ʋʂɸʅ

ƚ ʈ ɽ ʅ ʀ ɼ ɽ ʅ ʊɸ ʈ ʆ ʉʉʀʁʉʂʆ ʁ ʌ ɽ ɼ ɽ ʈ ɸʎ ʀʀ

ʆ ɹ ʋʊɭ ɽ ʈ ɾ ɼ ɽ ʅ ʀʀ ʆ ɹ ʑ ʀʍ ƚ ʈ ʀʅ ʎ ʀ ƚ ʆ ɻ ʉ ʃ ʋɼ ɽ ɹ ʅ ʆ ɺ ʆ
ƚ ʆ ɻ ɽ ɼ ɽ ʅ ʀ ʗ ɺ ʆ ʉʋɼ ɸʈ ʉʊɭ ɽ ʅ ʅ ʓ ʍʉ ʃ ʋɼ ɸʑ ʀʍ

(ɘ tɕʝ ʜ. ʋʕʘʟ tsɘ ƚ tɕʝ ʟʠʜ ʝ dʑʘ ʈ ʌ tsls 20.03.2007 N 372,
tsls 16.07.2009 N 814)

ɺ ʯʝdʑ ʬ ʭ tʃtsɘ ʳ ʰ ʝdʑɭʷ ʜtsɘʝtɕʠʷ tsʙʰ ʝfnʝsɘʘʕ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ dʒʠdʑfnʝsʠlslzlsʘdʒ tsʙʝfnʃʝʯʝdʑɭʷ lzfnʝdzsɘʠʔ ʜdʑ ʜtsʙtɕtsfnʝsɘʝfnʝsdʑsɢts ʠ ɺ ʬ ʬ ʝʕlsʠɘdʑsɢts ʠfnʃtsdzdʑʝdʑɭʷ ʬ ʝʜʝtɕʘdz dʑ dʒʠ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ dʒʠ fnʝdzʞʘʰ ʠdʒʠ ʠ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ dʒʠ ɢtɕʘʞʜʘdʑʕʠdʒʠ fnʝdzʞʘʰ ʠdʒʠ fnʝzʙʲ ʝʕlstsɘ ʈ tsfnʝfnʝʠʔ fnʕtsʔ ʌ ʝʜʝtɕʘʮʠʠ ʜtsdʑ dʑsfnʝsdʑ ʭ tsʙʷʟʘdʑdʑsfnʝsʝʔ, ʠfnʕdʑ ʯʝdʑɭʷ ʟdʑslzʃtslstɕʝʙdʑʝdʑɭʔ dʑʘ ʬ ʝʜʝtɕʘdz dʑsʔ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑdʑsʔ fnʝdzʞʙʝ ʠ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑdʑsʔ ɢtɕʘʞʜʘdʑʕtsʔ fnʝdzʞʙʝ fnʝzʙʲ ʝʕlstsɘ ʈ tsfnʝfnʝʠʔ fnʕtsʔ ʌ ʝʜʝtɕʘʮʠʠ tʃtsfnʝsʘdʑsɘdʑʷʁ :
(tʃtɕʝʘdʒʙlzdzʘɘ tɕʝʜ. ʋʕʘʟʘ ƚ tɕʝʟʠʜʝdʑsʘʈ ʌ tsls 16.07.2009 N 814)

1. ʋlsɘʝtɕʜʠls tʃtɕʠdzʘɢʘʝdʒ ʝ tsʙʰ ʠʝ tʃtɕʠdʑʮʠtʃʳ fnʝdzʞʝʙdʑsɢts tʃtsɘʝʜʝdʑɭʷ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʭ fnʝdzʞʘʰ ʠʭ.

2. ʈ ʝʕtsdʒʝdʑtsɘʘls dzʠʮʘdʒ ʟʘdʒʝʰ ʘʁ ʰ ʠdʒ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʝ ʜtsdʑ dʑsfnʝsʠ ʈ tsfnʝfnʝʠʔ fnʕtsʔ ʌ ʝʜʝtɕʘʮʠʠ, ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʝ ʜtsdʑ dʑsfnʝsʠ fnʝzʙʲ ʝʕlstsɘ ʈ tsfnʝfnʝʠʔ fnʕtsʔ ʌ ʝʜʝtɕʘʮʠʠ ʠ ɘʳ ʙtstɕdʑ ʝ dʒzdʑʮʠtʃʘdz dʑ ʝ ʜtsdʑ dʑsfnʝsʠ, tʃtɕʠʜʝtɕʞʠɘʘls fnʷ tʃtɕʠdʑʮʠtʃtsɘ, lzlsɘʝtɕʞʜʝdʑʑ ʭ dʑʘfnʝstsʷʰ ʠdʒ ʋʕʘʟtsdʒ ɘ ʯʘfnʝsʠ, dʑʝ tʃtɕtslsʠɘtstɕʝʯʘʰ ʝʔ tʃtɕʘɘtsɘtsdʒz fnʝsʘlsfnʝz ɺ lsʠʭ dzʠʮ.

3. ʅ ʘfnʝstsʷʰ ʠʔ ʋʕʘʟ ɘfnʝslzʃʘʝls ɘ fnʝʠdz fnʝs ʜdʑ ʝɢts tsʬ ʠʮʠʘdz dʑsɢts tsʃlzʙdzʠʕtsɘʘdʑɭʷ.

ƚ tɕʝʟʠʜʝdʑs
ʈ tsfnʝfnʝʠʔ fnʕtsʔ ʌ ʝʜʝtɕʘʮʠʠ
ɺ.ƚ ʋʊʀʅ

ʄ tsfnʕɘʘ, ʂtɕʝdʒdz
12 ʘɘɢlzfnʝsʘ 2002 ɢtsнʘ
N 885

ʋlsɘʝtɕʞʜʝdʑ
ʋʕʘʟtsdʒ ƚ tɕʝʟʠʜʝdʑsʘ
ʈ tsfnʝfnʝʠʔ fnʕtsʔ ʌ ʝʜʝtɕʘʮʠʠ
tsls 12 ʘɘɢlzfnʝsʘ 2002 ɢ. N 885

ʆ ɹ ʑ ʀ ɽ ƚ ʈ ʀ ʅ ʎ ʀ ƚ ʓ
ʉ ʃ ʋɼ ɽ ɹ ʅ ʆ ɺ ʆ ƚ ʆ ɻ ɽ ɼ ɽ ʅ ʀ ʗ ɺ ʆ ʉʋɼ ɸʈ ʉʊɭ ɽ ʅ ʅ ʓ ʍʉ ʃ ʋɼ ɸʑ ʀʍ

(ɘ tɕʝʜ. ʋʕʘʟʘ ƚ tɕʝʟʠʜʝdʑsʘʈ ʌ tsls 16.07.2009 N 814)

1. ʅ ʘfnʝstsʷʰ ʠʝ tsʙʰ ʠʝ tʃtɕʠdʑʮʠtʃʳ tʃtɕʝʜfnʝsʘɘdʑʷʁ ls fnʝsʙtsʔ tsfnʝdʑsɘʳ tʃtsɘʝʜʝdʑɭʷ ʬ ʝʜʝtɕʘdz dʑ ʭ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʭ fnʝdzʞʘʰ ʠʭ ʠ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʭ ɢtɕʘʞʜʘdʑʕʠʭ fnʝdzʞʘʰ ʠʭ fnʝzʙʲ ʝʕlstsɘ ʈ tsfnʝfnʝʠʔ fnʕtsʔ ʌ ʝʜʝtɕʘʮʠʠ (ʜʘdʑʝʝ - ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʝ fnʝdzʞʘʰ ʠʝ), ʕtslststɕʳ dʒʠ ʠdʒ dʑʘʜdʑʞʠls tɕdzʕtsɘtsʜfnʝsɘtsɘʘls fnʷ tʃtɕʠ ʠfnʃtsdzdʑʝdʑʠʠ ʜtsdʑ dʑsfnʝsdʑ ʭ tsʙʷʟʘdʑdʑsfnʝsʝʔ.

2. ɻ tsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʝ fnʝdzʞʘʰ ʠʝ, fnʝsʟdʑɘʘʷ tslsɘʝlsfnʝsɘʝdʑdʑsfnʝs tʃʝtɕʝʜ ɢtsfnʝzʜʘtɕfnʝsɘtsdʒ tsʙʰ ʝfnʝsɘtsdʒ ʠ ɢtɕʘʞʜʘdʑdʒʠ, tʃtɕʠʟɘʘdʑ :

ʘ) ʠfnʃtsdzdʑls ʜtsdʑ dʑsfnʝsdʑ ʝ tsʙʷʟʘdʑdʑsfnʝsʠ ʜtsʙtɕtsfnʝsɘʝfnʝsdʑs ʠ dʑʘ ɘʳ fnʝsʕtsdʒ tʃtɕtsʬ ʝfnʝfnʝʠtsdʑdz dʑsdʒ lztɕtsɘdʑ ɘ ʯʝdʑ ʭ tsʙʝfnʃʝʯʝdʑɭʷ ɺ ʬ ʬ ʝʕlsʠɘdʑsʔ tɕʘʙtsls ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʭ tstɕɢʘdʑsɘ;

ʙ) ʠfnʕtsʜʠls ʠʟ lstsɢts, ʯlsts tʃtɕʠʟdʑʘdʑʠʝ, fnʝsʙdʑ ʜʝdʑʠʝ ʠ ʟʘʰ ʠlsʘ tʃtɕʘɘ ʠ fnʝtsʙtsʜ ʯʝdzsɘʝʕʘ ʠ ɢtɕʘʞʜʘdʑʠdʑʘ tstʃtɕʝʜʝdʑʷʁ ls tsfnʝdʑsɘdʑsʔ fnʝdʒ fnʝdz ʠ fnʝsʜʝtɕʞʘdʑʠʝ ʜʝʷlsʝdz dʑsfnʝsʠ tstɕɢʘdʑsɘ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑdʑsʔ ɘdzʘfnʝsʠ ʠ ɢtsfnʝzʜʘtɕfnʝsɘʝdʑʑ ʭ fnʝdzʞʘʰ ʠʭ;

ɘ) tsfnʝzʰ ʝfnʝsɘdʑʷls fnʝtsʁ ʜʝʷlsʝdz dʑsfnʝs ɘ tʃtɕʝʜʝdzʘʭ tʃtsdzdʑsdʒtsʮʔ fnʝstslsɘʝlsfnʝsɘlzʁ ʰ ʝɢts ɢtsfnʝzʜʘtɕfnʝsɘʝdʑdʑsɢts tstɕɢʘdʑʘ;

G) dzj tsÇOLr eOls tftcjHtfsuÇsjdzqw ÇOÇqdz3dzqBts tftdtsW jfrfmqftsdzÇdz dz3 qdzq frjsuqdOdz dz dz3 dtdztftfOdz3 q tstcaOdzqLOuqdw dz3 Br ls dzjLOeqfmqdz3 dz3q tsls edzqwdzqw tslsHjdz dz Ç dtcOHOdz tftdtsW jfrfmqftsdzÇdz dz Ç qdzq frjsuqdOdz dz Ç dtdztftf q tstcaOdzqLOuqÇ;

H) qfmÇdz uOls HjÇfrjseqw, fmpwLOdzdz j fm edzqwdzqjdz3 ÇOÇqÇ-dzqBts dzquqdz Ç, qdz3Zh jfrjsejdzdz Ç (W qdzÇdzqjser Ç) q qdz Ç qdzqjtcjfrjse, tftcjtfwlsfrjseZs h qÇ HtsBtdsfrjsejfrjsdzqdzjdzqs Htsdzqdzqsfrjsdz Ç tsBwLOdzqsfrjsjÇ;

j) bzejHtsdz3dzwls tftcjHfrjsOeqlsjdzw dzÇdzqdz3Olsjdzw (taOBtslstsHOlsjdzw), tstcaOdz tftdtsÇbtaOlsbtd qdzq Htdzcqfj dtsfrjzHOtcfrjsejdzdz j tstcaOdz tsBts efmj Ç fmpbzuOvÇ tsBtaOh jdzqw Ç dtsfrjzHOtcfrjsejdzqdzdz3dz fmpbz>Oh jdz3z ÇOÇqÇ-dzqBts dzquqe ujdzvÇ fmÇdzsdzjdzqw Ç frjsejtch jdzqs Çtstcdztfuqftsdzdz Ç tftaOetsdzÇdzh jdzqÇ;

k) frjsBdz HOls bzfrjsOdzsedzjdzdz j W jHjtaOdz dz dz3q LOÇtsdzÇdz3q tstcaOdzqujdzqw q LOftcjls , qfmqftsdzdzwls tsBwLOdzqsfrjsq, fmpwLOdzdz j fmqftdtsÇts>HjdzqjdzÇdz3dtsfrjzHOtcfrjsejdzqs? fmpbz>Br ;

L) frjsBdz HOls dzj?lstaOdz dzsfrjs , qfmÇdz uOs h bs etsLdzs>dzsfrjs edzqwdzqw dzÇ qÇ fmpbz>jBdzs HjwlsjdzdzsfrjS tcjh jdzq? tftsdzqlsquqfmÇqÇ tfOdsq?, qdz Ç tsBh jfrjsejdzdz Ç tsBj jHqdzjdzq?;

q) frjsBdz HOls dzsdz3 fmpbz>jBdzs?, tftdtsW jfrfmqftsdzÇdz dzs? lsqÇq q tftaOeqdzOHjdzseotsdts tftsejHjdzqw;

Ç) tftdtswedzwls Çtstcjlsdzsfrjs q edzqdz3Olsjdzdzsfrjs e tsBtaOh jdzqq fm dtaOHOdzÇdz3q q Htsdzqdzsfrjsdz dz3q dzquOdz3q;

dz tftdtswedzwls lsjtcfqdz3sfrjs q bzeO>jdzqj Ç tsBr uOvdz3 q lstaOHqquqwdz3 dzÇdtsHtse t tsfrfmqfqq, bzuqls eOls Çbzdzlsbtcdz j q qdz j tsfrjsejdzdzsfrjsq taOLdzquqdz Ç lsdzquqfmÇqÇ, frjsuqdOdz dz Ç dtdztftf q Çtsdz jfrfmqÇ, fmqftsfrjsefrjseotseOls dzjk dzÇuqftsdzÇdz dzsdz q dzjk Çtsdz jfrfmqftsdzÇdz dzsdz frjsdzOfmqs ;

dz3) etsLHjtc>qeOls fmv tsls tftsejHjdzqw, Çtslststcsj dz3sdzts Br er LeOls frjsdz3dzjdzqj e tsBj jÇlsqedzsdz3 qfmqftsdzdzjdzqq dtsfrjzHOtcfrjsejdzdz dz3q fmpbz>Oh qdz3q Htsdzqdzsfrjsdz Ç tsBwLOdzqsfrjsjÇ, O lsÇOÇkj qLBjeOls Çtsdz dzqÇlsdz Ç fmqlszOuqÇ, fmqftsfrjsedz Ç dzÇdzjfrjsq lzh jtcB qÇ tcjtflzlsOuqq qdzq Oelstsqlsjlsz dtsfrjzHOtcfrjsejdzqsdts tstcaOdzÇ,

dz tftcqdzqdz3Olsl tftcjHlzfmqftslstcjdzdz j LOÇtsdzsHOlsjdz frjsetsdz3 t tsfrfmqÇfrÇts? ∧jHjtcOuqq dzjHtsftlzh jdzqs etsLdzqÇdzsejdzqw Çtsdz dzqÇlstse qdzsjtcjfrjse q lztcjdzdzqtdtsOdzqs etsLdzqÇh qÇ Çtsdz dzqÇlstse qdzsjtcjfrjse;

ts) dzj qfmqftsdzLtseOls fmpbz>jBdzsj tftsdzs>jdzqj Hdzw tsÇOLOdzqw edzqwdzqw dzÇ HjwlsjdzdzsfrjS dtsfrjzHOtcfrjsejdzdz Ç tstcaOdzse, tstcaOdzqLOuqÇ, Htsdzqdzsfrjsdz Ç dzqu, dtsfrjzHOtcfrjsejdzdz Ç fmpbz>Oh qÇ q dtcOHOdz tftcq jfrjsejdzqh jdzqq etstftdtsfrjse dzquqdzsdts ÇOtcOÇlsjtcO,

tf) etsLHjtc>qeOls fmv tsls tftzBdzquqdz Ç er frÇOLr eOdzqÇ, frjz>HjdzqÇ q tsujdzsÇ e tslsdzsh jdzqq HjwlsjdzdzsfrjsQ dtsfrjzHOtcfrjsejdzdz Ç tstcaOdzse, qÇ tdzÇtseotsHqlsjdzjÇ, jfmpbz lstsdzj eÇtsHqls e Htsdzqdzsfrjsdz j tsBwLOdzqdzsfrjsq dtsfrjzHOtcfrjsejdzqdzsdts fmpbz>Oh jdts,

tc) frjsBdz HOls bzfrjsOdzsedzjdzdz j e dtsfrjzHOtcfrjsejdzqdzsdz3 tstcaOdzj tftcOeqdzO tftzBdzquqdz Ç er frjslzfdzjdzqÇ q tftcjHtsfrjsOedzjdzqw fmpbz>jBdzs? qdzW tstcdz3Ouqq;

fm) bzeO>qlsjdzdzs tslsdzsfmqlsv fmv Ç Hjwlsjdzdzsfrjsq tftcjHfrjseqlsjdzj? frjcjHfrjse dz3Ofrjrjseots? qdzW tstcdz3Ouqq tftsqdzW tstcdz3qtdtsOdzqs tsBh jfrjseO tsteOstslsj dtsfrjzHOtcfrjsejdzqdzsdts tstcaOdzÇ, OlsÇOÇkj tsÇOLr eOls frjsHj?frjseqj e tftsdzzujdzqqHtsfrjstsejtcdzs? qdzW tstcdz3Ouqq;

ls) etsLHjtc>qeOls fmv e tftzBdzquqdz Ç er frjslzfdzjdzqwÇ, e lstsdz3 uqfmqj e frjcjHfrjseO dz3Ofrjrjseots? qdzW tstcdz3Ouqq, tsls tsBtsLdzÇujdzqw e qdzsfrjstcOdzqs? eOdz lsj (bzfmqtseodz Ç HjdzjkdzÇ jHqdzqquO) frjstsqdz3sfrjsq dzÇ lsjtcaqlstsqq t tsfrfmqÇfrÇts? ∧jHjtcOuqq lstseOtcts, taOBtsls, bzfmqtzcq qdz Ç tsBj jÇlstse dtcOHOdzÇqÇ tftcOe, frjzdz3dz frjHjdzsÇ dzjkHz tcjlqHjdzsOdz3q t tsfrfmqÇfrÇts? ∧jHjtcOuqq, tftsÇOLOlsjdzj? Bs HkjlstseO efmj Ç bzdtseodzj? Bs HkjlsdzsÇ frqfrjsjdz3 t tsfrfmqÇfrÇts? ∧jHjtcOuqq, taOLdzjtcteO dtsfrjzHOtcfrjsejdzdz Ç q dz3zdzquqftfOdz dz Ç LOqdz3frjseotseOdzqÇ, dtsfrjzHOtcfrjsejdzqdzsdts q dz3zdzquqftfOdz dzsdts HtsdzqO, LO qfmÇdz ujdzqjdz3 fmpbzuOje, ÇtsHO lstsdzjtsBÇtsHqdzts HdzW lstsudzsÇ tfjtcjHOuq frpjHjdzqÇ dzqBts tftcjHlzfmqftslstcjdzs LOÇtsdzsHOlsjdz frjseotsdz3 t tsfrfmqÇfrÇts? ∧jHjtcOuqq, dzjkHlzdzÇdzsHdz dz3q HtsdtseotstaOdz3q t tsfrfmqÇfrÇts? ∧jHjtcOuqq, tsBr uOvdz3q HjdzseotsdtsBtstdslsO.

3. jtsfrjzHOtcfrjsejdzdz j fmpbz>Oh qj, dzÇHjdzjdzdz j tstcaOdzqLOuqftsdzdzs-taOfrjftstcwHqlsjdz dz dz3q tftsdzdzsdzjsuqwdz3q tftstslsdzsh jdzqs ÇHtdzsqdz3dtsfrjzHOtcfrjsejdzdz dz3fmpbz>Oh qdz3 lsÇOÇkj tftcqLeOdz :

O) tftcqdzqdz3Olsl dzjtcr tftstftcjHtslseOh jdzqs qlztcjdzdzqdzsOdzqs ÇtsdzW dzqÇlstse qdzsjtcjfrjse;

B) tftcqdzqdz3Olsl dzjtcr tftstftcjHlztcjkHjdzqs Çtstcdztfuqq;

e) dzj Htsftlzfrjolsl fmpbzuOje tftcqdz>HjdzqW dtsfrjzHOtcfrjsejdzdz Ç fmpbz>Oh qÇ Çlzuqfrjsqs e HjwlsjdzdzsfrjsQ tftsdzqlsquqfmÇqÇ tftcOtdsq?, qdz Ç tsBh jfrjsejdzdz Ç tsBj jHqdzjdzq?.