

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

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

EVGENI TANCHEV

??? 30?? ???? 2018(1)

?????? C-664/16

Lucre?iuHadrianV?dan

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Agen?ia Na?ional? de Administrare Fiscal? – Direc?ia General? de Solu?ionare a Contesta?ilor
Direc?ia General? Regional? a Finan?elor Publice Bra?ov – Administra?ia Jude?ean? a
Finan?elor Publice Alba

[?????? ??? Curtea de Apel Alba Iulia
(????????? ??? Alba Iulia, ????????)
??? ??? ?????? ?????????????? ??????????]

«????????????? ?????????? – ????? ?????? ?????? ?????? ?????????????? ?????? (???) – ??????
2006/112/E? – ????? 167, 168, 178, 179 ??? 273 – ??? ?? ?????????????? ??? ??? –
????????? ?????????? ??? ??? ??? ??? ?????? – ?????????????? ?????????????? – ??????
????????? – ?????? ??????»

I. ????????

1. ??? ?????????? ?????????? ?????????? ?????????? ??? ?????????????? ??? ?????????????? ???
????? ??? ?????? ??? ??? ??? ?????? ?????? ??? ?????? 2006/112/?? ??? ??????????????
????????? ?? ?? ?????? ?????? ?????? ?????????????? ?????? (??? ????: ?????? ????) (2).
?????????, ??? ?????? ?????? ?????? ?????????? ??? ?????????????? ?? ?? «?????????» (3) ??
?? ?????????? ??????????, ?????????? ??? ?????????? «????????? ??????????» ??? ??? ??????
????????? ???, ??? ?????? ?????? ??? ?????????? ??? ?????? ??? ??? ?????? ??? ??? ?????? ???
??? ?????? (4).

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

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

4. ????? ?????? ??????????? ??? ??????????????, ?? ??? ?????????????? ?????????????? ??????????????, ??
????????? ?????????????? ??? ?????? ??? ?????? ?? ?????????????? ??? ?????? ?????????????? ??? ?????? ???
????????? ?????????????? ??? ?????? ??? ?????? ??? ?????? ?????????????? ??? ?????? ?????????????? ???
??, ?????? ??????????? ?? ??????????? ??????????????, ??? ?? ?????????????? ???
????????? 1 ??? ?????? ???? (?? ?????? ??????????? «?????? ??? ??????
?? ??????????? ?????????»), ?????? ??? ?? ?????????????? ??? ?????? ??? ?? ?????? ??????????
????????? ?????? ?????????????? ??? ?????? ??? ?????? ?????? ??? ??????????????, ???
?????, ?????? ????, ?? ?????? ??? ?????? ??? ?????? ??? ?????????????? (5).

5. ?????? ??????, ? ?? ??? ??????????????????????????? ?? ?????????? ?????????? ?????? ??????????????
????????????? ?? ?????????????? ?, ???? ?? ????, ?????? ?????????? ?????????? (6) ????
???? ?????????? ?? ?????????? ??? ??????????????, ? ??, ?????????????? ?????????? ??????????
???? ?????????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????, ???
????????????? ?????????? (7). ? ??? ?????? ?????? ?????? ?????? ??? ?????????? ??? ??????????
?? ?????????? ??? ?????? ?????? ?? ?????????????? ? ??? ?????????? ??? ?? ??????????
???? ?????? ? ?????????????? ??? ?????? ??? ?????? ?????? ?????? ??????????, ???
????????????? ? ?????? ??? ?????????????? ?????? ??? ?????? ??????????
?????????????

II. ?? ?????? ????????

1. ?? ?????? ??? ??????

6. ?? ?????? 167 ??? ??????? ???? ??? ?????????? ?? ????:

7. ?? ?????? 168, ?????????? ?, ??, ??? ??????? ?????? ??? ?????? ?? ????????:

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

?) ???? ?????????? ? ???? ?????????? ??? ?? ???? ?????? ?????? ??? ??? ?? ???? ?????? ??? ??
????????????? ? ???? ?????? ?? ??? ?????????? ??? ?? ???? ?????? ??? ?? ???? ?????? ??? ?? ???? ??????????
? ???? ?????? ?? ??? ?????????? ??? ?? ???? ?????? ??? ?? ???? ?????? ??? ?? ???? »

8. ?? ?????? 178, ????????, ??, ??? ??????? 206/112 ?????????? ??, ??? ???????;

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

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

?) ??? ?? ?????????????? ??? ?????? 168, ??????? ??, ??????, ??? ?????? ??? ?????? ??? ???????????
?????? ??? ??? ?????? ??????????, ?? ?????? ??????????, ?? ?????? ??? ?????? ?????? ???????
?? ?? ?????? 3 ??? 6 ??? ??????? 3 ??? ?????? XI».

9. ?? ?????? 179, ?????????? 1, ??? ?????? ??? ?????? ?? ?????? ?? ??????????:

«? ?????? ?????????? ??? ??? ?????????? ??? ?????? ?? ??? ???????, ??? ?? ??????????
????? ??? ?????? ??? ?????????? ??? ??? ?????????? ???????, ??? ?????????? ?????? ??? ???,
??? ??? ?????? ?????????? ??? ???????, ??????? ?? ?? ?????? 178, ?? ?????? ?????? ???????,
????? ?? ?????? ??? ?????? ??????».

10. ?? ?????? 273 ??? ?????? ??? ?????? ?? ????:

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

? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ??
?????? ?????? ?????????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??
????? 3.»

2. ?? ?????????? ??????

11. ?????? ?? ?? ?????? 145, ?????????? 1, ??????? a, ??? 2, ??? ?? ?????? 146,
????????? 1, ??????? a, ??? Legea nr. 571/2003 privind Codul fiscal (????? 571/2003 ????
????????? ??? ?????????? ??????), ? ?????? ?????? ??? 1?? ?????????? 2007 (8), ???
????????? ??? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??????
??? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

12. ?? ?????? 46, ?????????? 1, ??? Hot?rarea Guvernului nr. 44/2004 pentru aprobarea
Normelor metodologice de aplicare a Legii nr. 571/2003 (????????????? ?????????? 44/2004
?? ?? ?????? ??? ?????????? ??? ?????????? ??? ?????? 571/2003), ??? ?????? ?? ??? ??
1?? ?????????? 2007 (9), ?????????? ?? ???????:

«? ?????? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ???
????????? ??? ?????? 146, ?????????? 1, ??? ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????????? ??? ?????? ??? ?????? 155, ?????????? 5, ???
????????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ?????????? ??? ??????
????????? ??? ?????? 78. ?? ?????? ?????? ???????, ?????? ? ?????????? ??? ?????? ??? ??????
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????/????? ??
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????.

III. ?? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????

13. ?????? ?? ?? ?????? ??? ?????? ??? ?????? ??? L. V?dan (????????? ??? ?????? ??? ???,

???. ??: ?????????? ?????? ?????? ?????? ??? ?????????????? ??????.

14. ? ??????????, ??? ?? ?????? ??? ?????? ?????? ??????, ?????? ??? ??????
????????????? ?????? 90 ??????????????, ?? ?????? ?????????????? ??? ?? ??????
????? 6?? ?????? 2006 ?? 8?? ?????????? 2008. ? ?????????? ??? ?? ??????
??? ?? ?????? ?????? ??? ?? ?????? ?????? ??? ?????? ?????? ?????? ??????
????????? ??? ?? ?????? ??????.

15. ?? 2006 ? ?????????? ?????????????? 29 ?????????? ?? ?????????? ??? ???
????????? ??? ?? ??????, 17 ?? ?? ?????? ??? ?? 1?? ?????? 2006.

16. ??? ?? ?????? 1?? ?????????? 2007 ?? 31?? ?????????? 2009, ?
????????? ?????????? 70 ?????????? ?? ?????????? ??? ?????? ??? ?????? ???,
???? ?? ?????? 2008 ?? 2009, ?????? ??? ?? ?????????? ?? ?????????? ???
????? ???????. ? ?????? ??? ?????? ?????? ??? 19 234 596 ?????? ???
(RON).

17. ?????? ??? ?? ?????? ??? 2006 ? ?????? ?????? ??? ?????????? ???
?? ?????? ?? ?????? ?? 200 000 RON ??? ??????, ? Direc?ia General? a
Finan?elor Publice Alba (????? ?????? ?????? ?????? ?????? ??? Alba, ??????)
????? ??? ?? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ???.

18. ??? 26 ?????????? 2011, ? ?????????? ?????????? ??? ?? ?????? ??? ??
????????? ????. ?????? ?????????? ??? ?? ??? ?? 1?? ?????? 2006.

19. ??? 28 ?????????? 2011, ? ?????? ?????? ?????? ??? ?????????? ??? Alba
????? ??? ?????? ?????? ??? ?? ?????? ?????? ?????? ??? ?? ?????? ??? 1??
????????? 2006 ?? 31?? ?????????? 2009 (???: ?????? ??????????). ?? ?? ??????
????????? ??? ?????? ??? ?????? ??? ?? ?????? ??? 3 071 069 RON, ??? ??????
????? 2 476 864 RON ??? ?????? 460 660 RON, ??? ?????? ??? ?????? 6 008
593 RON.

20. ? ?????????? ?????? ?????? ?????? ?????? ??? ?? ?????? ???????????. ??
????? ??? ?????? 19 ?????????? 2011 (???: ?????? ?????????? ??????), ? Direc?ia
General? de Solu?ionare a Contesta?ilor (????? ?????? ?????? ?????? ??????) ??????
????? ??? ?????? ?????????? ??? ?????? ?? ?????????? ??? ?? ?????? ??
????????? ?????? ??? ?????? ?, ?? ?????????? ? ?????? ??? ?? ?????? ??? ??????
????????? ??? ?????? 5 735 741 RON.

21. ? ?????????? ?????? ?????? ?? ?????? ??? ?????? ?????? ??? ?? ??????
????????? ??? ?? ?????? ?????????? ?, ?? ?????? ?????????? ?? ?????? ???
????????? ?????? ?? 2013.

22. ? ?????????? ?????? ?????? ?????? ?????? ??? ?? ?????????? ??? ?? ??????
????????? ??? ?? Înalta Curte de Casa?ie ?i Justi?ie (????? ?????? ??????????
????????? ?, ??????) (???: ?????? ?????? ??????). ??? ?????? ??? ?? 3??
????????? 2014, ?? Înalta Curte de Casa?ie ?i Justi?ie ?????? ?????? ??? ?????? ??????????
??? ?????????? ??? ?????? ??? ?????? ??? ??????????.

23. ?????? ?? ?? ?????? ?????? ?????? ?????? ??? ?? ?????? ?????????? ??? ??
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?? 1? ??????
2006 ??? ?? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ???, ?????? ??? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ???

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

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

25. ?? ?????? ?????????? ??????? ??? ?? ?????? ?????????? ?????? ?????? ??????????
????????????? ??? ?????? ?????????? ??? ?????????????? ???, ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ???, ??? ??????, ??? ???
????????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????? ??? ??????, ??????????
????????? ?????????? ?? ??? ?????? ??? ?????? ??? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??????????, ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ???.

26. ?? ?????? ?????????? ??????? ??? ?? ?????? ?????????? ?????? ?????? ??????????, ??? ?????? ???
????????????? ??? ?????? ??? ?????????????? ???, ??? ?? ?????????? ?? ?????? ??? ??? ??
????????????? ?????????????? ??? ?????? ?????????? ??? ?????????? ?? ?????? ??? ?????????? ??? ??
????? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??
????????????? ?????? ??? ?????? ?????? ??? ??????, ?????????? ??? ?? ??? ?????? ??? ?????? ??? ??
??? ?????? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ?????????????? ??? ?????? ??? ??????????
????????? ??? ?????????????? ??? ?????? ??? ?????????? . ??? ?? ?????? ??? ?????????? ???, ?? ???
????????? ??? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ???.

27. ????????, ?? ?????? ?????????? ?? ?? ?????? ?????? ?????? ?????????? ?????? ??????????
????????? ??? ?????? ?? ?? ?????????? ??? ??????, ??? ?? ?????????? ?, ??????
????????? ?? ?????? ?????????? ??? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?? ??? ?? ??
????????? ????????, ?? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?? ?????? ??? 1?? ?????????? 2006,
????? ??? ?????? ??? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??????????
????? ?? ?????????? ?????????? ??? ??? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? , ??? ?????????? ???, ??? ?? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??
????????? ?????? ??? ?????????? , ?? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? (????? ?????????? ?????????? , ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????)
??? ??? ?????????? ? ?????? ?????????? ??? ?????? ?????? ??? ??????. ?????? ?????????? ??? ??
????????? ??? ??? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ???.

28. ?? ?????? ?????????? ?????????? ??, ?????? ??? ?????????? ??? ?????????? , ?
????????? ?????? ?? ?????? ?? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?? ?????? ??
????????? ??? ?????????? ?? ?????????? ??? ?????? ?????? ??? ?????? 178 ??? ??????
????? ???, ?? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?? ?? ?????? 146, ?????????? 1,
????????? a, ??? ?????? 571/2003, ?????????? ??? ??? ?????? ?? ?????? ?????? ??? ?????? ????. ??
????? ?????? ??? ?????????? ??? ?????? ???, ?? ?????? ?????????? ?????????? ??????????.

????? ?????? ??????????? ?? ?????? ?? ?????? ? ?????? ?????? ?????? ?????????????? (???????????)
?????????????????????) ??? ?????????? ??????????????????, ?????? ??? ?????? ???
????????????? ?????/?????????, ?? ?????????? ??? ?? ?????????? ?????? (?????? ?????) ???
?? ?????? ?????? (?????? ??? ?? ?????????? ?????) ?????????? ???
????????????? ????, ??? ?? ?????? ??? ?????????? ??? ?????????????? ??? ?????????????? ???
?????.

29. ??? ?????? ?? ???????, ?? Curtea de Apel Alba Iulia (?????? Alba Iulia) ?????????? ??
????????? ??? ?????? ??? ?????????? ??? ?? ?????????? ??? ?????????? ?? ?????????? ??
????????? ??????:

«1) ??????, ??????, ? ?????? 2006/112 ???, ??????, ?? ?????? ??? 167, 168, 178, 179 ???
273, ?????? ?? ?????? ??? ?????????????? ??? ?????? ?????????????? ?? ?????????????? ???
?? ?????? ??? ?????????? ?? ?????????? ??? ?????? ?????? ?????? ??? ?????????? ???
????????????? ??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??????
????, ?????? ?????????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ???, ?? ???
????????????? ??? ?????? ??? ?????? ?? ?????? ?? ?????????? ??, ?? ??? ?????????? ??????????????
?????????, ?? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???, ???
????????? ?????? ??? ?????? ??? ??????????;»

2) ?? ?????????? ?????????? ??? ?????????? ??? ?????? ??????, ?????? ? ??????
2006/112 ?????? ??? ?? ?????? ??? ?????????????? ??? ?? ?????? ?????????????? ?? ??????????
??? ?? ?????? ??? ?????? ?????? ?????? ?????????????? (????? ??????????)
?????????????????) ? ?????? ?????????????? ??? ?????? ?????????? ?????????????? ???,
????? ??? ?????????? ??? ?????/????????? ??? ?????????? ??? ?? ?????????????? ??????????
?? ?? ??????, ?????? ?? ?????????? ?????????? ??? ?????? ??? ?????? ??? ??????????
??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? (?????? ???)
??? ?? ?????? ?????? (?????? ??? ?? ?????? ?????? ??? ??????) ?????????? ???
????????? ?????? ???;»

30. ?????? ?????????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????????? ? ??????????, ?
????????? ?????? ??? ? ??????. ??? ?? ?????? ?????? ??? ??' ??????????
????????? ??? ?????? ??? 31 ?????????? 2018.

IV. ??????

31. ??? ?????????? ??? ?????????? ???, ??? ?? ?????????? ??? ?????? ?????? ??? ??????
?????, ?? ????? 167, 168, 178 ??? 226 ??? ?????? ???, ?????????? ?????? ??????
??? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????? ??? ?????????? ???
??? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????? ??? ?????????? ???
????? ? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
??? ?? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? (?????? ???) ??? ??? ?????? ?????? (?????? ??? ??? ???
????????? ??? ??????).

32. ? ?????? ??? ?????????? ?? ????. ??????, ?? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
??????, ?? ?????? ??? ?????? ?????? ?????????? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????? (10).

1. ?? ?????????????? ??? ?????????? ??? ??????????

33. ? ?????????? ?????????? ??? ?? ??????? ?????????? ?????? ?? ?????? ?????????? ??
?? ?????????? ??? ?? ?????????? ?????????? ?????? ?? ?????????? ?????????? ??
????????? ??? ?? ?????? ??? ?????? ??? ?? ?????? ??? ?? ??????.

34. ??? ?????? ?? ?????? ?????????????? ???????, ? ?????????? ?????????????? ???, ???????
?? ?? ?????????? ??? ??????????, ?? ??????? ?????????? ??? ?????????? ??? ?? ?????? 167
??.. ??? ??????? ??? ?? ??????? ?????????? ?????? ?? ?????????? ??? ??, ???' ????,
??? ?????? ?? ??????????. ?? ??????? ?????????? ?????????? ?????????? ??? ?? ?????? ???
????? ??? ?????????? ??? ??????? ?????? (11).

35. ??????????, ? ?????????? ?????????? ???, ??? ?????? ??????????, ?? ???????
????????? ?????????? ?????????? ??? ?????? ?????? ?????????? ????. ?? ?????????? ??? ??
????? ?? ?????????? ?????? ??? ?????????????? ??? ?? ?????? ??? ?????? ??? ??
????????? ??? ?? ?????? ??? ?????? ??? ?????????????? ????. ??? ??????????, ??
????? ?????????? ??? ?? ?????????? ?????? ?????????????? ?? ??? ?? ?? ??????????
????????? ??? ?? ?????????? ?????? ?????????????? ?????, ?????????? ??? ?? ?? ??
????????????? ???, ??? ?? ?????????? ??? ?? ?????? ??? ?????????????? ??? ?? ??????????
???? ???. ???????, ?? ?????????? ??? ?????? ??? ? ?????????? ??? ?? ?????? ??? ??????????????
??? ?? ?????????? ?? ?????????? ??? ?????? ??? ?? ?????? ??? ?? ?????????? ??? ??
????????? ?? ?????????? ??????????????, ??? ?? ?? ?? ?????????? ??? ??
????????? ?? ?????????? ?????????? ?????? (12).

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

37. ? ?????????? ?????????????? ??? ? ?????? ??? ?????? ?????????? ?? ?????? ??? ??
????????? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? Salomie ???
Oltean (13), ??? ?????? ?????? ??? ? ?? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???
??? ?????????? ?????????? ??? ???. ? ?????????? ?????????? ??? ?? ?????? ??? ?????? ???
??? ?? ?????? ??????????, ??? ?????????? ??? ?????????? ?????????????? ???, ? ??????
????????? ??? ?????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?? ?????? ??? ?????? ??
????????? ??? ??? ??????.

38. ??? ? ?????????? ??????? ??? ?? ?????????? ???????, ??? ?????? Reisdorf (14),
???, ??????? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???
?????? ??? ?????? ??? ?? ???????, ?? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???
? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ??? ?????????? ???
????? ??? ?? ?????????? ???, ??? ? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???
?????????, ??????? ??? ?????? ??? ?????? ?????????? ?? ?????? ?????????? ??? ?????????? ???
????? ? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? (15).

39. ? ?????????? ?????????? ??? ? ?????????? ??? ?????? ?????? ?? ?????? ???
????????? ??? ?? ?????????? ??? ?????? Reisdorf. Y????????? ?? ??? ? ?????? ???
??? ?????? ?? ?? ?????? ??? ?????? ?????????? ?????? ??? ?????? ??? ?? ???????, ???,
?????????, ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

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

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

41. ? ?????????? ?????????? ?????????? ??? ?????????? ???.

42. ??? ?????? ?? ?????? ?????????????? ???????, ? ?????????? ?????????? ??????????,,
?????? ??????, ???, ?????? ??? ?????? 167 ??? ?????? ?????? ???, ?? ?????????? ??????????
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????????? ???????,
????????? ?? ?? ?????????? ??? ???????????, ?? ?????????? ??? ?????? ?????? ??? ?? ??????? ??
?? ??????? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ?? ???
????????????? ?????? (16). ??? ?? ?????? 178, ?????????? ??, ??? ?????? ???, ? ??????
?? ?????????? ?????????? ?????????? ??? ? ?????????? ??? ?????? ??? ?????? ??? ??????
?? ?????????? ??? ?????? ?????? ?????? ?? ?? ?????? 266 ??? ?????? ??? (17), ?
???? ??????? ?? ??????, ??????? ?? ?? ?????? ??? ?????? ??? ?????? ?? ?????????? ??????
?????, ?????? ?????? ?????? ?????????? (18). ?? ?????????? ?????? ??? ?????????????? ???
????????? ?? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? (19) ?? ??????????
?? ?????????? ?????????? ??? ?????? ??? (20).

43. ? ?????????? ?????????? ?????????? ??? ?? ?????????? ??? ?????? ??? ???? ?? ???
????????????? ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ???
????????? ?? ?????? ?????????? ?????? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ?? ?????? ?????????? ?????? ?????? ?????????? ??? ?????? ??? ?????? ???
?? ?????????? ?????? ??? ?? ?????????? ??? ? ?????????? ??? ?????? ??? ?????? ???,
????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ?????? ??
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?????, ?????????? ?????????????? ?????????? ?? ?????? ??? ?????????? ??? ?????? ???
????????? ??? ?????????? ??? ?????????? ??? ?????? ??? (21).

44. ??????, ??? ?????????? ??? ?????????? ?????????????? ??? ?????????? ???? ?????? ???
????????? ??? ?? ?????? ??? ?????? ????. ?????????? ??? ?? ?????????? ??? ?????? ??? ??
????? ??? ?????? ?????????? ?? ??? ?????? ??? ?????? ?? ?????????? ?? ??? ?????? ???
? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? (22).

45. ?????? ?? ??? ?????????? ??????????, ??? ?????? ?????????? ??? ?????? ??? ??
????? ??????. ? ?????? ?????????? ? ??? ?????? ?????????? ?????????? ?????????????? ???
????????? ??? ?????????? ??? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ??? ?????? (23).

46. ? ?????????? ?????????? ?????????? ??? ?? ?????? 178, ?????????? ??, ??? ??????
??? ???, ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????
?? ?????????? ??? ?????????? ?????? ??? ??? ??? ??? ??????, ?????????? ??????????
????? ?????? ??? ?????? ??? (24), ?????? ??? ?? ?????? ??? ? ?????? ??? ??????
????????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
??? ?????? ???, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
?????????, ??? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??? ??
????? (25).

47. ? ?????????? ?????????? ?????????? ??? ? ???? ??? ?????? ?? ??? ??? ??
????????????? ?????????? ?????????? ??? ? ???? ??? ?????????? ?????? ???
????? ??? ?? ??????????, ?????? ?? ?? ?????? 273 ??? ?????? ??? ???, ?? ??????????
????????? ??? ?????? ?????? ?????????? ??? ?? ?????????? ??? ?????? ??? ??????

??? ??? ??? ??? ??????? ??? ??????. ??????, ?? ?????? ?? ?????? ??????? ?? ?????????? ??
????? ???, ?????? ?? ?????? 273 ?? ?????? ???, ??? ?????????? ???, ??? ?????????? ??
????????? ??? ?? ??? ??? ?????? ??????? ??? ?????? ?? ?????? ?? ?????? ??
????? ??? ?????? ?????? ??????? ??? ?????? ?????? ?? ?????? ???, ??? ?? ?????? ??
????????? ?? ?????????? ??? ?????? (26). ?? ??? ??????????, ??
????????? ??? ?? ?????? ?????? ?? ?????? ??????????, ?????? ??? ?????? 273 ?? ??????
???? ???, ?? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????????? ?? ?? ??? ??????
178, ?????? ??, ??? ?????? ???.

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

49. ? ?????????? ??? ??? ??? ???, ?? ??? ?????? ??? ??? ?????????? ?????????? ??????????
?? ?????? ?????????? ???' ?????? ?? ?? ?????? 167, 168, 178 ?? 226 ?? ??????
????? ??? ?????? ?? ?????????? ??? ?? ?????? ??? ?????????? ?? ?????? ??? ?????? ??? ??????
????????? ?????? ??? ?? ?????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
??? ?????? ??? ?????? ??? ?????? ??????????, ?????? ?? ?????????? ???
????????????? ?????? ?? ?????? ??? ?????????? ?????? ?????????? ?????? ?????????? ??????
????????????? ??? ?????? ?????? ??????????, ?????????? ?????? ??? ?????? ?????????? ???
????????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ??????
?????????.

50. ??? ??? ? ??????????, ? ?????????? ?????????? ???, ??? ?????? ??????????, ??
????????? ?????? ??? ?????? ?? ?????? ??? ?????? ?? ?????? ?????????? ??? ?????? 167 ??.
??? ?????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ??????
????? ??????, ???' ????, ?? ??????????, ?????? ?? ?????? ??? ?????? ??? ?????? ??? ??????
??? ?????? ?????? ??? ?????? (27). ? ?????????? ?????????? ??? ?????? ??? ??????
????????? ??? ?????? ?????? ?????? ?? ?????????? ?????? ??? ?????? ?????????? ??? ??????
????????? ??? ?????? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ???' ???? ??? (28).

51. ???????, ? ??????? ?????????? ??? ? ??????? ??? ??????????, ???
????????? ??? ?? ?????????? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ??????
????? ??? ?? ???????, ?? ?????? ?????????? ??? ?? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ??????, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? (29).

52. ? ?????????? ?????????? ??? ? ??? ??? ?????????? ?????????? ?????????? ??? ??????
????????? ??? ?? ??? ??? ?????? ?????? ?????????? ?? ?????????? ?????????? ???, ???
??? ?? ? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
(30).

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

(31).

54. ?????????????? ??? ?????? ??? ?? ?????? ?? ???? 168, ?????????? ??, ???
????????? ??? ?????? ??? ?????????? ???, ??? ?????? ??? ?????????????? ?????????????? ??? ?????? ??
????????????? ??? ?? ?????? ??? ?????????????? ??? ?????? ??????, ?????????? ??? ?????????? ?? ??????????????
???? ?????????????? ??? ????????, ??????, ?????, ?????? ?? ?????? ?????????????? ??? ?????? ??
????? ?? ?????? ??? ?? ?????? ?????? ???, ???????, ?? ?????? ?? ?????? ?????????????? ??? ?????? ??
????????? ?????? ??? ?????? ?????? ??? ?????????? ??? ?????? ?????? ??? ?????????????? ??? ?????? ??
??? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????????? ??? ?????? ??,
?? ?????? ??????, ?? ?????? ?? ?????????????? ??? ?????? ??? ?????????? ?? ?????????? ??? ?????? ??
????????? ??? ?????? ??? (32).

55. ??????????, ?????? ?????????????? ??? ?????????? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ???, ??? ?????? ??? ?????? ?????? ??????????
??? ?????????? ??? ???, ??? ?????? ?? ?????????? ?????? ?????? ?????????? ?????????? ???, ??????
????????? ??? ?????? ?????? ??????.

56. ??? ??????, ??? ?? ?????? 178, ?????????? ??, ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??
? ?????? ??? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????????? ?????????? ???
????????? ?? ?? ?????? 226 ??? ?????? ?????? (33).

57. ??? ?????? ??? ?????????? ??????????, ? ?????? ?????? ?????????? ??? ?? ?????????? ???
????????????? ?????????????? ??? ??????????, ??? ?????????????? ??? ?????? 226 ??? ??????
???? ???, ??? ?? ?????? ?? ?????????? ??? ?????? ?????? ?????????????? ??? ?????? ??? ?????? ???
????????? ??? ?????????? ???, ??? ??????????, ??? ?????????? ??? ?????????? ?????????????? ??????????
??? ???.. ? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ???,
?????????, ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????? ??????????, ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
(34). ?????????? ??? ?????????? ??? ?????? ??? ? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??? ??
????????? ??? ?????? ??? ?????????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? (35).

58. ? ?????????? ?????????? ???, ??? ??? ?????????? ??? ?????? ?????????? ??? ?????? ??? ??????
?? ?????????? ??? ?????? ??? ?????????? ?? ?????????? ?????????? ??? ?? ?????????? ??? ??
????????? ?? ?????????? ?????????? ???????????. ??? ?????? ???, ?????????? ??? ?????? ??? ??????
??? ??? ?? 2007 ??? ?? 2009, ? ?????????? ??? ?????????????? ?????? ??? ?????? ???, ???
??? ?????????? ???, ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ???, ???
????????? ?????????? ???, ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???, ??? ??? 10 ???
????????? ?? ?? ?????????? ??????????, ??? ?????? ??? ?????? ?? ?????? ??? ?????????? ?????????? ???
??????????. ?? ?????????? ??? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ?????? ??????????.

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

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

? ?????????? ??? ???? ??????? ??? ????? ??, ???????, ?? ?????? ??? ??? ????
????????? ??? ?????? ?????????? ??? ??? (36).

61. ? ?????????? ?????????? ??? ?? ??? ????? ?????? ??? ????? ?????????????? ??
«?????????» ??? ?????? ??? ?????? ??? ?? ?????? ?????? ?????? ??? ?????? ??? ??????????
????????? ?? ?????? ??? ?????? ?????????????? ??? ?? ?????? ?????? ?????? ??????
???? ?????? ?? ?????? ??? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ??? .?
????????? ??? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? «?????????». ??????, ??? ?? ?????? ??? ?????? 168, ??????? ??,
??? ?????? ???, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??' ?????? ?????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ?? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??, ??? ?????? ??? ?????? ???, ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? (37). ?? ?? ??????, ?? ?????? ??? ?????? ?? ?????? ??? ?????? ???
??? ?? ?????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

2. ?????????????? ??????????????

62. ??????, ??? ?????? ????????, ?? ?????????? ??? ?????? ?????? ?? ?????????? ??
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ??? ???
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? (38).
?? ?????????? ??? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??? ?????? (39).

63. ??? ??? ?????? ???, ? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ??
??? 1?? ??????? 2006 ??? 31 ??????? 2009. ???????, ?? ?????????? ??? ?????? ???
?? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ?????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??? ???
????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 1? ??????? 2007,
??? ?? ?? ?????? ?? ?????? ??? 1?? ??????? 2006 ??? 31 ??????? 2006
?????????.

64. ??????, ??? ?????? ??? ?????????? ??? ?????? ?????? ?????????? ???
????????? (?. ??? 33 ??? ?????? ???) ??? ?? ?????? ?????????? ???
?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ?????? ??? ?????? 267 ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ??????, ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ??? ?????? C.K. ??. (40). ?? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??. (41) ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?????? ??? ?????? ??? (42).

65. ??????, ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ?? ?????? ??? 167, 168, 178 ??? 226 ??? ?????? ??? ?????? ??? ?????? ???
?? ?????????? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

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

66. ?????? ??? ?????? ?????? ?????? ??? ?????????????? ???' ?????? ??? ??????.

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

67. ?????? ??? ???? ?? ?????? ??? ?????????? ?? ?????????? ??? ?????????? ??? ??????????
??? ? ?????????? ??? ?????? ?????????? ?? ?????? ??? ?????? ?????????? ?? ?????????? ???
????????? ??? Salomie ??? Oltean (43) ??? Reisdorf (44).

68. ? ??????Salomie ??? Oltean ?????? ??? ?????? ??? ?? ?????? ?????????? ?? ???
????? ?????? ?????? ?????????? ??? ?????? ?? 2009. ??? ?? 2007 ??? ?? 2009, ??
????????? ??? ?????? ?????? ?????????? ?????? ?????????? ?????? ?????? ?????????? ??
?? ?????? ??? ?????? ??? ?????? ?? ???, ?????? ?????? ?????? ?????? ???
????????? ??? ??? ?????? ?????? ???, ?????? ?????? ?????? ?????????? ?????? ??? ?? ???
????? ? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????????? ??? ?? ???
(45).

69. ??? ?????? ???, ?? ?????????? ?????? ??? ?? ?????? ??? ?? ?????? ??? ?? ??????
????????? ??? ?????? ??? ?????? ?????????? ??? ?? ?????? ?????????? ??? ??????????, ???'
????? ??? ?????? ??? ?????? ?????????? ?????? ?????????? ?????? ??? ?? ?????? ???
????????? ??? ?????? ?????? ??? ?? ??? ?? ?????? ?????? ??? ?? ?????? ?????????? ???
????????? ??? ?????? ?????? ??? ?? ??? ?? ?????? ?????? ?? ?????? ?????? ???
????????? ??? ?????? ?????? ??? ?? ??? ?? ?????? ?????? ?? 130 ?????????? ???, ??? ?? ???
??? ?????????? ??? ?????? ?????? ??? ?? ?????? ?????? ??? ?? ?????? ?????? ???
??? ?????? ??? ?????? ?????? ??? ?? ???, ?????? ?? ??? ?????? ???, ? ?????? ???
?? ?????? ???, ?????? ?????? ?????? ??? ?? ?????? ?????? ??? ?? ??? ??????
????? ?????? ?????? ??? (46).

70. ?? ??????????, ????, ??? ?????? ?????? ??? ?????? ?????????? ??? ?????? ???
????????????? ??? ?????????? ???, ?? ?????????? ??? ?? ?????????? ??? ?????????? ???
????? Salomie ??? Oltean????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???
????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ?? ???
??? ??????????.

71. ??????, ?? ?????????? ??? ?????? ?????? Salomie ??? Oltean ?????? ?? ?????? ??
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????????? ???
????????? ??? ?????? «??? ??? ?????? ???» ??? ? ?????????? ??? ?????? ??? ?? ???
????????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
?????, ? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? (47).

72. ????, ??? ? ?????? Reisdorf (48)????????? ??? ?? ?????????? ?????????? ???
????????? ??? ?????? ???.

73. ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ???
??? ??????, ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ??? ?? ???
?? ?????? (49). ??? ??????, ? ?????? ??? ?????? ??? ?????? ??? ?????? ???

???????????? ???? ??? ??????? ??? ?????????????? ???????????, ??? ??? ???? ??? ?????? ???
????????????? ?????????????? ??? ?? ??? ????? ?????????? ?????????????? ??? ?? ?????? 18,
?????????? 1, ??????? ??, ??? ?????? ??????? 77/388/E?? ??? ???????????, ??? 17?? ???
1977, ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????, ??? ?????????? ?? ??? ?????
????? ??????? – ?????? ??????? ????? ?????????????? ?????: ?????????? ??????????
????? (50), ?????????? ??? ?????? ??? ?? ??????? ?? ?????????? ??? ?????? ??? ??????????, ???
??? ??? ?????? ?????? ??? ?? ??????????, ?? ?????????? ??? ?? ??????????, ?????? ??? ??
????? ?? ?????????? ?? ?????????? ??? ?????? ??? ? ?????? ??? ??? ?????? ??? ?????? ??? ??
????????? ?????????? ?? ?????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ?? ?????? ???.

74. ????????, ? ?????? Reisdorf ??? ?????? ?????? ??? ?? ?????????????? ??? ?????? ??? ?? ?????? ?????? ?????? ?????? ?????? ?? ?????? ?? ?????? ?????? ?? ?????????? ?????? ?? ?????? ?????? «????? ?????? ?????? ?????? ??????» ??? ?????? ?????? ?????? ?????? ? ?????????? ??? ?????? ?????? ?? ?????? ?????? ?? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? (51). ? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ??????.

75. ????? ?????? ?? ??????????? ??? ?????????????? ?? ??? ?????? ?? ???? ?????? ??? ???????
????????????? ??????? ?? ??? ?????? ??? ???????????, ?? ?????????????? ??? ?????? ???
?????? ??????????? ?? ?????????? ?? ??? ?????? ??? ?????? ??? ?????????? ?? ?????????????? ???
????????????? ?? ??? ?????? ?? ?? ??????????. ??????????, ?????????? ?? ??? ?? ??? ?????? ??? ??
????????????? ?????????? ?? ??? ?????? ?????? ?????? ?? ?????? ?? ??? ?????? ??? ?????????? ???
????????? (52) ? ?????????????? ?? ??? ?????????? ?????????????? ?????????????????? ????

76. ????????????????, ? ??????? Uzsodaépít? (53) ????????? ?? ???????????????
???????????? ?? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ?????????? ?????????? ??????????. ?
????????? Polski Trawertyn (54) ?????????? ?????????? ?? ?????? ?????????, ??? ?????? ???
????????? ??? ??? ?????????? ?????????? ??? ?????? ???, ??? ?? ?????? ??? ??????????
????????? ??? ?????? ??????. ? ?????? Idexx Laboratories Italia (55) ?????????? ??????????
???? ?????? ? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ??????????
??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? (56). ? ?????? Senatex
????????? ?????? ??? ?????????? (57).

77. ????? ?????????? ??? ????? ?????? Vámos (58), ? ??????? ?????????? ?. Wahl
????????? ??? ??? «????????? ??? ?????? ?? ?????????? ??? ?????????? ??? ?????????? ???
?????????, ?????? ??? ?? ?????????? ??? ?? ?????? ?? ?????????? ??? ?????????? ???
????????? ??? ?? ?????????? ??? ?? ?????????? ??? ?????????? ???, ??? ?? ?????
????????? ?????????? ??? ?? ?????????? ??? ?????? ?????? ? ?????????? ??? ??? ????. ?? ?????? ???
??? ?????? ?? ?????????? ??? ?????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????????? ???
????? ??? ?? ?????? ??? ?? ?????? ??? ?????? ?????? ?????? ?????? ???, ??? ??????????
????????????? ?? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ?????? ???
????????? ??? ?? ?????????? ??? ?????? ?????? ?????? ?????? ???» (59).

78. ??????????? ?????????? ???, ??? ???? ???? 242 ??? ??????? ???, ???
?????????? ??? ???? ?????? ?? ??? ????? ??????? ??????????, ??? ???? ??????
????? ??? ??????? ??? ???? ??? ?????? ??? ???? ??????????? ??????. ?? ??? 244
??? ??????? ??????? ??? ???? ??? ?????? ??? ???? ??????????? ??? ???? ???? ???? ????
??? ?????????? ??? ?????????? ??? ???? ?????????? ??? ???? ?????????? ??? ???? . ??? ????
250, ?????????? 1, ??? ????? ??????, ? ?????????? ??? ???? ?????? ??? ???? ?????? ??? ???? ????
????? ??? ?????????????? ??? ???? ?????????? ??? ???? ?????? ??? ???? ?????????? ???
????????? ??? ?????? (60).

79. ???????, ??? ????? ?????????? ??? ???????????, ?? ??? ????? ??? ?????? ?????????? ???????
?? ??????? ??? ???? ?????? ?????????? ?????????? ?????????? (61).

80. ??? ??????? ??? ?????? ???, ? ?? ?????? ??????? ???????????, ???
?????????? ??? ???????????, ?????????? ?? ???? ?????????? ??? ??????????? ??? ???? ???????,
????? ??? ?????????? ?? ?????????? ?? ?????????? ??? ?????????? ?????????? ??? ???????????
??? ?????????? ?????????? (62). ?????????? ??? ?????????? ?????????? ?????????? ??? ??????????? ???
?? ?????????? ??? ?????????? ?? ?????????? ?????????? ??? ???? ??? ???? ???? ???? ????
???? ?????? ?????????? (63). ??????????, ??? ?????????? ?????????? ??? ?????????? ??? ???? ????
??????????, ??? «????????? ?????» ?? ??? ?????????? ??? ???? ?????????? ??? ?????????? ?????????? ???
??? ??? ??????? ?? ???? ?????? ??? ?????? ?????????? «????? ??? ?????????? ??? ?????????? ???
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ???
????????? ??? ?????????? ??? ?????????? » (64).

81. ???????, ??? ?????? ??? ?????? ?????? ?????? ?????????????? ??? ?? ??? ??? ??? ???????????
??? ??????? ??? ?????? ??? ??? ?????, ? ?? ??? ????? ?????? ?????? ???? ?????? ???
????????? (65).

82. ???????, ??? ??? ?????? ?? ?????????? ??? ??????? ?? ?????????? ??????????? ???
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????????? ?????????? , ??????? ?? ?????? ?????????? ??? ?????? ?????????? ??? ?????????? ???
(66), ??? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????????? ?????????? ???.

83. ? ?????????? ??????? ??? ?????????? ??? ?????????? ??? ?????????? ?????????? ??? ???
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????? ?????? ?????? ??? ?????? ??? ?????? (67). ?? ??? ?????? ?????? ??? ?????
????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????? ??? ?????? ??? ??
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ?????? ??? ?????? ???
????????? ??? ??? ?????? ??? ?????? ??? ?????? ?????????? ?????? (68). ?? ??????????
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? Volkswagen (69) ??? ?????????? ??? ?????????? ?????? , ??? ?????????? ???
??? ?????????? ??? ??? ?????? ??? ?????? ??? ?????????? ?????? ?????? ?????????? ??? ??????
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????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? , ??? ?????? ???
????????? ?? ?????????? ??? ?????????? ??? ?????? ?????????? ?????? ?????? (70). ??????, ???
????????? Biosafe (71) ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ???
????????? ?????? ??? ??? ?????????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
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84. ?? ??? ?????????? ??? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ???

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

85. ??? ???????, ??? ??? ?????????? ??? ?????????? ??? ???????, ??? ?????? ???, ???
????????? ?? ?????????? ??? ?????? ??? ?????????? ?????????? ?????????? ?????????? ???
???? ? ??????, ??? ?? ?????????, ?????????? ?? ?????????? ??? ?????????? ??? ?????? ?????????? ???
????????? ?? ?????? ??? ?????????? ??? ?????????? ??? ??? ?????? ??? ??? ?????? ??? ?????????? ???
????????? ?????? ?????? (72).

V. ??????

86. ??????, ?????? ??? ?????????? ?? ?????????? ??? ?????????? ??? ?????????? ?????????? ???
????????? ??? ?? Curtea de Apel Alba Iulia (????? Alba Iulia, ??????) ?? ???:

????? ??? ?????????? ?????????? ??? ?????????? ??? ?????? ???, ?? ?????? 167, 168,
178 ??? 226 ??? ?????? 2006/112/E? ??? ??????????, ?????? ?? ?? ?????? ?????????? ???
????????? ???, ?????? ?? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ???
????? ??? ?????? ?????? ?????????? ??? ?? ?????????? ?? ?????????? ??? ?????? ??? ?????? ???
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????? ?????????? ?? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???
????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???
????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???
????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???
????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???
????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???
????? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???
????? ??? ?????? ?? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ???.

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

2 ?? 2006, L 347, ?. 1.

3 ?????? ??? ?????? ?????????? G. Lynn, ??? ?????????????? ??????????
Jeunehomme ??? EGI(123/87 ?? 330/87, ?? ??????????????, EU:C:1998:274, ?. 4534).

4 ?????? ??? ?????? ?????????? J. Kokott, ??? ?????? Barlis 06 – Investimentos
Imobiliários e Turísticos (C-516/14, EU:C:2016:101, ?????? 34).

5 ??., ??? ???????????, ?????????? ??? 28?? ?????? 2016, Astone (C-332/15,
EU:C:2016:614, ?????? 47), ??? ??? 19?? ?????? 2017, Paper Consult (C-101/16,
EU:C:2017:775, ?????? 40 ??? 41 ??? ?????????????? ??????????).

6 ??., ??? ???????????, ?????? ??? 30?? ?????????? 2010, Uszodaépít? (C-392/09,
EU:C:2010:569).

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Reciclagens(C-8/17, EU:C:2018:249).

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????????????? ??? ?????????????, ??? ?? ?????? ??? ?????? ?? ?????? ??? 1?? ??????????

9 Monitorul Oficial al României, 2004, 2007.

10 2007. 2004, 2007.
181 2007. 2007. 2007, 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007.
2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007.
2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007. 2007.
Barlis 06 – Investimentos Imobiliários e Turísticos(C-516/14, EU:C:2016:101, 77).

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13 2015 (C-183/14, EU:C:2015:454).

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- 21 ? ?????????? ?????????? ???????????, ?????? ????, ???? ?????? ??? 1?? ??????? 2012, Polski Trawertyn (C-280/10, EU:C:2012:107, ????? 43).
- 22 ? ?????????? ?????????? ??????????? ??? 27?? ??????????? 2007, Collée(C?146/05, EU:C:2007:549, ????? 31), ????? ??? ??? 11?? ?????????? 2014, Idexx Laboratories Italia(C-590/13, EU:C:2014:2429, ????? 39). ??., ?????????, ???????? ??? 7?? ??????? 2018, Dobre (C-159/17, EU:C:2018:161, ????? 35).
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- 24 ? ?????????? ?????????? ??????????? ??? 22?? ?????????? 2015, PPUH Stehcemp (C-277/14, EU:C:2015:719, ????? 40), ?? 13?? ?????????? 2014, Maks Pen (C?18/13, EU:C:2014:69, ????? 47), ????? ??? ??? 8?? ????? 2013, Petroma Transports ?.?. (C?271/12, EU:C:2013:297, ??????? 25 ??? 36). ??., ?????????, ??????? ??? 12?? ??????? 2018, Biosafe – Indústria de Reciclagens (C-8/17, EU:C:2018:249, ??????? 32 ??? 33 ??? ??? ??????????? ??????????).
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- 26 ? ?????????? ?????????? ??????????? ??? 9?? ??????? 2015, Salomie ??? Oltean, (C-183/14, EU:C:2015:454, ????? 62).
- 27 ? ?????????? ?????????? ??? 22?? ?????????? 2015, PPUH Stehcemp (C-277/14, EU:C:2015:719, ????? 26). ??., ??????, ?????????? ??? 12?? ??????? 2018, Biosafe – Indústria de Reciclagens (C-8/17, EU:C:2018:249, ??????? 27 ??? 29 ??? ??? ??????????? ??????????), ????? ??? ??? 7?? ??????? 2018, Dobre (C-159/17, EU:C:2018:161, ??????? 28 ??? 29 ??? ??? ??????????? ??????????).
- 28 ? ?????????? ?????????? ??? 22?? ?????????? 2015, PPUH Stehcemp (C-277/14, EU:C:2015:719, ????? 27). ??., ??????, ?????????? ??? 12?? ??????? 2018, Biosafe – Indústria de Reciclagens(C-8/17, EU:C:2018:249, ????? 28 ??? ??? ??????????? ??????????), ????? ??? ??? 7?? ??????? 2018, Dobre (C-159/17, EU:C:2018:161, ??????? 30).
- 29 ??? ????, ???? ????, ? ??????? ?????????? ??? 22?? ?????????? 2015, PPUH Stehcemp, (C?274/14, EU:C:2015:719, ??????? 47 ??? 48). ??., ??????????, ?????????? ??? 12?? ??????? 2018, Biosafe– Indústria de Reciclagens (C-8/17, EU:C:2018:249, ????? 38 ??? ??? ??????????? ??????????), ????? ??? ??? 7?? ??????? 2018, Dobre (C-159/17, EU:C:2018:161, ??????? 36 ??? 40 ??? ??? ??????????? ??????????).
- 30 ? ?????????? ?????????? ??? 9?? ??????? 2015, Salomie ??? Oltean (C-183/14, EU:C:2015:454, ??????? 58 ??? 59).
- 31 ? ?????????? ?????????? ??? 28?? ??????? 2016, Astone (C-332/15, EU:C:2016:614, ????? 46). ??., ??????, ??????? ??? 7?? ??????? 2018, Dobre (C-159/17, EU:C:2018:161, ????? 35 ??? ??? ??????????? ??????????).
- 32 ? ?????????? ?????????? ??? 22?? ?????????? 2015, PPUH Stehcemp (C-277/14, EU:C:2015:719, ????? 28). ??., ???????, ?????????? ??? 12?? ??????? 2018, Biosafe – Indústria de Reciclagens(C-8/17, EU:C:2018:249, ????? 31 ??? ??? ??????????? ??????????), ????? ??? ??? 7?? ??????? 2018, Dobre (C-159/17, EU:C:2018:161 ????? 39 ???

???? ?????????????? ??????????).

33 ? ?????????? ?????????? ??? ?????? ??? 15?? ?????????? 2016, Barlis 06 - Investimentos Imobiliários e Turísticos(C-516/14, EU:C:2016:690, ??? 41). ??., ??????????, ?????? ??? 12?? ?????? 2018, Biosafe – Indústria de Reciclagens (C-8/17, EU:C:2018:249, ?????? 32 ??? 33).

34 ?????? ??? 15?? ?????????? 2016, Barlis 06 – Investimentos Imobiliários e Turísticos (C?516/14, EU:C:2016:690, ?????? 27 ??? 30).

35 ?????? ??? 15?? ?????????? 2016, Barlis 06 – Investimentos Imobiliários e Turísticos (C?516/14, EU:C:2016:690, ??? 46).

36 ? ???????? ?????????? ??? ?????? ??? 5?? ?????????? 2016, Maya Marinova (C-576/15, EU:C:2016:740).

37 ? ???????? ?????????? ??? ?????? ??? 22?? ?????????? 2015, PPUH Stehcemp (C-277/14, EU:C:2015:719,????? 45).

38 ??., ??? ????????????, ??????? ??? 15?? ?????????? 2010, CIBA(C-96/08, EU:C:2010:185, ??? 14 ??? ??? ?????????? ??????????), ??? ?? ?????? ??? 11?? ?????? 2017,Exmitiani(C-286/16, ?? ??????????????, EU:C:2017:368, ??? 12 ??? ??? ?????????? ??????????). ?? ?????? ??? ?????????? ??? ?????? ?????? ?????????? ?????? ?????? ?????????? ?????? ??? ? ??????.

39 ??., ??? ????????????, ??????? ??? 11?? ?????? 2017, Exmitiani (C-286/16, ?? ????????????, EU:C:2017:368, ??? 13 ??? ??? ?????????? ??????????).

40 ???????? ??? ?????? ?????????? ?. Tanchev (C-578/16 PPU, EU:C:2017:108, ?????? 34).

41 ?????? ??? 15?? ?????????? 2013 (C-416/10, EU:C:2013:8).

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43 ?????? ??? 9?? ?????? 2015 (C-183/14, EU:C:2015:454).

44 ?????? ??? 5?? ?????????? 1996 (C-85/95, EU:C:1996:466).

45 ?????? ??? 9?? ?????? 2015, Salomie ??? Oltean (C-183/14, EU:C:2015:454, ?????? 19 ??? 24).

46 ?????? ??? 9?? ?????? 2015, Salomie ??? Oltean (C-183/14, EU:C:2015:454, ?????? 47 ??? 49).

47 ?????? ??? 9?? ?????? 2015, Salomie ??? Oltean (C-183/14, EU:C:2015:454, ?????? 62 ??? 65).

48 ?????? ??? 5?? ?????????? 1996 (C-85/95, EU:C:1996:466).

49 ?????? ??? 5?? ?????????? 1996, Reisdorf (C-85/95, EU:C:1996:466, ?????? 9).

50 ?? ???.. ???.. 09/001, ?. 49.

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