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JULIANE KOKOTT

??? 13?? ??????? 2019 (1)

?????? C?75/18

Vodafone Magyarország Mobil Távközlési Zrt.

????

Nemzeti Adó- és Vámhivatal Fellebbviteli Igazgatósága

[?????? ?? F?városi Közigazgatási és Munkaügyi Bíróság (?????????? ????????????)

?????????? ????????, ????????)

??? ??? ?????? ????????????, ???????]

«????????????? ?????????? – ?????????? ?????????????? – ?????????? – ??????? ?????
????????????? ?????? – ?????? ??? ??? ?????????????? ? ?????? ?????????? ?? ??? ?????
????????? – ?????????? ?????????? ?????????? ?????????? ?????????????? ????? ??????????????
????????????? ?????????? – ?????? ?????? – ?????????? ?????????? ?????????????? ??????????????
????????????? ?????? ??? ?????? ?????? – ?????????? ?????? ?????????? ?????????????? ??????????
????????????? ??? ?????? ?????????? ?????????? ?????????? – ?????????? ?????? ??????????????
????????????? ??? ?????? ?????????? ?????????? ?????????? – ?????????? ?????? ?????? ?????
????????? ??? ?????? ??? ?????? ??? ?????? 401 ??? ?????? ?????? ???»

I. ????????

1. ??? ??????? ?? ?????????? ?????????????? ????????????, ?? ?????????? ?????????? ?????????? ???
????????? ??? ?????????? ?????????? ??? ??? ?????? ?????????? ????????????, ?? ?????? ???
????????? ?????????? ?????????? ??? ??? ?????? ?????????? ??????????? ?? ??? ??? ??? ???
????????? (2) ??? ?????????? ?????????? ? ?????????? ??? ?????????? ??? ?????????? ??????. ?? ???????????,
??????, ??????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????????? ??? ?????????? ?????
????????????? ?? ??? ??? ?????? ?????? ?????????? ??? ?????????? ?????? ?????? ?????? ?????? ??? ? ?? ?
????? ??? ?????? ?????? ?????? ?????? ??? ??? ??????.

2. ????????, ?? ?????????? ??????? ?? ??? (3) ?? ?????? ??? ?????? ??????????????
??? ?????? ?? ??????? ?? ?????????? ??????? ??? ? ?????? ??? ?????????? ??????????
????????? ?? ??????? ?????????? ?????????? ??? ??? ?????????? ??????????. ?????, ??
????????? ?? ?????? ?? ?????????? ?????? ?? ??? ?????? ? ?????????? ?????????? ???
????????? ?????????? ?????????? ?????????? ?????? ?????????? ?????????? ?????? ???
????? ??????????.

3. ?? ?????????????? ?????????? ??? ?????????? ??? ?????????? ?? ??? ??????????
????????????? ?????????? ?????????? ?????????? per se ??? ?? ?????????? ??????????
????? ?????????? ???, ?? ?? ??????, ?????????? ?????????? ??????????
????????????? ?? ??????? ?? ?? ?????????? ?????????? ??????????. ?????????? ??? ??
????????? ?????????? ?????? ?????? ?????????? ?????????? ?? ?????????????? ??? ??
????????????? ???????, ?? ?????? ?????? ?? ?????? ?? ?????????? ?? ?????????? ??? ?????????? ???
????????? ?? ?????? ???, ?????? ??? ? ?????????? ?????????? ?????????? ??? ??????????
????????? ?????? ??? ?????? ???, ?????????? ??? ?????????? ?????????? ?????????? ??? ??????

4. ????????, ?? ?????????? ??? ?????? ?? ?????? ??? ?????? ?? ?? ?????? ??? ?????? ?
????????? ?????????? ?????????? ?????????? ??? ? ?????? ?????? ?????? ?????? ??????????
????? (4) ?? ?????? ??? ?????????? ?????????? ?? ?????? ?????? ?????? ??? ??????????
????????????? ??? ?????? ?????????? ??????????, ?? ?????????? ?? ?????????? ??? ??????????
????? ??? ??? ?????? ?????????? ??? ??????????. ???????, ??? ??????????
????????????? ?????????? ??? ??? ?????? ?????????? ??? ?????????? ??? ?????? ??? ??????
????????? ?????????? ??? ?????????? ?? ?????? ?????? ??? ?????? ??? ?????????? ???
????????? ?????? ???.

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

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

5. ?? ??? 401 ??? ?????? 2006/112/?? (5) (??? ????: ?????? ????) ?????? ??
????:

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

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

6. ??????? ??? ??????? ??? ?????? ?????? ?????? ?????? ? Az egyes ágazatokat terhel?
különadóról szóló 2010. évi XCIV. törvény (????? XCIV ??? 2010, ??? ?????? ?????? ???
????????? ????, ??? ????: ?????? ??? ?????? ?????? ?????), ? ?????? ??????????, ??? ??????
?? ??? 2010 ??? 2012, ?????? ??? ?? ??? ?????? ?????? ?????? ??? ?????????? ??? ?????????? ???
????????????? ??? ?????????? ???.

7. ?? ?????? ??? ?????? ?????? ?????? ?????? ??? ??????

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

????????????????? ??????? ??? ????? ?????????????? ?????????????? ?????????????? ??? ???????
????????????? ??????????????.»

8. ?? ????? 1 ??? ????? ????? ?????? ?????? ?????? ?????? ??? ?????????? ?????????????? ??? ??????
?????????:

«??? ??? ????? ??????? ??? ??????? ??????, ?????????? ?: [...]»

2. ?????????????????? ??????????????: ? ?????? ?????????? ?????????????? ??????????????
????????? ?? ??? Az elektronikus hírközlésr?l szóló 2003. évi C. törvény (???? C ??? 2003 ???
????????????? ?????????????) [...]»

9. ?? ????? 2 ??? ????? ????? ?????? ?????? ?????????? ?? ??????????:

«????????? ??? ????:

a) ?? ??????? ??????? ?? ????????????

b) ? ?????????????????? ????????????????

c) ? ?????????? ??????????.»

10. ?? ????? 3 ??? ????? ????? ?????? ?????? ?????? ?????? ??? ?????????????? ??? ????? ??
?????:

«(1) ?????????????? ??? ?????? ?????? ?????? ?? ?????? ???????, ?? ?????? ?????????????? ??? ????? ??
?????? ??? ?????? ?????????????? ?????? ??? ?? ?????????????????? ?? ?????? ?????? ??????
????????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 2.

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

11. ??? ?? ????? 4, ?????????? 1, ??? ?????? ??? ?????? ??????, ?????????? ???
???????

«? ?????? ?????? ?????? ?????? ?????? ??? ?????????? ??? ?????? ??? ? ?????? ?????????? ???
????????????? ??? ?????? 2 ??????????????, ??? ?????? ??? ?????????? ????.»

12. ? ?????????? ??? ?????? ?????? ?????? ??? ?????????? ?????? ?????? ??? ?????????? ???
?? ?????? 5, ??????? b, ??? ?????? ??? ?????? ????, ? ?????????? ??? ??????????

«??? ??? ?????????? ??? ?????? 2, ??????? b, ?????????? ??? 0 % ??? ???
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? 500 ?????????? ????, 4,5
% ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? 6,5 % ??? ??? ?????? ???
????????? ??? ?????? 5 ?????????? ????, ??? ?????? ??? 5 ?????????? ??? [...]»

13. ?? ????? 7 ??? ????? ?????? ??? ?????????? ??? ?????? ??? ?????? ? ?????? ??????????
?? ??? ?????? ?????????? ?????????? ??????????:

«? ??? ??? ?????? ?' ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???
????? ??? ?????? ??? ?????? [????. LXXI ??? 1996] ??? ?????? ??? ?????? ??? ?????? ???
????????? [??? ????: ??? LXXI ??? 1996] ?????????? ?????????? ?????????? ???
????? ??? ?????? ?????? ??? ?????? ??? ?????? 2, ?????? a ??? b,

?????????????????, ?????????? ??? ?????????????????? ?? ?????? ?????????? ?????????? ?????????
????????????? ??????????????, ?? ?? ?????????? ??? ?????? ??? ?????????? ??? ?????????????? ???
????? 5 ??????????? ??? ??? ?????????????? ?????? ?????? ?? ?????????????? ?????? ???
????????????? ?????? ?? ??? ?????????? ?????? ?????? ?????? ?????? ?????? ???
????????????? ??? ??? 2, ??????? a ??? b, ?????????????? ?? ?????? ?? ??? ??????
????? ??? ??? ?????????? ??? ?????????????? ??? ?????? 2, ??????? a ??? b, ??????????????,,
??? ?????????????? ??? ??? ?????? ?????? ?????????????? ???????????????.»

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

14. ? ?????????? ??? ?????? ????, ? Vodafone Magyarország Mobil Mobil Távközlési Zrt.
(??? ????: Vodafone), ????? ?????? ?????? ??? ?????????? ???????. ?????????? ??????
????? ? Vodafone Europe B.V. ?? ??? ??? ??????.

15. ? ?????? ?????????????? ??? ?????????????? ?????? ?????????? ?????? ?????? ??? ??????
?????????????. ??? ?????????? ?? ?????? ??????????, ? ?????????????? ??? ??????
????????? ??? ?????? ?????? ?????? ?????? ?????????????? ??? ?????? ??? ?????? ???.

16. ??? ?????? ?? ??? ?????? ?????????? ?????????? ?????? ??? ?????????????? ??? ??????
?????? ??? ??? 1? ??????? 2011 ??? ??? 31 ??????? 2015, ? ?????????? ??? ??????????????
????????? ??? ?????? ??? ?????? ??? ?????????????? ??? 8 371 000 ?????????? (HUF) ???
??? ?????? ?????? ?????????? ??? ?????? ???????. ?????????? ??? ? ?????? ??? ?????? ???
????? ?????????? ??? ?????? ?, ?????????? ?????? ?????? ?????? ?????? ??? ?????? ???
????????? ??????.

17. ?? ?????? ?????????? ??? ?????????? ?? ??? ?????? ??? ?????? ??? ??????????????
????? ??? ?????????????? ??? ?????????? ?????? ???????????????. ?? ??????????????
????? ?????????? ??? ??? -??? ?? ?????? ?????????? - «? ?????? ?????? ????
????????????? ??? ?????????? ??? ?????? ?????????? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????????? ??????
????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???.

18. ??????, ?? ?????? ??? ?????? ??? ?????????? ??? ?????????? ? ?????????? ??? ? ?????????? ???
????????????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ???????????. ??? ?? ?????? ???
????????? ???, ??? ?? ?????? ??? (2010), ??? ??? 16 ?????????? ??? ?????????? ??? ?????????? ???
????????? ?????????? ?????????? ?? ??? ??? ?????????? ??? ?????????? ?????????? ??? ??????????
????????? ?????????? ?????????? ???, ?? ??? ?????? ?????????, ??? ?????????? ?????? ???
????????? ?????????? ?????????? ???, ??? ?? ?????? ?????? ??? ?????? ?????? ??? ?????? ???
????? ?????????? ?????????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ??????.

19. ??????, ?? ?????? ?????????? ?????????? ???, ?? 2012, ? ?????????? ??? ??????
????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???, ?? ??
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???, ?? ??
?????, ??? ?????????? ??? ?????? ??? ?????? 2013.

IV. ?????? ?????????????? ?????????? ??? ?????????? ?????? ??? ??????????

20. ?? ?????? ??? 23? ??????? 2017, ? ?????? ?????? ??? ?????????? ??? ?????????? ??? 6
????????? 2018, ?? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ??????.

?????????????? ????????, ??? ?????? ??? ?????? 267 ????, ??? ?????? ??? ??????????? ??
?????? ?????? ??????????? ??????:

1. ????? ?? ?????????? ??? ?????? 49 ????, 54 ????, 107 ????, 108 ????, ??? ?????? ??
??? ?????????? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? (?????
????? ?????? ?????? ??? ?????? ??? ?????????????????) ????, ?? ?????????? ??? ???? ??????????
?????????? ?????? ??? ?????? ?????????? ??? ?????? ?????? ?????????? ???????????, ?????? ??
?? ?????????? ??? ?????? ?????? ?????? ??????;;

2. ?????????? ??? ????? 107 ????, 108 ????, ?????? ?????????? ?? ?????? ??????????
????????? ?????? ?????? ??? ?????? ?????????? ?????? ?????????? ?????????? ??? ???? ??????
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????????, ?? ?????? ?? ??????????
????? ??? ?????????? ?????????? ?????????, ??? ??? ?????? ??? ?????????, ??????????
????? ?? ?????????? ?????????? ?????? ???; ?????? ?? ?????????? ??? ?????????? ?????? ??????????
????? ??????;;

3. ??? ?? ????? 401 ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????????? ?
????? ??? ?? ?????????? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????????
????????? ??? ???, ??? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????? ??? ?? ?????? ??????, ?????? ?????? ?? ?????????????? ?????? ??? ??? ??????
????????? ?????? ?? ??? ?????? ???, ? ?????? ?????? ?????? ??? ?? ??? ??????;;

21. ??? ?? ?????????? ??? ?????? ??? ???????????, ? Vodafone, ? ???????, ? ??????????
??? ???????, ? ??????? ?????????? ??? ? ?????????? ?????? ?????????? ?????????? ???????
????????? ??? ??? ?????????? ??????. ??? ??' ?????????? ?????? ?????? ??? 18?? ??????
2019 ??????????? ?? ???????, ??? ??? ?????? ?????????? ???????????, ?????? ??? ? ??????????
????????? ??? ???????.

V. ?????? ????????

22. ? ?????? ?????????????? ?????????? ??? ?? ?????????? ?? ?????????? ??? ?????????? ???
????????? ??? ?????? ??? ?????? ?????? ?? ?? ?????? ??? ??????.

23. ?? ?????? ??? ?????????? ?? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ???
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??????
?? ?????? ?????????? ?????? ?????? ?????? ?????? 0 % ?????????? ???
????? ??? ?????? ?????? ?????? ?????? ??? ?? ?????? ?????? ?? 500 ?????????? HUF?
????????? 4,5 % ??????? ?? ??? ?????? ?????? ?????? ?????? ?????? 500 ??????????
HUF ??? 5 ?????????? HUF? ?????????? 6,5 % ?????? ??? ??? ?????? ??????
????????? ??? ?????????? ?? 5 ?????????? HUF.

24. ??????, ?? ?????? ?????????? ??? ?????? ?? ?????? ??? ?????? ??? ??
????????? ??? ?????? ?????? ??? ?????? 49 ????, ??? 54 ??? (??, ??????? ??? ?), ???
????? 107 ????, 108 ??? (??, ?????? ??? ?), ?????? ??? ?????? 401 ??? ??????
????? ??? (??, ?????? ??? ?). ?????? ?????? ?? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????
????????? ??? ?????? ?????? 401 ??? ?????? ??? ???, ????????

1. ?? ?????? ?????????????? ??????: ???????? ??? ?????? 401 ??? ?????? ???
???

25. ?? ?????? 401 ??? ?????? ??? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ???
?? ?????????? ????, ?????? ?????? ??? ?????? ??? ?????? ?????????? ?????? ?????? ???????.
??? ?????? ????, ?? ?????? ?????????? ?????? ?? ?????????????? ?? ? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ?????? ??? ?????????? ?????? ?????????? ?????? ?? ?????? ???
?? ?????? ? ?????? ??? ?????? ?????? ?????? ?????? ?????? ???????. ?? ?????? ?????????? ??
????? 401 ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?? ?????? ????.

26. ??? ?????? ??????????, ?? ?????????? ?????? ??? ?? ?????? ??? ?????? ??? ?????? 401
??? ?????? ??? ? ?? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??????????
????? (6).

27. ??? ??? ?????????? ??? ?????? ??? ?????? ?????? 67/227/??? ??? ?????????? ???
11?? ?????? 1967, ??? ???? ?????????? ??? ?????? ?????? ??? ?????? ???, ???
????????? ?? ??? ?????? ?????? ?????? (7), ?????????? ??? ?????? ??? ?????????? ???
??? ?????????? ??? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ? ?????????? ???
????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??
????? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ???
????? ?????? ?? ?????????? ??? ?????????? ??? ?? ?????????? ??? ?????? ?????? ?????? ???
????? (8). ? ?????? ??? (9) ?????? ?????? ?????? ?????? ???.

28. ?? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?? ?????? ??? ?????? ??????, ?????????? ?????? ?????? ?????? ?????????? ??????
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????????? ??? ?? ?????????? ?????? ??? ?????? ???, ??? ???
?? ?????? ?????? ??? ?????? (10). ??? ?????????? ?? ??????????, ? ?????? ???
?????, ??????, ??? ?????? ?????? ?????? (11).

29. ?????????? ?? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ???
????????? ?????????? ??? ?? ?????? ?????? ??? ?????? ?????? ?????????? ???, ?? ?????? ??????
??? ?????? ?? ?????????? ??? ?????? ?????? ?????? ?????? ?????? ??? ?????? ?? ?????? ???
?????. ??? ??? ?????? ?????? ???, ?? ?????? 401 ??? ?????? ??? ?????? ??? ?????? ???
????? ?????? ?????? ?????? ?????? ???, ?????? ??? ?????? ??? ?????? ??? ?????? ???
?????, ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ???
?????.

30. ??????, ?? ?????????? ??? ?????? ?????? ???, ?? ??? ?????? ??????, ?????? ??
????????? ?? ?????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ?? ??? ??? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??? ???, ???
?? ?? ??? ?????? ???' ??? ?????????? ??? ?? ?????? ??? ?????? ?????? ?? ?????? ???
????????? ??? (12).

31. ??? ?? ?????????? ??? ?????????? ?????? ?????? ?????? ?????? ?????????? ??????
?? ?: (1) ? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ? ?????? (2)
? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ? ?????? ???
????? ??? ?? ?????? ??? ?????? ?????? ??? ?????? (3) ? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? (4) ?
????? ??? ??? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ???

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

32. ??????, ? ?????????? ?????? ?????? ??? ?????????? ??? ?????? ??? ???????????, ??? ??????
????????????? ?????? ?????????? ??? ?????????? ?????? ?????????? ??????. ???????, ??? ??????
(?????) ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ??????????, ??? ??
?????????, ?? ???, ?????? ??? ?????????? ??? ??????, ??? ??? ?????????, ?? ?????? ???, ?? ??????
?? ?????????? ??? ?? ??? ?????? ???, ??? ??? ?????????? ??? ?????????? ?? ?????? 1,
????????? 2 ??? 3, ??? ?????? 2008/118/?? (14).

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

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

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

36. ?????, ??? ?????????? ??? ?????? ?????? ??? ?????? ???, ???, ???
????????? ??? ?? ?????? 1 ??? 2 ??? ?????? ??? ?????? ???, ?????????? ??? ? ??????????
(?????) ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????
?? ?????? ??? ?????? 500 ?????????? HUF ??? ?? ?????? 6,5 % ??? ? ?????? ??? ??????
?????? ??? 5 ?????????? HUF. ???' ??????, ? ?????? ??? ?????? ?????? ??? ??????
????????? ?? ??? «?????????» ?????? ?????? ?????? ??????, ??? ?????? ??? ?????? ??? ??????
????? ?????????? ?? ?????? ?????? ?????? -?? ??? ?????? ?????? ??? ?????? ?????? ???
????? ?????????? ??? ?????? ?????????? ?????? -?, ??? ? ?????? ?????? ??? ??????
????????????? ??? ?????? ?????????? ?????? ??????. ??? ???, ?????? ???, ?????? ??? ???
??? ?????????? ??? ?????? ?????? ??? ?????? ??? ??' ?????????? ??? ??????, ???

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

37. ?? ?? ??????, ? ???????? ?????? ?????? ?????? ?????? ?????? (?????) ??? ??????????????
?? ???? ??? ????? ???????, ? ?????? ?????????? ?? ?????????? ??? ?????????? ??? ??????
????????? ?????????? ??? ?????????? ??? ?????????????? ???????????????. ? ?????? ????, ????, -????
????? ?????????? ?? ?????? ? ?????????- ??? ????? ?????????? ?????? ?????? ?????????? ???
????? ??? ?????????? ??? ???????????. ??? ??????, ?? ????? 401 ??? ?????? ??? ?????? ???
??? ?????????? ??? ?????????? ?? ?????????? ?????? ??? ?????? ?????????? ?? ??? ???.

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

38. ?? ?????? ??????? ?????????? ??? ? ?????????? ?????????????? ??? ?????? ??? ??????
49 ???? ??? 54 ??? ?????????? ??? ?????????? ?????? ??? ?????? ??? ?????? ???
??????????????. ?? ????? 107 ??? 108 ??? ? ?????? ?????????? ?????? ???
????????????? ?????????????? ??? ?????? ?? ?????????? ?????? ??? ?????? ???
????????????? ??????.

39. ??????, ?????????? ?????? ?????? ? ?????????? ??? ?????? ? ?????? ??? ??????
????????? -??? ?????? ?????? ? ?????????? ?????? ?????? (?. ??????, ??????,
????? 35 ??.)- ??? ?????? ??? ?????? ?????????? ??? ??????, ???? ?? ?????? ???
????? ?? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ?????????? (16).

40. ? ?????????? ??????????????, ??? ?????? ?????????? ?? ?????? 49 ??? ?????? ????
??? ??????, ????????, ???? ??? ?????? 54 ???, ?? ?? ?????? ?? ?????? ?? ??????
????? ?????? ?? ?????? ?? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????
????? ???, ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????? ???
????? ?? ?????????????? ??? ?? ?????? ??? ?????? ??? ?????? ?????????? ??? ??????,
????????????? ??? ?????? (17).

41. ? ?????????? ?????????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ??????
????? ?????????? ?????????????? ??? (?????? ? 1). ??? ?????????? ?????? ??????????,
????? ?? ?????????? ??? ?????? ??? ?????? ?????? ?????????? ??? ??????????
????????????? (?????? ? 2) ??? ?? ?????????? ??? ?????? ?????????????? ??? ??????????,
??? ?????????? ??? ?????? ?????? ?????????? (?????? ? 3).

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

42. ? ?????????? ?????????? ?????????? ?? ?????? ??? ?????????? ??? ??????
????? ?? ?????????? ?????? ?? ?????? «?????» ? «?????». ??? ?????? ???, ??
????? ?????? ?? ?????? ???, ??? ?????? ?????? ?, ??? ?????? ?????? ??? ??????
??? ??? ?????????? ???, ??? ? ?????????? ??? ?? ?????? ??????, ??? ?????? ??? ??
??? ?????? ??? ?????? ?????? (18). ?????????? ??? ? ?????????? ??? ?????? ??? ?????? ???
??? ??? ?? ?????? ??? ??????, ??? ?????? ?? ?????? ??? ?????? ??? ??????, ?? ?????????? ??
??? ?????? ??? ?????? ?????????? ??? ??????.

43. ??????, ? ?????? ?????? ??? ?????? ??? ?????????????? ??? ?????? ?????? ?? ?????? ????
?????. ???? ???? ?? ? ?????? ?????? ?????? ??? ?????? ?? ?????????????? ???
????????? ?????? -????? ??? ?????????????? ??? ?????? ???- ??? ?????? ????,
????? ? ?????? ?????? ?????????? ??? ?????? ??? ??????.

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

?????????????? ?? ?????? ????????, ?????? ? ?????????????? ?????? ?????????? ?? ??? ??
?????????? ??????????? (19). ??? ???????, ? ?????????????? ??? ?????? ?????? ?????? ??
?????????? ??? ????? ?????????? ??? ?????????? ?????????????? ??? ?????????? ???,
Vodafone Europe B.V.

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

45. ????? ?????? ??????????, ?????????????? ??? ?????????????? ?????????????? ?????????????? ???
?? ?????? ??? ??????????, ?????????????? ? ?????????? ?????????? ?????????? ??? ??????
??? ?????????? ??? (20). ?????? ???????, ???????, ?????????, ??? ??? ??????????????
??? ??? ?????? ?????? ??????????. ??????, ??? ?????????? ??? ?????? ??? ??????????,
?????? ?? ?????????? ?????? ?? ??????? ??? ?????? ?????? ?????????? ?????????????? ??? ?????????? ???
????????????? ??? ?????? ?????????????? ?? ??? ?????? ?????? ??????. ?????????, ??? ?????????? ??
????????? ??? ?????????????? ??? ??? ?????? ?????? ?????????? ?? ?????????????? ??? ??? ?????? ??
????????????? ??? ?????? ??? ?????? ?? ?????? ?????? ?????????? ?? ?????????????? ??? ??? ?????? ???
??? ?????? ???, ???' ?????? ??? ?????? ?? ?????????? ?????????? ?????????? ? ?????????? ??? ??????????
????? ?? ?????????? ??? (21).

46. ?? ????????????, ??????, ??? ?????????????????? ?????????? ?? ???? ?????? ?? ????
 ?????? ??????? ?? ??? ?????? ??? ?? ?????? ?????????????? ?????????????? ?? ???? ??????????
 ??????????, ??? ?????? ??? ? ?????????????? ?????????????? ?????????????? ?? ???? ??????
 ?????????? ?? ??? ?????? ?? ?????????? ?????? ?????????? ?????? (22).

48. ??????, ??? ?????????? ????????, ?????????????? ?? ?????????????? ?? ??????????,
?????????????, ??? –????????? ??? ???? ????? Hervis (23) – ? ?????? ?????
????????????? ?? ?????? ?? ?????????? ?? ?????????? ????? ?????? ?????????????? ??
????????? ?? ?????? 7 ??? ?????? ??? ?????? ?????, ??? ?????? ????? ??????????
????????? ?????? ?????? (?????? ??? ?).

1) ????? ?????????? ? ??????? ?????????????????? ??? ?????? ?????? ??????????

49. ?????????? ??? ? ?????????? ?????? ??? ? ?????????? ??? ?????????? ?????????????? ?????????????? ?????????????? ?????????? ?????? Hervis Sport, ????? ??? ?????? ?? ?????? ?????.

50. ?????????????????? ?????????????? ?????????? ?????????????????????? ? ?????????????????? ?????
????????????? ?????? ?????????????? ?????? ??? ?????? ?????????? ??? ???? ?????? ??? ??????
????????? ?? ??? ?????????? ?????? ?????????????????? ??? ?????????? ???????????????.
?????????????, ? ?????????? ?????????? ??? ?? ?????????????? ??? ??? ??? ?????????? ???
????????????? ?????????? ??? ??? ?????? ?????? ? ?????? ?????????? ??? ??????????
?????????????, ????? ? ?????????????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? . ?
????????? ??? ?????????????? ??? ?????? ??????????????, ?? ?????????? ?????????????? ???????,
????????? ?????????????? ??? ??? ?? ?????? ??????. ??? ?????? ?????????? ?????????? ??????????
????? ?????????? ??????????, ?????????????? ?? ?????????????? ? ?????????? ??? ??????????

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

51. ????????, ?? ?????????? ?????????? ??? ?????????? ??? ???? ?? ???? ???? ??????
????????????????? ??? ?? ??? ????? ?????? ??? ?????? (24). ?????????? ??? ???? ???? ??????
????????????????? ??? ?????????? ?? ????? 7 ??? ????? ??? ????? ?????? ?????? ?????????????? ???
???? ?????????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????????????? ?,
????????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????.

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

53. ??????, ?? ?????????? ?????? ?? ?????????? ?? ?????????? ??? ?????????? ?? ?????? ? ??????????
??? ?????? ??? –????????? ??? ?????????? ?????? ?????????? – ?????? ?????? ???????????.
?? ?? ?????? ?????? ??? ??? ?????????? ??? ?????? Hervis Sport ??? ?????? –????? ????
????????? ? Vodafone– ???? ??? ??? ?????? ??? ?????????? ? ?????? ?????? ?????????? ???,
????? ?? ?????? ? ?????????? ??? ?????????? ?????? ??? ?????? ??? ? ?????????? ??? ?????????? ???
????????? ??????, ?? ?????????? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ???
????????? ?????? ??? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????????? ??? ??????????
(25).

2) ?????????? ??????????

54. ????????, ?????????? ?????? ?? ?????????? ?? ???? ?????? ??? ?????? ?????? ??????
????????? ?? ??? ?????? ?????????? ?????? ?????????? ?? ?????? ?????? ???????????. ??? ??????
??? ?????????? ?? ?????? ??? ?????? ?????????? ?????????? ?????? ?????????? ?????????? ??????????
??? ?????????? ???????????. ????????, ?????? ?????? ?????????? ?????? ?????????? ??????
?????????, ??? ?????? ?????? ?? ?????????? ?????? ??? ?????? ??? ?????????? ????. ??
????????? ?????? ?????????? ???????????, ?? ?????? ?????????? ?? ?? ?? ??? ?????? ??????????
????? ?????? ?, ?????? ?????? ?????? ??? ?????? ?????????? ?. ??? ?????? ??? ?????? ?,
????????? ?????? ?????????? ??? ?????? ?????? ?????????? ?????? ??? ?????? ??????????.

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

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

?? ?????????? ?? ???? ????? ?????????????? ?????????????? ?????? ?????? ?????? ?????????????? ??
 ?????????????? ?? ???? ?? ???? ?? ???? ?????? ?????? ?????? ?????? ?????? -??? ?? ???? ?? ????
 ?? ?????????? ?? ?????. ?? ???? ?? ???? ?????????? ?????? ?????? ?????? ?????? ?????? ??
 ?? ??????? ?? ???? ?????? ??????? ??, ?? ?? ?????, ?? ?????????????? ?? ???? ?? ????
 ??????? ?? ???? ?????? ?? ???? ?????? ?? ???? ?????? ?? ???? ?????? ?? ???? ?????? ??
 ?? ???? ?????????? ?? ???? ?????????????? ?????? ?????? ?????? . ?? ???? ?????? ??
 ?????????? ?? ???? ?????? ??, ?? ???? ?? ???? ?????? ??????, ?? ???? ?? ???? ?????? . ?? ????
 ?????? ?? ???? ?????????? (26).

3) ?????????? ?????????????? ?????????????????? ??????????????

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

58. ????????, ??? ?????????????? ??????? ? ?????? ??????? ?? ?????? ??? ???????
?????????????. ??? ??????????????, ? ?????? ??????? ??? ?????? ?????? ???
????????????? ??????? ?? ??? ?????? ? ??? «?????????» ??? ??????????????. ???????,
????? ??? ?????? ??? ?????? ??? ?????????? ?????????? ?????????? ??? ??????????
????????????? ?? ??????? ?? ??? ?????? ??? ?????????? ??????????.

60. ?????????? ????, ?????? ?? ????????????????, ??????, ????? ?????????? ?????? ??
????????? ?? ?????? ?? ?????? ?????? ?? ?????????????? ?????????? ?????????????? –??
????????? , ??? ?????? ??????– ?? ?????? ?????? ?? ?????????? (??., ?????? , ??????
61 ??.). ????????, ??????????? ?? ?????????? ?? ??????? ?? ?????????? ?????????? ??????????
????? ?????? ?????? ?? ?????? ?????????? ?????????????? ?????????? ?? ?????? ?? ???? ??
????? ?????? ?????????? (??., ?????? , ?????? 83 ??.).

1) ??????? ?????

61. ?????????????? ?????????? ??? ????? ?????????????? ??? ?????? ??? ?????? ??? ????
????? ?? ??? ?????? ??????. ?? ???? ?? ?????????? ?????????? ?? ????????, ?? ?????????? ???
??????, ?????? ??????, ???? ??? ?????????? ?? ????????, ?????????????????? ?? ??????????
?? ???? ???? ??? ?????????? ?????????? (28) ???? ??? ?????? ? ?????????? ???
????????? ?????????? ?? ?????????? ??? ?????????? (29)? ?? ?????? ?????? ???? ??? ??
????? ?????? ?????????? ?????????? (30). ??? ?????????? ???????, ?????? ?????? ?? ??
? ?????? ??? ?????? ?? ?????????? ?????? (31) ? ?? ?????????? ???? ?? ?????? ??? ??????????
??????????????, ???? ?????????? ?? ?????????? ?????????? (32), ? ?? ?????? ??
????????? ?? ?????? ?????? ?????????? ?????????? ?????????? (33). ????????, ?? ?????? ???
?? ?? ?????? ???? ?? ?????????? ?????????? ??? ?????? ?????? ?? ?????????? ?????????? ?
?? ?????? ?? ?????????? ????????????, ???? ??????????.

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

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

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

63. ???????????????????????, ???????, ??? ?????? ??' ??????? ? ?????????? ? ?????????? ?????????? -??? ???
????????? ??? ?? ??????? ??? ?????????? ?????????????? ?????????????? ?? 50 %? ??????????,
????????????? ?? ??????? ?????? ?????? ?????? ??? ?????????? ?????????????????? ??? ??? ?????? ???
????? ??? ?????????????? ??? ?????????? ?????? ?????????? ??? ?????????? (35).

64. ???????, ??? ???? ?????????? ?????????? ??????? ?? ?????????? ??????? ?????????? ?????????? ?????
??? ??????? ??? ?????. ??? ??????????????, ?? ?????????? ??? ?????????? ?????????? ??????????
??? ??? ??????? ??? ??????? ????????. ?????????????? ???, ??? ??????? Hervis Sport, ??
????????? ??? ?? ???? ?????????? ??? ?? ?????????? ?????? ??? ?????????? ?????? ??? ??????????
??? ?????????? ??? ??????? ??? ??????? ?????? ?????????? ??? ?????????? ?????? ??? ??????????
(36).

65. ??????????, ??? ?????? ?? ??????????? ?? ?????? ?????????? ? ?????????? ???
?????????? ??????. ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ???
?????????? ?????? ??? ?? ?????????? ??? ?????????? ?????? ??????????. ??? ??????????????
?????????, ??? ?? ?????????? ?? ?????????? ?????????? ??? ?????? ??? ?? ???
????????? ?????????? ?????????? ?? ?????????? ?? ?????????? (37). ?? ?????????? ??? ??
?????? ?????????? ?? ?????????? ?????????? 4,5 % ??? ?????? ?? ?????????? ??????????.
????????, ??? ?????????? ??? ?? ?????????? ?????? ??? ?????????? ??? ??????, ??? ?? ???
????????? ?? ?????????? ?? ?????? ??? ?????? ?? ?????????? ??????????. ? ?????????? ???
????????? ?????????? ?? ?????? ??? ?????? ??? ?????? ??????, ? ?????? ??? ??? ??????????,
????? ?????????? ???, ?????????????? ???, ?? ?? ?????????? ??????????.

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

67. ???????, ???' ????? ?? ???? ?????? ?? ? ???????????, ??? ??????????, ??????????
???? ?????? ?????????? ?????????? ?????????? ?????????? ?????????? ?? ???? ??????
????????????? ???????????, ??? ?????? ?????????? ?????????? ?????????? ?????????? ?? ?????
????????????? ??????????? ?????????? ?????????? ?? ???? ?????? ?????? ??? ??????
?????, ?? ?????????? ?? ??? ?????? ?? ?????????? ?? ? ?????????? ??????. ? ?????????? ??
????????? ?????????? ?? ???? ?? ??? ?????????? ?????????? ?????????? ?????????? ?? ?
????????? ?? ?????? ?????????? ?? ?, ?? ?? ??????, ??? ?????? ??????.

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

69. ??????, ??? ??????????? ?? ????????, ? ??????????? ??????????? ?? ??????????? ??
?????, ??????, ??? ??? ?????? ??????????? ??????????? ?? ??????????? ??? ???????????
???????????. ? ??????????? ?? ???????, ??????, ?? ?????? ??????????? ???, ?? ??
??????, ??? ??? ?????? ??????. ?? ?????? ??? ?????? ??????????? ?? ??????????? ??????????? ??
?????????? ?? ?????? ?? ??????????? ??????????? ??? ??? ??? ??????, ?? ??? ??? ??????? ??
???? ?????????? –??? ??????????? ??????– ????????????, ??? ??? ??????????? ???
??????????, ?? ??? ??????????? ?????? ??? ??????????? ?????? (??? ?? ??????????? ????)
???? ??? ??? ??????????? ?????? ??????????? ??????????? ???). ??? ?? ??? ???
?????????? ??????????? ?? ??? ?????? ?????? ??? ? ??????????? ??????????? ??? ???
??????????????.

70. ??? ??? ??? ??????????? ??????????? ?? ??????????? ?????? (?????? 63 ??.),
??? ?????? ??????? ??????????? ??? ??????? ?? ??????????? ??? ???????????
?????????? ??????, ??? ??? ??? ?????? ??????????? ??????????? ??? (38). ?
?????????? ?????? ???, ???, ???, ?? ??????????? ?????? ???????????, ??? ? ???????????
?????????? ?????? ??? ?????? ??????????? ??????????? ??? ?????? ??? ??
?????????? ??? ??????????? ??? ?????? ??????????? ??? ?????? ??? ?? ???.

71. ??????????? ???, ? «????????? ???» ??? ??????????? ??????????? ??? ???
????? ??????? ?? ???? ???????, ??????? ?? ??????????? ??? ?????, ??????? 26
??????????, ?? ??? ?????? ?????? ??????????? ??? ??????????????? ??? ??????. ??? ???
????????? ??? ??????????? ??????????? ??? ?? ??????? ??? ??????????? ??????????? ??
????????? ??????, ? ??????????? ??????????? ??? ??????????? ?????? (?? ??
?????????? ??? ?? ?????? 22 ??????????? ?????? ?? ??????????? ??? ??????????? ??? ??
?????????) ?? ?????????? ??????? ??? ?? ??? ??????????? ?????????? ??? ?? ???
????????? ??????? ??????? ???.

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

73. ??? ??? ?????? ??????? ?? ??????? –??? ?????? ??? ??????? ??? ?? ???
??????????–, ??? ?? ??? ?????? ??????? ?? ??????? ??????????? ?????? ?? ??????? ????
?????? ??? ?????? (?????? ? ?????? ??????? ??? ??????) ??? ?? ??????? ???,
?????????? ?? ??????????? ??? ??????? ?????????? ?????????? ??????????? ?? ??? ???
????? ?? ??? ?????? ??? ? ??????? ???????????; ?? ???????????, ? ??????? ??????? ???
????????? ???????, ??? Vodafone Europe B.V., ??? ??? ??????????? ?????????? ??????????? ???
?????? ??? ?????? ??????? ??? ????????????. ? ??????? ??? ??????????? ?????? ???
?????????????????? ??? ??????????? ???????????, ? ?????? ??????????? ??? ???????????

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

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

74. ?????, ?????, ??? ?? ?????????? ??? ?? ?????? ?????? ?????? ?????? ?????? ?????? ??
?? ?????? ?????? ??? ?????????? ??? ?????????? ?????? ??? ?????? ??? ?? ??????????, ?????? ??
?? ?????? ?? ?????????? ?????????????? ?????? ??? ?? ?????? ??? ?? ?????? ?? ?????? ??
????? ?????????? ?????? (39). ??? ? ?????? ?????? ??? ??????, ?????? ??? ?? ??????
????? ?????? ??? ?????????? ??????, ??? ?????? ?????? ??? ?? ?????????? ??????
?????.

75. ?????, ?? ?????? ??? ?????????? ?????? ?????? ?????? ?????????? ??????
????????????????? ??? ?? ?????????? ?????? ?????? ?????? ?????? ???. ?? ?????????? ???
????? ??? ?????? ?????????? ??????, ?????????? ?????? ???, ??? ?????????? ???
????? ??? ?????? ?? ?????????? ?????? ??? ?????? ?????? ?????????? ?????? ?? ??????????
????????? ?????? ?????? (40). ? ?????? ?????? ??? ?????????? ?????? ???
????? ??? ? ?????? ??? ?????? ?????????? ??? ?? ?????? ?????? ?????? ???
????????????? ?????? ?????????? ?????? ??? ?????? ?????? ?????? ?? ?????? ?????????? ???
??? ?????????? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ???
?????.

76. ?? ??? ?????? –??? ?????????? ?????? ?? ?????? ?????????? N. Wahl (41)–
??? ??? ?????????? ?????? ?????????? ?????? ?? ?????? ?????? ???, ?? ?????? ???
????? ?????? ??? ?? ?????? ??????, ?????????? ??? ? ?????? ?????? ??? ??????????
????????? ?? ??? ?????? ??? ?????? ?????? ?????? ??????. ?????? ?????? ?????? ?????? ???
????????? ?????????? ?????? ?? ?????? ?????? ?? ?????? ?????? ?????? ?? ?????? ???
????????? ?????? ?????? ?????? ?????? (42).

77. ???????, ?????? ?? ?????? ?????? ?? ?????? ?????????? ?????? ??? ?????? ??
????????????? ??? ?????? ?? ?????? ?????? ?????????? ?????? ?????? ???
????? ??? ?? ?????????? ?????? ??? ?????? ??? ?????????? ?????? ?????? ??? ??
??? ??? ?????????? ??? ??????????, ??????, ??? ?????? ??? ?????????? ?????? ??????????
????? ?????? ???, ??????, ??? ?????? ?????? ?????????? ??? ?????? ?????? ??? ??
????????? ??? ?????? ?????? ??????, ??? ??? ?????????? ?????? ??? ?? ???
????????? ?????? ?????????? ??????????, ??? ?????? ???, ?? ?? ??? ?????? ???, ??
????????? ??? ??? ?????? ?????? (43).

78. ?????? ???????, ??????, ? ?????????? ??? ?????? ?????? ??? ?????????? ???
????????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????????? ??????????,
??? ?????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ??????.

79. ??? ?? ?????? ?????? ?????????? ??? ?????? ?????????? ??????????, ?? ??????????
????????? ??? ?????? ??? ?????? ?? ??? ?????? ?????? ?????? ?????????? ?????????? ???,
??? ?? ??? ??, ?? ??? (?????) ??? ?????????? ?? ??? ?????? ??? ?????? ??? ??
??? ?????????? ???, ??? ?????? Hervis Sport, ??? ??? ?????? ??? ?????????? ??
????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????? ?????? ??? (44).

80. ?????, ??? ??? ?????? ??? ?????? ??? –??? ?????? ??? ? ?????????? ???
??? ?????????? ??? ??' ?????????? ?????? ?????? ?????? ??? ?????? ???
????????? ?????? ?? ?????? ?????? ??? ?? ?????? (45). ?????? ?????? ?????? ??? ??
????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? Hervis Sport ??? ??? ???

? ???????, ?? ??????????, ????? ???? ??????????????. ??? ?????? ?????? ?????? ?????? ??????
?????????, ??? ???? ?????????? ?????????? -?. ??? 3, ?????????? 2, ??? ???? ??????
????????? ????-, ? ?????? ?????? ??? ?????????????? ??? ?????? ?????? ??? ???? ?
????????? ?????? ??????. ??? ?????????? ?????? ??? ?????? ??? ???? ?????? ?? ?????? ??? ??
????????? ?????????? ??? ?????????? ??? ?????????? ?????? ?????? ?????? ?? ?????? ??????
????????? ??? ?????? ??? ???? ?????? ?????????? ?????? ?????? ??? ?????? ??????????
????????? ??? ??????.

81. ??????, ?? ??????? ???? ?????? ?????????? ??? ???, ?? ? ???? ?????? ???,
????????????? ??????????, ??? -??? ???? ?????? ?????????? ? ?????? ?????????? ??? ???? ?
????????? ??? ? ? ?????????? ?????? ?????????? ??? ?????????? ??? ???? ??' ??????????
????????- ??? ?????? ?????????? ?????????? ?????????? . ? ?????? ???????, ??
???? ?????????? ??? ?????? ???, ??? ?????? ?????????? ???, ??? ?????????? ???, ?? ??????
(? ?? ?????????? ???). ?? ?????????? ?????? ?????????? ??? ?????? ??? ?? ??? ??
????. ??? ?????? ???, ?????? ??? ?????? «?????» ??? ?????? ?????? ???
?????????????, ? ?????? ?????????? ?????????? ?????????? ?????????? ??? ???? ???
????? ?????? (??????, ???????, ?????? 83 ??.).

82. ????? ?????????????? ??? ???? ? ???? ?????????? ?????????? ??? ?????????? ???
?????????. ??? ?????????? ???????, ??????, ?????? ??? 2010, ??? ???????,
????? ??? ??? ?????????? ?????????? ?????????? ?????? ?????? ??? ?????????? ???
????????? ??????. ??? ?????? ?????? ??? ? ?????? ?????? ?????????? ??? ?????? ???
????????????? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ???? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ???? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ???? ?????? ?????? ??????.

2) ?????????? ?????????? ??? ?????????? ?????????? ?????????? ??????????

83. ??????, ? ?????? ?????? ?????????? ?????? ??? ? ?????? ?????? ?????????? ??????
????????? ??? ?????????? ??? ?????? ?????? ?????????? ?? ?? ?????? ??? ?????? ???
?????.

84. ??????, ?????? ?? ?????? ?????? ??? ?????? ?????? ?? ?????????? ??????????
????????? ?????? ?????? ??? ?????? ?????? ?????????? -?? ??? ???? ??? ???? ???
??? ?????? ?????? ?????? - ??? ?????? ?????? ?????????? ?????????? ??? ?????? ???
????????? ?????? ?????? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ???
????? ?????????? ?????? . ? ?????????? ??? ?????? ?????? ??? ?????? ?????? ???
????? ??? ?????? ?????? (?????? ??? i) ??? ?????????? ??? (?????? ??? ii).

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

85. ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ??????????
????????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????????? (46). ?????? ??
????????? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ???
????????? ?????? ??? ?????? ?????? ?????? ?????? (47) ??? ??????
????????? (?.?. ?????? ?????? ??????).

86. ?????????????? ?????? ??? ?????????? ??? ???? ?????? ??? ?????????? ?????????? ???
?????? ?????? ?????? ?????????? (??, ??????, ?????? 59 ??? ?????? 74 ??.), ?????? ??? ???
????????????? ?????????? ?????????? (??? ??? ?????????? ??? ?????? ??? ??????????
????????? ?????? ??????????) ??? ?????????? ??? ?????? ??? ??????, ?????? ??? ???
????? ??? ?????? ??? ?????? ?? ?????? ?????? ?????? ?????? -????? ?????? ??? ???
????? ?????? ??????????.

87. ? ?????? ??? ?????????? ?????????? ??? ???? ?????????? ?? ?????? ??? ??????
????????? ?????????? ??? ??? ?????? ??? ?????? ??? ?????? ?????????? ?? ?????? ??? ??????
????????? ???, ??? ?????? ???, ?? ?????? ?????? ?????????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?? ??? ?????? ??? ??????, ?? ?????? ?? ?????????? ?? ?????? ??? ?????????? ???
????? ?????? ?????? ?????????? ?????????? ?????, ?????? ??? ?????? ??? ??? ?????? ?????? ???
????????? ?????????? ??? ?? ?????? ?????????? ??????. ??????????, ??? ? ??????????
????????? ?????????? ?????? ??? ?????????? ??? ?????????? ??? ?? ?????? ???, ?? ?????? ??? ??????
????????? ?? ?????? ?????????? ?????????? ??? ?????? ???, ??? ?????? ?????? ??????
????????? ???, ?? ?? ??????, ?? ?????? ??? ?????? ??? ??????????.

88. ? ?????????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????????????? ???
????????? (48), ? ?????? ?????? ?? ?????? ?????? ??? ?????? ??? ??? ??? ?????? ??? ??????
????????? ??? (??., ?? ?? ??????, ?? ?????? ??????, ?? ?????? 6 ??? ??????
2016/1164 (49)). ?????, ??? ???? ?????? ?????? M. Campos Sánchez-Bordona (50),
??? ? ?? ??? ?????? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? 4,
????????? 3, ???.

89. ???????, ?? ?????????? ??? ?????? ??? ?????????? ??? ?? ?????? ??? ?????? ?????? ??????????
??? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ?????????? ??? ?????? ?? ?? ?????? ????
????, ??? ?????????? ??? ?? ??? ?????? ?????? ?????????? ??? ?????? ?? ?????? ??? ??????
????? ?????? ??? ?????? ?????? ?????????? ? ?????, ??? ?????????? ??? ?????? 2 ????. ??
????? ?????? ?? ?????? ?????????? ??? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ???
????????? ?????????? ??? ?? ?????? 4, ?????????? 3, ??? ?????? ???, ???, ??
????????? ???, ??? ?????? ?????????? ?????? ???, ??? ?????? ??? ?????? ??? ?????? ???
????? ??? ?????? ??? ?? ?????????? ???, ??? ?????? ???, ??? ?????? ??? ?????? ???
??? ?????? ?? ?????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ???
????????? ??? ??? ?????? ??? ?????? (51).

90. ???????????, ?? ??? 4, ?????????? 3, ?????? ??????, ??? ?????? ??? ?? ????
??? ?????? ??? ?? ??? ?????????? ??? ?????? ?????? ?? ?????? ?? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? . ?????, ??? ?? ?????????? ?????? ?????? ??? ??????
????????? , ? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ??? ?????? ??? ?? ?????? ??? ?????? ??? ?????? ??????
????????? ??? ?? ?????????? ??? ?????????? ?????? ?????? ??? ?????? ??? ??????????
??? ?????? ??? ?????? (????????? ?? ?????????? ??? ?????? ??? ??????), ????
????????? ??? ?????? ??? ?????? 4, ?????????? 3, ??? ??? ??????, ??? ??????
????????? ?? ?????? ?? ?????????? ??? ?????????? ??? ?????? ?????? ??????
?? ?????? ??? ??????.

91. ??? ??? ??????? ??????? ??? ?????????? ?????? ??? ? ?????????? ??? ?? ??????? ???
????????? ??? ?????????????? ???????, ? ??? ?????? ?????? ?? ?????????? ???????,
????????????? ??? ?????? ?????????? ?????? ?????, ??? ?? ?????????? ??
????????????? ???????. ?? ?????????? ?????????? ?????????? ?????? ??? ?????? ???
????? ??' ?????? ?? ?????? ?????? ?????? ??????????, ?? ??? ?????? ?????? ???????, ??????????
????????? ?????? ?????????? ???????, ?????????? ?????? (52) ? ??? ?????? ???????.

92. ??? ??? ?? ??????, ?????? ?? ?????????? ?????? ?????????? ??? ? ????????
????????? ?????? ?????????? ?????????? ?????????? ??? ?????????? ?????? ??? ??????, ?? ???
?? ?????? ?????????? ??? ?????????? ??? ?????? ?????? ?????? (??? ??? ?????? ??
????????? ?????????? ??????) ??? ??? ?????? ?????? ?????????????? ?????? ??? ???
????? ??? ?????????? ??????.

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

93. ?? ??? ?????? ?????? ??????????, ?? ??????????, ?????? ??????????. ??????, ? ????????
????????? ??? ?????? ?????????? ?????????? ?????????? ??? ?????????? ??? ?? ???
????? ??? ?????????? ?????????? ??? ?????? ?????? ?????? (??? ??? 5 ?????????? HUF)
??? ??? ?????? ?????????? (??? 500 ?????????? ??? 5 ?????????? HUF) ??????????
????? ?????? ?? ?? ?????????? ?????? ?????? ?????????? ??? ?????????? ??? ?????????? ??????.

94. ??????, ??? ??? ?????????? ?????? ??? ?? ?????????? ?????????? ?????????? ???????.
????????? ?? ??? ??????????, ??? ?? ?????? ??? ?????????? ??? ??????, 16 ??????????
????????? ??? ??????, ??? ?? ?????? ?? ??? ?????? ??? ?????????? ??? ??????????
??? ?????? ?? ?? ?????????? ?????? «????» ??? 70,5 % ?? 75 %
????????? ??? ?????????? ??? ??????. ??? ?? ????????, ??? ?????? ??????????
????????? ?????? 30 ?????????? ??? ?? ?????? ?? ?????? ?????????? ??????, ???
?????????, ??? ?????????? ??? ??????. ??????, ??? ?????? ?? ?????????? ???
????????? ??? ?????? ?????????? ??????.

95. ??????, ? ?????? ?????????? ?????????? ?? ?????????? ??? ?????? ??? ?????????? ??? ??
????????????? ??????????, ?????? ??? ?? ?????????? ??? ?????????? ??? ?????????? ??? ??
????? ?????????? ??? ? ?????? ??? ?????? ?????????? ??? ?????? ??? ?????????? ??? ??????????.
?????????, ? ?????????? ??? ?????? ??? ?????????? ?? ?????? ??? ?????????? ??? ??????????, ?
????? ?????????? ?????? ?? ??? ?????? ??? ?????? ?????? ?????????? ??? ?????? ?????? (?)
????????? ?????????? ?? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????????? ???
????????? ??? ??????) ?????? ??? ?? ??? ?????? ?????? ?????? BEPS (53). ??
????????? ??? ??????????, ? ?????? ??? ?????? ??? ?????? ?? ?????????? ??? ??????????
????????? ??? ?????????? ?????? ??? ?????? ?????????? ??? ?????? ??? ??????????.

96. ? ?????????????? ?????? ?????? ??? ?????? ?????? ?? ?????? ??? ?????? ??? ??????
????????? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????, ??
????????? ? ?????? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
BEPS (54). ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???
?????????, ?? 2010 ??? ?? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
??????. ? ?????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????????? ????. ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???

??? ?????????????? ??? ?????????? ?????????? (55). ? ?? ??? ?????? ?????? ?????????? ?????? ??
?????? ?? ?????????? ?????????? ?????????? (?????? ?? ?????????? ?????? ??????)
???? ??????? ?????? ??????????????, ??? ?????? ?????? ?????? ????, ????, ???
????????? ?? ??? ??? ?????? ?????? ????. ? ?????? ??? ?????? ?????? ??????????????
????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ?? ???.

97. ??????????, ? ??????? ?????????????? ??? ?????????? ?????? ?????? ?????????? ???
????????????? ??? ?????? ??? ?????????? ??? ?????????? ??? ?????????? ??????. ?????? ??? ???
???? ?????? ??? ?? ??????? ??? ?????? ??? ?????????? ?????? ?????????? ?????? ??????
?????.. ??? ??????? ??? ?????????? ??? ?????? ?????? ?????????? ?????????? ??????????, ?
????????????? (? ?????? ??? ?????????? ?????? ??? ??????????) ?? ??? ?? ??? ??
????????? ?????????? ??? ?????? ??? ??????.

98. ??????? ??? ? ?????????? ??????????, ??? ??????, ??? ??? ?????? ???
????????? ??? ?? ??????????, ?????????? ?????? ??? ??? ??? ??????
????????? ?????????? ???????. ??? ?????????? ?????? ?????? (?????)
????????? ?????? ??? ?? ?????? ?????? ?????????? ??? ?????????? ???
????????? ?????? ??? ?????????? ?????? (56). ??? ??? ?????, ??????, ??? ?????????? ???
? ?????? ??? ?? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ??????.

99. ??????, ?? ??? ??? 500 ?????????? HUF ??? ??? ?????? ?????? ?????????? ??????????
??? ?????? ?????????? ??? ?????????? ?????????? ???????????. ??? ??? ?????? ? ??????
????????? ??? ?????????? ?????? ?????? ?????? ?????? ?????????? ?????? ?? ??????????
????? ??? ?? ?????????? ????. ??? ??? ?? ??????, ? ?????????? ?????????? ????
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????????? ??????????, ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???, ?? ?????? ?????? ???
????????? ??? ?????? (57). ?? ??? ?????? ??? ?? ?????? ??? ?????? ?????? ??? 5
????????????? HUF ??? «?????» ??? ? ?? ??? ?????? ??? ?????? «?????»
????????? ??? ?????? ??? ?????? ?????? ??? ??????, ??? ?????? ??? ??????????, ???
????????? ?? ?????? ??? ?????? ??? ?????????? ??? ??????.

100. ??? ??? ? ??? ?????? ??? ?????????? ? Vodafone ??? ?? ?????? ? ?????????? ??? ?? ??'
????????? ????, ??? ?????? ? ?????????? ??? ?????? ?????? ?? ??? ??? ??? ??
????????? ??? ?????? ?? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?? ? ?
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?? ? ?
????????? ??? ?????? ?????? ?????? ? ?????? ?????? ?????? ?????? ?????? ?? ? ?
????????? (????? ??? ?????? ?? ??? ?????? ?????? ?????? ??????) ????, ???' ????,
????????? ?????? ?????? ?????? ??? ??? ?????? ?????? (?. ?????? ??? ?? ? ?????? ????
????? ??? ?????? ??????) ??? ?????? ?? ?????? ?????? ?????? (58). ??? ??????
????????? ? ?????? ???' ?????? ?????? ?????? ?, (?????????) ?????????? ??????,
??? ??????????, ?????????? ?????? ?????? ?? ?? ??? ?????? ??? ?????? ?????? ???
????????? ??? ?????? ?????? ??????.

101. ????????, ? ???????, ??? ??? ?????? ?????????? ??????? ?????????? ?????????? ??????????
????????? ?????? ????? ?????????? ?????????????? ?????? ?????? ?????????? ?????? ??? ?? ?????? ??????
??? ?????? ?????????? ?????????? ????? BEPS ??? ?????????? ??? ?????????? ?????????? ??????????,
??? ??? ??? ?????????? ?????? ??? ?????????? ??? ?????????? ?????? ?????????? ??????????. ? ??????????
????????? ?????? ?????? ??? ?????????? ?????????? ?? ??? ?????? ??? ?????? ?????? ?????????? ???
????????? ?????????? ?? ?????? ?????? ?????????? ??? ?????? ?????????? ??????. ??? ??????????????
????? 23 (59), ??? ? ?????? ?????????? ?????????? ?????????????? ?????????? ?????? ??? ?? ?????? ??? «??
????????? ?????????? ?????????? ??? ?????? ??? ?????????? ?? ?????????? ??? ?????????? ?????????? ???
?????????».

102. ??? ? ???????? ??????? ??? ?????????????? ?????? ?? ??? ?????? ??? ?????? ?????? ?????????? ???
????????? ?????????????? ?????? ?????????? ??? ?????? ?????????? ?????????????? ??????????????
????? ??? ?????????? ?????? ?????????? ?? ?????????? ?????????? ?????????????? ??? ??? ??????????
????????????? ??? ?????????????????? (?????) ?? ??????? ???????, ?????????? ???????
????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????????? ?????????? ??? ???
????, ??? ?????? ?????? ??? ?????? ??????????.

4) ?????????? ??????????

103. ??? ?????????? ??????? ?????????????? ??? ?????????????? ?????????????? ??? ?? ???? ??????????

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

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

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

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

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

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

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

5) ?????????????? ?????????? ??????????

104. ???????, ?? ?????????? ?? ???????????????, ??????????, ? ?????????? (???????)
??????????, ?????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ???????????, ??????,
?? ??????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ???????????, ?? ?????? ?? ?? ?????? ??
????????? ?? ?????? ?? ?????????????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ??????????
(60).

105. ????? ???. ??????????????, ????????????????, ????. ?????????? ??? (61), ?? ?????????? ????.
 ?????????? ????????. ??????????????. ??????????, ????. ?????????? ????. ?????????? ????.
 ?????????? ?????????? ?????????? ?????????? ?????? –???. ?????? ???. ?????????? ??????
 (62) – ???. ???' ?????? ???. ?????? ????. ?????????? ???. ?????? ???????????. ???. ???????????.
 ??????, ????. ?????? ?????? ???. ?????? ???. ?????? ?????? ?????? ?????? ?????? (63).
 ????. ????. ????. ??????. ???. ???????????. ?????? ???. ?????? ???. ??????.

106. ??????, ??? ???????????, ?? ???????, ??? ???????????????, ???????????????????, ???????????????,
?? ???????, ??? ?? ???????, ??? ???????????, ?? ?????? ???????????????, ?? ?????? ?????? ??????????? ??
??????????????, ?? ???????????????, ?? ???????????????, ?? ?????? ???????????????, ?? ???????????????,
??????????????, ?? ???????????????, ?? ?????? ?????? ?????? ?????? ???????????????, ???????????????, ??????????. ??
??????, ??? ?????? ?????? ?? ???????????, ??? ???????????, ?? ?????? ?????? ?????? ?????? ?????? -??????, ?????????? -
??????, ???????????????.

3. ?????????????; ?????????????? ??????? ?????????

107. ??? ?????????? ??? ?? ?????????? ?????????? ?????? ??? ?????????? ??
?? ??? ???? ?????? ????????, ?????????? ??? ?????? ?????? ?????? ???
????????????? ? ?????????? ??? ?????? ?????? ?????? ??? ?????? ??????
????????? . ? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??????
????????? ?????? ?????? ?????? ?????? ?????? , ??? ??? ?????? ?????? ??? ?
????????? ??? ??? ?????? ?????? ?????? ?????? ??? ??? ?????? ?????? ???
????????? ??? ?????? ?????? ?????? (64).

1) ?????????? ??? ?????? ?????? ??????????

108. ??? ?????? ??? ?? ?????????? ??? ?????? ??? ?????? ?????? ???, ?
????? ??? ?????? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ??????
????????? ?????? ?????? ?????? , ?? ?????? ?????? ??? ?????? ?????? ??? ?
????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
????????? ?????? ??? ?????? ?????? (65). ?? ?????? ??? ?????? ??? ?
??? ?????? ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? , ??? ??? ??
?? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ?????? ??? ??
????? ?????? ?????? ?????? ??? ?????? ??????.

109. ??? ??? ?????????? ?????????? ?????? ???, ?????????? ??
????? ??? ?????? (66) ??? ? ?????? ?????? ?????? ??? ?????? ??? ??????
????? ?? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ??????
(67). ?? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ???
????????? ?????? -????????? ??? ?????? ??? ?????? ?????? ?????? ???
????? ??? ?????? (68).

110. ????? ?? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?? ?????? ???
????????? ??? ?????? ?? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???
????? ? ?????? ?? ?????? ?????? ??? ?????? ??? ?????? (69) ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ??
??? ??? ?????? ?????? (70). ?????? ??? ?? ?????? ??? ?????? ?????? ???
????????? ?????? ?? ?????? ?????? ?????? ?????? ?????? (??., ??????,
????? 100), ?????? ? ?????? ?????? ?????? ?????? ?????? ?? ??????.

111. ?????? , ??? ?????? ?????? ?????? ?????? ?????? ??? ?? ?????? ???,
????? ?????? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? . ?
??? ?? ?????? ?? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??????
????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????
????? ???, ??? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??? ??
????????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ?????? ???
(71).

112. ?? ?????? ?????? , ??? ?????? , -????????? ?? ??? ?????? ?????? ???-?
????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ??? ??
????????? ?????? ?????? ??? ?????? ?? ?????? ?????? ?????? ?????? . ?
????????? ?????? ?????? ?????? , ?????? , ?? ??? ?????? ??? ?????? ??????
????????? ?????? ?????? ??????.

113. ?????? ??? ??? ?? ?????? 3, ?????? 3, ?????? ???, ???, ? ?????? ???
????????? ??? ?????? ?????? ???, ??? ?????? ??? ?? ?????? ?????? ???,
????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ??????.

? ?????????? ??? ?? ??? ??? ??????? ??? ?????? –??? ?????????? ??? ? ??????? ??? ??
??' ?????????? ????. ??? ?? ?????? ?????????? ??? ?? ???? ?? ?????? ??? ?? ??????
????? ??????????, ??? ?? ?????? ??????, ??? ?? ?????? ?????? ??? ?? ?????? 3,
????????? 1 ?? 2, ??? ?? ?????? ?????? ?????? ?????.

114. ??? ???????, ? ?????????????? ??? ?????? ??? ?????????? ??? ?? ?????? ??? ?? ??????????
????????? ?? ?????????? ?? ??? ?? ?????? ??? ?????????? ?????? ?? ?????? ?? ??????????
????????? ?? ?????????? ??????.

2) ?????????????? ??? ??????????

115. ???????, ? ?????????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?? ?????? ??? ?? ??????????
?? ?? ?????? ??? ?????????? ??? ?????????? ??? ?? ?? ?????? ??? ?? ?????? ??? ?? ?????
????????? ?? ?????????? ??? ?????? (72).

1) ??????????

116. ??? ?? ?????????? ??? ??????????, ??? ?? ?????????? ??? ?????? ??? ?????????? ??
????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ?? ?? ?????????? ??? ??????????
?? ?????????? ??? ?? ?????? ??? ?????? ??? ?????????? (73).

117. ??????, ?? ?????????? ?????????? ??? ?????? ?? ?????????? ??? ?????????? ??? ?? ?????? ??? ??
????? ??? ?? ?????? ??? ?????? (74). ??????????, ? ?????????? ??? ?????????? ??
????????? ?????????? ??? ??????, ??? ?????????? ??? ?????????? ??? ??????. ??????, ??????? ??
????????? ?? ?????????? ??? ?????????? (75). ?????????, ?????????? ?????????????? ??? ?????????? ??
????????? ?? ??????, ? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????????
????????? ?? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????. ?? ??
?????, ? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????, ??? ?????? ??
????? ?? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????? (76).

118. ??? ?????? ??? ?? ??????? ?????? ??? ?????? ??? ?????????? ??? ?????????? ??? ??
????????? ??? ?????? ??? ?????????? ???, ??? ??????, ??? ?? ?????????? ??? ??????, ???
????????? ?? ?? ?????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??????????
????????? ?? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??????????.

119. ??? ?????? ??? ?????????? ??? ??????????, ? ?????? ??? ?????????? ??? ?? ?? ???
????????? ??? ? ?????? ?????? ??? ?????????? ??? ?????? ?? ?????? ??? ?? ?? ??? ??
????????? ??? ??????, ??? ?? ?????? ??? ?????????? ??? ?????? ??? ?????????? . ? ?????? ??? ?? ??????
????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????. ??? ??????????, ????,
????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????
?????????????. ? ?? ??? ?????????????? ??? ?????????? ??? ?????????? ??? ??????, ??? ??????
????????????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ??????, ?? ????, ??
????????? ??? (77).

120. ??? ?????? ??? ??????????, ? ?????? ??? ?????? ??? ?????????? ???, ?? ????, ??? ?? ??? ??
????????? ? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? (?? ?????????? ??? ??
?????????) ??? ?? ?????? ??? ?????? (?? ?????????? ??? ?????????? ??? ?? ?????????? ??? ??
?????????), ??? ?????? ??? ??????, ??? ?????????? ?? ?????? ??? ?????????? ? ?????????? ??? ??
?????. ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????????? ??? ??
????????? ??? ?????? ??? ?????? ??? ?????? ??? ??????, ?? ?????? ??? ?????????? ??? ?? ??????
?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?? ?????? ??? ?? ??????

121. ??? ?????????? ??? ?????????? ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ???

? ??????? ? ?????? ? ??????? ?? ? ?? ? ??????????? ? ????????????. ??? ? ?? ? ??????????? ?? ?
???? ? ??????? ?? ? ?? ? ?????? Hervis Sport, ?? ? ?? ? ?? ? ?????? ? ??????? ?? ????
????????? ?? ? ??????? ? ?????????????? ?????? ?????? ?????????????? ???????????. ??? ? ?? ?
?????????, ????, ?? ? ?? ? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????????????? ?????? ?????? ???, ???????, ?? ? ?? ? ?????? ??? ? ?? ? ?????? ??????????
????? ?????? (????? ?????) ?????????? ??? ? ?? ? ?????????? ?????????? ?????????? ???
????? ?????????? (78). ??? ? ???????, ??' ???? ???? ?????? ?????? ?? ? ?????????? ? ??????
????????? ?? ? ??????? ??? ? ??????? ? ?? ? ?????? ??? ???? ? ?? ? ?????? ?????? ???
??????????, ??? ? ?? ? ??????? ??? ? ?????????? ??? ? ?????????? ??? ? ?????????? ??? ?
?? ? ?????????? ??? ????.

122. ??????? ? ?? ? ?????? ?? ? ?????? ?? ? ?????????? ? ?? ? ??????? ? ?? ? ?' ? ??????????
???????, ? ?? ? ?????? ?????????? ?? ? ?????????? ?? ? ?? ? ?????????? ??????????
?????????? ? ?? ? ?????? ?????? ?????? ?????????????? ?? ? ?? ? ?????? ? ?? ? ?? ? ??????
?????????. ?? ? ?????? ?????????? ???????, ????, ??? ? ?? ? ?????????? ?????? ?? ?
????? ?????? ??? ? ?????????? (????????????) ?????????? ?????????? ??? ? ?? ? ??????????
???????? ? ?? ? ?????? ?????????? ?????????? ???????. ?????? ?????????? ?????? ???
????????? ?????? ?????? ?????????? ?????????? ?? ? ?????? ?????? ??? ? ?? ? ?????? ?????? ??????
??? ? ?? ? ?????????? (????? ???? ?????? ?????? ?????? ??????????), ? ?? ? ?????????? ????
????????? (? ? ?????????? ?????? ??? ? ?????? ?????? ?????????? ?????????? ?????????? ???,
??? ? ?????????? ???????, ??? ? ?? ? ?????????? ??? ? ?? ? ?????? ??????).

123. ???????, ? ?? ? ?????? ??????? ?? ???? , ?? ? ?????????? ???????, ?? ? ?? ?
????????????? ?? ? ?? ? ?????? ?? ? ?? ? ?????????? ?? ? ?? ? ?????????? ??????????
?????????????. ?? ? ???????????, ??????? ? ?? ? ???????, ? ?? ? ?????? ?????????? ?????? ?? ?
???? ? ?????????? ?? ? ?? ? ?????? ?? ? ?? ? ?????? ?????? ?????? ?????????? ?????? ?? ?
????? ? ?????????? ?? ? ?? ? ?????? ???????, ?????????? ???????, ?? ? ?? ? ?????? ?????? ?????????? ?? ?
??????, ? ?? ? ?????? ?? ? ?? ? ?????? ?????? ??????? ? ?? ? ?????? ?????? ?????????? ?????? ?? ?
????????????? ?? ? ?? ? ?????? ?????? ?????????? ???????????, ?? ? ?? ? ?????? ?????? ?????????? ?? ?
????????? ?? ? ?? ? ?????? ?????? ?????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?? ?
????????? (79).

124. ???????, ? ?? ? ??????? ??????? ?? ? ?? ? ?????? ?????? ?????? ?????????? ?????? ?? ?
????????? ??? ? ?????????????? ??????.

2) ????????????

125. ??? ? ?? ? ?????? ?? ? ?????????????? ?? ? ?????? ?? ? ?????????????? ?????? ?? ?
????????? ?? ? ?? ? ?????? ?? ? ?? ? ?????? ?????????? ?? ? ?? ? ?????????? ?? ? ?? ? ??????
????????? ?????? ?? ? ?? ? ?????? ?????????? ?????????? ?? ? ?? ? ?????? ?? ? ?????????? ?? ?
????????? ?????? ?? ? ?? ? ?????? ?????????? ?????????? ?? ? ?? ? ?????? ?? ? ?? ? ?????? ??????????
?? ? ?? ? ?? ? ?????? ?????????? ?????? (80).

126. ???????, ??????? ?? ? ?????? ?? ? ?????????? ?? ? ?????? ?????? ?? ? ?????????? ?? ? ?? ?
????????? ?? ? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ? ??????
?? ? ?????? ?? ? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ?
????????? ?????? ?? ? ?? ? ?????? ?????? ?????? ?? ? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ?
????????? ?????? ?? ? ?? ? ?????? ?????? ?????? ?? ? ?? ? ?????? ?? ? ?????? ?? ? ?????? ?? ?
????????? ?????? ?? ? ?? ? ?????? ??????.

127. ???????, ?????? ?????????? ?? ? ?? ? ?????? ?????? ?? ? ?? ? ?????? ?? ? ?????? ?? ?
?? ? ?? ? ?????? ?????? ?? ? ?? ? ?????? ?? ? ?? ? ?????? ?? ? ?? ? ?????? ?? ? ?????? ?? ?
????????? ?? ? ?? ? ?????? ?????? ?? ? ?? ? ?????? ?? ? ?? ? ?????? ?? ? ?????? ?? ?

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

128. ???????, ? ????. ?????????? ?? ????. ?? ?????? ????. ?????? ?????? ?????????? ??
????????? ?????? ?????????? ?????????????? ????. ?????????? ?????? ????. ??????????????
??????. ? ?????? ?? ????. ?????? ?????? ?? ????. ?????????? ????. ?????? ????.
????????? ????. ????. ?????? ?????? ?????? ????. ?????? ?????????? ?????? ????. ????.
????? ????. ????. ?????????????? ?????????? ????. ?????????????? ????.

129. ??????, ????. ????. ????. ????. ?????? ?????? ?????? ????. ?? ????. ????.
????????? ????. ?????????? ????. ?????????? ????. ?????., ?????????? ????. ????.
?????.

3) ??????????

130. ??????, ?? ?????????? ?????? ?????????? ?????? ?????? ?? ?????? ?????? ?????? ????.
??? ?????????? ????. (81). ?????? ?????????? ????. ?????? ?????????? ????. ?? ?????????? ????.
??? ?????? ?????????? ????. ????. ?????? (82). ?????? ?????? ?????? ????. ?????? ?????????? ????.
?????.

131. ??????, ??????????, ??????, ? ?????????? ????. ?????? ?????? ????. ?????? ?????? ????.
??? ?????? ?? ????. ?????????? ????. ?????? ?????? ????. ????. ?????? ?????? ????. ?? ????.
????? ?? ????. ?????? ????. ?????? ?????? ????. ?????? ?????? ????. ????. ?????? ????.
????????? ?????? ????. ????. ?????? ?????? ????. ?????? ?????? ????. ?????? ?????? ????.
????????? ?????? ????. ?????? ?????? ????. ?????? ?????? ????. ?????? ?????? ????.
?????????, ????. ????. ?????? ????. ?????? ?????? ????. ?????? ?????? ????.
????????? ????. ?????? ?????? ????.

132. ??????, ?? ?????????? ????. ?????? ????. ?????? ????. ?????? ?????????? ???????. ???.
?????????, ????. ?????? ?????? ????. ?????? ?????? ????. ?????? ?????? ????. ???.
????????? ????. ?????? ?????? ????. ?????? ?????? ????. ?????? ?????? ????. ???.
????? ?????? ????. ?????? ????. ?????? ????. ???'. ?????? ????. ?????? ????. ???.
????? ?????? ????. ????. ?????? ????. ?????? ????. ?????? ?????? ????. ?????? ????.
??? ????. ????. ????. ?????? ????. ?????? ????. ?????? ?????? ????. ?????? ????. ???.
??? ????. ????. ????. ?????? ????. ????. ?????? ????. ????. ????. ????. ????. ???.
??? ????. ????. ????. ????.

133. ?? ????, ????, ?? ????. ?????????????? ????. ?????????? ????. ?? ????.
????????? ????. ????. ????. ?????? ????. ?????? ?????? ????. ?????? ?????? ????. ???.
????? ?? ????. ????. ?????? ????. ?????? ????. ?????? ?????? ????. ?????? ?????? ????.
?????.

4. ?????????? ??? ?? ?????? ?????????????? ??????????

134. ?? ????? 49 ????. ??? 54 ????. ??? ?????????? ??? ??????. ??? ??????. ??? ??????. ??? ???. ??? ??????.
???????????????

3. ?????????? ?????????????? ??????: ?????????? ??? ?????????????? ??????????

135. ????????, ?????????? ?? ?????????? ?????? ? ?????????? ?????????? ???
????????? ?????? ?????? ??? ?????????? ??? ?????? ?????? ??????????????. ??? ?
????? ??????????, ? ?????????? ?????? ?????????? ??? ???? ? ?????????? ??????????
????????? 6,5 % ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ???? ???? ????
??????.

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

136. ?????????? ?? ?????????? ?? ?????????????????? ?? ? ??????? ?????????????? ?????????? ?????????? ??
????????? ?? ?????? ?? ?? ??????? ??????. ?????? ?????????? ?? ?????? ?????? ?????? ?????????? ??
???????????, ???? ?? ?????? ?? ?????????????? ?? ?????? ?? ?????? ?? ?????? ?? ?????????? ??
??????????? ?? ?????? ?? ?????????? ?? ?????? ?????????????? ?? ?????? ?????? ?????????? ??
????? ?? ?????????? ?? ?????? ?? ?????????? ?? ?????? ?????? (83).

137. ???????, ??? ? ????? ?????????????? ??? ?????????????????? ????????, ??? ?????? ??? ??
????????? ????, ?????? ??????????????, ?????? ?? ?????????????? ?? ?? ?????? ??? ??????
????????????????? ??? ???? ?????? ??? ?????????????? ?????????????? ??? ?? ?????? ??? ??????
??? ?????????? (84). ?? ?????? ??????????, ? ?????????? ??? ?????? ?????? ?????? ???
????????? ??? ???? ?????? ??? ??????????????, ? ?????? ?????????????? ???' ?????? ???
????????? ??????.

138. ?????????????? ????. ?????? ??????????. ?? ????????????, ? ???????????? ???
????????????? ????. ?????? ?????? ?????? ?????????? ?? ?????? ????. ?????? ?????? ??????
????????? ?????????????? ????. ????. ?????? ?????? ?????????????? ??????. ?????? ????. ??????
????????, ??????, ? ?????????????? ?????????? ?????? ????. ?????? ?????? ?????? ?????????? ?????? ????.
????????????? ????. ????. ?????? ?????? ?????? ?????????? ????. ????. ?????? ????. ?????? ?????? ?????? ????.
????? ????. ?????????????? ????. ?????? ????.

139. ???????, ? Vodafone ??? ?????? ?? ?????????????? ??????? ??? ?????? ??????????????
??? ??????? ?????????? ??? ?????????????? ??? ?????????????? ?? ?????? ?????? ??????????????
????????????? ?? ?????????? ??? ?????????? ??? ???????.

140. ?????? ? ??????? ??? ?????????? Air Liquide Industries Belgium (85) ??????? ??
?????????? ?? ?????. ???? ??? ?? ??? ??????, ?? ?????????? ?????????? ???????????
?????????? ?? ?????? ?? ?????????? ??? ?? ??????? ??? ?? «?????????» ??? ??????????
???? ??? «?????? ?? ?????? ??? ?????????? ?? ?????? ??? ?????? ??????». ?? ?? ???
?????? ?? ??? ?????????? ??????? ?? ?? ?????????? ?????? ?????? ?????? ??? ???
?????.. ??? ???????????, ??? ??? ??????, ?? ?????????? ?????? ??? ? «???????
???? ??? ?????? ?? ??????? ??? ?????????? ??? ? ??????? ??? ?????????? ?????
?????????? ?????? ?????? ?????? ?????? ??? ?? ?????????? ??? ?? ??? ??????????
????????? ??? ?? ??? ??????» (86). ??? ?????????? ??? ?? ?????? ??? ?????????? ?? ???
????????? ??? ?????? ?????? ??? ?? ??? ?????????? ??? ?? ????? ?????????? ??? ?? ??????
????????? ??? -????? ?? ?????????? - ??? ????? ?????????? ???, ??? ??????????, ????

141. ??? ??????? ???, ?? ?????? ?????? ?? ?????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? ?? ?????? ?? ?????????? ?? ?????????? ?? ?????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ?????? (87). ??????, ? ?? ?????? ??? Vodafone ??? ?? ?????? ??????, ??? ?? ?????? ??? ?????? ?? ?????? ??? ?????? (??? ?????? ?????? ??? Vodafone) ???, ?? ?? ??????, ??? ?? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ???.

142. ??????????, ??????? ?? ??? ?? ????? ??????????, ?? ?? ?????? ?? ?????????? ?? ???????
???? ?? ??????????, ??? ?????????? ?? ?????? ?? ?????? ?? ?????????? ??????????????
-???? ?? ?????? A?Brauerei (88). ? ?????????? ?? ??? ?? ?????? ?? ?????????? ?? ???
??????????, ?????????? ?? ??? ?? ?????? ?? ?????????? ? ?????????? ?? ??? ?? ??'
?????????? ??????. ???????, ?????? ?????????? ?? ??? ?? ?????????? ?? ??? ??????????
???? ?????????? ?? ??? ?? ?????? ?? ?????? ?????? ?????? ?????? (?)
?????????? ?? Vodafone) ??? ??????? ?? ?????????? ?? ?????????? ?? ??? ?? ?????????? ??
?????.

144. ?? ?????????? ?? ?????????????? ??????????? ?? ??????? ?? ?????????? ?? ??????? ?? ??
????????? ??????? ?? ?????????????? ?? ?????????? ANG?D (91) ??????? ?? ?????????? ??
????????? ??????? (????? ??????????? ??????) –????????? ?? ?? ?????? ?? ?? ??????????
? ??????? ?? ?? ??' ?????????? ??????. ? ?????????? ?? ?? ??????? ?? ?? ??????? ?? ??
?????????? ?? ??????? ?? ?? ??????????? ?? ?? ??????? ?? ?? ?????? (?? ??? erga omnes) ?? ??
????? ?? ?? ?????? ??????????? ?? ??????? ?? ??????? ?? ???. ?? ??????? ?? ??, ?? ??????????
?????????? ?? ?? ?? 107 ?? ?? ?????? ??????????? ?? ??????? ?? ?? ?????????? ?? ?? ??
?????????? ??, ?? ?? ??????, ?? ?????????? ?? ??????? ?? ?? ?????????? ?? ?? ??????????
??????.

145. ??????????, ??? ???? ?????????? ??? ?????????? ?????? ??? ?????? ??? ?????????????? ?
?????? -????? ?????????????? ?? ?????????? ??? ?????? ?????? ?????????? -?????
????????????? ??? ?? ?????? ??? ?????? ??? ?????? ?????? ??????. ? ?????????? ???

????????????? ??? ??????? ANGED ??? ???????????? ???, ?? ?? ??????, ??????????
?????????? ? ?????????????? ????. ??????? ?? ??? ????? ?????????? ??? ?????????? –?
????? ?????????? ??? ??? ?????? ?????? ??? ?????????? Air Liquide Industries Belgium (92)–, ??
????? ?????????? ??? ?????? ??? ?????????? ????? ?????????? ??? ?????? ?????????? (93).

146. ?????????????? ?? ?????????? ?? ?????????? ?? ?????????? ?? ?????????? ?????????? ?????????? ??
????? ?????? ?????? ??????????. ?? ?????? ?????????? ?? ?????????? ?????????? ??????????
????? ?? ??????? ?????????? ?????????? ?????????? ?????????? ??????????.

147. ??????? ???. ????????, ??? ??????? ?????? ? ?????? ?????????????? ??? ???. ?????????????????
????????? ??? ??????????????, ???? ??? ?????? ? ?????????? ?????? ??? ?????? ???. ?????????? ???
??? ? ?????????? ??? ?????????????? ?????? ?????????????? ?????? ?????? ?????? ?????? ?????? ???
?? ?????????? ??? ???. ?????????? ?????? ??? ?????? (94). ????????, ? ??????
????????????? ?????????? ????. ?????? ?????????? ????. ?????? ?????? ???. ?????????? ??????.

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

148. ??????, ??? ?? ?????????? ?????? ?? ?????????? ?? ???????, ?? ?????? ??
????????? ?? ? ?????? ?????? (????? ?????? ??????) ??? ?????? ??????????????
??? ? ?????????? (????? ?????? ??????) ??? ?????? ?????????????? ?????? ??
????????? ?? ?????????? ??? ?????? ??? ?????? ??? ?????? 107, ?????????? 1, ????.

149. ????? ?????? ??????????? ??? ????????????, ? ?????????????? ?????? ?? «?????????
??????????», ???? ??? ?????? ??? ?????? 107, ?????????? 1, ????, ?????????? ???,
??????, ?????????? ??? ?????? ?????????? ? ?????????? ??? ?????????? ????. ?????? ????????, ?
????????? ??? ?????? ??? ?????? ?? ??????? ?? ?????????? ??? ?????? ??? ?????? ????.
??????, ? ?????????? ??? ?????? ?? ??????? ?? ?????????? ??? ?????????? ??? ?????? ??? ???????????.
??????, ?????? ?? ??????? ?? ??????? ?? ??????? ?? ?????????? ??? ?????????? (95).

150. ?????????????? ????????, ?? ??????????, ?????? ?? ?????????? ??????????????. ??????,
?????? ?? ?????? ??? ????? ????? ?????????????? ?????????????? ?????????????? ??????
????????????????? ?????????? ?????????????? ?? ?????????? ?? ????????, ?? ???? ??
????????????? ????, ?? ?????? ?????????????? ????. ????. ????. ????. ????. ????. ????.
?????? ?? ??? ?????? ?????? ?????? ?????????? ??????????. ?? ?? ?????? ?? ?????????? ????.
?????? ?? ?????? ?? ????.

151. ? ?????????? ????. ?????? ??? ??????ó ?????????? H. Saugmandsgaard Øe ??
????????????? ??????? ??? ?????????? ?????? ?????????? ??? ???????????.
?????????????, ??????? ????. ?? (96):

«???? ?? ?????? ??? ??????? ??????????????, ?????? ?? ?????? ?????????????? ?????????????? ?????? ??
????????????? ??????????????, ?????????????????? ?????? ?? ?????? ?? ?????? ?????????? ?????? ??????????????,
????????? ?????????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????????? ?????????? ??????????????, ?????????? ??
????? ?????????????? ?????? ?? ?????????????? ??? ?????????????? ?????? ?????????????? ??????????????. ??????????, ???
?? ?????? ?? ?????????? ??????????, ?? ?????????????? ?????????????? ?????????????? ??????????
????????????? ? ?????? ?????? ?? ?????????????? ?????? ??? ?? ?? ?????????????????? (?????????
?????) ???? ?? ?????? ?????? ?????????????????? ?????? ?????????????? ??? ?? ?????? ?? ?????? ?? ?????? ??
????????? ??? ?????????? ?????????? (????? ??????). ?????? ?? ?????????????? ??? ??????
??? ?????? ?? ?????????? ??? ?????????? ?????? ?????????? ?? ?????????? ?????????? ??? ?????? ??????????????
??? ?????????? ?????????????? ?????????????? ?????????????? ?? “?????????????” (97), ???? ??
????? ?? ?????????? ????, ?????????? ??? ?????? ?????????????? ?? ??? ?? ??????????
????? ?? ?? ?????????????? ?????? ?????????? ?????????????? ?? ??? ?? ?????????? ?????? ??????????

?????? ? ?????????? ??????????? ??? ??????? ??? ?????????? ?????????????? ?? ?????????? ??
?????, ????, ??? ?????????? ??????? ??? ?? ?????????? ?????????????? ??? ?????????? ??
“?????? ????”.»

152. ??????????? ??? ????? ?? ??????????, ??? ?????? ??? ??????? ?? ??????? ?????? ???
???' ??????? ??? ?????????? ??????? ??? ??????? ?????????? ??????????, ????, ????
?? ??????? ??????? ?? ??????? ?????????? (??????, ?????? 153 ??.) ?? ????? ??
?????? ?? ??????? ?????????? (??????, ?????? 157 ??.).

1) ??? ??? ?????? ??????? ??? ??????????????

153. ??? ????? ?? ?? ?? ?????????? ??? ??????????? ??? ??????? ??? ?????? ???
????????? ?????????? ??? ??????? ??? ???????????, ??????? ?? ?????????? ???, ????
????????? ??? ???????????, ?? ??????? ?????????? ?????????????? ?? ?????????? ??
??????, ??? ??????????? ????, ??????? ?? ???????????, ?????? ? ??????, ?????????????? ??
?? ??????? ??????? ?? ?????????? ?????????? ?????????? ??? ??????? ? ?????????? ??
????????? ??? ?? ??????? ??? ?????????? ?????????? ??? ??????? (98).

154. ??? ????? ??????? ??? ?????? 107, ?????????? 1, ??? ??????? ?? ?????????? ???
??? ??????? ?????????? ?????????? ?????, ??????? ??? ?????????? ??? ?????????? ???
????????? ????, ??????? ??? ?????????? ?? ?????????? ?????????? ?????????? ???
????? ?? ??? ?????????? ?????????? (99). ???????, ?????????? ?????????? ?????????? ???
?? ?? ?????????? ??????? ?? ???????, ?????????? ???????, ?????????? ???
????????? ??? ?????????? ?????????? ??? ?????????? ?????? ??? ?????????? ???, ???
????????? ??? ??????? ?????????? ?????????? ??? ?????????? ?????? ??? ??????? ???
????????? ??? ??????? ?????????? (100).

155. ??? ????? ?? ?????????? ??? ?? ?????????? ???????????, ??? ??????????
??????????. ??? ?? ?????????? –?????? ??? ??????? – ??? ?????????? ??? ?
?????? ??????? ??? ?? ?????????? ?? 500 ?????????? HUF, ??? ?????????? ??
????????? ???????, ??? ?? ?????????? ?????????? ??? ?????????? ??? 500 ?????????? HUF
??? 5 ?????????? HUF. ????? ?????? ??? ?? Vodafone.

156. ?????????? ??? ??????, ?? ???, ? ?????????? ?????? ?????? ?????????? ?????????? –?????
????? ?????????? ??? ? Vodafone ??? ??? ? ??????? – ??? ?????????? ??? ??????????
????????? ??? ?????? ??? ?????????? ?????? ??? ?????????? ??? ?????????? ???.

2) ?????????? ?????????? ??? ?????????? ??? ?????????????? ??? ?????????? ???

157. ???????, ?????????? ?? ?????????? ?? ? ?????????? ?????? ??????????????
??????????, ?? ?????????? ??????? ??????? ???????, ??????? ?? ?????????? ?? «???????
?????????? ??????? ?????????? ?????????? ?? ??????? ?????? ??????????» ??? ?? ??????
?? ?????? 107, ?????????? 1, ???, ?????? ?? ??????? «?????????» ?????????? ???
?? ?????? ??? ?????????? ??? ??????????.

158. ? ??????? ??? ?????? ??? ?????????? ?????????? ??? ??????? ??? ??????????
?????????? ??? ?????? ?????? ?????????? ?????? ?????????? ?????????? ?????????? (101). ???
?????????? ??? ?????????? ?????????? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????????? ???
?????????? ??? ?????? ??? ?????? ?????????? ?????? ?????????? ?????????? ??? ?????? ???
????????????? (102). ??? ??? ?? ?????? ??? ?? ??????? ?? ?????????? ?? ?????????? ??????????
?????????? ??? ?????????? ???????. ????? ?????? ??? ??? ??? ?????? World Duty
Free Group ??? (103). ? ?????? ??? ?????? ?????? ?????? ?????? «????????? ??????»
?? ?????? ?????????? ??? ?????????? ??? ?????????? ??? ?????? ??? ??????.

? ????????????, ??? ?????????? ??? ?????? ?????? ??? ?????? 111 ????. ????????, ????????, ????????
?????????? ?????????? ??? ?????? ?? ?????? ?? ?????? ??? ?????????? ??? ?????????? ??????????
????? ??? ? ?????? ??? ?????? ??? ?????? ????????????????

159. ????????, ????????, ??? ?????????? ?????? ?????????? ?????? ?????????? ?????????? ?????? ???
????????????? ??? ?????? ??? ?????????? ??? –????? ?????????? ?????????? ?? ?? ??????
????????? ??? ?????? ??????– ??? ?????? ??? ?? ?????????? ?? ?????????? ? ??????????
????????? ??? ?????????? (104). ??????? ? ? ??????, ?? ?????? ?????? ??
????????? ? ?????????? ??????????.

160. ????????, ??? ?????? ??? ?????? ??? ? ?????????? ?????????? ?????????? ??? ??????????
?? ??? 107 ??? ?????? ??? ?? ?????? ?????????? ?????????? (105). ??? ??? ??????
????, ?? ?????????? ??? ?????? ?????? ?????????? ?????????? ??? ?? ?????????? ???
????????? ??? ?????? ?????? ?????????? ?????????? ?????????? ??????, ?? ?? ? ??????
????? ?????????? ?? ??? ? ??? ?????? ??? ?????? ?????????? ?????????? (106).
????? ??? ?????? ?????? ?? ?? ?????????? ??? ?? ?????????? ?????????? ??????????
????????? ??? ?????? ?????????? ?? ??? ?? ?????????? ??? ?????? ?????????? ?????????? ??????????
(107).

161. ??? ??? ?????? ????, ????, ?? ????, ??? ??????, ?? ?????????????? ?? ?????? ?
«?????» ?????????? ??? ?????? ??? ?????? ?????????? ??? ?????? ?????? ??????. ?? ??????
????? ?? ?????? «?????» ?????????? ??? ?????? ?????? ?????? ??????????, ?? ?????? ??????, ??
????? ??? ?????? ?? ?????????? ??? ?????? ?? ?????? ?????????? ?????? ??????
????????? (108). ?????? ?????????? ??? ?????? ?????? ?????????? ?????? ??????
????????????? ??? ?????????? ?? ?????? ?????????? ??? ?????? ??? ?????? ?? ??????????????
??????, –????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ?????????? ??????????– ?
????????? ??? ?????? ?? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ?????? ??????
????? ?? ?????? ?????????? ??? ?? ?????????? (109).

162. ?????? ?? ??? ?????? ?????????? M. Bobek (110) ??? ? ?????? ??? ??????????
????????? ??? ?????? ?? ?????? «?????» ?????? ??? ?????????? ???????????. ?? ?? ??????,
?? ?????? ??? ?????? ?? ?????? ?????? ?????????? (??., ??????, ?????? 174 ??.) ???,
?? ??????, ?? ?????????? ?????????? ?????? (??., ??????, ?????? 177 ??.). ??????????, ?? ?????? ??? ?????? ??? ?????? ?????????? (??., ??????, ?????? 165).

1) ?????????? ??? ?????? ?????????? ?????????? ??????????.

163. ??? ?????????? ??? ?????? ?????????? ??????????, ?????? ?????? ???
????????? ??? ?? ?????? ?????? ??????????, ?????????? ?????????? ?????????? ??????
????????? ??? ? ?????? ?????? ?????????? –????????? ??? ??? ?????? ??? ?????? ???
????? ??? ?????? ?????? ??????– ?????????? ???' ?????? ??? ?????? ??? ?????? ???
????????? ??????????, ?????? ?????? ??? ?????? ??? ? ?????????? ??? ??????
????????? ?????????? ?? ?????? ??? ?????????? ?????? ?????????? ?????????? ??? ??????
????? ??? ?????? ?? ?????? ??? ??????????. ??? ?????? ?? ??????, ?? ??? ?????? ?????????? ??????
????? ??? ??? «?????» ?????? ??????.

164. ?? ?????????? ??? ?????? ?????? ?????? ?????????? ?????? ?????????? ???
????????? ANGED (111) ??? ?????? ?????? ?????? ?????? ??? ?? ?????? ?????????? ??
????????, ??? ?? ??? ? ?????? ?????????? ?????? ?????? ?? ?????? ?????? ???????. ???
????????? ??? ??? ?????????? ???????. ? ?????????? ?????? ?????????? ?????????? ???

? ??????? ? ??????? ?? ? ?????????????? ??????? ?????? ??? «?????????» (?????????);
??????????, ??? ? ??????? ? ?????? ??? ??????. ? ?????? ?????? ?????? ?????????? ??? ???? ??
????????????? ?????? ?????????? ?? ?????????????? ?????? ?????? ?????????? ?????? ??????.

165. ??? ? ? ???????, ?????? ????? «?????» ?????? ?????????????? ??? ??
????????? ?????????? ??? ? ?????? ?????? ??? ?????? ?????? ?? ?????????? ??
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (112).
????????? ??? ? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????
????? ?? ? ? ?????? ?????????????? ?????? ??? ?????? ??? ? ?????? ?????? ??????.

166. ????? ??? ?????? ????? ?????????? ??? ?????? ??? ?????? ?????? ??????,
????????? ?? ?????????? ?????????? ?????? ??? ?????? ?????? ??? ?????? ???
????????? ??????, ?????????? ??? ?????? ??? ?????????? ?????? ??? ? ??????????
????????? ?? ??? ?????????? ??? ?? ?????? ?????? ??? ?????? (113). ???????,
????????? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??????
????????? ?????? ?? ?????????????? ?????? ?? ?????? ?????? ?????? ?????? ?????? ??
????????? ??? ?? ?????? ?????? ?????? ?????? ??? ?? ?????? ?????? ?????? ?????? ???
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (114). ?????? ?????? ?????? ???
????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?? ?????? ?????? ??????
????????? ??????.

167. ?????? ?????????????? ???, ?????? ?????? ??? ?? ?????? ?????? ??????
????? ?????? ??? ? ?????????? ?????? ??? ?????? ?????? ?????? (115), ??? ??????
????????? ?????? ??? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ???.
????? ?? ??? ??????, ?? ?????? ?????? ?????? ?????????? ?????? ?????? ??? ??? ??? ??
?????????, ??? ?????, ?? ??? ?????????? ?? ?????? «offshore», ?????? ?
????????? ?????? ?????? ?????? ?????? ?? ?????? ?????? ?????? ??? ??? ??????
(????????? ??? ?? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?
????????? ?????? ?????? ??? ?? ?????? ?????? ?????? ??? ?? ?????? ?????? ?????? ?????? ???
????? ??? ?? ?????? ?? ?????????? ?????? ?????? ?? ?????? ??? ?????? ??? ?????? ???
????????? ?????? –??' ?????? ??? ?????? ?????? ??? ?? ?????? ?????? ?????? ??? ??
????????? ?????? ?????? ?????? ?????? ??? ?????? ?? ?????? ?????? ?????? ??? ??
????????? – ?? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? (116).

168. ? ?????? ?????? ??? ?????????? ?????? ?????? ?????? ?????? ?? ??????????
????????? ??? ?????????? ??????. ??? ?????????? ?????? ??? ?????? ???
????????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????? ???.
????? ??? –??' ?????????? ?????? – ?????? «?????????» ?? ?????????? ???
?????, ?????????? ?? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? . ??????, ? ?????? ??? ??????
????????? ??? ?? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ???
??? ?? ??? ??????.

169. ??? ?????? ???????, ?? ?????????? ?????? ?????? ?????? ??? ?????, ??????
??????. ??? ?? ?????????? ?????, ??? ? ?????? ?????????? ?????? ?????? ??????
????????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ??? ??????
????????? ?, ?????? ??? ? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ??
????????? ?????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? (????? ??
????????? ??? ?? ?????? ?????? ?????? ??????) ?????????? ?????? ??? ?????? ???
????????? ??? ?????? ?????? ??????; ?????? ?????? ?????? ?????? ??????;

2) ??????? ?????? ??? ??????

170. ?? ?????????? ?? ?????????? ?????????? ?????????? ?????????????? (117) (????? ???? ????)
?? ?????????? ?? ?????????? ?????????? ?????????? ?????????? ?????????? ?????????? ??????
????????? ?????? ??? ?????????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????????
????????? ?? ?????????? ?? ?????????? ?????? ?????????? ?????????? ?????????? ??? ?????? ?????)
????????? ?? ?????????? ?????? ?? ?????????? ?????????? ?????????? ?????????? ?????? ??????
????????? ?????????? ??????. ??? ?????? ???, ?? ?????? ?????????????? ?????? ????.
????????? ??? ?????????? ?????????? ?????????? ?????????? ??????, ?????? ???? ????
????????? ?? ?????????? ??????, ?????????? ?????? ??? ?????? ??? ?????? ??? ??????, ?? ??????
????? ??? ?????????? ?????????? ??????, ?? ?????????? ?? ?????? ?? ??????, ?? ??????, ?? ??????
????? ?????????? ?? ?????? ?????? ?????????? ?????, ?????????? ??? ?????? ??? ?????? ??????
????? ??? ?????????? ?????? ??? ?????? ?????????? ?????, ?????????? ??? ?????? ??? ?????? ??????.
????? ??? ?????????? ?????? ??? ?????? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????? ?????.

171. ?? ?? ??????, ?????????? ?????????????? ?????? ?? ??????????, ??????, ?????? ??? ??
????? (?? ??????????, ? ?????????? ?????? ?????????? ??????????), ??????
????????????? ?????? ??? ?????????????? ?????????? ??????????, ??? ?????? ??? ?????? ???
????????? ?????? ?????????? ??? ?????? ?????????? ??????, ?? ?????????? ?????????? ?????????? ???
????? ?????????? (118), ? ?????? ?????? ??????.

172. ???????, ???? ?? ?????????? ? ?????????? ?? ?????????? ?????, ?? ?????????? ?????? ??
????????????? ??? ?? ??? ? ??? ?????? ?????? ??? ?????????? ??? ?????? ??? ?????? ??????????,
????? ???? ??? ?????????? ?????????? ?????? ?????? ??? ?????? ?????? ? ??????????????
????? ??? ?????? ?????????? ?????????? (119), ?? ?????? ??? ?????? ??? ?????? ?? ??????
?????????. ???????, ?????? ?? ?????????? ?????? ?????? ?????? ?? ??????????????????
?????????????, ??? ?????? ?????? ?????? ?????? ANGED, ?????????????? ???, ???
????????????? ??? ?????????? ?????? ?????? ?? ?????? ?? ?????? ?????? ?????????? ?????????? ???
????????????? ??? ?????? ?????????? ?????? (120).

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

173. ??????, ?????? ?? ?????????? ?????????? ?? ?????????? ?????? ?????????????? ??? ??????
??? ?????????? ?????????? ??? ?????? ?????? ?????? ?? ?????? ??? ?????? ?? ??????????????.
?????????, ?? ???? ?? ?????? ??? ?????? 107, ?????????? 1, ????, ? ?????????????? ???
????? ?????????? ?? ?????? ??? ?????????? ?????? ?????????? ?????? ??? ?????? ??????
????????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ???, ?? ??????????
?????????, ??? ?????? ?????? ??????????, ??? ?????????? ?????????? ?????????? ??????
?? ?????? ?? ?????????? ??? ?????????? ?????? ?????? ??? ?????? ??? ?????? ??? ????
????????????? ?? ?????????? ?????? (121).

174. ?????? ???? ??? ?????? ???? ???? ? ???????????. ?? ?????????? ???? ??? ??????????
????????????? ?????????????? ?????????? ?????? ??? ?????? ??? ?????? ?????? ???? ??? ??
????????? ??? ?????? ?????????? ?????? ???????. ???? ?? ?????? ??? ?????? ?????? ???? -?
????? ??? ?????? ?????????? ?????? ?? ?????????? - ??? ?????????? ?? ??????????
????????? ??? ?????? ??????.

175. ?? ??? ?????? ???? ???? ?????????? ?????????? ?????????? ??? ?????????? ??
????????????? ?? ?????????? ??? ?????? ???? ?? ?????? ??? ?????? ?????????? ???????????.
??? ?????? ?????? ?????? ???? ?? ?????? ???? ?? ?????? ?????? ???? ?????? ?????? ????
?? ?????? ??? ?????? ??????.

ii) ??????????: ?????????? ??? ?????? ??????????

176. ??????, ??? ?? ?????????? ??????????? ?? ?????????? ??? ?????????? ??? ?????????? ???
????????? ?? ?????? ?????? ?????? ?????? ??????, ??? ??????????, 10 000 ???/HUF ???
???? ?????????? ?? ?????? ?????? ?????? ?????? ?????? 100 000 000 ???/HUF, ?? ?????? ??
????????? ??? ?????? ?????? ?????? ?? ?????????????? ? ?????? ?????????????? ??? ??? ??????????
????????? ??? ?????? ?????? ?????? ?????? ?????? ?????????????? ??? ?????? ??????????????.

177. ?????????? ?????? ?????????? ??? ?????? ??? –??? ?????????? ??? ?? ?????????? ???
????? World Duty Free (122)– ??? ?????? ? ?????? ? ?????????? ??? ?????????? ??????????
????????? ?? ?????? ?? ??? ?????????? ??? ?? ?????? ??????, ??? ?????? ??? –??? ???
????????? ??????– ??? ?????? ?????? ?????????? ??? ?? ?????? ?????? ?????? ?????? ??? ?
????? ? ?????? ?????? ?? ?????? ??????.

178. ?????? ??? ?????? ?????? ?????? ?????? ?????? ?? ?????? ??? ?????????? ??? ?????? ?? ??????
??????, ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????? ?????????? (123). ???????, ??
???? ?????? ?????? ? ?????? ?????????? ??????. ??????, ?? ?????????? ??? ?????? ??????????
????????? ??? ?????? ??? ?????? ??? ?? ?????? ??? ?? ?????? ??? ?????? ?????? ?????? ??????
?? ?????????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ?????? ?????? ??? ??
????????? ?????? (124).

179. ?????????? ?? ??????????, ????, ????, ??? ? ?????????? ?????????? ??? ?????? ???
????????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????????? ?????????? ???, ???
????????? ?????? ??? ?????? ??? ?????? ?????? ??? ?????? ??? ?????? ?????? –??? ???
????? (125).

180. ??? ?????? ??? ?????? ?? ?????????? ??? ?????? ??? ?????? ???????. ??? ??????????????
????? (????? 108 ??), ? ?????? ??? ?????? ??? ?????????? ?????? ??? ?????? ??? ?????????? ????
????????? ??? ?????????? ?????? ??????????, ? ?????? ?? ?????????? ?????????? ??? ?? ???
??? ?????? ??????. ??????, ?????????? ??? ?????? «????????????? ??????????»
–??? ?????? ?????????? ??? ?????? ?????????? ?????????? ?????????? ??? ?????? ???,
????????, ??? ?????? ?????? ?????? ??? ?????? ??????–, ?????? ?? ?????????? ??? ??????????
????????? ?????? ?????????? ?????? (????????? ??? ?????? ??? ?????????? ??????). ? ??????
????????? ?????? ?? ?????? ?????????? ??? ?????? «????????????? ?????? ??????» ???
????????????? ??? ?????? ?? ?????? ?????????? ??? ?????? 19?? ?????? 2016
????? ?? ??? «????? ??? ?????? ?????? ?????? ??? ?????? ?????? ??? ?????? 107,
????????? 1, ???» (??? ????: ??????????) (126).

181. ????????, ??? ?? ?????????? ??????????, ??? ?????????? ??? ?????????? ??? ??????????
????????? ??? ?????? ?? ?????? ??? ?????? ??? ?? ?????????? ??? ?????????? ??? ??????
????? ?????? ?? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ??? ?????? ??? ??
????????? ??? ?????? ??? ?????? ??? ???????. ??? –??? ?????????? ??? –??? ??????
????????? ?????.

182. ????????, ??? ?? ?????? ??? ?????????? ?????? ??? ?????????? ??? ?????????? ??? ??????????
????????? ?? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ?????? ?????????? ??? ??????
????????? ??? ?? ?????? ?????????? (127), ??? ?????? ??? ?????? ??? ?????? ??? ?????? ??? ??
????????? ?????? ??? ?????? ??? ?????? ??? ?????? (??????, ???????, ?????? 100).

183. ??? ?????????? –??? ?????? ??? ?????? ??? ?????? ??? ?? ?????????? ??? ??????– ?

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

184. ?? ??? ??? ?????? ?????????? ?????????? ?????????? (? ??? ?????? ?????????? ??? ??????
????????? ??????) ?????????? ?????????? ?????????? ?????? (???????, ???????, ?????? 118
??.). ??? ??? ?? ?????? , -??? ?????? ??? ? ?????? ?? ?????? ?? ?????? ??? ?????? ??? ??????
????????? (128)- ? ?????? ?????? ?????? ?? ?????? ?????? ?? ?????? ?? ?????? (??????? ???
?????????) ?????????? ?????????? ?????? ???, ?????????? ???, ?????????? ??? ?????????? ???
????????? .

185. ??????, ??? ?????? ?????????? ?????????? ?????????? , ??? ?????? ?? ?????????? ? ??????
????????????? ??? ?????? ?? ?????? ?? ?????? ??? ?????? ??? ?????????? ???, ???????,
????????? ?????? ?????????? ?????????? . ?????????? ???, ??? ?? ?????? ??? ??????
????????? ?? ??? ???, ?? ?????? ?????? ?????? ?????????? ?????? (???. ?????????? ????
????? ? ?????? ?????? ??? ?????? ?????? «????????? ???») ???
????????? ?????? (???. ?????? 282 ?? . ??? ?????? ??? ??????).

186. ??????, ?????????? ?????? ??? ?????? ?????????? ?????????? ?????????? , ? ?????? ??
??? ?????? ?????? ??? ?????? ??? ?????? ?????? ?????? ?????? , ?????????? ??? ? ??????
????????? ?????? ?? ?????????? ??? ?????? (????? ??? ?????????? ?????? ?????? (129))
??? ?????? ?????? ?? ?????? ??? ?????????? , ??? ?????????? ?? ?????? ??? ??????
????? (???????, ???????, ?????? 123). ? ?????? ??? ?????????? ??? ?????? ??? ??????
????? ?????? ?? ?????????? ?????? ?????????? ?????? ??? ?????? ??? ?????? ??? ??????
????? ?????? ?????? , ??? ?????? ??? ?????? ??? ?????? ??? ?????? (130).

187. ?????? ??? ? ??? ?????? ?????? ?????? -??? ?????? ?????????? ? ?????????? ???
??? ?????? 3, ?????????? 3, ???-, ?????????? ?????? ??? ?????? ?????? ?????????? , ?????? ???
????????? ?????? , ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? , ?????? ???
?? ?????? ?????? ???, ?????????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
????. ?????? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? (???. ??????
3, ?????????? 1 ??? 2, ??? ?????? ??? ?????? ????).

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

188. ?? ?? ??????, ? ?????????? ??? ?????? ?????? (?? ??????????, ??? ?????????? ??
????????? ????, ? ?????? ?????? ???' ?????? ?? ??? ?????? ?????? ??? ?????? ???
????????? ?????? , ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ??????
????????? .

VI. ??????

189. ??? ??? ?????? ??????, ??????? ??? ?????? ?????? ??? ?????? ??? ?????? ???
F?városi Közigazgatási és Munkaügyi Bíróság (????????? ?????? ??? ?????? ???)

????????? ????????????, ????????) ?? ????:

1. ? ??????????? ??????????? ??? ?????????? ??? ??? ?????????? ?????????????? ?????????????? ?????????? ??? ?????? ?? ????? 49 ???? ?? ?????????? ?? ?? ?????? 54 ????. ???? ?????? ?????? ????, ??? ??????? ?????????????? ??? ?????????? ?? ?????? ??? ?????????? ??????.

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

3. ? ?????????? ???????, ?? ?????? ?????? ?????? ?????????????? ?? ??? ?????? ??? ?????? 401 ??? ?????? ??? ?????? ??? ?????? ??????.

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

2 ?????? ?????? ??? ?????????? ?? ?????????? ?????? ?? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? 21?? ?????? 2018, COM(2018) 148 ??????.

3 ???. ????. ??? ?????????? ?? 26?? ??????? 2018, ANGED (C?233/16, EU:C:2018:280), ??? 26?? ??????? 2018, ANGED (C?234/16 ??? C?235/16, EU:C:2018:281), ??? 26?? ??????? 2018, ANGED (C?236/16 ??? C?237/16, EU:C:2018:291), ??? ??? 5?? ?????????? 2014, Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2014:47).

4 ????? ??? ??? ?????????? ?????????? ?????????? ?? ?????????? ?? ?????????? ?? ?????? ?????????? ??? ?????? ?? ?????????? ?????? 10 % ??? ?????? ?????????? ?????? 10 000 ? ?????? ?????????? ?????? 10 000 ?????? ?????? 0 %, ??? ?????? 20 000 ?????? ?????? 5 % ??? ??? ?????? 100 000 ?????? ?????? 9 %.

5 ?????? ??? ??????????, ??? 28?? ??????? 2006, ??????? ?? ?? ?????? ?????? ?????? ??? ?????? (EE 2006, L 347, ?. 1).

6 ???????? ??? 7?? ??????? 2018, Viking Motors ?.?. (C?475/17, EU:C:2018:636, ??????? 29 ?.?), ??? 3?? ??????? 2006, Banca popolare di Cremona (C?475/03, EU:C:2006:629, ??? 18), ??? ??? 8?? ??????? 1999, Pelzl ?.?. (C?338/97, C?344/97 ??? C?390/97, EU:C:1999:285, ?????? 13 ??? 20).

7 ?? ??. ??? 09/001, ?. 3, ??? ?: ????? ??????.

8 ?????? ??? 3?? ??????? 2006, Banca popolare di Cremona (C?475/03, EU:C:2006:629, ??? 19).

9 ?????? ?? ?? ?????? ?????? 67/228/???, ??? ??????????, ??? 11?? ??????? 1967, ????? ?????????? ??? ?????????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? - ?????? ??? ?????? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (?? ??. ??? 09/001, ?. 5) ??? ?? ?????? ?? ??? ??? ??????

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

10 ??????? ??? 3?? ???????? 2006, Banca popolare di Cremona (C?475/03,
EU:C:2006:629, ??? 21).

11 ??????? ??? 3?? ???????? 2006, Banca popolare di Cremona (C?475/03,
EU:C:2006:629, ??? 22, in fine).

12 ?????????? ??? 7?? ???????? 2018, Viking Motors ?.?. (C?475/17, EU:C:2018:636,
????? 37), ??? 3?? ???????? 2006, Banca popolare di Cremona (C?475/03, EU:C:2006:629,
????? 26), ??? 29?? ???????? 2004, GIL Insurance ?.?. (C?308/01, EU:C:2004:252, ????? 32),
??? ??? 31?? ??????? 1992, Dansk Denkavit Trading ??? Poulsen Trading (C?200/90,
EU:C:1992:152, ?????? 11 ??? 14).

13 ??????? ??? 3?? ???????? 2006, Banca popolare di Cremona (C?475/03,
EU:C:2006:629, ????? 28), ??? 8?? ??????? 1999, Pelzl ?.?. (C?338/97, C?344/97 ???
C?390/97, EU:C:1999:285, ????? 21), ??? ??? 7?? ????? 1992, Bozzi (C?347/90,
EU:C:1992:200, ????? 12).

14 ??????? ??? ??????????? ??? 16?? ?????????? 2008 ??????? ?? ?? ??????? ???????
??? ??????? ??? ??????????? ??? ??? ??? ?????????? ??? ??????? 92/12/?? (?? 2009, L
9, ?. 12).

15 ??? ??? ?????????? ????, ?? .????? ?????????? ??? 7?? ?????????? 2018, Viking
Motors ?.?. (C?475/17, EU:C:2018:636, ?????? 46 ??? 47) –??? ????????, ??? ?
????????? ????, ??? –, ??? ??? 3?? ???????? 2006, Banca popolare di Cremona
(C?475/03, EU:C:2006:629, ????? 33).

16 ?????????? ??? 12?? ?????????? 2006, Cadbury Schweppes ??? Cadbury Schweppes
Overseas (C?196/04, EU:C:2006:544, ????? 40), ??? 11?? ??????? 1995, Wielockx (C?80/94,
EU:C:1995:271, ????? 16), ??? ??? 14?? ?????????? 1995, Schumacker (C?279/93,
EU:C:1995:31, ????? 21).

17 ?????????? ??? 4?? ??????? 2018, NN (C?28/17, EU:C:2018:526, ????? 17), ??? 1??
????????? 2014, Felixstowe Dock ??? Railway Company ?.?. (C?80/12, EU:C:2014:200, ?????
17), ??? ??? 12?? ?????????? 2006, Cadbury Schweppes ??? Cadbury Schweppes Overseas
(C?196/04, EU:C:2006:544, ????? 41).

18 ?????????? ??? 2?? ???????? 2008, Heinrich Bauer Verlag (C?360/06, EU:C:2008:531,
????? 25), ??? ??? 14?? ?????????? 2000, AMID (C?141/99, EU:C:2000:696, ????? 20)? ??.
??? ??? ?????????? ??? ??? ?????? ANGED (C?233/16, EU:C:2017:852, ?????? 40).

19 ?????????? ??? 1?? ??????? 2014, Felixstowe Dock ??? Railway Company ?.?.
(C?80/12, EU:C:2014:200, ????? 23), ??? ??? 6?? ?????????? 2012, Philips Electronics
(C?18/11, EU:C:2012:532, ????? 39)? ??. ??? ?????? ??? 12?? ??????? 1994, Halliburton
Services (C?1/93, EU:C:1994:127, ?????? 18 ??.).

20 ?????????? ??? 21?? ???? 2015, Verder LabTec (C?657/13, EU:C:2015:331, ????? 34), ??? 16?? ???? 2015, ???????? ??? ?????????? (C?591/13, EU:C:2015:230, ????? 56 ??? ????? ?????????? ??????), ??? ??? 29?? ???? 2011, National Grid Indus (C?371/10, EU:C:2011:785, ????? 36).

21 ?? . ??? ?????????? ??? ??? ?????????? X (C?498/10, EU:C:2011:870, ?????? 28), Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ?????? 82 ??.), X (C?686/13, EU:C:2015:31, ?????? 40), C (C?122/15, EU:C:2016:65, ?????? 66) ??? ANGED (C?233/16, EU:C:2017:852, ?????? 28).

22 ?? . ?????? ??? 14?? ???? 2016, Sparkasse Allgäu (C?522/14, EU:C:2016:253, ?????? 29), ?????? ??? 4?? ???? 2009, KBC-bank (C?439/07 ??? C?499/07, EU:C:2009:339, ?????? 80), ?????? ??? 6?? ???? 2007, Columbus Container Services (C?298/05, EU:C:2007:754, ?????? 51 ??? 53).

23 ?????? ??? 5?? ?????????? 2014, Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2014:47).

24 ?????? ??? 5?? ?????????? 2014, Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2014:47, ?????? 39 ??.).

25 ?????? ??? 5?? ?????????? 2014 ??? ?????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2014:47, ?????? 34).

26 ???? . ??? ??? ?????????? ??? ??? ?????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ?????? 49).

27 ?????? ??? 26?? ??????? 2018, ANGED (C?233/16, EU:C:2018:280, ?????? 30), ??? 5?? ?????????? 2014, Hervis sport és Divekereskedelmi (C?385/12, EU:C:2014:47, ?????? 30), ??? 8?? ?????? 1999, Baxter ??. (C?254/97, EU:C:1999:368, ?????? 13), ??? ??? 14?? ?????????? 1995, Schumacker (C?279/93, EU:C:1995:31, ?????? 26).

28 ?? . ?????????? ??? 26?? ??????? 2018, ANGED (C?233/16, EU:C:2018:280, ?????? 31), ??? 5?? ?????????? 2014, Hervis sport és Divattkereskedelmi (C?385/12, EU:C:2014:47, ?????? 39), ??? 22?? ?????? 2007, Talotta (C?383/05, EU:C:2007:181, ?????? 32), ??? 8?? ?????? 1999, Baxter ??. (C?254/97, EU:C:1999:368, ?????? 13), ??? 13?? ?????? 1993, Commerzbank (C?330/91, EU:C:1993:303, ?????? 15), ??? ??? 7?? ?????? 1988, Stanton ??? L'Étoile 1905 (143/87, EU:C:1988:378, ?????? 9)? ?. ?????? ?????????? ??? 26?? ?????????? 2010, Schmelz (C?97/09, EU:C:2010:632, ?????? 48 ??????? ?? ??? ?????????? ??????) ??? ??? 3?? ?????? 1988, Bergandi (252/86, EU:C:1988:112, ?????? 28, ??????? ?? ?? ?????? 95 ???).

29 ?????? ??? 1?? ?????? 2010, Blanco Pérez ??? Chao Gómez (C?570/07 ??? C?571/07, EU:C:2010:300, ?????? 119).

30 ?????? ??? 22?? ?????? 2007, Talotta (C?383/05, EU:C:2007:181, ?????? 32)? ??????, ?????? ??? 1?? ?????? 2010, Blanco Pérez ??? Chao Gómez (C?570/07 ??? C?571/07, EU:C:2010:300, ?????? 119).?

31 ?? . ?????? ??? 8?? ?????? 1999, Baxter ??. (C?254/97, EU:C:1999:368, ?????? 13).

32 ?? . ?????? ??? 1?? ?????? 2010, Blanco Pérez ??? Chao Gómez (C?570/07 ??? C?571/07, EU:C:2010:300, ?????? 119), ?????? ?? ??? ?????????? ??????????????, ???????

?? ??? ?????????? ?????????? ??., ??????, ?????????? ??? 2?? ??????? 2017, Eschenbrenner (C?496/15, EU:C:2017:152, ??? 36), ??? 5?? ?????????? 2013, Zentralbetriebsrat der gemeinnützigen Salzburger Landeskliniken Betriebs (C?514/12, EU:C:3:799, ??? 26), ??? 28?? ??????? 2012, Erny (C?172/11, EU:C:2012:399, ??? 41), ??? ??? 10?? ?????????? 2009, ???????? ??? ???????? (C?269/07, EU:C:2009:527).

33 ???. ?????????? ?? 9?? ????? 1985, Humblot (112/84, EU:C:1985:185, ??? 14), ??? ??? 5?? ?????????? 1989, ???????? ??? ?????? (C?3/88, EU:C:1989:606, ??? 9, ??????? ?? ??? ???????? ??????????).

34 ???. ??? ?????????? ?? 7?? ????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ??? 40), ??? ????? ANGED (C?233/16, EU:C:2017:852, ??? 38) ??? ??? ????? Memira Holding (C?607/17, EU:C:2019:8, ??? 36).

35 ???. ??? ?????????? ?? 7?? ????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ??? 41).

36 ?????? ?? 5?? ?????????? 2014, Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2014:47, ??? 45).

37 ? ?????????? ?????????? ?????????? ??? 2,4 %, ??? ?? ?????????? ??? ?????????? ?????? 0 %, 0,1 % ??? 0,4 %, ?. ?????? ??? 5?? ?????????? 2014, Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2014:47, ??? 8).

38 ??? ?????? ?? 26?? ?????????? 2018, ANGED (C?233/16, EU:C:2018:280, ??? 38), ?? ?????????? ???????, ???????, ??? ?? 61,5 % ??? ?? 52 % ?????????? ??? ??????? ??? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?? ?????? ??? ?????? ???.

39 ???. ?????? ?? 2?? ?????? 2017, Eschenbrenner (C?496/15, EU:C:2017:152, ??? 36) ??????? ?? ??? ??????? ?????????? ??? ???????????, ??? 5?? ?????????? 2013, Zentralbetriebsrat der gemeinnützigen Salzburger Landeskliniken Betriebs (C?514/12, EU:C:2013:799, ??? 26), ??? 28?? ??????? 2012, Erny (C?172/11, EU:C:2012:399, ??? 41), ??? 1?? ??????? 2010, Blanco Pérez ??? Chao Gómez (C?570/07 ??? C?571/07, EU:C:2010:300, ??? 119), ??????? ?? ??? ?????????? ???????????????, ??? 10?? ?????????? 2009, ??????? ??? ?????????? (C?269/07, EU:C:2009:527), ??? ??? 8?? ??????? 1999, Baxter ?... (C?254/97, EU:C:1999:368, ??? 13).

?., ??????, ??? ?????????? ??? ??? ?????? ANGED (C?233/16, EU:C:2017:852, ??? 38) ??? ??? ?????? Memira Holding (C?607/17, EU:C:2019:8, ??? 36)? ?????????? ?? ?????????? ??? ?????? ??? ?????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ??? 42 ??.)

40 ?????? ?? 1?? ?????? 2010, Blanco Pérez ??? Chao Gómez (C?570/07 ??? C?571/07, EU:C:2010:300, ??? 122).

41 ??????? ?? 7?? ?????? ?????????? N. Wahl ??? ?????? ?????? ??? ?????? ?????? ?????? (C?591/17, EU:C:2019:99, ??? 47).

42 ?????? ?? 9?? ????? 1985, Humblot (112/84, EU:C:1985:185, ?????? 14 ??? 16).

43 ?., ??????, ??? ?????????? ??? ??? ?????? Memira Holding (C?607/17, EU:C:2019:8, ??? 38).

44 ???. ??? ???????? ??? ??? ?????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ?????? 51).

45 ?????? ??? ?? ?????????? ??? ??? ?????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ?????? 51).

46 ?????????? ??? ??????? ?????????? N. Wahl ??? ?????? ?????? ?????? ??? ??????????
(C?591/17, EU:C:2019:99, ??? 71), ??? ?????? ?????????? ??? ?????? ??? 16??
??????????? 2004, ??????? ??? ?????????? (C?227/01, EU:C:2004:528, ??????? 56 ??.),
????? ?????????? ??? ???? ?????? ?????????? ??? ?????? ?????????? ??????????????????
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47 ???. ?????? ??? ???????? ??????? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? ??? ?????????? N. Wahl ????. ??????? ??????? ????. ?????? ?????????? (C?591/17, EU:C:2019:99, ?????? 70 ??.).

48 ??????, ?????????????? ????, ??????? ??? 5?? ?????? 2007, Kofoed (C?321/05, EU:C:2007:408, ???? 38).

49 ?????? (?) 2016/1164 ??? ??????????, ??? 12?? ?????? 2016, ??? ?? ??????
?????? ?? ?? ?????????? ?????????? ??? ?????? ??? ?????? ?????? ??? ?????????? ??
????????? ?????? (?) 2016, L 193, ?. 1).

50 ?????????? ??? ?????? ?????????? M. Campos Sánchez-Bordona ??? ?????? Wightman ??. (C?621/18, EU:C:2018:978, ?????? 153 ??? 170).

51 ??????? ??? 6?? ??????? 2018, Achmea (C?284/16, EU:C:2018:158, ????? 34),
?????????? 2/13 (?????????? ??? ?????? ??? ??) ??? 18?? ?????????? 2014
(EU:C:2014:2454, ?????? 168 ??? 173), ?????????? 1/09 (????????? ??? ?? ??????????
????????????? ?????????? ?????????? ??? ??????? ?? ?????? ?????????? ??????????????)
??? 8?? ?????? 2011 (EU:C:2011:123, ????? 68).

52 ????????? ??? ????? ?????? ?????? ?????????? ???????????, ?????? ??? ??????
????????????? ????????????, ???? ????? ?????????????? ????? ?????????? ??? ??????
????????? N. Wahl ??? ?????? ??????? ???????, (C?591/17, EU:C:2019:99,
?????? 70 ??? 71). ?? ??? ?????? ?? ?????? ??? ??? ?? ??????? ?????????? ???
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53 ????? ?????????? ?? ?????????????? ?????? ?? ?????????? ?????????? ?????????? ?? ??????????
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????????? (?????????) ??????????? ?? ?????????????? ?? ?????????????? ?? ?????????????? ?? ?????? ??
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(Base Erosion and Profit Shifting = BEPS).

54 «Action Plan on base Erosion and Profit shifting»
–????????? ??? https://www.oecd.org/ctp/BEPSActionPlan.pdf– ?. 13: «Fundamental changes are
needed to effectively prevent double non-taxation, as well as cases of no or low taxation
associated with practices that artificially segregate taxable income from the activities that generate
it.»

55 ?? ?????? ??? ???????????? ?????? 23 ??? ???????? ??????? ??? ?????????? ??? ?????????? ???

?????????? ??????? ?????????? ??? 21?? ??????? 2018, COM(2018) 148 ?????? ??? ??
?????????? ?????? ??? ?????? 2 ??? ?????? ?????? ??? ?????? ?? ??????? ?????? ???
?? ?????????? ??? ?????? ?????? ?????? ?????? ??? ?????? ?????? ?????? ??????.

56 ????? ?????????? ??? ? ?????? ?????????? N. Wahl, ??? ?????????? ??? ??? ???
????????? ?????? ??? ?????? (C?591/17, EU:C:2019:99, ????? 70), ?? ????: «?? ??? ??
??????, ?? ?????? ??? ?????? ?????? ?????? ??????? ???????, ???????, ??? ??
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????????? ???– ??? ?????????? ??? ?????? ?????? ??? ?????? ?? ?????????? ??????: ???
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57 ????? ?????????? ??? ? ?????? ?????? ?????????? ??? ?????????? ?????????? ???
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?? ??? ??? ??? ?? ??? ?????? ?????? ?????????? ??? ??????» –????????????? ??? 23 ???
????????? ?????? ??? ?????? ?????? ??? ??? ?????? ?????? ?????? ?????? ?????? ??????????
?? ?????? ??? ?????????? ??? ??? ?????? ?????? ?????? ?????? ?????? ?????? 21??
?????? 2018, COM(2018) 148 ?????.

58 ????. ?????? ??? 16?? ????? 2019, ?????? ??? ?????? (T?836/16 ??? T?624/17,
EU:T:2019:338, ?????? 75 ??.).

59 ?????? ?????? ??? ?????? ??? ?????????? ?????? ?? ?? ?????? ?????? ?????? ??????
????????? ??? ?????? ??? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ???
21?? ?????? 2018, COM(2018) 148 ?????.

60 ??., ??? ??????, ??? ?????? ??? 4?? ?????? 2018, NN (C?28/17, EU:C:2018:526,
?????? 31 ??? 38), ??? ??? ?????? ?????? ??? ?????? ??? ?????? 31 ??? ??
???? ???????.

61 ??., ??????, ??? ?????? ??? ?????? Nordea Bank (C?48/13, EU:C:2014:153,
?????? 21 ??? 28) ??? ??? ?????? A (C?123/11, EU:C:2012:488, ?????? 40 ??? 41). ???
???? ?????? ??? ?? ?????? ??? ?????? ?????????????? ?????????? Inspecteur van de
Belastingdienst/Noord/kantoor Groningen ?.?. (C?39/13 ??? C?41/13, EU:C:2014:104, ??????
32), ??? ?????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ?????? 59),
??? ?????? Memira Holding (C?607/17, EU:C:2019:8, ?????? 46) ??? ??? ?????? Holmen
(C?608/17, EU:C:2019:9, ?????? 38).

62 ??.. ??? ?????????? ??? ??? ?????? Nordea Bank Danmark (C?48/13, EU:C:2014:153,
?????? 25 ??? ??? ?????????????? ??????????).

63 ??.. ?????????? ??? 4?? ?????? 2013, Argenta Spaarbank (C?350/11, EU:C:2013:447,
?????? 18 ??? 34), ??? 23?? ?????? 2008, Krankenheim Ruhesitz am Wannsee-
Seniorenheimstatt (C?157/07, EU:C:2008:588, ?????? 27 ??? 39), ??? 15?? ?????? 2008, Lidl
Belgium (C?414/06, EU:C:2008:278, ?????? 18 ??? 26).

64 ?????? ??? 5?? ?????????? 2014, Hervis sport és Divattkereskedelmi (C?385/12,
EU:C:2014:47, ?????? 42), ??? 24?? ?????? 2011, ?????? ??? ?????? (C?400/08,
EU:C:2011:172, ?????? 73), ??? ??? 5?? ?????? 2004, CaixaBank France (C?442/02,
EU:C:2004:586, ?????? 17).

65 ??????? ??? 5?? ??????????? 2014, Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2014:47, ???? 44).

66 ?? ??? ? ?????????? ??????????? ??????? ?????? ??? ?????????????? ???, ??? ?? ??? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? 30 ??? 71 ??? ??????????? ???.

67 ???. ??? ?????????? ??? ??? ?????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ?????? 60), ?????? ??? ??? ?????????? ??? ??? ?????? ANGED (C?233/16, EU:C:2017:852, ???? 44).

68 ??????? ??? 12?? ??????? 2018, Bevola ??? Jens W. Trock (C?650/16, EU:C:2018:424, ???? 49 ??? 50).

69 ??., ?????????????? ???, ?????? ?? ??? 4, ?????????? 5, ??? ?????????? ??? ???????, ?? ????? 53, ?????????? 1, ??? ?????????? ??? ???????, ?? ????? 31, ?????????? 1, ??? ?????????? ??? ???????, ?? ????? 24, ?????????? 1, ??? ?????????? ??? ?????? ??? ?????? ??? ?????? O ??? ?? ?????? ??? ?????? ??? ?????????? ?????? ??? ??????????.

70 ??., ?????????????? ???, ??? ??????? ?????: BVerfG [Bundesverfassungsgericht, ?????????? ?????????? ??????????], ??????? ??? 15?? ?????????? 2014 (1 BvR 1656/09, ECLI:DE:BVerfG:2014:rs20140115.1bvr165609, ???? 55 ??.).

71 ???. ?????? 4 ??? ?????????? (???, ???????, ????) 260/68 ??? ??????????, ??? 29?? ?????????? 1968, ??? ?????????? ??? ??? ??? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ??? ?????????? ?????? (?? ????. ??? 01/001, ?. 115 ??? 117), ?? ?????????? ?????????? ??? 8 % ??? 45 %.

72 ??????? ??? 17?? ??????? 2014, Nordea Bank (C?48/13, EU:C:2014:2087, ???? 25), ??? 29?? ??????? 2011, National Grid Indus (C?371/10, EU:C:2011:785, ???? 42), ??? 15?? ?????? 2008, Lidl Belgium (C?414/06, EU:C:2008:278, ???? 27), ??? 12?? ?????????? 2006, Cadbury Schweppes ??? Cadbury Schweppes Overseas (C?196/04, EU:C:2006:544, ???? 47), ??? 13?? ?????????? 2005, SEVIC Systems (C?411/03, EU:C:2005:762, ???? 23) ??? ??? 13?? ?????????? 2005, Marks & Spencer (C?446/03, EU:C:2005:763, ???? 35).

73 ??????? ??? 11?? ??????? 2015, Berlington Hungary ??. (C?98/14, EU:C:2015:386, ???? 64), ??? 12?? ??????? 2012, HIT ??? HIT Larix (C?176/11, EU:C:2012:454, ???? 22 ??? ????? ?????????? ????????, ??? ??? 17?? ??????? 2009, Presidente del Consiglio dei Ministri (C?169/08, EU:C:2009:709, ???? 42).

74 ???. ??????? ??? 6?? ?????????? 2003, Gambelli ??. (C?243/01, EU:C:2003:597, ???? 63), ??? 21?? ?????????? 1999, Läärä ??. (C?124/97, EU:C:1999:435, ???? 14 ??? 15), ??? ??? 24?? ??????? 1994, Schindler (C?275/92, EU:C:1994:119, ???? 61), ??? ??? ??? ??? ?? ??? ?????? ???????, ??? ??? 5?? ?????? 1996, Brasserie du pêcheur ??? Factortame (C?46/93 ??? C?48/93, EU:C:1996:79, ?????? 48 ??.) ??????? ?? ?? ?????????? ??? ???????.

75 ??????? ?? ?? ?????????? ??????? ?????????? ??? ??????? ??? ??????? ??? ??????? ??? ??????? ??? ??? ?????? ???, ?? . ?????? ?????? ??? 5?? ??????? 1996, Brasserie du pêcheur ??? Factortame (C?46/93 ??? C?48/93, EU:C:1996:79, ???? 47).

76 ??., ???????, ??? ??????? ??? ??? ?????? ANGED (C?233/16, EU:C:2017:852, ???? 48) ??? ??? ?????????? ??? 4?? ?????? 2016, ??????? ??? ?????????????? ???

?????????? (C?358/14, EU:C:6:323, ????? 79), ??? ??? 10?? ??????????? 2002, British American Tobacco (Investments) ??? Imperial Tobacco (C?491/01, EU:C:2002:741, ????? 123 ??? ??? ?????????????? ??????????), ??????? ?? ?? ?????????? ?????????? ??? ??????? ??? ???????, ?? ?????? ??????? ??? ?? ?????? ?? ?? ?????? ??????? ??????? – ?. ??????? ?? ?? ?????????? ??????? ??? ?????? ??? ?????? ?????, ??????? ??? 5?? ??????? 1996, Brasserie du pêcheur ??? Factortame (C?46/93 ??? C?48/93, EU:C:1996:79, ????? 47).

77 ??? ?????????????? ??????? ?? ??? ?????????????? ??? ??? ?????????? ??? ??????? ?????? ?????????? ??????? ?? ??? ?????? ?????? ??????????, ? ?????????????? ?????? 23 ?????? ??? ?? ??? ??? ??? ?????? ??? ?????? ?????????? ?????????? ??? ?????????? ?????????? ??? ?????????? ??? ?????? ?????? ?? ?????????? ??? ?????? ?????? ?????? ?????????? ??? ?????? ?????? ?????????? ?????????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? (?. 12), ? ?????????? ?????????? ?????? ??? ?????? ?????????? ?????? ??? ?????? ?? ?????????? (?????) ?????? ?? ?????? ?? ?????? ?????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? «????????????? ??????????», ?? ?????????????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??????.

78 ?. ??? ?????????? ??? ??? ??????? Hervis Sport- és Divatkereskedelmi (C?385/12, EU:C:2013:531, ?????? 61). ?????. ??? ??? ?????????? ??? ??? ?????? ANGED (C?233/16, EU:C:2017:852, ?????? 57).

79 ?????????? ??? 23 ??? ??????? ??????? ??? ?????????? ??? ?????????? ??????? ?? ?? ??? ?????? ?????? ?????????? ?????????? ??? ?????? ??? ?????????? ??? ??? ?????? ?????????? ?????????? ?????? 21?? ??????? 2018, COM(2018) 148 ??????.

80 ?. ?????????? ??? 30?? ??????? 2016, Lidl (C?134/15, EU:C:6:498, ????? 33), ??? 4?? ?????? 2016, Pillbox 38 (C?477/14, EU:C:2016:324, ????? 48), ??? 15?? ?????????? 2016, N. (C?601/15 PPU, EU:C:2016:84, ????? 54), ??? 22?? ?????????? 2013, Sky Österreich (C?283/11, EU:C:2013:28, ????? 50), ??? 8?? ??????? 2010, Afton Chemical (C?343/09, EU:C:2010:419, ????? 45), ??? ??? 11?? ??????? 1989, Schräder HS Kraftfutter (265/87, EU:C:1989:303, ????? 21).

81 ?????????? ??? 21?? ?????????? 2011, ?????????? ??? ?????? (C?271/09, EU:C:2011:855, ????? 58), ??? ??? 11?? ?????????? 2007, ELISA (C?451/05, EU:C:2007:594, ????? 82 ??? ??? ?????????????? ??????????).

82 ?????????? ??? 30?? ??????? 2016, Lidl (C?134/15, EU:C:2016:498, ????? 33), ??? 22?? ?????????? 2013, Sky Österreich (C?283/11, EU:C:2013:28, ????? 50), ??? 9?? ?????????? 2010, Volker ??? Markus Schecke ??? Eifert (C?92/09 ??? C?93/09, EU:C:2010:662, ??????? 76 ??.), ??? ??? 12?? ??????? 2001, Jippes ?... (C?189/01, EU:C:2001:420, ????? 81).

83 ?????????? ??? 6?? ?????????? 2015, Finanzamt Linz (C?66/14, EU:C:2015:661, ????? 21), ??? 15?? ??????? 2006, Air Liquide Industries Belgium (C?393/04 ??? C?41/05, EU:C:2006:403, ??????? 43 ??.), ??? 27?? ?????????? 2005, Distribution Casino France ?... (C?266/04 ??? C?270/04, C?276/04 ??? C?321/04 ??? C?325/04, EU:C:2005:657, ??????? 42 ??.), ??? ??? 20?? ??????????? 2001, Banks (C?390/98, EU:C:2001:456, ????? 80 ??? ??? ?????????????? ??????????).

84 ?? ???? ?? ??????? ?? ?????????? ?????, ?? . ????? ??????? ?? 27?? ????????,
2005, Distribution Casino France ????. (C?266/04 ??? C?270/04, C?276/04 ??? C?321/04 ???
C?325/04, EU:C:2005:657, ??????? 40, 41 ??? 45 ??.).

85 ??????? ?? 15?? ??????? 2006 (C?393/04 ??? C?41/05, EU:C:2006:403, ??????? 25
???, 26).

86 ??????? ?? 15?? ??????? 2006, Air Liquide Industries Belgium (C?393/04 ??? C?41/05,
EU:C:2006:403, ??????? 43).

87 ??????? ?? 6?? ??????? 2018, Scuola Elementare Maria Montessori ??? ???????????,
????????? ??? Scuola Elementare Maria Montessori ??? ??????? ??? Feracci (C?622/16 P
???, C?624/16 P, EU:C:2018:873, ??????? 90 ??.).

88 ??????? ?? 19?? ?????????? 2018, A?Brauerei (C?374/17, EU:C:2018:1024).

89 ?????????? ?? 22?? ??????? 1999 ??? ?? ??????? ??????????
????????? ??????? ??? [108 ???] (?? 1999, L 83, ?. 1).

90 ??????? ?? 6?? ??????? 2018, Scuola Elementare Maria Montessori ??? ???????????,
????????? ??? Scuola Elementare Maria Montessori ??? ??????? ??? Feracci (C?622/16 P
???, C?624/16 P, EU:C:2018:873, ??????? 79)? ???., ?? ??? ?? ??? ???????????, ??? ??????? ???
3?? ??????? 2016, Daimler (C?179/15, EU:C:2016:134, ??????? 42).

91 ?????????? ?? 26?? ??????? 2018, ANGED (C?233/16, EU:C:2018:280), ??? 26??
????????? 2018, ANGED (C?234/16 ??? C?235/16, EU:C:2018:281) ??? ??? 26?? ???????
2018, ANGED (C?236/16 ??? C?237/16, EU:C:2018:291).

92 ??????? ?? 15?? ??????? 2006 (C?393/04 ??? C?41/05, EU:C:2006:403, ??????? 43
??.).

93 ????? ?? ??????? ????????: ??????? ?? 6?? ??????? 2015, Finanzamt Linz
(C?66/14, EU:C:2015:661, ??????? 21 ??.)

94 ?????????? ?? 6?? ??????? 2015, Finanzamt Linz (C?66/14, EU:C:2015:661, ???????
21), ??? 15?? ??????? 2006, Air Liquide Industries Belgium (C?393/04 ??? C?41/05,
EU:C:2006:403, ??????? 43 ??.), ??? 27?? ??????? 2005, Distribution Casino France ????.
(C?266/04 ??? C?270/04, C?276/04 ??? C?321/04 ??? C?325/04, EU:C:2005:657, ??????? 42
??.), ??? ??? 20?? ?????????? 2001, Banks (C?390/98, EU:C:2001:456, ??????? 80 ??? ???
????????????? ??????????).

95 ?????????? ?? 27?? ??????? 2017, Congregación de Escuelas Pías Provincia Betania
(C?74/16, EU:C:2017:496, ??????? 38), ??? 21?? ?????????? 2016, ?????????? ??? World Duty
Free Group ??. (C?20/15 P ??? C?21/15 P, EU:C:2016:981, ??????? 53), ??? ??? 21??
????????? 2016, ?????????? ??? Hansestadt Lübeck (C?524/14 P, EU:C:2016:971, ??????? 40).

96 ?????????? ?? ??????? ?????????? H. Saugmandsgaard Øe ??? ?????? A?Brauerei
(C?374/17, EU:C:2018:741, ??????? 66 ??? 67).

97 «??????, ?????????????? ?? ? ?????????? ?? ?????????? ?????????? ?? ?? ???? ?????? ??
????????? ?????????? ?????????? ?? 139, ??? ? ?????????????? ?? ?????????? ?? ??????????

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98 ??? ?????? ??? 27?? ??????? 2017, Congregación de Escuelas Pías Provincia Betania (C?74/16, EU:C:2017:496, ????? 65) ??? ??? 9?? ??????????? 2014, Ministerio de Defensa ??? Navantia (C?522/13, EU:C:2014:2262, ????? 21).

99 ??., ????, ?????????? ??? 9?? ?????????? 2014, Ministerio de Defensa ??? Navantia (C?522/13, EU:C:2014:2262, ????? 23), ??? 15?? ?????????? 2011, ???????? ??? ??????? ??? Government of Gibraltar ??? ??????? ?????????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732, ????? 72), ??? ??? 15?? ?????? 1994, Banco Exterior de España (C?387/92, EU:C:1994:100, ????? 14).

100 ????????? ??? 27?? ??????? 2017, Congregación de Escuelas Pías Provincia Betania (C?74/16, EU:C:2017:496, ????? 66), ??? 14?? ?????????? 2015, Eventech (C?518/13, EU:C:2015:9, ????? 33), ??? 19?? ??????? 2013, Bouygues ??? Bouygues Télécom ??? ?????????? (C?399/10 P ??? C?401/10 P, EU:C:2013:175, ????? 101), ??? ??? 15?? ??????? 1994, Banco Exterior de España (C?387/92, EU:C:1994:100, ????? 13).

101 ????? ?????? ??? ?????????? ?????????? ??? ??? ?????????? ??????????:

?????? ??? 19?? ?????????? 2018, A?Brauerei (C?374/17, EU:C:2018:1024) ??? ?????????? ??? ??????? H. Saugmandsgaard Øe ??? ?????? A?Brauerei (C?374/17, EU:C:2018:741).

?????? ??? 28?? ??????? 2018, Andres (Insolvenz Heitkamp BauHolding) ??? ??????? (C?203/16 P, EU:C:2018:505) ??? ??????? ??? ??????? N. Wahl ??? ?????? Andres ??? ?????? (C?203/16 P, EU:C:2017:1017).

????????? ??? 26?? ??????? 2018, ANGED (C?233/16, EU:C:2018:280), ??? 26?? ??????? 2018, ANGED (C?234/16 ??? C?235/16, EU:C:2018:281) ??? ??????? ??? 26?? ??????? 2018, ANGED (C?236/16 ??? C?237/16, EU:C:2018:291), ?? ??? ?????????? ??? ??? ?????????? ANGED (C?233/16, EU:C:2017:852), ??? ?????????????????? ??????????, ANGED (C?234/16 ??? C?235/16, EU:C:2017:853) ??? ??? ?????????????????? ??????????, ANGED (C?236/16 ??? C?237/16, EU:C:2017:854).

102 ?. ??? ?????? ?????????? ??? 21?? ?????????? 2016, ???????? ??? World Duty Free Group ?... (C?20/15 P ??? C?21/15 P, EU:C:2016:981, ?????? 53 ??.), ??? 9?? ??????? 2014, Ministerio de Defensa ??? Navantia (C?522/13, EU:C:2014:2262, ????? 23), ??? 29?? ??????? 2012, 3M Italia (C?417/10, EU:C:2012:184, ????? 39), ??? 15?? ??????? 2011, ??????? ??? ??????? ??? Government of Gibraltar ??? ??????? ?????????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732, ????? 73), ??? ??? 8?? ??????? 2001, AdriA?Wien Pipeline ??? Wietersdorfer & Peggauer Zementwerke (C?143/99, EU:C:2001:598, ????? 35).

103 ?????? ??? 21?? ?????????? 2016 (C?20/15 P ??? C?21/15 P, EU:C:2016:981, ?????? 73, 74 ??? 86 ??.).

104 ???, ????, ?????????? ??? 19?? ?????????? 2018, A?Brauerei (C?374/17, EU:C:2018:1024, ????? 24), ??? 28?? ??????? 2018, Andres (Insolvenz Heitkamp BauHolding) ??? ?????????? (C?203/16 P, EU:C:2018:505, ????? 94), ??? 21?? ?????????? 2016, ?????????? ??? World Duty Free Group ?... (C?20/15 P ??? C?21/15 P, EU:C:2016:981, ????? 59), ??? ??? 29?? ??????? 2012, 3M Italia (C?417/10, EU:C:2012:184, ????? 42).

105 ??., ????, ?????????? ??? 9?? ?????????? 2014, Ministerio de Defensa ??? Navantia

(C?522/13, EU:C:2014:2262, ??? 23), ??? 15?? ?????????? 2011, ???????? ??? ??????? ??? Government of Gibraltar ??? ??????? ?????????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732, ??? 72), ??? 15?? ??????? 1994, Banco Exterior de España (C?387/92, EU:C:1994:100, ??? 14).

106 ??????, ?????????? ??? ?????? ?????????? M. Bobek ??? ?????? ?????? ??? ?????? (C?270/15 P, EU:C:2016:289, ??? 28), ??? ?? ?????? ??? ?????????? ?? «????? ?????????? ??????».

107 ????. ??? ?????????? ??? 21?? ?????????? 2016, ???????? ??? World Duty Free Group ??. (C?20/15 P ??? C?21/15 P, EU:C:2016:981, ??? 54), ??? ?? 14?? ?????????? 2015, Eventech (C?518/13, EU:C:2015:9, ??? 53)? ????? ?? ?????? ??? ?????????? ??? ???????, ?? . ?????? ??? 21?? ?????????? 2016, ???????? ??? Hansestadt Lübeck (C?524/14 P, EU:C:2016:971, ??? 53 ?? 55).

108 ?. ?????: ??????? ??? 19?? ?????????? 2018, A?Brauerei (C?374/17, EU:C:2018:1024, ??? 36).

109 ??? ?? ?????????? ???, ?????????? ??? ??????? ?????????? M. Bobek, ?????? ??? ?????? (C?270/15 P, EU:C:2016:289, ??? 27)? ??????? ?? ?? ?????? ?????????? ??? ?????? ? ??????: ?????? ??? 28?? ?????? 2018, Andres (Insolvenz Heitkamp BauHolding) ??? ?????? (C?203/16 P, EU: C: 2018:505, ??? 84), ??? 4?? ?????? 2015, ???????? ??? MOL (C?15/14 P, EU:C:2015:362, ??? 59), ??? ?? 8?? ?????????? 2011, ???????? ??? ??? ?????? (C?279/08 P, EU:C:2011:551, ??? 62)? ??????? ?? ?? ??? ?????? ?????????? ??? ??? ?? ?????? ??? ?????? ??? ?????? ??? 28?? ?????? 2018, Andres (Insolvenz Heitkamp BauHolding) ??? ?????? (C?203/16 P, EU:C:2018:505, ??? 87), ??? 15?? ?????????, ??????? ??? ?????? ??? Government of Gibraltar ??? ??????? ?????????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732, ??? 146), ??? 8?? ?????????? 2011, ???????? ??? ??? ?????? (C?279/08 P, EU:C:2011:551, ??? 62), ??? ?? 29?? ?????? 2004, ??? ??? ??? ??? ?????? (C?159/01, EU:C:2004:246, ??? 43).

110 ???????? ??? ?????? ?????????? M. Bobek ??? ?????? ?????? ??? ?????? (C?270/15 P, EU:C:2016:289, ??? 29).

111 ?????? ??? 26?? ?????? 2018, ANGED (C?233/16, EU:C:2018:280, ??? 50 ??.), ??? 26?? ?????? 2018, ANGED (C?234/16 ??? C?235/16, EU:C:2018:281, ??? 43 ??.), ??? ?????? ??? 26?? ?????? 2018, ANGED (C?236/16 ??? C?237/16, EU:C:2018:291, ??? 38 ??.).

112 ??., ????, ?????? ??? 9?? ???????? 2014, Ministerio de Defensa ??? Navantia (C?522/13, EU:C:2014:2262, ??? 22), ??? 19?? ?????? 2013, Bouygues ??? Bouygues Télécom ??? ?????? (C?399/10 P ??? C?401/10 P, EU:C:2013:175, ??? 101), ??? 15?? ?????? 2006, Air Liquide Industries Belgium (C?393/04 ??? C?41/05, EU:C:2006:403, ??? 29), ??? ?? 23?? ?????????? 1961, De Gezamenlijke Steenkolenmijnen in Limburg ??? ?????? ??? (30/59, EU:C:1961:2, ?. 43).

113 ????. ?????? ??? 18?? ?????? 2013, P (C?6/12, EU:C:2013:525, ?????? 22 ?? 27).

114 ?????? ??? 18?? ?????? 2013, P (C?6/12, EU:C:2013:525, ?????? 22), ??? ?? 8?? ?????????? 2011, Paint Graphos (C?78/08 ??? C?80/08, EU:C:2011:550, ?????? 65 ??? ??? ?????????????? ??????????).

115 ?????? ??? 15?? ???????? 2011, ???????? ??? ?????? ??? Government of

Gibraltar ??? ???????? ???????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732).

116 ??? 15?? ???????? 2011, ???????? ??? ?????? ??? Government of Gibraltar ??? ???????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732, ???? 149).

117 ?. ???????? ??? ?????? ?????????? H. Saugmandsgaard Øe ??? ?????? A?Brauerei (C?374/17, EU:C:2018:741), ?????????? ??? ?????? ?????????? N. Wahl ??? ??????, Andres ??? ?????? (C?203/16 P, EU:C:2017:1017) ??? ??? ?????? ANGED (C?233/16, EU:C:2017:852), ??? ?????????????????? ?????????? ANGED (C?234/16 ??? C?235/16, EU:C:2017:853) ??? ??? ?????????????????? ?????????? ANGED (C?236/16 ??? C?237/16, EU:C:2017:854).

118 ?. ???????? ??? 21?? ???????? 2016, ???????? ??? Aer Lingus ??? Ryanair Designated Activity (C?164/15 P ??? C?165/15 P, EU:C:2016:1990, ???? 51), ??? 21?? ???????? 2016, ???????? ??? World Duty Free Group ?.?. (C?20/15 P ??? C?21/15 P, EU:C:2016:981, ???? 54), ??? 21?? ???????? 2016, ???????? ??? Hansestadt Lübeck (C?524/14 P, EU:C:2016:971, ???? 49 ??? 58), ??? 9?? ???????? 2014, Ministerio de Defensa ??? Navantia (C?522/13, EU:C:2014:2262, ???? 35), ??? 18?? ???????? 2013, P (C?6/12, EU:C:2013:525, ???? 19), ??? 29?? ???????? 2012, 3M Italia (C?417/10, EU:C:2012:184, ???? 42), ??? ??? 8?? ???????? 2011, Paint Graphos (C?78/08 ??? C?80/08, EU:C:2011:550, ???? 49).

119 ?. ???????? ??? 18?? ???????? 2013, P (C?6/12, EU:C:2013:525, ???? 22), ??? 8?? ???????? 2011, Paint Graphos (C?78/08 ??? C?80/08, EU:C:2011:550, ???? 65 ??? 69)? ?????. ???????? ??? 9?? ???????? 2014, Ministerio de Defensa ??? Navantia (C?522/13, EU:C:2014:2262, ???? 42 ??? 43), ??? 15?? ???????? 2011, ???????? ??? ?????? ??? Government of Gibraltar ??? ?????? ???????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732, ???? 145), ??? 8?? ???????? 2001, AdriA?Wien Pipeline ??? Wietersdorfer & Peggauer Zementwerke (C?143/99, EU:C:2001:598, ???? 42), ??? ??? 2?? ???????? 1974, ?????? ??? ???????? (173/73, EU:C:1974:71, ???? 33).

120 ???????? ??? 26?? ???????? 2018 ANGED (C?236/16 ??? C?237/16, EU:C:2018:291, ???? 40 ??.), ??? 26?? ???????? 2018, ANGED (C?234/16 ??? C?235/16, EU:C:2018:281, ???? 45 ??.), ??? ??? 26?? ???????? 2018, ANGED (C?233/16, EU:C:2018:280, ???? 52 ??.).

121 ?. ?????? ??? 15?? ???????? 2011, ???????? ??? ?????? ??? Government of Gibraltar ??? ?????? (C?106/09 P ??? C?107/09 P, EU:C:2011:732, ???? 104).

122 ?????? ??? 21?? ???????? 2016, ???????? ??? World Duty Free Group ?.?. (C?20/15 P ??? C?21/15 P, EU:C:2016:981, ???? 54, 67 ??? 74).

123 ?. ??? ?????? ??? 19?? ???????? 2018, A?Brauerei (C?374/17, EU:C:2018:1024, ???? 45)? ?????? ? ?????? ??? 26?? ???????? 2018, ANGED (C?233/16, EU:C:2018:280, ???? 52, 59 ??? 61)? ?????? ? ?????? ?????????? ??? ?????? ?????????? ??? ?????? ??? ?????? ??? ?????? «????????? ??? ??????????» ??? ? «?????????».

124 ?????? ??? 28?? ?????? 2018, Andres (Insolvenz Heitkamp BauHolding) ???? ???????? (C?203/16 P, EU:C:2018:505, ???? 91), ??? 26?? ???????? 2018, ANGED (C?233/16, EU:C:2018:280, ???? 47), ??? 26?? ???????? 2018, ANGED (C?234/16 ??? C?235/16, EU:C:2018:281, ???? 40), ??? 26?? ???????? 2018, ANGED (C?236/16 ??? C?237/16, EU:C:2018:291, ???? 35), ??? ??? 22?? ???????? 2008, British Aggregates ???

????????? (C?487/06 P, EU:C:2008:757, ???? 89).

125 ?????? ??? ??????? ??? 8?? ??????????? 2011, Paint Graphos (C?78/08 ??? C?80/08, EU:C:2011:550, ???? 70).

126 ?????????? ??? ?????????? ??????? ?? ?? ?????? ??? ??????? ?????????? ?????????? ??? ?????????? ??? 107 ?????????? 1 ??? ?????? ??? ?? ?????????? ??? ?????????? – ?? 2016, C 262, ?. 1 (31), ?????? 139.

127 ?????? ??? 16?? ????? 2019, ?????? ??? ?????????? (T?836/16 ??? T?624/17, EU:T:2019:338, ???? 65 ??.).

128 ?????? ??? ?????? ??? ?????????? ??? ??????? ?? ?? ?????? ?????? ?????? ?????? ?????? ?????? ?????? ??? ?????? ??? ?????? ??? ?????????? ??? ?????? ?????? ?????? ?????? ?????? 21?? ?????? 2018, COM(2018) 148 ?????.

129 ? ?????? ??? ?????? ??? ?????? ??? ? ?????????? ?????????????? ?????? ?????? ?????? ?????? ?????????? ??? 2016, C 262, ?. 1 (31), ?????? 139.

130 ?????? ??? 19?? ?????????? 2018, A?Brauerei (C?374/17, EU:C:2018:1024, ???? 51)? ??????, ?????? ??? 29?? ?????? 2004, GIL Insurance ??. (C?308/01, EU:C:2004:252, ???? 73 ??.).