

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

?????????? ?OY ??????? ????????????

MACIEJ SZPUNAR

??? 8?? ??????????? 2016 (1)

?????? C?344/15

**National Roads Authority**

????

**The Revenue Commissioners**

[?????? ??? Appeal Commissioners (?????? ??????????? ?? ??????????? ??? ???????????  
??????????, ????????)  
??? ??? ?????? ??????????? ?????]»

«????????????? ?????????? – ????? – ????? ?????????????? ????? – ?????? 2006/112/?? –  
????? 13, ?????????? 1 – ?????????? ????? – ?????????????? ?????? ???  
????????????? ?? ?????????? ?????? ?????? ?? ?????? ?????? ?????? ?????? –  
????????? ??? ?????????? ????? ?? ?????? – ?????????? ??? ?????????? ??????»

?????????

1. ? ??????? ?????? ?????? ?????????????? ?????? (?? ?????: ???) ?? ?????????????? ???  
?????? ?????? ?????? ?????????? ??????? ?? ?????? ?????? ?????? ?????? ?????? ??  
????????? ??????. ????????????, ? ?????????? ?????? ?????? ?????????? ?????????? ??????????  
????? ?????????? ?????? ?????? ?????? ?????? ?????????? ??? ?? ?????? ?????? ??????????, ???  
??? ?????????? ?????????? ?????? ??? ?? ?????? ?????? ?????????? ?? ?????. ??????, ???  
????????? ?????? ?????? ?????????? ?????? ??? ?????? ?????????? ?????? ??? ?????? ?????????? ???  
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?? ?????? ?????? ?????? ??????  
????????? ?????? ?????? ??????????.

2. ??????, ? ??? ?????? ?????? ?????????? ?????? ??? ?????? ?????? ??? ?????? ?? ??????  
?????? ??? ?????????? ?????????? ?????? ??? ?????? ????. ???????, ??? ?????????? ???  
????????? ?????????? ?????? ?????????? ?????? ??? ?????? ?????? ?? ?????? ??? ?????????? ???  
????????? ?????????? ?????? ? ?????? ?? ?????? ?????? ?????? ??? ?????? ?????????? ???  
????????? ???, ??? ?????? ??? ?? ?????????? ?????? ??? ??? ?????????? ?????? ???, ??????????  
????????? ??? ?????? ?????????? ??? ?????? ?????????? (2).

3. ??? ??? ?????? ?????? ??????, ? ?????????? ??? ?????? ?????????? ?? ?????????? ???  
????????????? ??? ?????? ?????? ?????? ?????? ?????????? ??? ?????? ?????????? ??? ? ??  
????????? ?? ??? ?? ?????? ?????? ?????????? ??? ?????? ?????????? .. ?????? ??? ? ???

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

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

4. ?? ????? 13, ?????????? 1, ??? ?????? 2006/112/?? ??? ??????????, ??? 28??  
????????? 2006, ??????? ?? ?? ????? ?????? ????? ?????????????? ??? (3), ?????? ??  
????:

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

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

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

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

5. ?? ?????????? ?????????? ??? ?????? ?????? ?????????????????? ?? ?????? ??? ??  
????? ??? ?? ??? ?? ?????? 8, ?????????? 2?, ??? Value Added Tax Act 1972 (????? ??  
1972 ????), ?? ??? ?????? ?????????? ??? ?????????? ?????? ??? ?? ?????? ?? ?????? 13,  
????????? 1, ??? ?????? 2006/112.

6. ? ?????????? ??? ?????? ????? National Roads Authority (??? ????: NRA) ??????????  
?? ?????????? ??? ?????? ??? Roads Act 1993 (????? ?? 1993 ??? ?? ?????? ??????) ???  
????? ?????? ??? ??? ?????????? ??? ?? ?????????? ??? ?????? ????. ??? ?? ?????? 17,  
????????? 1, ??? ?????? ???, ? NRA ??? ?????????? ??? ?? ?????????? ??? ?????? ??? ??????  
????????? ??? ?????????????? ?????? ??????.

7. ?? ??? 56 ??? 57 ??? Roads Act 1993 ?????? ??? NRA, ?? ??? ?????? ??? ??  
?????? ????? «????? ??? ?????? ?????? ??????», ??? ?????? ?? ?????????? ???????  
?????? ?? ?????????? ?????? ?????.. ??????, ??? ?? ?????? 61 ??? ??????????????  
?????, ??? ?????? ??? ?????? ?????? ?????? ?????????? ?????? ??? ?????? ?? ??????  
??????.

8. ?? ??? 58 ??? Roads Act 1993 ?????? ??? NRA ??? ?????? ?? ??????????  
??????, ?? ??? ?????? ?????? ?????????? ?? ??? ?????????? ?????????? ??? ?????????? ???  
?? ??? ??? ??? NRA. ??????, ? NRA ??????, ??? ?? ?????? 63 ??? ?????? ????, ?? ??????  
????????? ??? ?????? ??? ?????? ?????? ?? ?????? ?????? ?????? ??? ?????? ????  
????????? ?????? ?????? ??? ??????, ?? ??? ?????????? ?????? ?????? ?????????? ????  
????????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ????  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

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

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

9. ??? ?????????????? ??????? ?????? ?? ?????? ??? ?????? ?????? ?????? ??? ??????????????  
????????? ?????????????? ??????? ?????????? ??? ?????? ?????? ?????? ?? ??? NRA. ??? ??? ??  
??? ??? ?????? ???, ??? ?? Westlink Toll Road (????? ??? ?????????????? ??? ?????? ??? ??????)  
??? ?? Dublin Tunnel (????? ??? ?????? ?????? ?? ?????????? ?? ??? ??????), ???  
????????????? ? NRA, ? ?????? ?????????? ??? ?? ?????? ??? (4). ?????? ?? ??????????  
???, ??? ?? ?????? ?????????? ??? 2008, ??? ? ?????????? ??? Westlink Toll Road ???  
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????????? ?????????? ?? ??? NRA. ??????, ?  
????? ??? ?????? ??? ?????? ?????????????? ?? ?????? ??? ?????? ?????????? ???  
????????? ?????????? ??? ???????, ?????? ??? ?????? ??? NRA ?? ?????? ?? ??????  
??? ?? ??????? ??? ?????? ?????????? ??? ?? ??? ???.

10. ??? ??? ?????? ??? ?????????????? ??? ?? ?????? ?????? ??? ?????? ?????????, ??? ??  
????? ??? ?????? ?????????????? ?????????? ??? ?????? ??? ?? ?????? ??? ??????  
????????????? ? NRA, ?????????? ??? . ??????, ? NRA ?????? ??? ??? Revenue  
Commissioners (????? ??? ?????????? ???) ?? ??? ?????????? ??? ?????? ???, ??? ???  
????? ?????? ??? ?????????? ??? 2010, ??? ?????? ??? ??? ?????? ?????? ??? ??????  
????????????? ??? ?????? ?????? ?????????? ?? ?? ?????? ??? ?????? ?????????????? ???,  
????? ??? ?????????? ?? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?? ??? 13,  
????????? 1, ??? ?????? 2006/112, ??? ?????? ?????????? ??? ?????? ??? ?????????? ???  
????????? ?????????? ??????. ??? ??? ?????? ??? Revenue Commissioners ??  
????????? ??? ?? ??? ???, ? NRA ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ????  
??? ?????????? ??????????.

11. ??? ?? ?????????? ??? ?????? ??? ?????????? ??? ?????? ?? ??? ?? ?????? ??? ??????  
????????? ??? 2006/112, ??? ?????? ?? ?????????? ?? ?????????? ??? ?? ??????????  
??? ?????????? ?? ?????? ?????????? ??????????:

«1) ?? ?????????? ?????????? ??????? ?????? ?????? ?????????????? ??? ?????????? ??? ?????  
????????? ?? ??? ??? ?????? ?????????? ?????? ??? ?? ??? ?????? ?????? ??????????  
????????? ?????? ??? ?????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??????????  
?? ??? ?????????? ?????? ??? ?????? ?????? ?????? ?????????? ??????????, ?????? ??  
????? ?????? ??? ?????? 13[, ?????????? 1,] ??? ?????? 2006/112 ?? ?????????? ???  
??? ?????? ??? ? ?????????????? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??  
????????? ?? ??? ?????????? ?????? ?????? ??????, ?? ?????????? ??? ??????????  
??? ?????? ??? ?????????? ?? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ??????????  
?? ?????????? ?????????? ??? ?????? ??????, ?????? ?) ??? ?????? ??? ?????? ??? ??????  
????????? ?????????? ?????????? ??? ?) ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???  
????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ?????? ??? ??????????  
????? ?? ?????? ??? ?????? ??? ?? ?????????? ??? ?????? ??? ?????????? ??? ?? ??? ???,  
? ??? ?? ?????????? ??? ?? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ??????;»

2) ?? ??? ?????? ?????? ?????? ?? ??? ?????? ??? ?????? ?? ?????? ??? ??????  
????????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
13[, ?????????? 1,] ??? ?????? 2006/112;»

12. ? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? 6 ?????? 2015.  
????? ?????? ?????? ?????? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????? ??? ??????  
??????. ?? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????

?????????? ??????????? ???' ??????????? ??????? ?? 25?? ???? 2016.

?????????

13. ?? ??????????? ?????????? ?? ??????? ?????? ??????? ???????, ?? ?????? ?????? ?? ?????????? ?? ???????????  
??? ??????, ?????????? ??? ?????????, ??? ?????? ?????? ??????????? ?? ?????? ?????? ??????????  
?? ?? ??????? ???, ??? ? NRA, ??? ??????????? ???????, ??????? ?? ?????? ??????????  
????????? ??? ?????? ??? ??????? ?? ??????? 13, ?????????? 1, ??? ?????? ??????, ??? ??????  
2006/112. ??? ??????? ???, ? ?????? ??????, ????? ?? ?????? ???????????, ??? ??? ??????? ?  
NRA ?? ??????? ??????????? ?? ??????? ?? ?????????? ??? ?????????? ???????, ?????? ??? ??  
?????????? ??? ??????????? ??? ?? ??????? ?? ?????????? ??? ?????????? ?????????? ???????????  
??? ????????????. ??? ??????????, ?? ?????? ???????????, ?? ?????? ??????????? ??  
????????? ??? ?????????? ??? ??????? 13, ?????????? 1, ??? ?????? ??????, ??? ?????? 2006/112  
???? ??? ?????? ???????, ?????? ??? ?? ?????????? ?? ?????????? ?? ?????? 13, ??????????  
1, ??????? ???????, ??? ??????? ??????. ??? ?????? ?????? ?????????? ?????????? ????  
????????? ??? ??????? ?????????? ??????????? ?????????? ?? ?? ??????, ?????? ??????? ??  
????????? ??????? ?? ??????? ?????? (5).

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

14. ??? ?? ?????? 13, ??????????? 1, ??? ?????? ??????, ??? ?????? 2006/112, ?? ???????????  
????????? ??????? ?? ?????????? ?? ??????????? ??? ?????????? ??? ?????? ?????? ?????? ???  
????????????? ??? ??????? ?????????????? «?? ?????? ??????». ???????, ??????? ??  
????? ?? ?????????? ??? ? NRA ?????? ??????????? ?? ?????? ?????? ?????? ???????  
???? ?????????? ??? ?????? ??? ?? ?????? ?????????? ???.

15. ??? ??????????? ?? ??????????? ??? ?????????? ?? ?????????? ??? ?????? ??????????? ???????????  
????????? ???????, ??? ?????? ?? ?????? ??????, ?????????? ?????????? ?????????? ??? ?????? ??????  
????????? ???????, ?????? ?? ?????? ?????????? ??? ?? ?????????? ??? ??????  
????????????? ?? ??? ?????????? ??? ?????????? ?????? ?????????? ??? ?????? ?????????? ?? ??????  
????????? ????????. ??????????? ??? ?? ?????????? ?????? ?????????? ??? ?????? ?????????? ?? ??????  
??? ? ?????? ?????????? ?? ?????? ?????????? ?????? ?????????? ?????? ?????????? ?????????? ??????  
????????? ?? ??????? ???????, ??? ?????? ?????? ??? ?????????? ??? ?????? ?????????? ??? ??????  
???? ??? (6). ?????? ?????????? ?????????? ??? ?? ??????? ???, ??? ?????????????? ??????  
??? ?? ?????? ?????????? ?????? ?????????? ??? ?? ?????? ??? ?????? ?????????? ??? ?????? ???  
????????? ??????? ?????? ?????? ??? ?????? ??? ?????? ?????????? ?????????? ?????????? ???,  
????????? ??? ?????? ?????? ?????????? (????? ??? ??????????? ?????????????? ??????????????) ?  
??? ??????? ?? ?????? ?????? (????? ??? ?????????? ??????????, ??? ?????? ??????  
?????). ??? ??????, ??? ?????????? ??? ?????? ?????? ?????????? ?????????? ?????????? ???  
????? ???????, ?? ?????? ?????? ?????? ?????? ?????? ?????????? ?. ?????? ?????? ?????????? ??  
????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????????? ??? ?????? ?????? ?????????? ???  
????? ??? ?????????? ??? ?????? ??????, ??? ?????????? ?????? ?????????? ??? ?????? ?????????? ??  
????????? ??????? ??? ?????? ?????? (7).

16. ?? ??? ?????? ?????????? ?? ?????????? ???????, ??????????, ?? ??? ?????? ??????????  
??? ? ?????? ??? ?????? ?????? ??????? ???' ??? 13, ?????????? 1, ??? ?????? ???, ???  
????????? 2006/112 (8) ?????? ?? ?????????? ??????????, ??? ?????? ?????????? ???  
????????? ??????? ??????, ?????? ?????? ?????? ???, ??? ?????? ?????????? ??? ??????????  
????? ???, ?? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????????  
????????????? (10). ???????, ?? ?????? 13 ??? ?????? 2006/112 ?????? ??? ??  
????????? ?????? ?????????? ?????????? ?????????? ???, ?????? ? ?????????? ?? ??????????



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

24. ??????, ??? ?????? ?? ?????????? ??? ? NRA ?????? ?? ?????? ??????  
????????? ??? ?????? ??? ?????????? ??? ???? ?????? ?????????? ?????? ??? ??  
????????? ??? ?????? ?????? ?????????? ???, ???, ?????????, ??? ??? ?????? ???  
????????? ??? ?????? ?????? ?????????? ??? ???? ?????? ??? ?????? ??? ??  
????????? ??? ?????? ??? ?????? ???, ? ?????? ??? ???? ?????????? ?? ?? ??? 13, ??????????  
1, ????, ????, ??? 2006/112 ??? ?????????? ?? ?????????? ??? ?????? ??? ??  
????????? ??? ?????? ??? ?????? ??? ?????????? ???, ??? ?? ?????? ??? ?????????? ?????????? ???,  
????????? ??? ? NRA ?????? ?? ?????? ?????? ?????? ??? ??? ?????? ??? ??  
????????? ??? ??? ?? ?? ?????? ?????? ??? ?????? ?????????? ??? ?????? ??? ??  
NRA ??? ?????? ?? ?????? ?????? ?????? ??? ?????? ?????????? ???, ?? ??????????  
????????? ??? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????? ???.

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

25. ?? ?? ?????? ??? ?????? ??? ?????? ??? ??????, ?? ?????? ?????? ?? ?????????? ???  
??????, ?? ?????? ?????????? ???' ?????? ?? ?????????? ?? ?? ??? 13,  
????????? 1, ????, ???, ??? 2006/112 ??? ??? ?????? ???, ?? ??????????  
???? ?? ?????, ??? ?????? ??? ?????? ?????? ?????? ???, ?? ?????? ?????? ??  
????????? ???, ??? ?????? ?????? ?????????? ???, ??? ?? ?????? ?????? ?????? ?????? ???  
?? ?????????? ???, ?? ?????? ?????? ?????????? ???, ?? ?????? ?????? ?????? ?????? ???  
?? ?????????? ???, ?? ?????? ?????? ?????????? ???, ?? ?????? ?????? ?????? ???  
?? ?????????? ???, ?? ?????? ?????? ?????? ?????? ?????????? ??? ?????????? ???  
????????? ???, ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????????  
????????? ???, ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???.

26. ?? ?? ?????? ??? ?????? ??? ?????? 13, ?????????? 1, ?????? ??????, ?? ??????  
2006/112 ?????? ?????? ? ?????????? ??? ?????? ??? ?????????? ?????? ??? ?????? ??????  
???. ??? ?? ?????? 9, ?????????? 1, ????, ???, ??? ?????? ???, ?? ?????????? ???  
???? ?????? ?????? ???, ??? ?????? ?????? ?????? ???, ?????????? ?????????? ???.  
????????? ???, ??? ?????? ?????? ??? ?????? ?????? (16), ? ?????? ?????? ?? ??????  
????????? ?????? ?????? ?????? ?????? ?????? ?????????? ?????????? ?????????? ???, ???  
???? ?? ?????????? ???, ??? ?????? ???' ?????? ?????? ?????? ???, ??? ?????? ???, ???  
????? 13, ?????????? 1, ????, ???, ??? 2006/112 ?????? ??? ?? ??????????  
????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?? ?????????? ???  
????????? ?????? ??? ?????? ?????? ?????? ???, ??? ?????? ?????? ??? ?????? ???  
????????? ??? (17), ?? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ???  
????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

27. ?? ?????? 13, ?????????? 1, ?????? ?????? ??? ?????? 2006/112 ?????? ????

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

28. ?????????????? ??? ???? ??????? ??????, ?? ?????? ?????????? ?????????? ???  
????????????? ??????????, ??? ???? ??? ?????????????? ?????? ?????????????? ??????  
????????? ??? ?????????? ?????? ??????, ??? ?? ?????????? ??? ?????????????? ??  
????????? ?? ?? ?? ?????? ??? ?????????? ?????? ?????????? ?????? ??? ?????? ??  
????? ?? ?? ??? ?????? ??? ?????????????? ?????????????? ??? ?? ?? ?? ?????? ?? ??  
????????????? ??? ?????? ??? ?????? ?????????? ?? ?????????? ?????????? ?????????? ???  
????????????? ??? ?????????? ??? ?????? (18).

30. ????????, ? ????????, ??? ?? ??????? 13, ?????????? 1, ??????? ???????, ??? ???????  
2006/112 ??? ?? ?????? ??? ? ?????????? ?????????? ?????????? ??? ?????????? ??? ??????????  
????????? ??? ?? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ???,  
?? ?????????? ???, ??? ?????? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ???.  
????????? ???, ? ????????, ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????????? ???  
????????? ?????????? ??? ??? ?????????? ?????????? ???, ??? ?????? ??? ?? ??????????  
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ??? ??? ??  
??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??  
????, ??? ?????? ??? . ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??  
(20). ????????, ? ????????, ??? ?????? ??? ?????? ?????????? ?????????? ?????????? ?????????? ??  
?? ?????????? ????, ??? ?????? ?? ?????????? ?????? ?????? ??? ?????? ?? ?????????? ??? ?????????? ??  
?? ????????, ?????? ??? ?????? ?????? ??? ?????? ??? ?????????? (21).

31. ?? ?????????? ??? ???? ?? ??? ??????? ? NRA ?? ??? ?????????????? ??? ??????? ??? ??  
?????? ???????, ????? ?? ?? ?????????????? ??? ?????????????? ??? ????? ?? ????? ??  
????????? ??????? ?????????? ?????????????? ?????????????? ??? ??????????????. ?? ??????????  
????????? ????? ?? ?? ?? ??? ????? 13, ?????????? 1, ????? ??????, ??? ?????? 2006/112  
????????? ??? ??????? ??? ?????????? ?????????????? ??? ?????????? ??? ?????????????? ???  
????????? ??? ?? ?????????? ?????????? ?????????? ??? ?????? ??? ??? ??? ?????????????? ???  
????????? ??? ?????? ?????? ? ??? ?????? ??? ?????? (22). ?? ???????, ?? ??????????  
????????? ??? ?????? ?????? ?? ?????????? ??? ?????????? ?????? ??? ?????? ??????????

? ???????????????, ?? ??????????????? ?? ?????????? ?? ???????, ?? ?????? ???????  
????????? ?????????? ??? ?????? ?????? ??? ?????????? ??? ?????? ?????? ??????. ?? ??????  
????????? ??? ?????????????? ?????????????? ?? ??? ?????? ?????? 13, ?????????? 1, ?????????? ??????,  
??? ?????? 2006/112 (23). ??? ???? ?, ?? ?????????? ?????????? ??? ?????? ??? ?????? 13, ?????????? 1)  
????????? (????? ?? ?????? ??? ???? ?????? ?????? ??? ?????? ??? ?????? 13, ?????????? 1)  
????????? ??? ??? ??? ?????? (24).

32. ??? ?????? ??? ???? ?????? ??????? ??? ?????????????? ??????? ?? ?????? ?????? ??? ??????  
???, ??? ?????????????? ???, ?????? ??? ?????????? ?????????????? ???????, ??????????  
????????????? ?????? ??? ?????????? ?????????? ?????????? ?????? ??? ??????? ??? ??????????  
????????? ?????????? ??? ??????? ??' ????, ??? ?????????????? ?????????? ??????? ??  
????????? ??? ??? ?????? ?????????? ?????????????? ??? ??????? ?????????? ??????????????, ? ??????????  
??? ?????????????? ???????????, ?????????????? ??? ?????????????? ?????????????? ???  
????????????? ??????. ?????????, ?????? ??? ?????? 13, ?????????? 1, ?????????? ??????, ???  
????? 2006/112, ?? ?????????? ?????? ?????? ??? ?????? ?? ?????????? ?? ?????????? ???  
????? ??? ???? ??? ?????? ?????????????? ???.

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

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

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

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

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

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

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

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

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

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

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

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

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

??? ?????? ??? ?????? Westlink Toll Road, ?? ?????? ?????????? ?????? ??? ?????? ??? ??????

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

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

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

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

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

36. ?????? ??? ?? ?????????? ?????????? ?? ?????? ??? ?????? ??? ?????????? ??? ?????? ???

????????? ??? ?????? 13, ?????????? 1, ?????? ??????, ??? ?????? 2006/112 ??? ???

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

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

?????.

37. ?? ?????? ?????????? ?????? ?? ?? ?????? ??? ?????? ??? ?????? ?????? ?????????????? ?

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

????????????? ??? ??? NRA ??? ?????? ?????? ?????????, ??? ?????????? ??? ?

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

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

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

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

??? ?? ?????? ???, ?? ?? ?????? ?????????? ?????? ?????? ?????? ????: ? ?????? ?? ??????

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

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

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

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

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

????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ? NRA ????

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

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

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

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

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

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

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

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

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

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

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

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

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

41. ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????? ??? ???? ?  
????? ?????? ??? ??????, ? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????  
????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???,  
????? ????, ??? ?????????? ??? ?????? ?????? ??? NRA, ?? ?????????? ??? ?????? ??? ?????? ???  
??? ?????? ??? ???? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????  
????????????? ?????????? ?? ?????????? ?????????? ?????? ?????? ?????? ?????? ??? ?????? ???  
????????? ?? ?????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ???  
????????? ?? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ??????  
??? ?? ?????? ??? ?????? ?????? ???.

42. ?? ??? ?????? ?????????? ?????????? ?????? ??? ?????????? ?? ?????????? ?? ??????  
????????? ? ?????? ?????? ?????????? ??? ?????? ???' ?????????? ?????? ??? ? ?????????? ???  
????????? ?????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???  
????????? ?????????? ?? ?????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
??? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ? ?? ???  
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????  
????? ?????? ???, ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????  
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? 13,  
????????? 1, ?????? ?????? ??? 2006/112.

43. ?? ?? ??? ?????????? ??? ?????????? ??? ?????? ??? ???? ?????????? ?? ?????? ?????? ????  
NRA ???? ??? ??' ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ????  
????????? ???? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??????  
??? ?????????? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ????  
????? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ????  
????? ???????. ??????, ?? ?????????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ????  
????????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???.

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

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

45. ????????, ?? ?????? ??? ?????????????? ??? ?????? ??????, ??? ?? ????  
???????, ??? ??????, ??? ?????????? ?? ?????????? ?????????? ??? ?????????? ???  
???????, ????. ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ?? ????  
????????? ?? ??????. ???????, ? ?????????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??????  
?? ?????????? ?????????? ??? ?????? ??? ?????????? ?? ??????.

46. ??????, ??????, ?? ??????????? ?????? ?????? ???????, ??? ? ???? 9, ??????????? 1,  
????? ??????, ??? ??????? 2006/112, ?????? ?????? ??????????? ?????????????? «??????????  
??? ?? ??????????? ?????? ??? ?? ??????????? ???». ???????, ??????, ?? ??????? (25),  
? ?????? ?????????? ?? ?????? ??????? ??????? ?????? ?????????? ??????? ??????? ???????  
????????????? ??? ?? ?????? ??? ?????? ??? ??????? ?????, ? ?????? ??? ?? ??????????? ???  
????????? ?????????????? ??? ?????????? ?????????? ?????????? ??? ??? ?????????? ???  
????????? ?? ? ?????? ??? ?????? ?? ?????????????? ??? ?????? ??? ?? ?????????? ??  
????????? ???.

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

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

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

????????? ?????? ?????????? ??? ?????? ?? ?????????? ?????? ??? ?????? ??? ??? ??? ??'

????????? ?????????? ?? ?????????? ??? ?? ?????????? ?????? ?????????? ?????????? ??? ??'

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

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

?????????????, ???? ??? ? ?????????? (26), ?????????? ??? ?????????????? ?????????? ??? ??'

????? ?????????? ?????????? ??? ?????????? ?????????????? ?? ?????????????? ??? ?????????????? ??'

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

????????? ??? ?????? ?? ?????? ?? ?????????? ??? ?????? ?????????? ??? ?????????? ?????????? (27).

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

?????????? ?????????????? ??? ??????? ?????????? ?????? ?????????????? ?????????????????? ??? ?? ???????  
??????, ??? ?????? ??? ?????? ?????? ?????????????? ?????????????? ??????????, ??? ?????????????? ???  
?????????, ??? ? NRA ?????????? ?????? ?????? ???' ?????????? ?? ??? ?????? ?????? ??? ??????  
????????, ??? ?????? ??? ?????? ?????? ??? ? ?????????? ?????? ?????????????? ?????????????? ???  
????????? ?????????????? ??? ?????? ?? ?????????????? ?? ?????? ?????? ??????????.

50. ?? ?????? 13, ?????????? 1, ??????? ??????, ??? ??????? 2006/112 ??????? ??????? ??  
?????????? ??? ?????????????? ?????????? ??? ?? ?????????????? ??? ?????????????? ???  
????? ?????? ? ?????????? ?????????? ?? ?????? ??????????. ??? ?? ?????????? ???  
??????????, ? ?????? ??? ?????? ?? ??????????, ??? ?? ?????? 13,  
????????? 1, ??? ?????, ??? ??????? 2006/112, ??? ?? ?????? ??? ? ?? ??????? ??  
????????? ?????????? ??? ?????????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ???????  
????????? ?????????? ??? ?????? ??? ?????????? (28).

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

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52. ?????? ??? ?????? ???????, ???????? ??? ?????????? ?? ?????????? ???  
????????? ??? ?????????? ?? Appeal Commissioners (?????? ?????????? ?? ?????????? ???  
????????? ???, ?????) ?? ???:

? ???? 13, ?????????? 1, ??????? ??????, ??? ??????? 2006/112/? ? ? ? ??????????, ???  
28? ?????????? 2006, ??????? ?? ?? ?????? ?????????? ?????? ?????????????? ???, ??? ??  
????? ??? ?? ?????????? ?????????? ?????? ?? ?????????? ?? ?????????? ?? ?????????? ???  
????? ??? ?????????? ?????????? ?????????? ??? ?????????? ?, ??????, ??? ?? ??  
????????? ?????? ??????, ?? ?????? ?????? ?? ?????????? ??? ?????????? ???, ??? ??????  
?????????????, ??? ?????? ?????????? ?????? ??? ?????? ??? ?????? ??? ??????????  
????????????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ??????????  
????????? ?????????? ?????? ??? ?????? ??? ?????? ?? ?????? ?????????? ??? ??????????  
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ??????????  
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ??????????.

1 – ?????? ??? ??????????: ? ???????.

2 – ?? . ?????????? ??? ?????? ?????????? J. Kokott ??? ?????? Gemeente Borsele ???  
Staatssecretaris van Financiën (C?520/14, EU:C:2015:855, ?????? 22 ?? 27).

3 – ?? 2006, L 347, ?. 1.

4 – ??? ?????????? ??? ?? ??????? ?????? ?????????????, ?? ??????? ?????? ??? ??????????  
?? ?????? ??? ?????????? ??? ?? NRA ?? ?????? ?????????????? ?? ?????????? ??? ??  
????????? ??? ?? ?????????? ?? ?????? ?????? ?????? ??? ?? ?? ?? ?????? ?????????? ???  
????????? ?????????????? ???' ?????? 63 ??? Roads Act 1993, ?? ?????????? ?? ??????????  
?? ?? ?????? ?? ?????????? ?? ?????????? ??? NRA.

5 – ?????? ?????????? ?????? ??? ?????? ?? ?????????? ??? ? ?????????? ??? ?????? 13,

?????????? 1, ????? ??????, ??? ?????? 2006/112 ??? ?????? ?????? ??? ?????? ??????  
?????????? ?????????? ??? ? ???????? ?????? ??? ?????????????? ??? ??????????????????  
??? ?????????????? ??? ?????????? ? ??? ?????? ?????. ??????????, ??? ?????????? ???  
????????? ?????? ?????? (????????? ?, ?????? 3 ??? 5) –?. ?????? ???  
12? ?????????? 2000, ??????? ??? ?????????? (C?358/97, EU:C:2000:425, ????? 4).

6 – ?? . ?????????? ??? 12? ?????????? 2000, ??????? ??? ?????? (C?276/97,  
EU:C:2000:424, ????? 36), ??????? ??? ?????? (C?358/97, EU:C:2000:425, ????? 34),  
????????? ??? ?????? (C?359/97, EU:C:2000:426, ????? 46), ??? ??????  
????? ??? ?????? (C?408/97, EU:C:2000:427, ????? 30).

7 – ??., ??????????, ??????? ??? ?????? ?????????? S. Alber ??? ??????  
????????? ??? ?????? (C?408/97, EU:C:2000:43, ????? 52).

8 – ?? ?????????? ?????? ?????????? ?????????? ??? ?????? 77/388/??? ???  
?????????, ??? 17? ??? 1977, ??? ?????????? ??? ?????????? ??? ?????????? ???  
??? ?????? ?? ??? ?????? ?????? ?????? – ??? ?????? ?????? ??? ??????????????  
?????: ?????????? ?????????? ??? (?? ??? . ??? . 09/001, . 49). ??? ????? 13, ??????????  
1, ??? ?????? 2006/112 ?????????? ??? ?????? 4, ?????????? 5, ??? ?????? ??????.

9 – ?? . ?????????? ??? 12? ?????????? 2000, ??????? ??? ?????? (C?276/97,  
EU:C:2000:424, ????? 41), ??????? ??? ?????? (C?358/97, EU:C:2000:425, ????? 39),  
????????? ??? ?????? (C?359/97, EU:C:2000:426, ????? 51), ??? ??????  
????? ??? ?????? (C?408/97, EU:C:2000:427, ????? 36).

10 – ?? . ????? 9, ?????????? 1, ??? ?????? 2006/112.

11 – ?? . ?????? ??? 16? ?????? 2009, ??????? ??? ?????????? (C?554/07,  
EU:C:2009:464, ????? 40 ??? ????? ?????????? ??????????).

12 – ?? . ?????????? ??? 12? ?????????? 2000, ??????? ??? ?????? (C?276/97,  
EU:C:2000:424, ????? 40), ??????? ??? ?????? (C?358/97, EU:C:2000:425, ????? 38),  
????????? ??? ?????? (C?359/97, EU:C:2000:426, ????? 50), ??? ??????  
????? ??? ?????? (C?408/97, EU:C:2000:427, ????? 35).

13 – ?? . ?????? ?????? ??? 12? ?????????? 2000, ??????? ??? ?????? ??????????  
(C?359/97, EU:C:2000:426, ?????? 56 ??? 57).

14 – ?? . ?????????? ??? 12? ?????????? 2000, ??????? ??? ?????? (C?276/97,  
EU:C:2000:424, ????? 42), ??????? ??? ?????? (C?358/97, EU:C:2000:425, ????? 40),  
????????? ??? ?????? (C?359/97, EU:C:2000:426, ????? 52), ??? ??????  
????? ??? ?????? (C?408/97, EU:C:2000:427, ????? 37).

15 – ?? . ?????? 6 ??? 8 ??? ?????? ??????????.

16 – ?? . ?????? 15 ??? ?????? ??????????.

17 – ?? . ?????? 17 ??? ?????? ??????????.

18 – ?????? ??? 16? ?????????? 2008, Isle of Wight Council ?.?. (C?288/07,  
EU:C:2008:505, ?????? 31 ??? 40 ?????? ??? ?????? 1 ??? ??????????).

19 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 38 ??? 40).

20 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 42 ??? 45).

21 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 47 ??? 51).

22 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 35).

23 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 36 ??? 37).

24 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 38). ??., ??????, ??????????? ??? ??????? ??????????? M. Poiares Maduro ??? ?????? (C?288/07, EU:C:2008:345, ??????? 18 ??? 19).

25 – ?. ?????? 15 ??? ??????? ??????????? ??? ??? ?????????????? ??????????.

26 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 60 ??? 63).

27 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 64).

28 – ??????? ??? 16?? ??????????? 2008, Isle of Wight Council ?.?. (C?288/07, EU:C:2008:505, ??????? 76 ??? ??????? 3 ??? ???????????).