?????? (??? ?? ??????? ???  
2003),
- ii) ?????????????? ??? ?????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ?????? ???  
????????? ??? ?? ?????????? ?????? ??? ????? ?????????? ??? 50 GBP (???? ?? ??? ??????? ???  
2003);
- 5) ?????? ? ??????? ??? ??????? 3, (ii), ? ??? ?????? 4 ?????? ?????????? ??? ??  
????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ? ?????????????? ???  
????????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ??????, ?? ?????, ??? ??? ??????????  
????, ?????? ?? ?????????? ??? ?????? ??? ?????? ?????????? ?????????? ??? ?????????? ???  
????? ?????? ?? ?????? ??? ?? ?????? ??? ?????? ?????????? ?????????? ??? ?????? ??????, ??? ???  
????? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ??????, ??? ??? ???  
????? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ??????;
- 6) ?????????????? ?? ?????????? ??? ?????????? 1 ??? 5 ?? ?????????? ??? ? ??????  
????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????????? ??? ?????? ???, ? ?????? ??  
????????? ?? ?????? ??? ?????? ??? ?????? ?????? ??? ?????????? ??? ??? ?????? ??? ?????????? ???  
?????;»

#### IV – ?????????????? ??????????????

15. ?? ?????????? ??? ?????????? ?? ?????? ?????????? ?????? ?? ?????????? ??? ?????????? ??  
?????????: (i) ??? ?????? ? ?????? ?? ?????? ??? ??? «????????? ??? ?????? ?? ?????? ??  
?????????» (??????? ??? ?????? ??????); (ii) ??? ?????? ? ?????? ??? ??? «????????? ???  
????? ?? ?????? ??? ?????? ?????? ???» (??????? ??? ??????); ??? (iii) ?????????????? ?  
????????? ??? ?????? ??? ?????? ?????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ???  
????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? (??????? ??? ??? ??????);  
?? ?????? ?????? ??? ?????? ?????? ??? ? ?????? ??? ?????????? ??? ?????? ??? ??????  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
?????????.

16. ?????? ?? ?????????? ??? ?? ?????? ?????????? ?????????? ?????? ??????????  
??????????, ?????? ??? ?????????? ?????? ?? ?????????? ?? ?????? ?????? ??? ??????  
????? 5, ?????????? 6, ??? ??? ?? ?????????? ?? ?????????? ?????? ??? ??????

????????? ??????????? ??????????? ??? ???????? EMI.

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

17. ?? CD ?????????? ??? ????? ????, ?? ??? ?????? ??????? ?? ???????? ???? ?????? ??  
?????? ???? ?????? ???????????????, ???? ?? ????????????. ?? ???????? ???????????,  
????????????????? ?????? ?????? ??????, ???? MiniDisc, ??????? ? ??????  
?????????. ???????, ?? ??????????? ?????? ?? ??????????? ??????????? ????  
?????????. ?????????? ?????? ?????????? ?????? ???????, ???? ????, ?.?, ?  
????????? ??? ?????????? (online streaming), ? ?????? ???? ???? ? ??????  
????????????? ?? ??? ??? ??? ?????????????? ?????? ??????? ?? ?? ?????????? ????  
????? ???????, ???? ?????? ?????????? ??????????.

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

19. ??? ? ?????????? ?????????????? ??? ?????????????? ??? ?????????????? ?????????????? ???  
????????? ?????????????? ??? ?????? ??? ?????????????? ??? ?????????? ??? ??????????  
????????? ??? ?????????? ? EMI ??? ??????????, ????, ??? ?????????? ??????????  
????????? ??? ?????? ?????? ?????? CD ???, ???????, ??? ?????? ??? ??  
????????????? ??? ?????? ???????, ??? ?????????? ?????? ?????????? ??????????.

20. ??????????, ????, ??? ? ?????????? ??? ?????? 5, ?????????? 6, ??? ?????? ??????  
?? ??? ? ? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??????????  
????????? ?? ?????? ?? ??? ?????? ??? ?????? ??????, ??? ?????? ?????????? ??????????  
????? ????. ?????? ?? ?????? ??? ??? ?? ?????????? ??? ??????, ?????????? ?? ??? ??  
????????????? ??? ?????????? ??? ??? ??? ??? ?????? ?????????? ??? ?????????? ??? ??  
????????????? ??? ??????????.

21. ??????, ? ??? ?????? ?????? ?????? ??? ?????? ??? ?????????? ?????????? ???  
??????????, ????, ??? ?????? ??? ?????? ???, ?? ?????? ?????????? ??????????  
?????????? ?????? ?? ??? ?? ?????? ?? CD. ??????, ?? ?????? ?????????? ??????????  
?????????? ?????? ??? ?????????? ???, ???????, ?????????? ?? ??? ??? ?????? ??  
????? ?? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??  
????????? (12). ??????, ? ?????? ??? ??? ?????? ?????????? ??? ?????????? ??? ??  
?????????.

22. ??? ? ?????? ??? ???? ?????? ??? ?????? ??????????, ??? ?????? ?? ??? ?????????? ????  
????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?? ??? ?????? ?????????? ??????????, ????  
?? ?????? ??? ?? ?????? ???, ?????? ?????????? ??? ?????? ?????????? ?????????? ??? ?????? ????  
???? ?????????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ????  
??????????, ??? ?????? ???, ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ????  
?????????? ?????????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ????  
?? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ????  
?????????? ?????? ??? ?????? ???, ?????? ??? ?????? ?????? ??? ?????? ??? ?????? (13).

? – ? ?????? ?????? ?????????? ??? ????

23. ?????????? ??? ????? ?????????????? ???, ?????????? ??? ?????????????????? ???  
????????????? ? ?????????????????? ??? ?????????? ?? ?????? ?????????? ?????????? ?? ??????????????  
???? ?????????????????? ??? ????? ?????????? ??? ????? ?????????? ????? ?????? (14). ??  
????????? ??????????????, ????, ????, ?? ??????????, ? ?????????????? ????? ?????? ???  
????????? ??? ?? ?????????? ??? ????? ?????? ??? ?????????? ?? ????????, ??????????????????  
????, ??? ?????????? ??????, ??? ? ?????? ?????????? ??? ?????????? ??? ?????????? ???  
????????? ?????? ??? ?????? ?? ?????? ??? ?????? ?????????? ?????????????? ??? ?????? ???  
????????, ? ?????? ?????? ?????????????? ??? ? ?????? ?????? ?????? ?????? ?????????? ??? ???  
??????, ??? ?????? ?? ?????? ?????????? ??????????, ? ?????????? ??? ?????? ???  
????????? ?????????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???  
????? ?????????????? ? ??????????.

24. ?????, ??????, ??? ?? ?????????? ??? ?????????????? ??? ?????????? ?????????? ???  
????? ??? ?????? ??? ?????????? ?????????? ??? ?????? ?????????? ??? ?????????? ??? ???, ?????? ?  
????? ??? ?????????? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ???  
????????? ??????, ??? ?????????????? ??? ????? ?????????????? ?????????? ?????? ??????, ?? ???  
????? ?????????? ??? ?????? ?????? ?????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? (15).

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

26. ????????, ?????????? ?? ?????????? ??? ??? ?? ?????????? ??? ?????????? ??? ??????????????  
????????? ??? ?????????? ??? ??? ?? ?????????? ??? ?????? ?????????? ?????????? ???  
????????? ???, ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????????? ??? ??????????  
????????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ????. ? ?????? ??? ?????? ??? ?????? ???  
?? ?????????? ?????????? ??? ?????? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ???  
????? ?????? ??? ?????? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ??????.

????? ??? ?????????? ?????????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ???

27. ?? ?????????? ??? ?????????????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ???  
????? 5, ?????????? 6, ??? ?????? ?????? ??? ?????? ?????????? ?????? ??? ? ??????  
???? ?????????? ??? ?????????? ??? ?????? ?????????? ?????? ?????? ?????????? ???  
????????? ??????, ??? ?????? ?????????? ?????? ??? ?????? ?????? ?????? ??? ?? ???, ??????  
????? ?????? ?? ??? ?????? ??? ?????? ?????? ?????????? ??? ?????? ?????? (16).

28. ????????, ? ?????? ?????? ?????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ???  
?????????????, ??? ?????????? ??? ?? ?????? ??? ?????? ?????? ?????? (17). ??? ???  
????????????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ???  
??, ?????????? ??? ??? ?????? ??????, ? ?????? ?????? ?????? ??? ?????? ?????? ?????? ???  
????? ?? ?????????? ?????????? (18).

29. ??? ? ?????? ??? ??????????????, ??? ?????? ?????? ? ?????? ?????? ???  
????? 5, ?????????? 6, ??? ?????? ?????? ??? ?? ?????? ??? ?????? ?????? ???, ??? ???  
?? ?????????? ? ?????? ?? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ?????? ?????? ???  
????????? ??? ?????? ??????, ??? ?????? ??? ?? ?????????? ??? ?????? ?????????? ???

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

30. ???? ??? ?????? ??? ??????? ?? ??????? ?????? ?????? ?? ?????????? ?? ??????? ???, ???  
???????, ? ??????? ?????????? ??? ?????? ?????? ?????? ?????? ?????????? ??? ???  
???????, ??? ?????????? ??? ?????? ?????? ?????? ??? . ? ??????? ?????? ??? ??? ???  
??????, ??? ???, ??? ? ?????????? ?????? ??? ??? ?????? ?????????? ?????????? ?? ???,  
??? ?????? ?? ?????????? ?????? ?????? ?????? ??? ?????? ?????????? ?????????? ?? ???,  
??? ?????? ?? ?????????? ?????? ?????? ??? ?????? ?????? ?????????? ?????????? ?? ???,  
????? ?????? ??? ?????????? (19). ??? ??? «????????? ??? ?????? ??? ?????????? ?? ??????  
????? ?????? ??? ?????? » ??? ??? ?????? ??? ?????????? ???, ? ?????????? ?????? ???  
????????? ?? ?????? ??? ?????? ?????? ?????????? ?????? ?? ??? ?????????? ???.

31. ?? ??????? ?????? ??? ?????? ??? ?????? ??????? ?????? ??? ??????? ?????? ??? ??????  
5, ??????? 6, ??? ?????? ??????? ??? ?????? ?? ?????????????????? ??? ??? ?????? ???  
???????????. ???????, ?????? ??? ?????? ?????????? ?????????? ??? ?????????? ???  
????? ?? ?????????? ?????, ?????? ?? ?????????????? ?? ?????????? ??? ?????????? ???  
????? ?????????? ? ?????? ?? ?????? ??? ?????? ?????? ?????????????? ?????????????? ???  
?? ??????. ?????? ?????? ?????? ?????? ??? ?????? ?????????? ??? ?????????? ???  
????????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????????? ??? ?? ?????????? ???

32. ???????, ??? ?????? ??? ??????? ?????? ?????? 5, ??????? 6, ???  
????? ?????? ???, ?????? ??????? ??? ?????? ?????????? ??? ?????????? ??? ?????? ???  
??? ?????? ???????, ?????? ??? ?????? ?????? ?? ?????????????? ?? ?????????? ???  
????????? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???  
??? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ???  
????? ??? ??? ?????? ??? ?????? ?????????? ?? ?????? ?? ?????????? ??? ?????? ???  
?????????, ??? ?????? ??? ?????? ?????????, ?????? ?????????? ?????? ??? ?????? ???  
???' ?????? ??? ???.

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

33. ??? ?????? ?? ?????????? ?????? ??? ?????? ?????? ??????????, ? EMI ??? ?? ??????  
????????? ?????????? ??? ?????? ?? ?????? ??? ?????? ?????? ?????? ??? ??????  
5, ??????? 6, ??? ?????? ?????? ??? ??? ?????? ??? ???.

34. ? EMI ??????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ?????? ??? ?  
????????? ?????? ?????????????? ??? ?????? ??? ?????? ?????? ?????? (20), ??? ?? ??????  
????????? ?????????? ??? ? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ???  
????????? ??? ?????? ?????? ??????, ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ???  
????????? ??? ??????. ?? ??? ??????, ??? ?????????? ??? ??? ??? ?????? ??? ?????? ???  
????????? ??? ?????? 27 ??? ?????? ??? ?????? ?????? N. Fennelly ??? ??????  
Kuwait Petroleum, ???, ?? ?????? ?? ?????? ?????? ?????? ??? ?????? ???, ?????? ??  
????????? ????. ??????, ?????? ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ???  
????, ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???.

35. ??????? ?? ?????? ?????????? ?? ??????. ?? ?????? ?????? ??? ?? ??????  
????????? ??? ?? ?????????? ?????? ??????: ? ??? ??? ?????? ?? «????? ??????»  
??? ?????? ????????????, ?? ?? ?????? ?????? ?? ?????????? ??? ?????? ???.

36. ??? ?????? ??? ? ?????????? ??? ?? ?????? ?????? ?????? ??? ??????  
????????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ??? ?????? ?????????? ???  
?? ?? ?????? ?????? ??? ?????? ???.

37. ? ??????? ??? ?????? 5, ??????????? 6, ??? ????? ??????? ???, ??? ?????????????? ???  
?????? 27 ??? 32 ???????, ??????? ??? ?? ???? ?????????? ??? ?????? ??????????????  
?????? ?????????? ??? ?????????? ??? ?????????????? ??? ???, ??? ?????? ??? ???? ??????????  
????? ?????? ??? ??? ?????? ?? ??? ?????? ?? ?????? ??? ?????? ?? ?????????? ??? ??????????  
????? ??????. ???????, ? ??????? ??? «????????? ??? ?????? ?? ??????? ??? ?????????? ???  
??? ?????? ?????? ???» ??????? ??????? ??? ??? ?????? ??? ??????, ?????? ??? ??????????  
?????????? ?? ??????? ??????? ??? ??? ??? ??????, ?????? ?? ??????????  
?????????? ??? ??????? ??? ??? ??? ?????.

38. ???????????, ?? ???????, ??????????? ??? ??????? ??? ??????? ??? ?????????? ???  
N. Fennelly, ???????, ?? ??? ?????? Kuwait Petroleum, ???, ??? ?????????? ??? ???  
????????????????? ??????? ??? ?????? ?????? ???, ? ?????????? ??? ??? ??????  
????????? ??? ?????? 5, ?????????? 6, ????? ???, ?????????? ??? ??? ?????? ???, ??  
????????? ??? ?????? ?????? ??? ??? ?????? ?????? ??? ?????? ??? ?????????? ??????????  
?????? (21).

39. ???????, ? ??????? ??????? ??? ?????? 5, ?????????? 6, ??? ?????? ??????? ???  
?????? ??????? ??? ??? ?????? ?????? ??? ?????? ??? ?????? ??????? ??? ??????, ? ??????  
?????????? ?? ??????? ??? ??? ?????? ??? ??? ??? ?? ?????????? ?????? ??? ??????  
?????????? ?????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??????? (22).

40. ??? ?????? ???????, ?? ?????????? ??? ???????????, ?? ?????????? ??? ?????????? ???  
?????????? ??? (23). ? ??????? ??? ?????, ??????, ??? ?? ??? ??? ???  
????????????? ??? ??? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?? ??????????????  
????? ?????? ??? ??? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ?????????? (24).

V – ? ?????? ??? ??? «????????? ??? ?????? ?? ??????? ??? ?????????? ???????»

41. ?? ?? ???, ?? ??????? ??? ?? ??? ?????? ??????? ???, ?? ?????? ?????????? ???,  
??????, ?? ?????????? ??? ???? «????????? ??? ?????? ?? ??????? ?? ???????  
?????????» ??? ?????? 5, ?????????? 6, ??? ?????? ??????? ??? ??? ?? ?? ??? ??? ??????  
??? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????? ?????? ???????. ??????  
????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?? ?????????? (i) ??? ??????????  
????????? ?? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ?? ?????? ??? ?????????? ???  
????? ??? ??? ?????? ??? (ii) ??? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???  
??????; ;

42. ? ??????? ??? ?????? ?????????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????????? ???  
????? ?????????? ??? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ???  
?????? ???, ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???  
????????? ??? ?????? (25). ???????, ??? ?????? ?????? ??? ?????? ??? ?????????? ???  
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ??? ?????????? ???, ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? (26).

43. ? ??????? ??? ??????? ??? ??????? ??? ?????????? ??? ?????? ? ?????? ???  
????????? ??? ??? (???) 918/83 ??? ???????, ??? 28?? ?????? 1983,  
??? ?? ??????? ??? ?????????? ??? ?????????? ??? ?????????? (???) ????: ??????????  
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

??? ?????????? ??????????? ?????????????? ??? ?????? ?????? ??? ?????????? ?? ?????????? ?? ??????????  
??? ?????????? ??? (28). ??? ?????? ???, ?? ?????? ?????? ?????????? ?? ?????????? ?? ?????????? ??  
????? ?????????????????? ??? ?????????????? ??????????????, ??? ??? ?????? ?????? ? ??????  
????????? ??? ? ?????????? ??? ?????? ?????? ? ?????????? ?????????? ?????? ?????? ?????? ??  
????? ??? ??? ?????? ?????? ??? ??? ?????? ?????? ?????? (29).

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

45. ? ?????????? ??? ?????????????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ???  
????????? ??? ? ?????????? (30). ?? ??? ??? ?????????? ??????, ??? ?????? ?????????? ??? ??????  
????????? ??? ?????? ??? ?????????? ??? ??????, ?? ?????????? ?? ??? ?? ?????????? ??? ??????  
????????? ?????????? ??? ? ?????? ?????????? ?????? ??? ?????? ??? ?????? ??? ??????.

46. ??? ?? ?????????? ?? ?????????? «????????? ??? ?????? ?? ?????????? ??????????» ???  
????????? ??? ?????? ?????? ???, ?????? ?? ?????????????? ??? ?? ?????????? ??? ?????????? ???  
????????? ??? ?????????? ???, ?????? ?????????? ?? ?????????? ??? ?? ?????????? ??? ?? ?????? ???  
????????? ??? ??? ??? ?? ?????? ?????????????? ??? ?? ??? ?????? ???.

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

47. ?? ?????? ??? ? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??  
????? ?????????? ??? ?????? ??????????, ?? ??? ?????? ??? ?????????? ??? ?????????? ???  
????????? ??? ??? ?????? ?? ?????????? ?????????? ?????????? ??? ?????????? ??? ?????????? ???  
????? ??????????. ????????, ???, ??? ?????????? ??? ? ?????? ??? ?????? «????????? ???  
????????? ?? ?????????? ??????????» ?????? ?? ?????????? ?? ?????????? ??? ?? ?????? ???  
????????? ?????? ???.

48. ?????????? ??? ?????????????? ?????????? ??? ??????. ? ?????????? ??? ??????????  
????????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ??? ?????? ?? ?????????? ??? ?????? ???  
????? ?????? ??????????. ?? ?????????? ??????????, ?? ?????????? ??? ?????????? ??? ??????????  
????? ?????? ?????????? ??????????, ??? ?????? ???, ?????????? ??? ?????? ??? ?????? ???,  
????? ?? ?????? ??? ?? ?????????? ??? ?????????? ?????????? ? ??? ?????? ?????????? ???  
????????? ?????????? ???, ?.?, ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ???  
????? ?? ??? ??? ?????? ?????? ?? ??? ?????????? ?????????? ?????????? ??? ?????? ?? ?? ?  
????? ?????? ?????? ?????????? ? ??????????.

49. ? ?????? ?????????? ?????? ??? ?????? ?? ?????? ?????????? ??? ?????? ??? ??????????  
????????? ?????????? ??? ??? ?? ?????? ??????????. ?????? ?????????? ??? ?? ?????? ??? ??????????  
????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

50. ? ?????? ?????????? ?????? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ??????????  
????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ???  
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ?? ??? ?????????? ??? ?? ?  
????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
?? ?????????? (31).

51. ??? ?????? ?????????? ?????? ??? ?????? ??? ?????????? ??? ??????.

? ?????????????? ??? ????????????, ?? ?????, ??? ???? ?????????????????? ??? ?????? ??? ?????? ???  
?????, ???????? ?? ?????????? ?? ??? ???? ??? ?????????? ?? ?????? ??? ?????????? ??? ?????????? ???  
?????????????. ? ?????????? ??? ???? ?????????????? ?????? ??? ?????????? ??? ?????????? ???  
????????? (disk jockeys) ??? ?????????????? ??????, ?? ?????? ??? ?????????? ??? ?????????? ??  
?????????, ??? ???? ?????? ??? ???? ?????????? ?????????????? ?? ?????????????? ??? ?????????????? ??  
????? ?????????? ??? ?????? ?????????? ?????.

52. ?? ?????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ?????? ??????, ??? ?????????? ?? ??????????  
? ?? ?????????????????? ?????????? ?????????? ??? ??????????.

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

54. ??? ?????? ?? ?????? ??? ?????????? ?? «pluggers» ?? ??? ?????????? ??? ??????????  
?????????, ??? ???? ???? ?????????? ??? ?????? ?? ?????????? ?????????????? ?? ?????? ??  
?? ?????? ??? ?????????? ?? ?????????? ??? ?????? ?????????? ??? ?????????? ??  
«pluggers» ??? ???? ?????????? ??? ???? ?????????? ??? ?????? ??? ?????? ??? ??  
????????? ??? ???, ??????, ?????????? ??? ?????? ??? ?????? (32).

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

i) ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????????? ??? ??????????

55. ? EMI ??? ? ?????? ?????????? ?????????? ??? ???? ?????? ?????????? ?? ?????? ??? ??????????  
?????????. ???' ???, ??? ?????????????? ??? ???? «????????? ??? ?????? ??? ?????????? ??  
?????????» ?????????? ??? ?????????? ?? ??? ?????????? ??? ?????? ?? ?????? ??? ?????? ??? ??  
????????? ??? ?????? ?????? ??? ???? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ??  
????? ?????????? ??? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ??  
????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? «????????? ??? ??  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

56. ?? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ?? ?????? ????  
??? ?????? ??? ?????????? ??? ?????????????? ?? ?????? ??? ?????? ??? ?????? ??? ????. ?????? ???  
????? ??? ???? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ???? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ???,  
????????????? ? ?? ?????????? ??? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ???  
????????? ?? ?????? -?? ?????? ?? ?? ?????? -?? ?????? ?? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???  
????? ??? ??? ?????????? ?, ??????, ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??? ???  
????????? ??? ?????? ??? ?????? (33).

57. ??????????, ?? ?????????? ?????????? ?? ?????? ?? ?????? ??? ?????? ?????? ??? ???  
????????????? ??? ??????, ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ?? ?????????????? ?? «????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

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

59. ??? ?????????? ??? ??? ?????? «??????? ??? ?????? ?? ?????????? ??????????» ???  
????? ??? ??? ?????? ??? ?????? ??????????, ??? ?????? ??????????, ??? ??? ?????? ???  
????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????????? ????. ??? ???? ????  
????????? ??? ?????? ??? ?????????? ??? ?????????? ?????? ?????? ?????????? ???  
????????? ??? ?????????? ??? ?????????? ?????? ?????????? ??? ?????????? ?????? ??? ?  
????? ?????????? ?? ?????? (35).

ii) ?? ?????? ??? ?????? ??? ?????????? ??? ?????? ??????????

60. ??? ?????? ??? ?????????? ??? CD ??? ?????? ?? ?????? ?????????? ??????????, ?? ????  
?? ?????? ??? ?????? ?? ?????? ?????? ?? ?????? ?????? ?? ?????????? ??? ???? ????  
????????? ? ?? ? ?????? ?????????? ??? ?????? «??????? ??????????» ??? ???? ?  
????????? «??????? ??? ?????? ?? ?????????? ??????????». ??? ?????????? ??????????,  
?? ??? ?????? ?????? ??? ?????? ???, ?????? ? ?????? ? ?????? ? ?????? ? ?????? ?  
?? ?????????? ??? ??????????, ?? ?????? ??? ?????????? ? ??? ???? ???? ? ??????????  
?????????????.

61. ?? ??????, ??? ?? ?????????? ?? ?????????? ???, ?????? ?? ?????????? ??? ??  
????????? ?????????? ??? ?????????? ??? ?????? ? ??????. ?? ??? ?????? ??????????  
??? ??? ??' ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????????? (36).  
????????, ??? ?????????? ??? ??????, ?????? ?? ?????? ?????????? ?? ??????  
????????????? ??? ?????? ??????????, ?????? ?????????? ??? ?????????? ??? ??????????  
????????? ??? ??????. ?? ?????? ?????? ??? ?????? ??? ?????? ?????????? ? ??????????  
????? ??? ?????? ??????????, ?????? ?????????? ??? ?? ?????? ?????????? ???.

62. ??? ?????? ??? ?????? ?????????? ????, ?????? ?????? ?????????? ?? ?????? ??? ??  
????????? ??? ?????? ???, ??? ? ?????? ?? ?????? ?? ?????????? ?? ?????????? ??????  
?? ?????? ??? ?? ?????????? ?? ?????? ??? ?????? ????. ?????? ?????? ??? ??????????  
??? ?????????? ??? ??????????, ??? ? ?????? ?? ?????? ??? ?? CD, ??? ???? ???? ???? ???? ?,  
????? ?????????? ??? ??????????, ?????????? ?????????? ??? ?????? ??? ?????? ??? ??  
????????? ?????????? ?, ???, ??? ?????? ??????????.

63. ??? ???, ??? ??????, ?? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???  
????????? ?? ??? ?????????? ??? ?????? ??? ?????? ?? ?????? ??? ??????. ??? ??????????,  
?? ??? ?? ?????? ???, CD ? ??? ?????? ???, ? ?????????? ??? ?????????? ??? ?????????? ??  
????????? ?? ?????????? ???.

64. ?? ?????????? ??????????, ???, ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ??  
????????? ??????, ?????????? ??????, ?????? ??????, ?????????? ? CD, ??? ???? ???? ????  
????? ?? ?????? ?? ?????? ??? ?????? ?????? ??????, ?????????? ? ?????????? ?? ??????  
????????? ?? ?????????? ?? ??????.

65. ?????????? ??? ?? ?????? ??? ?????????? ??? ?????? ?????? ?????????? ??? ??????????  
????????? ?? ??? ?????? ??? ?????????? ??????????, ??? ???? ?????????? ?????????? ???.

66. ??? ??????????, ???, ??? ?????? ?? ?????????? ??? ?????? ?????? ?????????? ??? ??  
????? ?? ?????????? ??????, ??? ?????? ???.

? ?????? ?? ????????, ??? ? ? ?????????????? ??? ?????? ??? . ??? ???????????, ??  
?????????? ??? ???? ?????? ??? ?????????? ??? ?????? ?????????? ?????????? ?? ??????  
???? ???????????????, ??? ? «????????? ??? ??????» ?? ?????? ?? ?????????????? ???  
????????? ??? ?????? ??? ?????????????? ??? ?????? ??? ?????????? ?????? ?? ?????? ???  
????????? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ?????? ?? ??????  
????? ???, ??? ???? ?? ??? ?????? ?????????????? . ???????, ? ?????? ?????????? ???  
???? ?????????? ?? ??????, ??? ? ?????? ??? . ?? ?????????? ?????? ??? ?????? ???  
????????????? ?????? ??? ???? ?? ?????? ??? ?????? ?????? ?? ??????, ?????? ???  
????????? ??? ?????? ?????????????? ??? (37).

67. ??? ???? ??? ?????? ???, ?? ?????????? ???, ??? ???? ?????? ?? ?????? ???????????  
????????????? ??? ?????? ?????????? ?????? «????????? ?????? ??????», ?? ??????????  
?? ?????????? ??? ?????? ?????????????? ??? ?????? ?????? «????????? ???  
????????? ?? ?????? ??????????». ?????????? ??? ?????????? ??? ? ?????? ??? ?????? ???  
????? ?????? ?? ?????????? ??? ?????????? ?? ?????? ?????? ??? ?????????????? ??? ??????  
?? ???????.

68. ?? ?????? ??? ?????? ???, ??? ???? ?????? ?? ?????????????? ?? ??????, ???  
?? ?????? ??? ?????????? ???, ??? ?????????? , ?????? ?? ???? ?????? ?????????? ????.  
????? ?????????? ??? ???? ?????? ??? ?????? ?? ?????? ?? ?????? ?????????????? ???  
????????????? ??? ??? ?????? ?????????? ?????????? , ?????? ?? ???? ?????? ??????????  
????????? ?????????? . ??? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??  
????????????? ??? ?????? ?????? ??? ?? ?????? ?????? ?? ?????? ?????????????? ??????  
????????? , ?????????? , ?????????? ???? ?????? ?????? ?????? ??? ???? ?????? ??? ?  
????????? ??? ?????????? ??? ?????? ?????? ??????????.

iii) ?? ?????? ?????? ?? ?????? ??????

69. ? ?????? ??? ?????? ??? ?????? ?? ?????? ?????????? ??? ???? ?? ?????????????? ?  
????? ???, ???, ???, ?? ?????? ?????? ??? ?????? ??? ?????? ??? . ?????? ??? ??????  
????????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? , ?????????? ??? ? ???  
????? ?????????? ?????????? ?????? ??? ?????? ??? ?????? , ?????? ??? ? ???  
????? ???.

70. ?????? ?? ?? ?????? ?????????? ?????? , ?. ? ?????? ?????? ?????? ?? ??? ?????? ??  
«????? ??? ?????? ?? ?????? ??????» ?????? ?????? ?????? ?????? ?????? ?????? ???  
????? ? ?????? ? ?????? ?????? ?????? ?? ?????? ?????????? ??? ?????? ??? ??????  
????????? ?????? ?? ?? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? . ?? ??????  
??? ?????????? ?????? ?????? ?????? ?????? ?? ?????? ?????? ?????? ?????? ??? ??????  
. ?. ? ?????? ?????? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ???  
????? ?????????? ?????? . ?????? , ??? ?????? ??? ?????? ?????? ?????????? ?????? ???  
????????? ?????? ??? ?????? ?????? ??? ??????.

????????? ?????????? ?????? ?? ??? «????????? ??? ?????? ?? ?????? ?????? ??????»

71. ??? ???? ?????????????? , ? ?????? ?????? ?????? ??? ?????? 5, ?????????? 6, ???  
????? ?????? ??? ???? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????  
????? ???? ?????? ?? ??? ?????? ?????? ?????? ? ?????? ?????? ?????? ?????? ??????  
??? ?????? ??? ???? «????????? ??? ?????? ??? ?????? ?????? ??????».

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

? ?????? ? ? ?????????? ??? ? ?????????? ??? ? ?????????????? ?????? ??? ?????? «???????

??? ?????? ?? ??????? ?????????» ??? ?????? ??? ?????? ?????????? ?????????? ???

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

??? (38).

73. ? ?????????? ??? ?????????? ??? ?????????????? ??????????, ???????, ??? ??????

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

??? ?????????? ?????????? ?????? CD ??? ?????????? ?? ??????????.

74. ??? ???? ??? ????? ???, ?? CD ??? ?????????? ?? ????????????, ?? ?????????????? ??? ???

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

????????????? ?? ?????????? ??? ??????????. ??? ?????? ??? ?????? ?????? ?????? ??? CD

(?? CDR ?? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ??????????, ?? CDR ??? ??????????

?????, ?? ?????? ?????????????? ?? ?????? ??? ?????? ??? ?????????? ??? ?? «sampler» CD), ?????? ???

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

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

????????? ?? ?????????? ??? . ??? ?????? ?? CD ??? ?????? ?????? ???, ?? ???? ??? ??

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

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

??? ?????? ??? ?????? ??? ?? ?????????????? ?? CD ???? ?? ????????, ??????.

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

75. ??? ???? ??? ????? ???, ?? ?????????? ?????????? ?????????? ??? ?????? ?????????? CD

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

????????? ??? EMI. ??? ?? ?????????? ?? ??? ?????????? ?????????? ?????????? ?????????? ???

«????????? ??? ?????? ?? ?????? ?????? ??????» ?????????? ?????????? ?????????? ??????????

??? ?????????? ?????????? ?????? ??? ?? ?? ?????? ??? ?????? ??? ?????? ?????? ?????? CD

??? ??? «pluggers» ?????????? ?? ?????????? ? ?????? ?? ?????????? ?????????? ??????????.

## VI – ?????????? ??? ?????? ?? ?????? ?????? ?????? ??????

76. ?? ? ? ?????? ?????? ???, ?? ?????? ?????????? ?????? ???' ?????? ??

????????????? ?? ? ? ?????? ??? «????????? ??? ?????? ?? ?????? ?? ?????? ?????? ?????? ???»

??? ?????? 5, ?????????? 6, ??? ?????? ?????? ??? ?????? ?? ?????? ?? ?????????? ??????????

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

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

77. ??? ???? ??? «????????? ??? ?????? ?? ?????? ?????? ?????? ?????? ??????» ??? ??

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

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

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

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

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

78. ???????, ?????????? ??? ? ???? 5, ?????????? 6, ??? ?????? ?????? ??? ??

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

????? ?? ?????? ?????? ?????? ???» ??????, ??? ??? ?????? ??? ???? ?????????? ???

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

????????? ??? ?????? ??? (39).

79. ? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? «?????

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

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

????

80. ??? ??????? ?? ???; ? ?????? ??? ?????????? ?????? ??? ??  
????????? ??? ?? ???????????, ??? ?????? ?? ??????, ?????? ?????? ??????????  
?? ??? ?? ?????????? ?????????? ?????????? ?????? (40). ??? ?????? ??? ?????? ??????  
??, ???, ?????????, ??? ?????? 5, ?????????? 6, ???, ? ?????? ?????????? W. Van  
Gerven ??? ?????????? ?????? ??? ?????? ??? ?? ??? ?????????? ??? ??  
??????? Empire Stores Ltd (41). ?? ??? ?????? ??? ??, ? ?????? ??????????  
????????? ??? ? ?????? ?????? ??? ?????? 5, ?????????? 6, ?????? «????? ???  
????????? ??? ?????? ??? ?????????? ?????????? ?????????? ? ??? ?????????? ???  
????????? ??? ?????????? ??? ?????? ??? ?????? ?? ?????? ?????? ?????? ??????» (42). ??  
?????????, ??????, ??? ?????????? ??? ??? ?????????? ?????, ????? ?????? ??? ??  
????? ?????? ??? ??????.

81. ??? ?? ?????????? ??? ?????? ?????????? ???, ??? ?????? ??? ?????? ???, ?  
??? «????? ?????? ???» ?????????? ??? ?????? ??? ?? ?????? ??? ?????????? ??? ??????  
?????????, ?????????? ? ?????? ?????? ??? ??? ?????? ?????????? ?????????? ??????.

82. ?????? ??? ? ?????? ?????????? ???, ??? ?????? ??? ??, ??? «????????? ??? ??????  
?? ?????? ??? ?????? ???» ?????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

83. ??? ?????????? ??? «????????? ??? ?????? ??? ?????? ??? ?????????? ??????????», ??  
????? ??? ?????????? ??? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??????: ??? ??  
????????? ?????????? ? ??????????, ?????? ?????? ?????, ??? ??? ??????????, ???  
??? ?????? ?????????? ?????? ?????? ?????? ?????? 5, ?????????? 6, ??? ???  
????????? ??? . ??? ?????????? ?????? ??????????, ?? ??? ??? ?????? ?????????? ??? ???  
????????? ??? ?????? ?????? 5, ?????????? 6, ??? ??? ?????? ?????? ???, ??? ??  
????? ??? ?????? ?????????? ?????? ?????? ??? ?????? ?????? ??? ?????? ???  
????? 17, ?????? 6, ??? ??? ?????? ???.

84. ?? ??? ???? ?????????? ?? ?????? ?? ?????????? ? ??? ?????? ??? ??????????  
????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ad hoc, ??? ?  
????????????? ?? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???.  
????????? ??? ?????? ??? ?????? ??? ?????? ???, ?? T-shirts, ?? ?????????? ???, ??  
????????? ??? ??? ?????? ??? ?????? ???.

85. ??????, ?? ?????????? ?????? ?????? ???, ??? ??? ?????? ??? ??????????,  
?? ?????????? ?????? ??? ?????? ??? ?????? ?????? ???, ??? ???, ??? ?????? ??  
?????????, ??? ?????? ?????? ? ?????? ?????????? ?????? ???, ??? ?????? ??? ?????? ??  
????????? ?? ?????? ??? ?????? ?? ?????? «????? ???», ???, ?? ?????????? ??? ?????? ???,  
????????? ?? ?????????? ??? (i) ?? ??? ?????? ?????? ???, ??? ?????? ??? ?????? ???  
?? ?????? 17, ?????? 6, ??? ?????? ??????, ?????? ??? ?????? ?? ?????? ??? ?????? ??  
????? ?? ?????? ?????? ??? (ii), ?????? ?? ??? ?????? Kuwait Petroleum, ?? ??????  
????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 5, ?????????? 6,  
?? ?????? ?????? ??? (43).

86. ? ??????? ?????? «?????? ??????????? ??????», ???? ??? ?????? ??? ??????  
????????? ??? ?????? 5, ??????????? 6, ??? ?????? ?????? ???, ??? «?????????? ??????  
?????? ??????», ???? ??? ?????? ??? ????????, ?????????? ???? ??? ??????  
????? (44).

«????? ???»

87. ?? ??????? ??? ? ??? «????? ???» ??????? ??????? ??? ?????? ???????, ??  
????? ??? ?????? ??????????? ?? ?????????? ?????????? ?????????? ???????????, ??,  
?????????, ???? ??? ???? «????? ???» ??????? ?????? ?????????? ?????????? ???  
?? ??????????? ??? ??????????? ???, ?? ?? ??? ?????? ??????? ?????????? ??? ???? ???  
?????????.

88. ?? ??????? ?? ?????????? ??? ???? «????? ???» ??? ???????  
??????????, ???? ??? ?????? ??? ???? ?????????? ??? ?????? ?? ?????? ??????????? ???  
??? ??? ????.

89. ???????, ?? «????? ?????? ??????», ???? ??? ?????? ??? ??????? ?????????? ??? ??????  
5, ?????????? 6, ??? ?????? ??????? ???, ???? ??? ?????? ???????, ??????? ??????  
?????????, ??????? ???? ?????? ?????? ??? ???? ??????? ?? ??? ?????????????? ??? ???? ???????,  
??? ??????????? ?? ?????????? ??? ?????????? ?????? ???????, ?????? ??? ???? ??????? ?? ??  
????? ? ?????????? ?????? ???, ?????? ??? ?????? ?????? ? ?????????? ??? ??????.  
?????????, ???? ??? ??? ???? ??? ?????? ?? ??????? ???, ???? ??? ?????? ?????? ??????? ?  
??? ?????? ??? ?????? fleece ???????, ??? ?????????? ???, ?? ??? ??? ?????? ??????? ?  
?????.

90. ???????, ??????? ?????? ??? ???? ?????? ??? ?????? ?????? ?? ?????? ???????  
??????????, ??? ?????? ?? ?????? ??? ?????? ??? ?????? ????????. ? ??????? ??? ??? «?????  
????» ?? ?????????? ?????????? ?????????? ??? ??????? ?? ??? ?????? ??? ?????? ???????  
??? ?????????? ????. ???????, ? ??????? ?????? ??? ?????? ???????.

? ??????? ??????? ?????? ?? ???? ??? «????????? ??? ?????? ?? ??????? ?????? ???????  
?????»

91. ??? ?????? ??? ?????????? ??? ???? «????? ???» ?? ??????? ???, ?? ?????? ????  
????? ??????? ?????????? ????????. ?? ??????? ???, ??? ?????? ???????, ???  
????? ??? ??? ?????????? ???, ??? ?????? ?????? ?????????? ??????? ??? ???? ???  
????????? ??? ?????? ?????? (45). ?????????? ???, ??? ?? ?????? ?????????? ??? ?  
??????, ??? ?????????? ?????????? ??????? ???, ??? ?????? ?????? ?????????? ????????.  
??? ?????????? ?? ??? ??? ??? ?????? ?? ?????? ?????????? ???????, ??? ?  
????????? ???????, ??? ??? ?????? ?????? ?????????? ?? ?????????? ???, ????  
??? ? ?????????? ???????, ??? ?????? ?????? ?????????? ?? ?????????? ???, ????  
????? ? ?????????? ???????, ??? ?????? ?????? ?????????? ?? ?????????? ??? (46).

92. ??? ?????? ??? ??????? ?????????? ??? ???? ?? ?????????? ??? ???? ???? ???????  
?????? ?? ??? ?????? ?????????? ???????, ??? ?????? ?????? ??? ???? ???? ???????.  
??????, ?? ??? ??? ?????? ?? ?????? ?????? ?? ?????? ??? ???? 5, ?????????? 6, ???  
????? ??????? ??? ???? ?????????? ??? ?????? ?????? ? ?????????? ???? ???? ???? ?  
????????? ??? ??? ?????? ?????? ?????? «????? ???».

93. ??????? ?? ??????????? ??? ?? ?????? ???? ?????????? ???? ??? «?????????? ??  
?????? ?? ??????? ?????? ?????? ?????» ?? ?????? ??????? ?? ?????? ? ??????? ??  
?? ??????? ?????????? ?? ?????? ?????????????;

94. ??????? ??????????? ??? ?????? ?????? ???????????, ?? ??? ?????? ??????? ???,  
?????? ? ??????? ??????? ??? ?????? 5, ??????????? 6, ??? ?????? ??????? ??? ??  
?????????? ??? ?????? ???????, ??????????? ?? ??? ?????? ??????? ??????????? ??? ??  
?????????? ?? ?????? ??????? ???, ???????, ??? ?????? ??? ??????? ?????? ???????????  
?????????, ?? ??????????? ?????? ?????? ??????????? ?? ?????????? ??????????? ?? ???  
????????? ??????????? ?????? ??? (47).

95. ???????, ??? ??????????? ? ??????? ??? ??' ??????????? ????????, ? ???  
?????????? ??????????? ??? ??? ?????????? ??????????? ??????????? ??? ??????????  
?????????????? ??????????? ??? ?????? ??????????? ??????????? ???????, ????? ??????????? ???  
?????????? ??? ?? ??? ?????? ???????????, ??? ??????????? ??? ?????? ??????????? ??? ??  
?????????????? ??? ?????? ???????, ??? ?????? ?????? ?????? ??????????? ??? ??????????? ???  
?????????? ???????, ? ?????, ????? ??? ?????? ?????? ???????????, ??????? ?? ??????????? ???  
??????????, ????? ?? ??????? ??? ?????? ?????? ??????????? ???????????, ??????? ?? ???????????,  
????? ??? ?? ??????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?? ???????????, ??  
?????????? ???????????, ??? ??? ??????? ??? ??????????? ??? ??????????? ?????? ??? ???????????  
?????????? ?? ??????????? ??? ?????? ?????? ?????? ??????????? ?????? ??? ??????????? ???  
??????????, ?? ??? ?? ?????? ????. ????? ??? ?????? ??? ??????????? ??? ???????????, ??? ?????? ??  
????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?? «????? ???»  
??? ??????????? ?? ??????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???  
?????????? ?? ?????? ???.

?????????? ??? ?? ??????????? «?????????? ??? ??????? ?? ?????????? ?????? ?????? ???»

96. ? ??????? ??? ??????????? ?? ??? ?????? ???? ?????????? ?? ??????? ??? ?????? ???  
????? ??? ??????????? ??????????? ??? ??????????? ?????. ??? ??????? ???????????  
??????????, ?.?. ??? ???????, ??? ??? ?????? ??? ??? ?????, ??????????? ????? ?? ??  
????? ??? ??????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? (48).

97. ?? ??????? ?????????? ?????????? ??? ?? ??????????? ??? ?????? ??? ?????? ??????????  
???? ?????? ?? ??????? ?? ?????????? ??? ?????? ???, ??? ?????????? ??? ??????????????????  
?? ?????????? ??? ??? ??? ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??????????  
?? ?????? 5, ?????????? 6, ??? ?????? ?????? ???, ??? ??? ?????? ?????? ?????????? ???, ??  
????? ?????????? ??? ?????? ???, ??? ?????? ?????? ?????? ?????? ???.

98. ??????? ? ??????????? ??? ??????????? ?????? ??????? ??? ?????? ??? ?????? ???????????  
?? ??????? ? ??? ?????? (49) ??? ?? ?????? ??? ?????? ?????? ?????? ??? ??????????  
????? ??? ?????? ??? ???????????, ?????????? ?? ?????? ?????? ?????? ??? ???  
?????????? ?????? ??? ?? ??????????? ??? ?? ?????? ?????? ?????? ?????????? ???????????  
????????? ??????????.

99. ??? ??? ? ??????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????????? ??? «?????????? ???  
?????? ?? ??????? ??? ?????? ?????? ?????» ??? ??? ?????? ??? ???????????????, ???,  
??????????, ??? ?????? ??????? ??? ?????? ??????????? ??? ?????? ?????? ?????????? ???  
????? ??????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ???.

100. ??? ???????????, ??? ?????? ??? ??????????? ??? ?????????? ??? ? ??? ???????

? ????? ? ??????????? ?? ? ?????????? ?????????????? ?????????????? ?????? ??????????????  
?????????, ?? ? ?????????? ?????????????????? ?????????????? ?????? ?????? ?????????????? ??  
????????????????? ??? ? ?????????????? ??? ?????? ?????????????????? ??????  
????????????? ?????????? ??????????????, ??? ???? ?????? ?????????????????? ?????????? ???  
????????????? ??????????, ??? ??? ?????????? ??? ?????? ?????????????? ?????????? ?????? ???  
????????????? ?????????? ??? . ??? ?????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????? 5,  
????????? 6, ??? ?????? ?????? ??? ??? ?????????? ?????? ?????????????? ?????????? ?????? . ?? ??????????  
?????????, ? ?????????? ?????????????? ?????? ?????? ??? ?????? ?????????? ??? ?? ?????????? ???  
????, ?????????????? ? ?????????????? ??????, ???, ?. ? ?????????? ?????????? ??????????  
???? ???? ???? ?????? ?????????? ??? ?????????? ?????? ?????? ?? ?????????????? ??? ? ??????  
????? ??? ???? ?????? ??? ?????? ??? ?????? ?????????????? , ?? ?????????? ? ?????????? ??? ???? ??? ????  
????? ?? ?????????? ?? ?????????? ?????? ?????? ?????? ?????????? ?????? ?????? ??? ???? ??? ????  
????????? ?????????? ?? ???? ?????? ?? ?????????? ?????? ?????? ?????? ?????? ?? ?????????? ?????? ?  
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? (50).

101. ?????? ??? ???? ?????? ?????????? ??? ?????????????????? ??? ?????? ?????? ?????????? ??? ?????  
?? ???? ?????? ??? ?????????????? ??? ?? ?????? ?????? ?? ?????????? ?????????? ??????????. ?? ??????  
????????? ??? ?? ?????????? ?????? ?????? ?? ??? ?????????????? ??? ?????????? , ???  
????????????? ?????????? ??? ?? ?????????? ?????? ?????????? ??? ?? ?????????? ???  
????????????? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? «?????».  
?????».

102. ?? ?? ?????????? ??? ?????????? ?????? ?????????? ??? ?????? ?????????? ??? ?????????? ?????? , ??  
????????????? ?? ??? ?????????? ??? ?????? ?????? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ???.  
????? ?? ?????????? ??? ?????????????? ??? ??? ?????? ?????? ??? ?????????? ???  
????????????? ??? ?????????? ?????? (51). ???????, ??? ?????? ?????????? ??  
????????? ?????????? ??? ?????? ?? ? ?????????????? ?????? ?????????????? ?? ?????????? ?? ??????????????  
???? ???? ???? ??? ?????? ??? ?????? ?????? ?????? ?????? , ?????????? ?????? ?? ?????????? ????  
????????? ??? (52).

## VII – ? ?????????? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ??????

103. ?????????? ??? ?????? ??? ?????? ?????????? ?????? ?? ?????? ??? ?????? ?????? ??? ?  
????????? ??? ?????? ?????????? ?????????? , ?????? , ?????????? ??? ??? ??? ?????? ???  
????? ?????????? ??? ?????? ??? ?????? ???, ?????? , ??? ?????????? ??? ?????? ??? «?????  
????? ?????? » ??? ?????? ??? ?????? ??? ?????? ?????? . ??? ??? ?????????? ???  
????????? ?? ?????? ??? ?????? ??? ??? ?????? ?????? ?????????? ??? ?????? ??? ??????????????  
? ?????? , ?????? ?????? ?????? ??? ?????? ?????? , ?????? ?????? ?????? ?????? ???  
????????? ??? ?????? ?????? ?????? 5, ?????????? 6, ??? ?????? ?????? ???.

104. ?????? , ??? ???? ?????? ??? ?????????? , ?? ?????? ?????? ?????? ??? ?????? ?????? ??? ?  
????????? ??? ?????? , ?? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ????  
????? ?? ?????? (53). ???????, ?????? ? ??? ?????? ?????? ?????? ?????? ?????? ?? ??????????  
????? ?????? ?????????? ??? ??? ?????? ?????? ?????? ?????? . ?? ?????? ?????? ??  
????????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???  
????????????? , ?? ?????? ??? ?? ? ?????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ???? ???  
????? ?? ??????.

105. ?? ?????? ?????????? , ??? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ?  
????? ? ?? ??? ?????? ?????? ?????? . ??? ?????? , ?????? ?????? ??? ???? ???? ?  
????????? ??? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???? ???? ???? ?  
????? ?? ?????? ??? ?????? ?????? ? ??? ?????? ?????? ?????? . ?????? ?????? , ?????? ??????

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

106. ?? ??? ????? ??????? ??????? ??' ?????? ?? ?????????????? ?? ?? ?????????? ???  
????????? ?????? ?????????? ?????????????? ?? ?????????? ??? ? ?????? ??? ??????  
????????? ??? ?????? ??? ??? ?????????? ??? ??????.

107. ? ?????????? ?????????? ??? ? ?????????? ??? ?????? 5, ?????????? 6, ??? ?????? ??????  
??? ??? ?????????? ??? ? ?????????? ?????????? ??? ?????? ? ?? ?? ????? ??????????  
????????? ??? ?????? ?????? . ? ?????????? ?????????? ?????? ???, ??? ?????, ??????????  
????????? ??? ?????????? ?????? ?? ?????? ??? ?????? ?????????? ?????????? ??? ?????,  
??? ?? ?????? ???, ?? ?????? ?? ?????? ?????????? ?? ?????? ??? ?????, ??? ?? ?????? ??  
????????? ?? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????.

108. ??????? ?? ??? ?????? ????. ???????, ??? ?????? ?????? ? ?????????? ??? ??????????  
?????. ?? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?? ??????  
?? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??????.

### VIII – ??????

109. ?????? ??? ?????????????? ??????? ??? ?????????? ?? ?????????? ??? ??????????  
??? ?????? ??? ?????????? ?? ???:

1. «?????? ??? ?????? ?? ?????????? ??????????» ????, ??? ?????? ??? ?????? ???  
????????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? 77/388/?? ?? ??????????, ???  
17?? ??? 1977, ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????  
???? ?????? ?????? ?????? – ??? ?????? ?????? ??? ?????? ?????????? ????: ??????????  
????????? ???,

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

2. ?? ?????? ??? ?????????? ?? ?????? ?????????? ?????????? ??? ?????? ?? ??? ?????? ???  
????????????? ??? ?????? ?? «????? ???», ??? ?????? ?????? ??? ?????????? ?????????? ???  
5, ?????????? 6, ??? ?????? ?????? 77/388, ?????????? ??? ?????? ?? ?????? ??? ??????  
????? ??? ??????????, ??? ?????? ??? ?????? ?????? ?????????? ???????, ??? ?????? ??????????,  
??????, ??? ?? ??? ?????? ??? ?????? ?????? ?????????? ???, ?? ?????????? ??? ?????? 5,  
????????? 6, ?? ?????????? ??? ?????? ?????????? ???, ??? ?????????? ???, ??? ?????????? ???,  
?? ?????? ?? ?????????? ??? ?????? «????? ???» ?? ?????????? ??? ??? ?????? ??????  
????? ???, ???, ???????, ??? ?????????? ??? ?????? ?????????? ??? ?????????? ??? ??? ???

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

3. ?????? ??? ?????? ?????????? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??????  
????????????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? 5, ?????????? 6,  
??? ?????? ?????? 77/388, ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???  
?????????. ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???  
??? ?????? ?????? ??? ?????? 5, ?????????? 6, ??? ?????? ??? ?????? ??? ?????? ??????  
?? ?? ? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??????.

1 – ?????? ??? ??????????: ? ??????.

2 – Mauss, M., *Essai sur le don*, Presses universitaires de France, ??????, 2007 (?????????????  
2008), ?. 65· Mauss, M., *The Gift. The Form ??? Reason for Exchange in Archaic Societies*,  
W.W.Norton, ??? ?????-???????, 1990 (????????????? 2000), ?. 3 (????????? ??????????). ?  
Richard Hyland ?????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???  
????? ?? ?????? ?????? ?????????? ?????????????? ??? ?????? ??? Mauss, ??? ? ?? ???  
????????? ?????? ??? ?? ?????? ??? ?????? ??? ?????????? ??????????. ?. Hyland, R., *Gifts, A  
Study in Comparative Law*, Oxford University Press 2009, ?. 114. ??????, ?? ?????????? ??????  
????????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?. Mauss. (??., ?. 14).

3 – ?????? 2 ??? ?????? ?????? 77/388/?? ??? ??????????, ??? 17?? ?????? 1977, ???  
????????????? ??? ?????????? ??? ?????? ???, ??? ?????????? ?? ??? ?????? ?????? ??????  
???????? – ?????? ?????? ?????? ?????????????? ????: ?????????? ?????????? ?????? (??  
???. ???. 09/001, ?. 49, ??? ????: ??? ?????? ???).

4 – ? ?????????? ??? ?????????? ?????? ?????? ?????? ??? ?? ?????? ?????? «donatio  
non praesumitur» - «?? ?????????? ??? ?????????? ??? ?????». ?. ??????, ?? ?????????? ???  
????????? ?????? ??? common law, Kangas, U., *Lahja, TheGift*, Lakimiesliiton  
Kustannus, ??????, 1993, ?. 56 ??? 58.

5 – ?????? ??? ?????? 5, ?????????? 6, ??? ?????? ??????, ??? ?????? ?????? ????. ??????,  
??????, ?? ?????? ???, ?????? ?? ??? ?????? ??? 27?? ?????? 1999, C?48/97, Kuwait  
Petroleum (GB) Ltd (?????? 1999, ?. I?2323), ? ?? ??? ?????? ?????? ?????? ??? ??  
????? ?????? ??? ?????????????? ????, ?????? ??? ?????? ??? ?? ??? ??  
????? ??? ?????? ???.

6 – ??? ?? ?????? 17, ?????????? 6, ??? ?????? ?????? ???, ??? ?????????? ??????  
????????? ??? ?????? ??????????, ?????????? ? ?????? ?????? ??????.

7 – ?????? ??? ?????? ?????? ?????? ??? ?????? 5, ?????????? 6, ??? ?????? ?????? ???.

8 – ?? ?????? 5, ?????????? 6, ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ??  
?????? 2006/112/?? ?? ???????????, ?? 28?? ?????? 2006, ??????? ?? ?? ???  
?????? ?????? ?????? ?????? ??? (?? L 347, ?.1) (?? ????: ?????? ???), ? ?????, ?? 1??  
????????? 2007, ?????????? ??? ?????? ??? (?? . ?????? ?????????????? ???  
????????? XII ??? ?????? ???). ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? (????????? 3 ??? ?????? ???).

9 – ??????? ?? 6?? ????? 1992, C?20/91, de Jong. (?????? 1992, ?. ??2847), ??????? Kuwait Petroleum (????????????????? ?? 5), ??????? ??? 20?? ?????????? 2005, C?412/03, Hotel Scandic Gåsabäck AB (?????? 2005, ?. I?743), ??? 8?? ??????? 2001, C?415/98 Laszlo Bakcsi (?????? 2001, ?. I?1831), ??? ??? 17?? ????? 2001, C?322/99 ??? C?323/99, Fischer ??? Brandenstein (?????? 2001, ?. I-4049).

10 – ?????? ? ?????? ??????? ?????????????? ?????????? ?????????? ??? ?? ??????? ?????? ??? ?????? ??? ??????? ??? ?? ?????????? ??? ?? ?????????? ?????? (?? 2008, C 115, ?. 47), ?????????? ??? ?????????? ??? ?? ?????? ??? ?????????? ?????? ?????????? ??? ?????????? (?? 2002, C 325, ?.33).

11 – ?? CDR ???????? ???????? ??? ?????????? CD. ?????????????? ??? ?????????????? ??? ?? ?????????? ??? Virgin Record Label, ?????????? ??? EMI.

12 – ?????????? ?????? ??? ?? ?????????? ??????? 6, ?????????? 2, ??? ?????? ?????? ???.

13 – ??? ?? ?, ??? ?? ??????? ??? ?? ?????????? ?????? ?????????? ??? ?? ?????????? ???, ??? ?????????? ???, ? ??? ??????? ??? ?? ?????????? ?????? ??? ?????????? ??? ?? ??????? ??? ?? ??? ?? ??? ????? (OECD, Forum on Tax Administration: Taxpayer Services Sub Group Information Note, Programs to Reduce the Administrative Burden of Tax Regulations in Selected Countries, 22 ?????????? 2008, ?. <http://www.oecd.org/dataoecd/39/6/39947998.pdf>). ??? ?? 2007 ? ?????????? ??????? ??? ?? ??????? ??? ?? ?????????? ?????? ?? ?????????? ??? ?? ?????????? ??????? ??????????????, ?????????????? ??? ?? ?, ??? «????????????? ?????? ??? ?? ?????????? ??? ?? ?????????? ?????? ». ??? ?????????? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ?????? » ??? ?????????? ??? ?? ?????????? ??????, ?. ??? «????????? ??? ?? ?????????? ?????? ?????? » ??? ?????????? ??? ?? ?????????? ?????? ??? ?? ??????????: [http://ec.europa.eu/enterprise/policies/better-regulation/index\\_el.htm](http://ec.europa.eu/enterprise/policies/better-regulation/index_el.htm) /.

14 – ??? ??????? ??? ??????? ??? ?????? ?? ?????? ?????? ?????? ?????????, ?. Hyland, ??., ?????????? 2, ?. 127 ?? 217). ???' ????, ?? ??????? ??? ??????????? ??? ???????, ?? «????» ?????????????? ??? ?? ??????? ????????????, ?? ?????????????? ??????? (????????? ???????), ??? ?? ??? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ??????? ??? ?? ?????????? ??? ?? ?????? ?????????? ?????? ??? ?? ?????????? ??? ?? ?????????? . ?????????? ??? ?? Hyland ?????? (?. 132) ??? ? ?????? ?????? ?????? ??? ?? ?????? ??? ?? ?????????? ??? ?? ?????????? ??? ?? ?????????? (?. 233 ?? 237).

15 – ?. ????? ???????? ??????? ??? 29?? ??????? 2007, C?111/05, Aktiebolaget NN (?????? 2007, ?. ??2697, ????? 32), ??? 21?? ?????????? 2006, C?223/03, University of Huddersfield (?????? 2006, ?. ??1751, ????? 43), ??? ??? 8?? ?????????? 1990, C?320/88, Shipping & Forwarding Enterprise Safe (?????? 1990, ?. ??285, ?????? 7 ??? 8).

16 – ?????? ???????? ?????? ??? ??????? ??? ?????????? ?????? ?????? ??? ?????? ?????????? ??? ?????????????? ??????: ?????????????? ?????? ??? ?????????? 9 ?????????? Hotel Scandic (????? 23), Bakcsi (????? 45), Fischer (????? 56), De Jong (?????? 15 ??? 18). ??????, ??? ?????????? ??? ?????? ??? ?????? ??? ??????? ??? ?????? ?????? ??? ?????? ??? ?? ???, ? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? 5 ??????? Kuwait Petroleum (?????? 20 ??? 22). ?? ??? ???????? ??? ??? ?????? ?????? Kuwait Petroleum, ? ??????? ?????????? N. Fennelly ??????? ???, ??? ??? ?????????????? ??????? ???????

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

17 – ????? ?????????? ? ??????? ????????????? N. Fennelly ?? ??? ?????????? ??? ???  
??????? ??? ??? ?????? ??????? ? ?????????????? ??? ?????????????? 5 ?????? Kuwait  
Petroleum, ? ??? «however» [«??????» ??? ??????? ??????] ??????????? ?? ???????  
?????? ?????? ??? ??????? ?????? ??? ?????? 5, ?????????? 6, ??? ????? ?????? ????.  
? ?????????? ??? ?????? ?????? ??? ??? ?? ? ??? ?????? ??? ??? ?????? ?????? ??? ?????? ???  
????????? ?????? ??? ??????.

18- ?????????????? ??? ?????????? 5 ?????? Kuwait Petroleum (????? 23)- ?. ??  
????????? ??? ?????? ?????????? N. Fennelly ??? ?????? ??? (????? 26).

19 – ?????? ??????? ????? ?? ??????? ?????? ?? ?????????? ?????????? ?????????? ?? ?????? ?????? ?????  
???????. ?? ?????? ?????????? ?????????? ?????????? ?? ?????? 60 ?? 70 ??????.

20 – ??????? ??? ??????? ?? ??? ?????? ?????? ??? ?? ??? ?????? ??? ?????? ?????? ?????????????  
??? ??? ?????? ?? ?????????????? ?? ??? ?????? ??? ?????? ?????? (???????) ??? 24??  
????????? 1996, C?317/94, Elida Gibbs, ?????? 1996, ?. ?5339, ??? 19).

21 – ???. ??????????????? ???. ?????????????? 5 ?????? Kuwait Petroleum (????? 23), ??? ?????????? ???. ?????????? ?????????? N. Fennelly ????. ?????? ??? (????? 26).

22 – ??? ?? ?????? 2 ??? ?????? ??????? 67/227/??? ??? ???????????, ??? 11?? ????????, 1967,  
????? ??? ?????????????? ??? ?????????? ??? ??????? ??? ?????? ???, ??? ?????????? ?? ??? ?????? ??????  
?????? ?????????? (?? ????. ????. 09/001, ?. 3), ?????????? ? ??????? ??????? ??? ?????? ?????  
??? ??? ?????? ??? ?????????????? ??? ?????? ?????? ??????????.

23 – ???. ?????????? ??? 15?? ??????? 1989, C?348/87, Stichting Uitvoering Financiële Acties (?????? 1989, ?. I?1737, ????? 13), ??? ??? 14?? ??????? 2007, C?434/05, Horizon College (?????? 2007, ?. ??4793, ????? 16).

24 – ???. ??????? ???. 18?? ?????????? 2004, C?284/03, Temco Europe (???????, 2004, ?. ??11237, ????, 17), ??? ?????????? ???. ??????? ?????????? Ruiz?Jarabo Colomer ????, ???????, ??? (??????, 37).

25 - ??????? ???. ???. ?????????????? ???. ???. ???. ?????????? ???. ???. ???. ?????? ???. ???.

26 – ???. ????? ???????? ??????? ?? 6?? ?????? 2008, C998/07, Nordania Finans ??? BG Factoring (?????? 2008, ?. ??1281, ????? 17 ??? ????? ?????????????? ??????????).

27 - ?? 1983, L 105, ?. 1.

28 - ?????????? ???? ?????????? ?????. ??., ??? 91.

29 – ??????? ?????? ??? ?????????? ?????????????? ?? ??? III ??? ?????????? ??????????  
??? ?? ?????????? ??? ?????????? ?????????? ?????????? ??? ?????????? ?????????? ??????  
(<http://images.io.gov.mo/bo/i/99/50/dlar#40539?56?enq.pdf>).

30 – ?????? 1, ??????????? 1, ??? ?????????????????? ????? ?????????????? 27 ??????????? ?????????????? ??????.

31 ?? ??????? ???????? ?? ??????? ?? ?? ?????????????? ?????? ???????????????  
?? ?????????? ?????????????? ??? ?? ????. ???? ??? ?' ?????????????? ?????? ??????????????  
??, ??????? ?? ??? ??????? ??? Her Majesty's Revenue and Customs, (i) ?? ??????? ??  
????????? ?? ?????????? ?????? (ii) ?? ??????? ?? ?????????? ?? ?????????? ?? ??????????  
????????? ?? ?????????????? ??? ??? ?????????????? ?????????????? ??? ??? ?????? ?????? ???  
????????? ?????????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ?? ???  
????? (??.. <http://www.hmrc.gov.uk/vat/managing/special-situations/samples.htm#2>)

32 – ??? ?? ??????? ?? ??????? ?? ??????? ?? ??????? 5, ?????????? 6, ??? ??  
?????? ?? ?? ?? ?????? ?? ? ??????? ?? ? ??????? ?? ?????????? ?? ?????? ?????????? ??  
???? ?? ?? ?? ?? ??????? ?? ???????, ??? ??????? ?? ??????? ?? ??????? ?? ? ?????? ??  
????????? ?????????? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ?? ??????? ??

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

34 – ????? ?????????? ??? ??? EMI ?? ??????? ??????? ?? ??????? ?? ??????? ?? ???????.

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

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

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

38 – ??? ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ?????? ??????????, ?? ??? ??  
??? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????????? ???. ?? ?????? ?? 11??  
????????? 2007, C?451/05, ELISA (?????? 2007, ?. ??8251, ??? 91 ??? ??  
????????? ??????). ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??.

39 – ?. ?????? 10 ??????.

40 – ? Kangas (?.?, ?????????? 4, ?. VII ???. 31 ?? 59), ?????????? ??? ??????  
?????? ?????? Friedrich Carl von Savigny, ?????????? ???, ?????????? ? ?????? ??? «?????»  
????? ?????????? ???, ?????????? ?????????? ??? ?????????? ??? ?????? ???.

41 – ?????? ??? 2?? ?????? 1994, C?33/93 (?????? 1994, ?. ??2329).

42 – ?????????? ??? ?????? ?????????? ??? ?????? Empire Stores Ltd (?.?, ?????? 19).

43 – ????? ?? ?????? 17, ??????????? 6, ??? ????? ??????? ???, ??? ??????????? ??????? ??? ?????? ??????, ??? ?????? ??? ?????? ?????? 5, ??????????? 6, ??? ?????? ?????? ???, ? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????.

44– ??????????????? ??? ?????????????? 5 ??????? Kuwait Petroleum (????? 23) ??? ?????????? ??? ?????? ?????????? N. Fennelly ??? ?????? ??? (????? 26).

45 – ??????? ????. 617/89 ??????????? ??????? ??? ?????????? ?????????? ?????????????? ?????????????? ??? ?? F. Herman ??? ?? ??????? (? 1990 C 39, ?. 24). ? ??????? ???, ??????? ?????????? ?? 1990, ????? ?????? ?????? ??? ?????? ??? ?????? ?? ?????? ???.

46 – ?. Kallio, M. ?.?, *Arvonlisäverotus 2009*, Edita Helsinki 2009, ?.512.

47 – ??????? ??? ??????? ??????????? ??????????? ??? ??????????? ??? 3?? ?????????? 2006, KHO 2006:70.

48 – ??????? ??? ???????, ??., ?????????? 44.

49 – ??????? ??? 17?? ??????? 2008, C?132/06, ??????? ??? ?????? (?????? 2008, ?. ??5457, ??? 46), ??? 11?? ??????????? 2009, C?25/07, Alicja Sosnowska (?????? 2008, ?. ??5129, ??? 22 ??? ??? ??????????? ???????)- ??., ??????, ????? 22, ?????????? 8, ??? 27, ?????????? 1, ??? ??? ?????? ???.

50 – ??????? ??? 12?? ?????????? 2006, C?354/03, C?355/03 ??? C?484/03, Optigen ?.?. (?????? 2006, ?. ??483, ??? 47).

51 – ????? 22 ??? ????? ?????? ???.

52 – ???????, ? ??????????????? ??????? ?? ??????????? ????? ??????.

53 – ?. ?????? 24 ??? ?????????? 15 ??????.