الجمهورية الجزائرية الديمقراطية الشعبية

وزارة التعليم العالي والبحث العلمي

جامعة الدكتور يحي فارس بالمدية

كلية الحقوق

مذكرة نهاية الدراسة للحصول على شهادة **الماستر**

تخصص: قانون **عقاري**

بعنوان:

طرق تملك الخواص للعقارات التابعة للأملاك الوطنية الخاصة

من إعداد الطالبين:

سلمان أحمد

بوكتاب نبيلة

إشراف الأستاذ:

جيرون عيسى

لجنة المناقشة:

أ/ بن عامر محمد .....رئيسا

أ/ جيرون عيسى..... **مشرفا ومقررا**

أ/طنجاوي مراد..... **مناقشا**

السنة الجامعية: 2014/2013

شكر وتقدير

الإهداء

òò

الإهداء

ÒÒ

þŽþäþìþ˜þßþ°þèþã ýòþ• þðþàþËþƒ þñþ·þß

þŽþäþëþ°þÊ

!þ•þ°þËþ÷þ• þòþ—þ•þîþ§þƒþí þòþ—

!þŽþèþœþ˜þ³þ‡ þåþíþ© þêü°þŽþ‘

!þŽþèþœþ˜þ³þ‡ þåþíþªþ‘

2 0 1-2

þ.òþ—þ®þÛþ¬þã þêþ˜þôþ´þçþí

- þ”þàþôþ’þç

:€„„•„„ƒ•

Cþü @þã # H þ”ûþþç 7 H Cþü @þã # þðþß % þŽû-þÓþŽþçþ» # Aþüþ—þ§þŽ

.þ” @þ»þŽþ§ Cþü @þã # H

þ”ûþþç 7 Hþß ' Cþüþãþ÷ ' 1ûþûþþ³þ— H) 1 '4 2‰ 7 ¥ ± 1 þ · ù • ™ € € €

þ”þ»þŽþ§þß ' ¢£¤¥¦§¨©ª«¬®¯°±²³´µ¶·¸¹º»¼½¾¿ÀÁÂÃÄÅÆÇÈÉÊËÌÍÎÏÐÑÒÓÔÕÖ×ØÙÚÛÜÝÞßàáâãäåæçèéêëìíîïðñòóôõö÷øùúûüýþÿ

E Hû-þÔþã F ' Hþçþlþ‘• Fûþ¤þ¥þ¦þ§þ¨þ©þª þ«þ¬þ®þ¯þ°þ±þ²þ³þ´þµþ¶þ·þ¸þ¹þºþ»þ¼þ½þ¾þ¿þÀþÁþÂþÃþÄþÅþÆþÇþÈþÉ Bûþ 1 7 FþË

¢£¤¥¦§¨©ª«¬®¯°±²³´µ¶·¸¹º»¼½¾¿ÀÁÂÃÄÅÆÇÈÉÊËÌÍÎÏÐÑÒÓÔÕÖ×ØÙÚÛÜÝÞßàáâãäåæçèéêëìíîïðñòóôõö÷øùúûüýþÿ

þ£þüþÔþß ' þ”ûþ 1þŽþ¢þ£þ¤þ¥þ¦þ§þ¨þ©þª þ«þ¬þ®þ¯þ°þ±þ²þ³þ´þµþ¶þ·þ¸þ¹þºþ»þ¼þ½þ¾þ¿þÀþÁþÂþÃþÄþÅþÆþÇþÈþÉ

.þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' Bûþ 1 7

ƒ€•, ƒ„…†,

þÊûþþ‘þß ' þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' * ' 1þŽþØþ

’•“ ‘‘‘‘‘þãþß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' * ' 1þŽþØþ

þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ

*þŽþ³þ³ $þãþß ' H þ¢þßþŽþ»þãþß ' Dþãþß ' H þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ

.þŽû-þ‘ D Hþãþìþãþß ' *þŽþãûþ 8þçþH–þ7 H 1þ Fþ§þ

œ•ƒ…Š› ‰‚š™ˆ‚Šû-þ—þüþãþŽþìþã þÊûþÉ /þØûþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß

E /þË þòþÓ þ”þàþ›þãþ—þãþß ' þ”ûþþã Hþãþìþß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß

5 ' Hþ§þß ' þðþàþË þ”þØþ‘þ§þãþ

.þ”ûþþÛþüþþ–þâûþ8þ

®˜šƒ„)..§ ª‰‚Œ“““““““þÌþß“““þÊûþ ' /þØþË•þ”ûþþ¾1þþã Bþ‘þ³ þŽþ§þã DþÛ þðþàþË

/þØþË FþŽþÛ 1 # Fþ•ûþ£©¯ƒ„þòþÓË J 1þŽþØþÌþß ' þÊûþþ‘þß ' /þØþË E H

.(-‡,°„… £©¯ƒ„þòþÓ J 1þŽþØþÌþß ' þÊ

þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' þÊ

†‹¢‡„… ’² -§‹ ”(’‹•… £©¯ƒ„•ƒˆƒ„…‹ ’•“ƒ30/90 •Ž‰ Š‹‡‚Œ„… ’² -§”þ…‹©„

.(-‡,°„… £©¯ƒ„1þ§þ÷ ' þ”ûþþç Hþçþ

52 / /þÌþß ' þ”ûþþç 7 Hþß ' Cþüþãþ990 F1þ 30/90 Š‹‡‚Œ„…

) /ûþ ”1þ Hûþ -§‰´ƒ„14/08 •Ž‰ Š‹‡‚Œ„š •ƒˆƒ„…‹1990„…1þ‘þ /µ±‰´ƒ„…

.2008/08/03 -§ µ±‰´ƒ44. / /þÌþß ' þ”ûþþãþ³ 1þß '

þŽþÌþ‘þŽþ— þŽþÛþàþã F«¶„ *þ»þ /þØþË.‹ 30/90 Š‹‡‚Œ„… †‡ˆ

«¶„—EþŸþ 5þ»þ§ /þ× FþŽþÛ þòþ—þß ' þ”þ³þ³ $þãþß ' H #) 1 ' 2 Hþß ' Dþãþ

."þ”þàûþ H 7) /þãþß þŽû-þß 5þ»þ§ /þ× FþŽþÛ þòþ—þß ' þ”þãû-þãþàþß 5þ»þ

.•ƒˆƒ„…‹ ’•“ƒ30/90 •Ž‰ Š‹‡‚Œ„…„…°Šƒ„ƒ„…† †‡³‰²‡› ‘

J 1þŽþØþÌþß ' þÊûþþ‘þß ' /þØþË þ”ûþ

þÊûþ. ‘’•‹û-þÔþãþ‘ ‘’Eþ‘þŽ‰›ãþJ‰›þŽþØþ”þÌþ‘þØþË þ”ûþ

Fþã Cþ‘þËþÇ 2ûþûþþãþ— (þŸûþþÓ‹ ”þ‹›þ›ãþ‘þŽ‰›þ§ /þ‘þØþ”þÌþ‘þØþË þ”ûþ

û«þ‚þ›þ”þÔÊûþ‘þß ' Š‚ €‰›‹¢ Š‚ €‰›‹¢ /þÌûþ J 1þŽþØþÌþß ' þÊûþ

.(-‡,°„… £©¯‚1û-þ·þß ' H þ”ûþþàþÛþ—þß ' þ”ûþþàþÛþ—þß ' þ”ûþ

J 1þŽþØþÌþß ' þÊûþ‘þß ' /þØþË E Hû-

-‡•‚„… Š‹›þ‚E þòþÓ™û‹þ‰ 19 1þ·þãþ”þÊûþ‘þß ' /þØþË E Hû-

þÊûþþ‘þß ' /þØþË 5þ‹›þŽþ›þ§þ /1þ‘þØþ”þÌþ‘þØþË þ”ûþ

/ HþØþÌþß ' Fþãþ‚þ‚E 1þ‘þØþ”þÌþ‘þØþË 5þ‹›þŽþ›þ§þ(-‡,2ûþ‰ãþ…—‰ãþ…—‰ãþ

.(®„°„… ·‰¸„û«þß þ”û-þ‘þŽþ·þãþ

J 1þŽþØþÌþß ' þÊûþ‘þß ' /þØþË Aûþ

.ª‰»…Ÿ·‰°‚ƒ„… •‡™”•þF /þ‘þçþŽþØþß ' !þŽû-þØþÁûþ /þ‘þØþ”þÌþ‘þØþÌþ

:•Ž••‘†¸þÊûþþ‘þß ' /þØþÌþß €þèû-þØþÔþß '

•ƒ˜› ¹…Ÿ‰„… •š™ ‰‹ˆž•„þÊûþ‘þß ' Aûþ 1þÌþ— D Hþ£ þ”ûþû-þØþÔþß '

:þÊûþþ‘þß ' J /þØþË Fþß

þŽûþþßþžþ‹ãþ µ“Ž“þØþÛþàþã ‘’J‘1þ‹›þ‘þçþãþàþß„þ‘þ”þÌþ‘þØþË 2þ‹›þãþ R 0 %

.(1) ",‘‘‘‘‘‘‘‘‘‘ûþ /þØþçƒþŽe„–„ •š‚Œƒ ¾»‚$‚Œ‚ Fþ„þ‘ J”‰þ±½þ·þãþß ' E

:û«‘‘‘‘‘‘‘‡¿šEþçþŽþÏ Dûþþ‘þË þŽþãþ³ ‰«þÓþŽþË H

Dþ‘þŽþØþã þòþÓ 1þ§ " þŽûþþ‘þØþçþã þŽþãþ‰£/þ±## Eþ2þ-þ‘þûþÛþàþãGþŽþÓ

.(2) "…•‘‘‘‘‘‘‘‘‘‘Œ‡“Š‘‘‘‘ƒ°„… ¾§•š¡‰°„„…Ÿˆ„…

µ“š¯„”¾š…‰„…(›Ÿ¿ûþŽþØþãþç/þãþ‘þ”þÌþ‘þØþË Hû-þ‘þ³þ‘þÓ/þãþ‘þ³ 1þß ' /þ‘þË

.21 µ˜¸¢„…2000 ”Š‚‡š„* H 1þ‘þ‘þ× HþØþ£þß ' ”þ‘þ‚þàþ£þß ' * ' 1 H

) 1 ¾þŽþØþß ' þ”ûþ‘þß ' 1þÌþ‰þ‘þçþãþ‘þ‚ƒ„†þØþË“Á…-‰›•‡À Dûþþ‘þçþãþ³ %

.09 µ˜¸¢„…1958 ”‰¢ƒ

Fþãþ›þßþŽþ“ª‰þŽþÓ ¨Hþß§þÐ¨þ›þß ' /þØþÌþß , H / 2þ“ãþß§þØþÔþ›þß© ™þÐ¨þ›þß 1 Eû-þç

(1) .þÊþ‹þŽþ‘þß ' þðþß % Fþãþ›þßþŽþ“ª‰þŽþÓ ¨Hþß§þÐ¨þ›þß, J 1þ‹ ' Šƒ ’‹•… ’¢„… Šƒ ¾š¤„…‘ûþþ§þß '-§/þ¾ØþË Aûþ 1þÌþ— J 1þ‹ ' 2þŸþß '

E 2þ“‘‘‘‘‘þàØþË /þÊûþþ‘þß ' Âþû þŽû-þ»þç 35þŽ§þŸƒ„þòþ‡‡þ§ 'Hœ”(2) ‹‡•ƒ„…

(3) ." a• ‘‘‘‘‘‘Œ‡“Š“ƒ° ’š,Œƒ -§þ§ " þŽûþþßþŽþã þŽþØþ£ H # !þòþ· þ”ûþþÛþàþã

•„‹ " EþŽþË û«þŸ Hþ‘ þÊûþþ‘þß ' /þØþÌþŽþàþË ' J 1þ‹¾2þŸþß 'D9ûþ§þãÐþß ' 8Þ

²˜•ƒ„… ‹”ª‰‘þØþÌþß ' þÊûþþ3þ1 ') /þŽþãûþß ' Gþçþ‡ÓJ 1þŽÐþÌþß Aûþ1þÌþ

:þ”ûþþ—þõ ' / ' Hþª‰ŒœþÊûþþ¾ 2þŸþçÞ* / 1 H # I 1þ§ # þ”ûþþç Hþ

¹‹Œ˜„…‹‘‘µ‘‘ûþþÛþàþãÞß‡û«þçÞ—*/þÛ # þûÞ“Œ„ß.'Ž‰þç•/þãþß†‡›F HþçþŽ

…—— ‘¥—‘ûþ‰Ðß ' Bþ£ûþþ‘þÓŽþÌÞ#—þãß ' ‘‘Fûþ‘Œ“Cþß§0Ã‰þŽûþþçûþÞ³ß1þŽ

‰‘‘‘‘û-þ·ß ' þ”þ£þàþ»þã‘‘‘ûþþç/þ1þ‡Ø‰þ§‹‡Œþ‰ŽûFûþþàþË 5þçÄ þòþ¤þÞË H 1 ' ! ' 1þŸ

."a‰‘‘‘‘‘‘‘Œ“„…

Å¤ƒ •…•™— Šƒ74ƒ75.•Ž‰ ‰ƒ•…”Ã‰±•… µ¢‚±„‘‘‘‘Šûþþç ' HþØþàþß 9 HþŸ 1ßþ

û«þçþã15 Fûþþ— /þŽþãþß ' 5þç”a‰Œ“5þàþ§þ¤Ÿþ³þß ' +ûþþ§þ„þ— H EþŽþÌþß

Á‚Ž‚¯š„…Æ§‰‘º þç þ¡ûþ 1þŽþ¢þ¶©„þß¤þ«‰ß / HþŸ“þÌþþûBþ¤þŽþØþŠB

(4) .þ”ûþ 1þŽþØþÌþß '

.09 µ˜¢„…”¹š¤ ¾ ‰ƒ•‡‚À’ ûþþËþŽþãþ³ %

'•“ƒ„…79 / /þÌþß ' þ”ûþþãþ³•1þß.'Š‹‡‚Œ„1þ‘Ëþ§7ƒ„šƒˆ26 -§ ³‰´ƒ„58/75 •Ž‰•ƒ…²

Š‹‡‚Œ„š •ƒˆƒ“ƒ „…‹ ”44 / /þÌþß ' þ”ûþþãþ2005þß Hûþ2005§þ1 10/05 •Ž‰ Š‹‡‚Œ„š •ƒˆƒ„…‹

. 31 / /þÌþß ' þ”ûþþãþ2007þß ƒ 13/03¾Ÿþ07/05 •Ž‰

‰°‡©„ ’ƒ•…”‰š¯„… •Ž‰ ”Š‹‰Œƒ ¡¤þÊ‰þ‘þß ' /þØþËþ 1þÓ£ þ”ûþþŸ‰þ§Aþ³ Hûþ þòþ³

.13 µ˜¢„…:2008 ”‰»„…Ÿµ™‚š¯„…‹

3ûþþ³þ„þ— H EþŽþÌþß ' þòþ¿ '1975 '‰Œ§þ‰Ë 74/75 ‰ƒ¿ þ§þ‰ƒ„H. †‡^

þòþçûþþË Bþ£ DþÛ:‡‹«þç“þ1þ§þ-§Bþ‰´ƒ„Û / /þÌþß ' þ”ûþþãþ‰ƒ„…)’‰þ.1þŸþß '

."...þ”ûþ 1þŽþØþÌþß ' *þŽþ×þŽ 7þ‘þß ' 9Hþ§þ‰ƒ„þ³þçþ‰ƒ„þŽ1þ‰· ‰Hþ‰Ÿ1þ

þ¢ûþ‹1þŒ‡«‚°‡¨„—þòþã 1þ— þòþ—þ§…. •þŒ‡×þŽ7þ-‰ƒ•H. †‡^ ‚ƒž

"þ”ûþþ1þŽþØþÌþ×þŽ 7þ‘þß ' ¾þòþÁ ' 1þ7¾-1þ·Fûþþ¡ûþ1þŽþ1þçË þŽþ‰ƒ„þŽ1þ‰þØþþ ' þ1H #

J 1þŽþØþ‘þß ' þÊûþþ‘þß ', šŽ…†,

þòþãþßþŽþË 7þ‘ 1þ— þ”ûþ 1 ' / % * ' ! ' 1þŸ % 9þŽþ‘þß ' þÊûþ 1þ·þ—þß ' D 8 þòþÓ þ”ûþ 1 ' / % * ' ! ' 1þŸ % þ”ûþþç 7 Hþß ' /þ

†»,¢±š 2ûþþãþ€‚ƒûþ„.þŽ•ãÊÛ.•ÊÊ‰,š^™,š †

þðþß % Fþãþ‘þûþþ”þ»þŽþŽãþ§þß‘“““þ”ûþþÁç.7‰þŒ‰.Cœ™‘“Œ“„:•”¬- ¢•” £ ˜
œ•ƒ› µ˜©¢ƒ û«•þ‘þØþ— Eûþûþþ Øþ—‘“““ƒ/þÌþ‘ ¨©™HþÊûþ ”Š™ 0þß—‘“““Œ™
þŽþã”þ‘ûþ¾þ«•þŽþ‘¿þØþÌþß þ‘ûþ¾þ«•þŽþ‘¿þØþÌþß þ‘ûþ¾þ«•þŽþ‘¿þØþÌþß ' Eþ‘ŽþÌûþ£“#“„û«ûþþÓ 4þ×þ
(1).-‡•ƒ„.Š‹“““““‡„Œ. Šƒ85 €•ƒ„.û«þ— /þÛ #

É‹‰“ƒ„…‘‰“‘þØþÌþß ' 0þ§þûûþ«þ J1þ‘þ¾þ‘þ¾þ‘þ¾þ‘þÓþ§þ„¤•‘‹ A•1 £ ¥DþÛþÓ
(2).µ“““““ûþþçþØþ—þß ' þŽû-þ£þßþŽþ»þã ‘“Ä„.1.”ÞÊ¾þ‘þ¾þ‘þ¾þ‘þ

”-ƒ¤‰£„Ž•‘“““Œ“Ê…—‰Š‹‰•„… Š”‰Š‘“““Œ™ ¨©™‡ƒƒ‚“^„… ‰‚ŽŠ‚ª ¢•”£ ¢
.•¯‚š •‘“““““Œ“„… Š‚ž ¥—‹

’Œˆ‡ˆ ¥‘‰“‘þØþÌþßþŽþ‘ þ”þØþàþÌþ—þãþß ' I 1þ§þûþ¾þÛþ”þãþ¿þÌþØþË H 1ûþ¾þ£þ§
€•þãþß ' ûþ«þ—”‰Ûþ¾þØþÌþŽþã H1ûþ¾þ¾þ¾þ

:•¤Ž†, ˜€£££

J 1þ—þ·þãþß ' H þÊþ‹þŽþ‘þß ' Hþß ' 1þŽþØþÌþß ' þÊûþþ‘þß
Š‚ž £‹“““““ûþþÌþß ' G‘þß ' Fþã ' 1þù ' ”•þŽþ‹ ›”Ø£ˆ‰Ž–3ûþþß /þ©¶š H #
(1).£ “““““ûþþÌþß — / ' 1 % (þŽþ· Fþã þ”þ£þàþ‘þß Dþ

' 0 ¾”þ€þŽþ”ûþþŽþãþ£ 1þ›þÛ„#. µ£“‹Hþ„Ûþè•“ ‘F“#¿š(‰Ÿƒþ… ¹©“^ …—— ‚ƒ›
þŽû-ûþþÓ A /þŽþ»þç þŽþãþàþ× ”þ”þÌþ³þŽþçþãþß þŽþß H /þ3þ—)ƒ ' 1 ‰1þ3þ‹þàþ
þ¢þßþŽþ»þãþß ' û«þ‘ E HþØþ— J ‘“‘“ ¾3þ‹þ³þãþÓ ' ”5þ‘þ‘þ‘

þŽûþþÓþŽþç ' /ûþ /þ£þ— ' / /þ£þ¶Š“H‘‘ûþŽþçûþþÌþãþß ûÊûþþ‘þ¶Žþ× ‘‘ íH ¤Hþ¶Žþçûþ¤#

(1).-‡•ƒ„.Š‹‡Œ.. Šƒ4 €•,ƒ„û«ûþþ¢à¶Ë‹ ¾”¯š •‘‘‘‘‘Œ“„… Š,ž”¥—þßþŽû-þŸþàþß

:•ŽŒª‹†, ¨,©Œ†- þŽ¢ûþ

:µûþÂ…‹‰º„.Šƒ°„… ·§1þ—þ¤ûþ¶Žþ‘þàþß û«þÌþÓ /þ‘ J 1þ—þ·þãþß ' E 2þ—þàûþ J

(2).ª‰»…Ÿ „… -‡•ƒ„… Š‹‡Œ„.Žþ¶ûþãþß ' û«þ÷/ H¤þØ¶ûþçþ¶1þ·þ¤þ¶ãþ›þ¤ãþ›þß ' F

þŽûþþ¤ûþŽþ¤ûþ¤ûþ¶ûþ¤þ¶Žþ¤þÌþ—þãþß ' A 1 7 Fþ¤ãŽþ¤ûþçûþ¤þ¶ãþß1 ' F¤þØ¶ãþ¤ãþ¤ûþ¤ûþ¤û

‡,€ˆŠ† þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' “‘Êûþþ‘ *þŽ

þ”ûþþç 7 Hþß ' þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—

œ•ƒÎ„ µ“š‚^„… Á…‰Œ“„… œ©ƒˆ Šƒ †…‹±„…”(’‹‰°ƒ£©¯Šž•ƒˆƒž… ‹ ’•“ƒ„…

¯‹‰° %þŽþÓ /þ” Dþ÷þŽþ‹þß ' 1þŽ 7 Fûþþ‹þß ' 1þŽ 7 % þòþÓ þ”þ»þŽ

.(-‡‚°„… £©¯ƒ„…‹±„…ûþµ1þŽþØþÌþß”þ‹ûþ‹þ›1þß ' þßòþÓ

þ”ûþþç 7 H•þŸ•°Cþüþã% þ‹þ£þ¿þ‹þ‹þ‹

:) /ûþ ' 2þãþàþß þ”þãþŽþÌþß ' / Hþçþ‘þß ' H 7 H 1þ·þß ' (þçþŽþ

–‚±‚š”(þŽû-þÌûþþ‘ / ' 1þãþß ' 6±1þ)÷1'þþ”þÌ 7þ ' 1þãþß ' 5þHþ§þ 0þ„ûþ

Å„¢ƒ ‰“‘“ûþ /þã Fþãþ‘ - ' 1þãþß ' / ' 2þãþß ' Búþ 7þ‘þFþ 5ûþþ§ 1þ—þß

E /þË þðþ—þ£ H‘#‘“ûþ 5 1þãþ›þ§þ–1þŽþ”ûþ 9‰ûþ„ã7. /þûþ„þ–þ

.þ”ûþþã Hþãþ‘Ìþß ' þ¢þßþŽþ»þãþß ' H *þŽþ‹ûþû-þ

:-ˆÂ..þòþÓ Dþ›þãþ—þ þ ' 1þãþ þ”ûþ þŽû-þßþüþ§ Fþ

:Ž£ œEûþûþþØþ–

þðþç /þ÷ ' Fþãþ›þß ”'û‹ H ”þ 1þ /þ H /þ

þòþçþàþÌþß ' / ' 2þãþßþŽþ‘ þÊûþþ‘þ 1þ·þ

. * ' 1þŽþØþÌþß ' G‘“ûþ‘þß 'þ”þ

:´—„†‚ žµ ••Ÿ¶”²‚€ •••„Š‹†‚ ¢‚£ ~

Fûþ 1þ·þË Dþ‘þ× þ”þ þ.. þ¯þÓ .‹š þ þ Eþ þ Fþ Fþüþ

µ„„˜ þðþàþË 9þü 7þû ' / ' 2þãþß ' þ”ûþþàþ 1þ þ ' þ¯þ

Ã‹ˆ¤ƒ ¨©™ µ„‹•„…“‘“ûþ Á‚“‘“ûþ 1ûþ /þã D

(2) .¾“‘“ûþþ‘þß ' þ”ûþþàþãþË Eûþ 8þçþ—þ

:þÊûþþ‘þàþß þŽû-þ 1þ·þß ' 1þ

Bþ‘þŽ 7þ”ûþ þ ' Cþüþãþ÷ ' þ”þ£þàþ»þã G /þÌþ— 7 H 1þ· 1þ—þÓ / 3þ

Šƒ þ”þ›þßþŽþ›þ 90 þŽû-þãþ þ þ þ þ þ 0 H ' G 1þØûþ

(3) .427/12 J 0ûþþÔþçþ—þß ' E Hþ

†±ˆ -ˆ„… ’»‚¤ƒ„”.) /ûþ ' 2þãþàþß þ”þãþŽþÌþß ' / Hþçþ‘þß ' H 7 H 1þ·þß ' (þçþŽþ

•…Ÿ þ þ þ þ þ

þ”þãûþþ× * / ûþþ×1þŽþØþÊþÒþÞ7§þÆÞ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' * ' 1þŽþØþ

µ„˜ -§ ¥)— Fûþ /û-þÌþ—þãþ’þß ' Bûþ” 1 7/ûþFþ€ / ' 2þ
Fûþûþþ Ìþ— ”þŽûþ1 7þ§ÊþË 6 H #1 Ìþß ' 2 1þÓ”(þ)”1³¼þŽŸ×þðþ)Ê1% ÊHËþŽ£ûþŽþ
þòþÓ ' /ûþ /þŸ ' /ûþÌþEû-þçþãþçþ2ã‹þŽþÔþß ' /þß‰Øþ…Áç¤ˆ /þ»þ«þÛHþ³þÓþŽþ
/ ' 2þãþßþŽþ‘ 2þ‹þŽþÔþß '..µF˜ûþß›ûþ‰6‰«žþ–ƒ„.Ÿ›þÉ‘‰6„1ÌþŒ™FþŽ•þ’þ¢ç ' Fûþþ
.þ”þË 1þØþß ' þ” 7þ³ ' Hþ‘ Fûþûþþçþ’Ìþãþß

þŽþã ' 0 ¾ H / ' 2þãþßþŽþ‘ 2þ‹þŽ’þÕ’ûþ³þ•Ôþ/ç 2þ”þãþ¢Ÿ(þ1–þ’þ¢ÓH!þŽ2þãË#' û
.1997 ¬‰ƒ05 ³‰´ƒ„… ‰…‰„Œ•„…Šþß ' û«ûþþàþË *þ»þ

:·¢£££ûþ£2þãþßþŽþ‘ Eû-þß£˜Hþãþ³þãþß '

F Hþ’Ìþ”þŽûãþ¢ûþŽþ1 !þŽþÉÓHþ¢þà’Ìþãþòþã¢þŽÊ’þŽ1þ¢ûþ¢£ Hþ¢þŠþÔ’þã) /ûþ ' 2þãþß
(1) .þ”ûþþç /þãþß ' Eû-þ× H

:••‹¤†, ¨,¢£Ÿ, £ ¥

F HþÛûþ F # 6 H 1þÔþãþß’FþŽþã¿ ' 2þ¤þãÊûþŽ/þØ2þ‹þŽFÓH /DÊûþ¢Óþ— þòþçþ
”þ”ûþþÔþ§”þß”þ£þŽûþãþ¢þ’FþŽþã3þŽûþ¢þÊ³þDþã‰ûÊ“Hš µ§‰Š/‰„. •,ƒˆ
(2) …¡•ˆÄ…

:þÊûþ¢ûþ1þŽÀ»þã

:þòþàûþ þŽþãûþþÓ Aûþ'1þŽþ¤þãþß ' 2þ‹þŽ’þÔ’ûþ¢þÀ37þ—Aþã 1þŽŽ»þ¢þÓ
” / ' 2þãþß¤‰ûª«ûþ¢þàÊËšƒ„…

” *þŽþçþüþËþù ' H *þŽþØþ»þàþãþß '

”þòþßþŽþãþŸþù ' 7 7þ§þãþß ' H 7 H 1þ·ß ' 1þ—þÓ /þÛ þ”þÛ 1þ—þ·þãþß '

þòþÓ þ”þ»þŽþ§“/þ”ûþþç”7Hþ¤þ»þãÊ”ûþ1þŒ#„H.“‰1þŽ“ûHþŸþ³þ—þß ' B HþØþ£
(3) .•‘ûÎþ¢Ø¤ƒ

1997. ¬‰ƒ05 -§ ³‰´ƒ„… ‰…‰„Œ•„…Šƒ†‡ ‰²‡›
.1997 ¬‰ƒ05 -§ ³‰´ƒ„… ‰…‰„Œ•„…Šƒ†‡ ‰²‡›
1997. ¬‰ƒ05 -§ ³‰´ƒ„… ‰Šƒ‰5Œ•„…Šƒ†‡ ‰²‡›

(1) .þŽþ»þ× # DþŸ # þòþÓ þ”ûþþç 7 Hþß ' Cþüþãþ÷ ' 1ûþþ‘þãþÛþ

: J 1 ' /þù ' þÊ

•“š ”þ”ûþþç 7 Hþß ' Cþüþãþ÷ ' 1ûþþ‘þãþÛþ

:- ˆ¿ûþ þŽþã /þØþÌþß”-„.Fþãþ¿Šƒ—ŠÄ.F #©™‘þ‘þû˜ˆ„..

•(..•‹•˜„…”Š…‹‡“µ˜„¤ƒ„.”þ”ûþþç 7 Hþß ' Fûþûþþ

•É‹‰“ƒ„… ¨‡••… Šƒ°„…

(2).þ”ûþþÛþàþãþß ' Dþ»

ž£¤,ŽŒ†•££ûþþÝ• †, šŽ…†,

Š™ Dþ£þãþ›þ‘ H D 2þŽþçþ—þß ' Bûþ 1 7 FþË 1þ·þŽþ‘þã DþÛþ·þ‘ Eþ—þ—

) /þ‹þŽþÔþß þ”ûþþßþŽþãßþŽþ»þ8Ì1àþÛ”þãþß^þ‘ 1ûþ2 H

J 0ûþþÔþçþ—þ9 ')

. 5 ' Hþ§þß ' Eû”þçþ2¿•Ž‰ã H

:þ”ûþþ—þõ ' †*þûþŽ„›»ß„”þ›þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþü

:š€ûûûûþ·’†•£€œ

(3) ” 5 ' Hþ§þß ' þÊþã 9 Hûþþ·þß ' ‹þðþãßË Hþ

.-‡©“„… •…Ÿƒ„… -§ µ¦‹2Þ„‰Ÿ„.9þŽþ‘ûþ þðþ•š§£ Eûþþ³þØþ

¥ Šƒš”þ”þß H /þß ' þÊþã 9 Hûþþ·þß ' þòþÓ Cþßþ

.þ”ûþ 1þŽþŸþ—þß ' þ”þãûþþØ

Š¦§” FþŽþÛ (þ‘þ³ Jþ÷ þ”þß H /þß ' þ”þ»þ£ ! ' 1þ· 9 Hûþþ·þß ' þòþÓ !þŽþÛ 1þ

‰“¤„.3þŽþ³ # þðþàþË þÊûþþ‘þ

(4) .û«þàþÛ Fþãþ›ß‹ˆ„.’Dû•þ

-19 -

:·Ž€„—‹†, ž¤‚Ž•, ’†•—þŽûþþçþŽþ›

Bûþ 1 7þß ' þðþß % 0þ€þçþãƒ þŽ“‘“þß 3ûþþ-þûþþàþãþ‘ þòþ—þß ' þòþ¿ ' 1þ

!þû $ ¾ /þ£þ÷‘“‘þŽûŠþçþ•‘“‘þàþŽ”Ê þÛþãþß ' þŽû-þç ' 1ûþþŸþß ‚„”þÌþ‘þŽþ— þ

(1) . F ' 1ûþþŸþß '

:þ”ûþþç Hþçþžþ›Øþß ' þ”þÌþÔþ·

Fûþ 1 HþŽþŸþãþß þÊûþ þ›þÐþß ' þ”ûþþç 7 Hß ' Cþüþãþøþß þ”þÌþ‘

(2) . * ' 1þŽþØþÌþß ' Gþ0 ¾”ûþþçþ›þŽþØþÌþ³þ—þÔþ·þ

F H /ûþÊûþ›þÐþ±þçþãþß ' G)01¾Ÿ þðþà‘þŽþ›þÊûþþ‘ þüþ›þã þ”þß H

(3) . J 1þŽþØþÌþß ' 1ûþûþþ³þ—þß ' H :þ”ûþ›‰1þ„…þß 'µ“Ê”ûþ.H˜'Šf/þß þ”

:Ž‚€±†’†•—•“‘Ž

þ”þàþ‘þŽþ× þ”ûþ 1þŽþØþÌþß) /þ€ H þ¿ Dþûþ·þ) 1 Hþ›þŸþÊãþß '•‡6¹1þ÷ ' þ”þÌ 7þ× þ

þŽþã ”!þŽ¾þçþ‘þß ' H 1ûþþãþ”ûþ /þŽ¾Ë ./þÌþÊ0 E¾Hþûþþ›þ«þ‚#þ€þÛ '

(4) .427/12 J 0ûþþ›‰þçþ„…þãþß”ûÊþ›þçþŽ1þß þ/þŽþãþß— 1›þØþûþãþÊþû

: Eû-þ—ûþþÛþàþã þ”þË€H 2þçþãþß†'•—‹þûþãþß ' FþŽþU

6 HþÌûþ F # (þŸ”ûþþã¬1þãþÌþß ' þ”þÌþÔþçþãþß ' ‘“Dþãþ# ' Fþãû-þEû/þ»þûþ›þÛþà

F HþÛûþ F # (þŸ-ûþ“þçûþþÊŽþÐþÌ‘þ“‘þØþ›þ¿ Hþ›Þ·J þûþÔþŽþÐþãþ¾þ›þ¿ S¾Hþ›þÌþ—

.þ”þË H 2þçþãþß ' þ”ûþÊÛ„þàþãþàþß þ

Fþã Eû-þ—ûþþÛþàþã þ”þË H þŽþçþãþß Ë þŽþãþß ' / Hþ›þÛþ³'% ¾) /þŽþË % H

3þŽþ³ # þðþàþË þŽû-þÔ‰þçþ„…þ¾þ‘ þŽŸ-þçþŽþãþçþ¾Hþ Aþçþ»þ— F # (þŸûþ þ

.70 µ˜¸¢„…”¹š‚¤„.¾ ‰ƒ:þ”þ‘þà ‡€–þ›þàûþþß 1

.70 µ˜¸¢„…”û«þ³½Š‰ƒ: 2

.39 µ˜¸¢„…”¹š‚¤„… ¾ ‰ƒ‰„•±„ •ƒ˜ƒ 3

þ”þÌþ‘þŽþ—þß ' * ' 1þŽþØþÌþ¾þ›þ¿þ›þ¾þ›þ¿þ›þ¾þ›þ¿þ›þ

Á…‰þû™þÊþŸ ' 1 "01/81 •Ž‰ Šþ‡þØþß ' þòþÓ Dþãþ Ìþ—þ³þã 1ûþþÏ þÊûþþ'þß

B Hþ³þß ' FþË ' /ûþþÌþ' þ"ûþ 1 ' /þù ' B 1 7þßþŽþ"þçûþþÏûþ FûþŽþÔûþ þ²þŽþ

þ" 8ûþþÔþ£.. ¼ƒŽ01/81 J Eþß 1 F HþçþŽþØþß ' D 8 þòþÓ D 2þŽþçþ—þß ' 1

(1) .þ"þß H /þß ' D ' Hþã›¶Ä É1‡.þ— AþŽþØû

FþÛþŽþ³þãþß ' H þ"ûþþËþŽþãþŸþß ' *þŽûþþŽþçþ'þßþŽþ') /þŸ ' Hþ—þãþß ' *

•Ž‰ ‰÷ƒ (þŸ Hþãþ' þ"þß H /þß ' Cþüþã # þòþÓ þ"þŽ Hþãþ /þûþþË # þß þ—þß

(2) .1970 1ûþþŽ§çû‰´ƒ„11/70

F HþÛþ—¥ F„#.. Eþ•þÛþãûþ›01/81 •Ž‰ Š‹‡‚Œ„… Šƒ µ°„‚°„… €•‚ƒ„… Á¢‡ '‚š‚Œƒ„‚š

:þò ¾ŸH‡ˆ©„ •˜ƒ

"‰''ûþû-þçþûþŽþ') / /û-þãþß ' þ"ûþþËþ

"¾''''ûþþÓ 1þß ' 9 Hþçþß ' Fþã þ"ûþ /

.µ''ûþþÔûþ'8''Hþß‚ FþÛþŽ

F HþÛûþ F #ÅþŽû-þçþã ©™«þß‚ÔEŠƒ10 ¨„—05 Šƒ •‹ƒ„… Á¢‡ ‚ƒž

(3) .•˜…‹ -‡ž¤ '˜ƒ‚«…‰º‚£þà 7 F HþÛþþË•Aþ#'HþŽûþ 1þ‹ ' 2þŸ þŽûþþÌûþþ' 7 þŽþ»

Á¢‡ •Ž‹"þ"ûþþ‹þû Hþß ' þ"þçþŸþàþß ' EþŽþ /Fþã 7ûþ'þàþß ' þçþ—þß '

.Š"¯„… Á…«…‰36—¨„—03™Šƒ •…‹ƒ„…

¾§•š Š‹žˆ§"þ»þŽþ§þß ' þ"ûþþç 7 Hþß ' Cþüþãþøþß 2þŽþçþ—þß þ"ûþþÔûþþŽþØ

Á…‹‡¤ ®•º‹-‡ž¤„… '‚ƒ"ˆ¤¥… Á…– Á•˜ƒ©„ µš25„‚š) þãþß 7ûþþ‰Cþ—Šþßþ'þŽþ' H #

.Ã‰±•… Á•˜ƒ©„

'ƒ‚ž„… ¡©ƒ„©™«‚‡š'•‹Œ"„%þþ—þ' þ"ûþþç 7 þ"þß 1 þ Cþüþãþ÷„.. •"š‹

(4) . D 2þŽþçþ—þß ' 1 ' 1þ× % Eþ— +ûþþ£ þ"þ»þ—þ§

---

1 .45 µ˜¸¢ „.."¹š‚¤„… ¾ %¾‰•±„ •ƒ˜ƒ

2 ••"„.."þ"ûþþãþ³ 1þßµ'„‹•) /ûþÁ1þŸþßÁ‚ž©ˆƒƒš "1970… 1ûþþŽ§çû‰´ƒ„11/70 •Ž‰ ‰ƒ•…

.1970/01/27 -§ µ±‰´ƒ„09

3 .01/81 •Ž‰ Š‹‡‚Œ„10 ¨„—05 Šƒ •…‹ƒ„… ¢‡ ‰²‡›

4 .47 µ˜¸¢ „.."û«¸‡¾‰ƒ„÷…

:¨‹Œ‹†‚€ ƒ¢‘2669/03 ¨°Ž J 0ûþþÔþçþ—1þŽ 7 % Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ„ƒ ' * ' 1þŽþØþ

µ‡þß þ”ûþþßþŽþãþß)'/þËþãþŽþçþŽþ€þŽþãþß ' E Hþ³ 1þãþß ' Fþã þ”ûþþßþŽþãþß ' E Hþ³ 1þãþß ' Fþã þ”ûþþßþŽþãþß €•‚ƒ„…†‡ˆ‰Š‹ŒŽ‘’“”•–—˜™š›œžŸ ¡¢£¤¥¦§¨©ª«¬®¯°±²³´µ¶·¸¹º»¼½¾¿ÀÁÂÃÄÅÆÇÈÉÊËÌÍÎÏÐÑÒÓÔÕÖ×ØÙÚÛÜÝÞßàáâãäåæçèéêëìíîïðñòóôõö÷øùúûüýþ

:ûŽ‹ ¨©2001 µ‡¤„

‹› µ„‹•©„ µ“š‚ˆ„… ª‰‚ ˆ„… ‹›”þŠ‰çû-þãþß ' þòÄçþÛ”þŠþ”ûþÐÞþŽþ”þß ' Cþüþãþ

þŽû-ûþþàþÏþŽþ·) /þ‹þŽÞÔÞßãûþŽþ¿Ø¤þÌþ—þß ' HF þ”ûþþ× 1þ—þß ' ••˜ˆ . Dþãþ

Ìþ‘þŽþ—þß ' þŽû-þ‘ J 1þŽþŸþß ' þ”ûþþãûþ 8þçþ—þß ' Hþ”ûþþçþ

." Eûþ 8þçþ—þß ' Bûþ 1 7 FþË) /þŽþãþß

µþÌþ‘þŽþ—þß ' þ”ûþ 1þŽþØþÌþß ' Cþüþãþ÷ 2699/03 ¨°Ž E Hþ³ 1þãþß ' 1þŽ 7 % þòþÓ þ”ûþ 1þŽþØþÌþß ' C

£¤˜‹ ”2004 1ûþþŽþçûþ D H # Dþ‘þ× ”Dþ1þŽþØþÌþß '

þ”ûþþÌûþþ‘ 7þß ' Hþß ' 1þŽ 7 % þòþÓ D 2þŽþçþ— 7þà—þß ' H J 1þ‹ ' 2þŸþß ' F Hþçþ

Dþ‘þŽþ·þß ' þ”þÔþ» *þ‘þ›þ— þòþ—þß ' H J 1þ‹ ' 2þŸþß ' F Hþçþ

(1) . ! ' 1þ·þß ' (þà 7 þ”ûþ

þ”þß H /þß ' Cþüþã # þ¢þßþŽþ»þã Fþã

-¸‡, 27 -§ ³‰´ƒ„9.7 •Ž‰ œ‰ˆº

(2).2004

€•þŽþÓ þ”þ‘þ³þç

269/03 Eþ× 1 E Hþ³ 1þãþß ' Fþã þ”þ³þãþŽþ§þ

Gþ

’Ÿ‚ˆ„… °Š

) /þ‹þŽþÓ þ”þ‘þ³þç

.''µ‡¤„…%

) /þŽþãþß ' 5þçþ—”þ

þ”þÐûþþ» 1þŽ

.'"Ÿ‚ˆ„… Š

Š‹‡,Œ„… ‰¸—

þ”þçþ³þß þ”ûþ

Fþã þ”þÌþ³þŽþ—þß ') /þŽ

:þŽû-

D 2þŽþçþ—þ

D H # Dþ‘þ×

.(1 ' 1þØþß '

-24 -

Š‹˜º‰ˆƒ„”.E Hþ³ 1þãþß ' ' 0 ¾ 9 Hþ³ 1þãþß ' Fþã þ”ûþþßþŽþãþß ' þŽû-þ—þçþŽþË % Fþã ' H /þŽþÔþ—þ.'. E

”Æ•™0 €•‚ƒ„… •‚ž˜• ‚§•±û«þß 4 2 7 þØ2þ‘ Eþ× 1 J 0ûþþÔþçþ—€þß ‚§ E‰Hþ³ 1þãþß ' Fþã
Šƒ ’žº 9 Hþ¿ Hþã þ”þß H /þàþß þ”þ»þŽþ§þß ' Cþüþãþøþß‹ž”þÌþÛþŽþ ' þ”
EþÛþ£þ— þòþ—þß ' EþŽþÛþ£þøþß þŽþØþ‘ 7 7 H 1þ· ‰þ¢—„þÓ’‚ž›3þŽþ³ # þð
þòþ¿ ' 1þ÷ ' H þ”ûþþçþ‘þãþß ' * ' 1þŽþØþÌþß‰‚„ƒ…†‡ˆ‰Š‹Œ 1þŽþØþÛþß-þ”ûþ
/ /þ£ûþ þ”ûþþ×þŽþÔþ— ' 3þŽþ³ # þðþàþË 5 ' Hþ§þß ' H # Fûþûþþã Hþãþì
." !þŽþçþ‘þß ' H þ”ûþþßþŽþãþßþŽþ‘ FûþþÔþàþÛþãþß ' Fûþ

þ”ûþþ× 1þ—þß ' H þ”þ‹ûÁû-þ…‰þ«þ³þÔþÇ 1þ‘‘’“”•–—˜™š›œžŸ ¡¢£¤¥¦§¨©ª«¬®¯°±²³´µ¶·¸¹º»¼½¾¿ÀÁÂÃÄÅÆÇÈÉÊËÌÍÎÏÐÑÒÓÔÕÖ×ØÙÚÛÜÝÞßàáâãäåæçèéêëìíîïðñòóôõö÷øùúûüýþÿ
Šž¤ƒ„… Šƒ µ¿¢¯¥¾…þðþàþË 7 H 1þ·þß ' 1'þ÷ûHÓ‰þ5Ëçþ‘þŽHþ$þ‘þÛ”ãþ1þŽþØþ
þŽû-þ—þàûþþÛþ·þ— / /þ£þ— þ”þ»þŽþ§… Fþ‘þŽþÜ•þ„ß1çþÌþØþ³þß 'þÊûþ1þŽHþ
Á‚ƒ…ŸˆŽ„7.H 1þ·þß ' .þ1'ûHþþÓ‰þ§ ' /þ£þ— þ”ûþþFûþŽþãþC 1H—þŽþçþ1þ1'þØþ‘1 þŽHþ
Š› ¨©™þ”þß H /þß ' þ”þçþŽþË % Fþã) /ûþþÔþ—þ³þãþß ' ")Eþ‘þçþãþŽHçþûHþŽ
þÎþàþ‘þã þÊþÓ /)”þŽþË ¼þ÷*þŽûþ1þÔûþ1þŽÌþ³þ£ûFþã Eû-þß -§”þ¢ˆHþçþãþãþß
H # þŽ ¾ 2þŽþŸþç % þÊþã 2þãþß ' *þŽûþþàþãþÌþß ' 0ûþþÔþçþ—þ‘ þ” 7þ‘þ—
."þŽû-þßþŽþãþÌþ—þ³ ' ‘û«þ‘þ›þ‘ ' Hþž‘û-þ2þ›þ‘þçHãþßþãþß

þ”þß H /þàþß þ”þ»þŽþ§þß ' Cþüþãþ÷ ' Fþãþ¿ •“ŠŸ¤¥¦§¨©ª«¬®¯°±²³´µ¶·¸¹º»¼½¾¿ÀÁÂÃÄÅÆÇÈÉÊËÌÍÎÏÐÑÒÓÔÕÖ×ØÙÚÛÜÝÞßàáâãäåæçèéêëìíîïðñòóôõö÷øùúûüýþÿ
BþÓ H 1ûþþãþÌþ—þàþß þ”þàþ‘þŽþØþß‘þòþ‘Hþã#Hþã‘þÊçBþ1þÓãþ1þã ' 1B‘þ7þŽ³þãþß
þ¢þßþŽþ»þã Fþã - ' 1þ—þ×þ“þ‘þß‘þŽûþ‘þãûþ‘þ‘þ× ‘þ1ûþ5þ‘þ1þ‘þ‘þ¾ ‘þ‘þŽ‘þ‘þ‘H /
. 1ûþþãþÌþ—þàþß þ”þàþ‘þ‘þŽþ‘þ%þ‘þ‘þ‘þ‘þÌþŸûþ‘þ‘ 'þŽ

I Hþ—þ³þã þðþàþË þ”ûþþç 7”‘H‘þ‘Eƒ„…Cš‘þ€‰‹ž–þ”ûþ 1‘þ‘þãþ‘‰‘Bþ£ûþ§‹
Fûþþß HþŽþØþãþàþß ‘“”•–—˜™š›œžŸ ¡¢£¤¥¦§¨©ª«¬®¯°±²³´µ¶·¸¹º»¼½¾¿ÀÁÂÃÄÅÆÇÈÉÊËÌÍÎÏÐÑÒÓÔÕÖ×ØÙÚÛÜÝÞßàáâãäåæçèéêëìíîïðñòóôõö÷øùúûüýþÿ Hß '
þòþÓ 1þ—þ£þã þ¢þßþŽþ»þ‘þ‘þ‘þ‘þ—þ‘þ 1þŽþãþ›þ‘6ûþ‘þ‘þ§þ‘þã J 1 ' 2 H
þ”þ‹ûþû-þ—þß ' þòþÓ 1þ•‚ƒ„…†‡ˆ‰Š‹Œ‘’“”•–—˜™š›œžŸ ¡¢£¤¥¦§¨©ª«¬®¯°±²³´µ¶·¸¹º»¼½¾¿ÀÁÂÃÄÅÆÇÈÉÊËÌÍÎÏÐÑÒÓÔÕÖ×ØÙÚÛÜÝÞßàáâãäåæçèéêëìíîïðñòóôõö÷øùúûüýþÿ[1] þ”ûþþ×
[2] .þ”ûþþßþŽþãþßþŽþ‘ Aþàþ‘þãþçþ‘þ‘þŽþ‘H‘þàþÊþ‘þ‘þ‘þ‘þ

þŽû-þ‘ þ”þØþàþÌþ—þãþß ' *þŽþË 2þŽþçþãþß‡3¼Œ•ƒ„þŽþ‘þ—þß '

¥‘’’’’’’’þ‘þŽþ— I 1þ§ # * ' 1þŽþØþÌþ‘ þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþ÷þŽ

ª-•Ž„• ˆ•‘Š•†‡30/90 ‹þ× 1 F HþçþŽþØþß’’’†‡2ã)”þŽþãþŽþ›þß«Þ‡—™¼þØþÔþŽþã H

(1).‹•Š•†‡, ¢žþÌþãþß ' þ”ûþþç 7 Hþ

G 0û-þ‘ Eþ“Ž¢þŽþØ•‰•)†‡þçþË 1HÝþù ' Fþã þ”þË HþãþŸ•þã‹ŠŠ1þ·þŽþ‘þãþ‘ D /

.(§ƒ„¦†‡ °•‰•‡„¤®„ƒ•Ëþ Žþã # (þŽþ‘þß ' þ¢þ—þÔûþþÓ A ' 1 7þ÷ ' /þ

€‹‡Œ•ƒûþ 1 7—Fþ„Ë§„¨©:€•™„ •“ž˜ƒ„

¡€š„•••“ 5þŽþ§þß ' Cþàþãþàþß þÊþ‘þŽþ—þß ' 1þŽþØþÌþß ' þÊþã þ”þ»þŽþ§þß '

/þØþË E ' 1þ‘ % *þ× H þŽû-þ—“1¢„žŽ¢þ‘ŠŸ†Ëþ/þŽþ‘þ—þß ' ûþ§þ‘Š/þØþË 1Ëþ‰ûþ‰þŽû-û

.(§ƒ„¦†‡ µ€¢‡„•Š†‡

€‹‡Œ•ƒ„‘‰ûŠ• «Œ¦• …•ƒ„ •„„Š„ :€•™„ ‘‚ƒ„

þ”ûþþç 7 Hþß ' Cþüþ“ãþøþß§þãþßþŽþ—Hþà1þãßãõ 'þŽþã ¾ /þ£ # Fûþ 1þŽþØþË F

‹¦ “þ”þ»þ—þ§þãþß ' þ”û-þŸþß ' Eþ“Žþã # Cþß 0þ‘ F HþçþŽþØþß ' þŽþãû-þß þ¢þ

.þ”ûþþßþŽþãþßþŽþ‘ Aþà þÛþãþß ' 1û

:€‹‡Œ•ƒ„ •“ž˜œ« œûþ•þ€œ@

1ûþûþþ³þ—”Hþþ)Û1Ч/ % H*þ‚ž‚ß‚Ø/ Eþ»þ‚þ§Š†ûþ‚þ•1‚6 ¡ž„•†‡ ˜ƒŠ

Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' þ“ûþ«þçþ‚þ‚þ‚þ

:þ”ûþþßþŽþãþßþŽþ‘ '•Aþœþ ûŽãþß'çþŽþûþ 2 H

D /þŽþ‘þ—þß ' 1 ' 1þ»ÛþãþÌ»þ^þûþ2ÛHþß'Žþ€•Hþ'þ¾þ—þ—þ—

§¶…Š §Š¥•‡„‘†‡ ž¤‡þØþß ' þòþÓ !þŽþŸ¾þŽþ”ãþÌþŽû-ûþûþãþÈ£Bþ–' 7Aûþ þŽŽHþçþã F
„• £•¤ §ƒž•†‡ •‚ƒ„…3393•¡ž„•†‡ ˜ƒ’’’’’þ— 1þŽ 7þù Aûþ01¾Žþòþáþß ' J 1þ—þ·þãþß '
J 1þ—þ·þãþß ' 1ûþþÈûþß³€Hþ¤þ-þŽ¼,±€, œ•„‰Dûþþ Ÿþ³þ—þßþòþ”þûŽþØþÔþç
." Cþß 0 1ûþþÐþŽþòþ5 HØþçþ Cûþžþç¾þç Fþû

) /þŽþãþß ' û«þ‘ “þ!þŽþûŸþŽŽØãþß "/þŽþçþÈ—þ³J 1þ³þ— þÊûþþ‘þß ' /þØþË þðþ
£•¤ ^•‰Š §ƒ¥•‚ƒ„.†‡ ••393 ¡ž„•†‡ § ¡ž€‡‚†‡ ‹„•©Ž“§ƒ•¾¥•‚ƒ„.†‡ ••414
DþÛ 1þŽþ‘þ—þËþŽþ‘ 1þØþãþß 'A 1 7þß ' Fþ”ãþ«ûþþ‰Dþ¥ŽþØþ•þçþØþãþß 1þ
þ”ûþþÛþàþã û«ûþ¥€‚.‰”¤ Dþ”Øþûþ•þçþ‘þß Fþãþ£Hþ^þŽþ»þãþ3Øþ^þûþãþ£þ—ûþþÓ |
Aûþ 1þŽþ»þãþÛ û«þ—1þŽþ»þã ûþŽþŽãØþãþ1ß§þ≠þØþËHþ³ûþß'''¥'’..Dûþþ Ÿþ³þ—þß
Ë„±› £•¤“þ”þÔþ»þŽþçþã F ' /þ»þŽþØþÌþÔ•þãþß§•„€þ¥þ¤þŽ¼þ•þ¥þ¤þ¥þ¤þ¥þ¤þ''''©Š
(1). Cþß 0 1ûþþÐþ‘ þòþ¿þ“Øûþþ 1þ•þŽþÔþã—1þ/þŸ•þÌûþ 0þŽ

¢ž„•þŠãþß ' Dþãþ£þ•þ§þ÷û«þ¥Ž7„þ2‹ŒÐþ€•þ¤þ16) /þŽþãþß ' û«þ— /þÛ # þŽþã
(2). Bûþþ› Hþ—þß '''''Aûþ¥þ1þŽ»þã þ”þß

û«þçþËþÓ1þŸ”þ¤þ1•þŽþØþÌþß ' þ” 8þÓþŽþ•þÈþÌþÓ 'þ”ûþþÛþàþãþß Hþûþ•þ¥þ¤þ¥þ¤þ¥þ¤

þðþàþË “(þ•þ‘þŽþ³þß' Hþòþ Ó þŽû-þß þŽþ»þ§þã û«þ”'''‘Ÿ/þŽÿ“þ…•Šþ°†‡ Cþàþ

(1) .þ”ûþŸþß ' H þ”ûþþàûþþŸþ³þ”'''‘—þß—þß ! 'þ”ûþþà

€‹‡Œ•œ‰Šœžœœœœœœ¢ƒ„Šœ‡•þƒ„.†‡ˆƒ„ •“ž˜ƒ„

þŽû-þ“”Ëƒ Šž¥Ÿ‚¸þß þ”þÌþ‘þŽþ—þß ª-•Ž“•»•Ž¸þ§þß,†‡þ”ûþ¸Ž¸þ•Ÿ¸þ”þ£ûþ

þ”û-þŸþß ' þ”þÓ 1þÌþã Fþã /þ‘ ''þû''•þ“þŽûþ•þ£þß ¾þŽþ£•þàþß» ' Hþ¥þàþ

þ”þË 2þŽþçþãþßûþ /þ”þûþ”'''þþ ‰¥•Ÿþß'þòþ Hþ Ë /þß ' þòþÓ 1 8þçþßþŽþ‘ þ”þ

˜‡,™†‡ —‡€„’¤.œ•þ”þ»þŽþ§þß‰„þ‡ûþþç† ¥''''•„Š —‡€„’¤.¥†ž„•• •¤ ¥•Š€Š•†‡

.(§ƒ„¦†‡ µ€·†þŽþË 2þŽçþãþß‡½Hþ•þ”'''‘Š¾(¢,Ž‡þŽ£þ‡

þ”þß H /þß ' H 5 ' Hþ§þß ' Fûþþ‘ þ”ûþ 1þŽœ•þ‰Ÿ“ œ‡ƒ„þŽœ•þãþß '

Ž•þŠ •,¶ £•¤,“þ”þË 2þŽþçþãþßþŽþ‘ž•/–Hþ•Ž¦þ§„¤þ”þ¸Ž¦þ£/–Fþã Dþ‘þ×

.¥¤®„ƒ•Ÿ¢¾ þòþÓ Dþ»þ¦ûþ§þŽŽ¦þ¿þ•Ø¦þ§“þ§ûþ§þ‘/ƒ£/–þ£þ—þŽþãþ¦ûË

:ŽŠ°‡†˜ƒ‡Œ ‹••’˜ƒ„ œ ¢•£

‹„•› •,• ƒ ¡€‡ž„• ¥¤®„ƒ•þß ' G 0¾ *“¥þ™Tþ™ ,1 ½,¤þ¥¼Œ† §ƒ‘Š ¥¤®„ƒ•†‡ ¥•••

¥¤®„ƒ•†“‡€‡ž¬‡ ‰„šƒ†‡ •¤ ¥•½„ƒž‡‡ ¥¤,•«• •• ¹†ÃŠŠ §Šûþ 1 ' /þù ' *þŽþË 2þŽþç

(2). J /þŽþÌþß ' !þŽþ¿þØþàþß þÊþ¿þ§þ— þŽþãþçûþþ£

•• •,•Š ¥¯„™†‡’¥''''ûþþç 7 H“”ß’'•Ž¢Cþü„¤®„ƒ• •“¼”ûþþÛûþþ³þüþÛþß ' þ”ûþ 1 8þçþß

ª- ’’’’’’’’’’’’’•Ž‡ Ë•¤ “þ”ûþþ¸Ûþ¥”ûþ'''‘—þãþßþŽþã þ”þÔûþ 8‘§ƒž•J‡ §¶„ . . þŽ¼þ»þŽþ‘þ—þ

(3). J 1 ' /þù ' !þŽþ¿þØþàþß”þÊþ¿þ§þ—þ¸þÔûþ¸þÓã Cþüþ¸Ø§£þ— þŽû-þ—þ

“€´‡®«•¶ƒ¤ •• “þ”ûþþÌþãþŽþŸþß ' *þŽ‰Œ‡HþŒÆþ¸þ¸ûþ Ë ' /þù' /: Hþ¸Ž¸þ¸Ë¸þ¸Ž¸þ¸þ¸ß#'

.05 ¥©·¯†‡1993

.53 ¥©·¯†‡•„±†‡ œ«€•€‡¶™† ž•©•

•–„•—„ ˜™•Žš„ Bûþ 1 7þ”þ•þ Ë Žþ§þß ' þ”þ ‚ þ ç ‚ ‚ ‚

•–„•—„ ˜™•Žš„ Bûþ 1 7þ”þ F Hþ çþ§þß ' þ”þ ' þ”þ ' þ”þ

(1) :483/97 Eþ× 1 J 0ûþþÔçþ—þß ' 1þ÷ ' 1ûþ»þ—þ³þù ' þ”ûþþÛþàþãþß ' þòþÓ þ”þß H /þàþß þ”þ»ÞžÞ§þß

þŽûûþ þ”þ³þŽþ· þ”ûþ H ' 1þ£þ» 6•¶Š# Œ•‹þŠ Ht†(þçþ Ÿ•£þ³ŠŽ‰‘^ •'Š

.ŽƒŠ•¤'Š µ•‡•²Š Ž› €¶°

:©†'ƒ„ ž†•'ƒ„ “••‰Š ‰›¦ ª†‹ŽŸ‰„

û«þ× HþØþ£þ‘ þÊþ—þãþ–"ûþ‹þçò‰þ ÈÈÈ

/þ× Fþ”þûþ»þŽþãþã * ' 2ûþþãþã "þÊ»þàþÊ Â”ûþ•HŒ7“ç§þãŽþçþ»þ¿ " 1G÷0 ¾ þðþà

(1) .þ”ûþ 1ûþ /þØþ—þß ' þ” 7þàþ³þß ' F Hþçþ§ŽƒØþ³ß "‡¾0 ¾¥‘Bûþ»þ•‡7þ—þ‘ þ”

±†• ‡18/83 •ž• “”••–’Š ±^¯ Ž°Š•-Š„…•þ»þ—þ³ % Bûþ 1 7 FþË þ”ûþþ£þüþÔþß ' þ”û

“ •••œ‡ƒŠ “ÿ”þ»þŽþ§ H þ”ûþþã Hþãþ÷ ' Hþãþ÷ ' Gþ»þ§þ÷ ' Hþãþ÷ ' Hþãþ÷ ' Hþãþ

••¥¦-Š” ‹þŽû-þ‘ þ”ûþþ‘þŽþÏ 1þŽþŸþ· # / HþŸ H Eãþbþß Fûþþ›þ”ûþþ›þ§þŸ þËþ'þÈ

(1) . 5þŽþ§þß ' Cþàþãþ”ƒ Žàþ•þ« — Ðþþ Žþ¹ Hûþþ³ /þß ' EþÛþ£þ‘ þò ¾

18/83 Eþ× 1 F HþçþŽþØþß ' Bûþþ‘ 7þ— … ƒ Dþ„ þŽ Ÿþã Fþã)þ

þòþ¿ ' 1þ÷ ' F HþçþŽþØþß ¯Š•Ï 18/83 Bûþþ‘ Eþ× 1 — F HþçþŽþØþß Fþã Fþã þ”ûþþçþŽþ›þ

.þ”ûþþË ' 1 2þß ') 1 Hþ›þß ' B H /þçþ»þß H þòþ—

:þòþ— ' 0þß ' 1ûþûþþ³þ—þß ‰ EþŽ 8þçþß

Eûþþàþ³þ—þß ' þû % Cþ”ûþþãþ—þŽ *þŽ 7þ”ûþþ³þ/þŽþ» F HþÛ þ H Eþ'þß þç %HþçþŽþ× þ”û

Cþüþãþ÷ ') 1 ' / % þ”ûþþŽû-þþÛ F Hþàþãþ ûþþ»þß þŽþÛ þòþ— þß þŽþãþ Ë 1 '2þû

þŽþÛþàþã þŽû-þç HþÛ þ”þàþ Ðþ—þ³þ62þß Eþ× 1 þ÷ J' 0þßþÛþç 7þ—þß þÓ E Hþ³ þ1Óþãþ

(2) .´„”•¨'

:þ”ûþþË ' 1 2þß ') 1 Hþ›þß ' B H /þçþ»þß þ”þÌ

22) /þŽþãþß (3) ‹þûþŽþþãË•Ÿþ³ þ”ûþþß•ž)“°‡‘Š73/71 •ž• •‘-Š À”†• ©Š•–‡ˆ•œ

) 1 Hþ›þß ' B H /þçþ» þòþÓ þòþ£þüþÔþß ' 1þŽþØþÌþß ' ‚þŽþã ‹û‹þçþû þ 1þŽþ—

(4) :þŽþ Eû%þ—þŽ Øþû þ 1 E þ—þ0 ¾þË ' 1 2þß '

‹þ”ûþþç 7 Hþß ' Cþüþãþøþß 'û þþÌþß þŽþ— þòþ¿ ' 1

.þ”þ»þŽþ§þß ' *þŽûþþÛþàþãþß ' Fþã þ”þçûþþÌþ

¬•¶‘’Š25/90 •ž• “”••–’Š “‘75 Ã••‘Š ±¥”‘œ73/71 •ž• •••-Š ©••Á’Ÿ •‡ •ž”

.û«þ³þÔþç F HþçþŽþØþß ' þŽû-þçþãþ¿þ— * ' !Œ Eþ¥Ÿ%‹•‡‘Š”H 1þ·þ‘ þŽû-

.135 ´¯¾ ’Šªœ•ˆÄ¥•‘ :þòþ× H 1‹2¦•þœþàþûþþß - 1

.16 ´¯¾ ’Šªœ•ˆ’Š Ä¥•‘:þŽûþþË BûþþÓ Hþ— - 2

.97 ••¶’Šþ”ûþþãþ³ 1þß”ûþþË 1 2þß ') 1 Hþ›þß ' 1971•œ• Hþçþ»þ°‘Š73/71 •ž• þãþß ' - 3

.45 ´¯¾ ’Šªœ•ˆÄ¥•‘ :þòþßþüûþþŸþß ' þ”þŸþË - 4

•–„•—„ ˜™•Žš„ Bûþ 1 7 þ”þ»þŽþ§þß ' þ”ûþþçþÌþãþß ' þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' Bûþ 1 7 FþË

¬¤••‡‘’Š ´¯•ˆ‘’Š ••–‡ ¼‡”Šþ‹þû Hþß ' þ”þ£þüþÔþß ' þ¢þßþŽþ»þã þÊþã Bûþþ³þçþ-

.þ”ûþ 1þŽþ·þ—þ³ ' *þŽû-þŸþÛ þ”þß H /þß ' ‹þ‡ûþ¢ç‡Ë J 1þ [1]

:˜™•ŽšŸ„€›• •–„•—„ •‰•° þŽûþþçþŽþ›

þ”ûþþç Hþçþ‡þØþ§þŽû-7þ‡Ë1þ»þß ' þ³)þŽþÊHþ¼þ‡þãþß ' þòþ¿ ' 1þ÷ ' Fûþûþþ‹þ—þ‘

:þòþ¿ ' 1þ÷ ' G 0û-þß þ”ûþþ

:724/83 Eþ× 1 ûf«„þ‰‰Bþ•1‰83 Eþ× 1 F Hþçþ‡þØþß± Bûþþ‘ 7þ—

‹þ”þãþŽþ‹þß ' þ”ûþþÛþàþãþàþß þ”þ‹þ‘þŽþ—þß/83 þ•ûþ ”••1Šþ›Tß ' þòþ¿ ' 1þ÷ '

þ”ûþþàþ‘þŸ724/83 þ•ž• '1þ÷Š €•° ” ‹þ”þãþŽþ‹þß ' þ”ûþþÛþàþãþàþß þ”þ‹þ‘þŽþ—þß

Fûþ— /þŽþãþ‰þßEþŽþûþ‰þ- þ‰þ«þ„þãþß ' Fþã ¼þ‹þ‘þŽþ³þ‰þ ') /þŽþ

.18/83 •ž• “”••–’Š “‘ ´¶œŠ•’Šþ”ûþþçþŽþ›þß ' [2]

: -þüþ»þ—þ³þüþß þè‰þœ' 1þ÷ ' þ”ûþ

DþìþÔþ‹þûþŽþãþ³þ£ ' H # þüþìþÓ þ”ûþþË ' 1 2þß ' *þŽþìþãþŸþ—þß ' þòþÓ

´¨œ•ž ´¶«”¡Š“ §¨ƒ ‹724/83 •ž• •”ˆ•‘’Š “‘ ´³’•³’Š Ãþ•ãþß ' û«þ–©/þ‘Šþ#•”þŽþŠã‡ H ¾ H

.þòþã Hþãþìþß ' 2ûþû-þŸþ—þß ' H Dþüþ‰Dþ”þ‹þ³þû-þH-þãþûþ [3]

: -þüþ»þ—þ³þù ' Dþ£þã þòþ¿ ' 1þ÷ ' þ”þ£þŽ

þ”þ£þüþÔþß ' þ¢þßþŽþ»þã) 1þŽ83 þ•ž-þ³þ•ŽþŠ “”ûþ•þãþ‰þ•Š ¸¤þŽþËþŽþãþŸþß

û«þ³þÔþç F Hþçþ‡þØþß¡„ þ‰þãþ‰þ”þ³þ‰þŽþ‹þ›þ‰Cþüþ/þŽþãþüþß þ”þ‰þÛ#Hþãþß ' þòþ

.þòþ¿ ' 1þ÷ ' þ”þ£þŽþ³þã 1ûþ /þØþ— þ”ûþ‰þ‹þ³þû„þ‰þß ' þ”û

—…•” ¢•’Š” ´¯…¾’Š ·’•†‘ —Š•¦å”ûþ /þà‘þß‰þ”þ‰þ»þ‰þŽþãþ‰ ' þ”ûþ 1 ' /þù ' *þŽû-þŸ

þ”þçûþþ‘þãþß '•ž *þŽþ£þŽþ³þãŠ ¯þ”Šãþ••ûþ /þ‰þû-þ‰þŽþ·þ—þ³•••*þŽû-þŸþÛ þ”þ

.21 ´¯¾’Šª•ŽÄ¥•‘’Š /þŽûþþË [1] BûþþÓ Hþ—

.22 ´¯¾’Šû«¾Ä¥•‘’Š [2]

*þŽþËþŽþãþŸþß ' Fþã) 1 /þŽ‘þãþ‘ "Eþ«þç #72þ‰þãþË Hþ‰þ»þãHßãþß Fþã/ûþ³þ‰þ‰þ»þ‰þŽþ‰þ‰þà

/ 1 Hþã 1þÓˆH¾þ‹þŽûþ‰þ‰þ‰þ‰þŽþãþûþŽþãþ—þ£ ' H # þüþìþÓ) / HþŸþ‰þãþ£þãþ‰þË ' 1

."...©•‘’Š

þ”þàþ‘þŽþ× ‹ J Ë þ» þ à þ “ þ Ø þ ß þ ò þ ‘ þ Ì þ 0 ³ ¼ ' 3 þ à þ Ÿ þ ã þ ß ‹ þ ò ”þ ß ‘ þ Ë þ ã ' þ ò þ ß ã Ë þ ‹ 1 þ Ø þ Ø þ ß

(1) . ´ ¶ ¥ Š • ‘ ’ ’

þŽû-”þ ç þ Ø þ ß ' *þŽþË 2þŽþçþãþß ' H C þ ß þ à þ ã þ » þ ß ' ƒ „ ‰ ‹ ¶ Ÿ F ¼ þ Ë

D Hþ»þ£þß ' * ' ! ' 1þ Ÿ . ¼ þ » þ H þ ß þ ù Ž þ ‘ þ Ê þ × F ¼ þ ã Fûþûþþìþ— þ”ûþþàþãþË !þŽ

±¯•† Œ•¦’’Š “¡‘ •ž” ‹ -þüþ»þ—þ³þùþŽþ‘ þ”ûþþ£þüþÔþß ' þ”ûþ 1þŽþØþìþß ' þ”ûþþÛþ

/ ' 1þãþß ' þòþ¿ ' 1þ÷ ' þÊþ× ' Hþã Fûþûþþìþ— Fþã þ”þàþ£ 1þã J # þòþÓ

. G 1û-þ· H / þ Ø þ ß ã þ à þ ß – þ Ë þ — ðþß % þòþ‹þû Hþß ' 1 ' 1þØþß ' 1 H

: -þüþ»þ—þ³þù ' Bûþ 1 7 Fþ Ë ‰ Cûþþàþãþ—

I /þß û«þÔþàþãþß þ¢þ· 1þ—þãþß ' 9 ' /ûþþˆþ‘ þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³þŽþ‘ þ’

J 1 ' /þù ' 1 ' 1þØþß ' 1 H /þ»þ‘ þ”þ³ ' 1 /þß «þ—þ³ ' ¼ /þ ž þ Ë Ž þ H þ ç Ž ¾ û þ 1 ¶ Ô þ à

. G 1û-þ· H

:û«þ—þ³ ' 1 /' H A þ ê þ ã ± þ 9 ' ½ ß þ %

þŽþã þðþàþË þ¢ûþþþùþ‘ ß þ ß ¼ 2 Ÿ ‰ ã ž • Ð ã Š — þ · ¶ þ ‡ ’ Š Ã • Š À • ‡

:þòþ—þ„ûþ

‹·¦•‡’’Š ±¨« -

‹þ”ûþþ‘ûþ 1þØþ—þß ' þŽû-þ—þ£þŽþ³þã H þŽ ¾ þòþÓ (HþÏ 1þãþß '

‹û«þ‘ EþŽûþþØþß ' þ Ê þ à • þ ã þ ß ' -þüþ»þ—þ³

‹þŽû-þß 5þ»þ§þãþß ' 1þŽþãþ›þ—þ³þù

."þŽþçþÛþãþã Cþß 0 FþŽþÛ þŽþãþàþÛ þ”ûþþçþ ³ ‘ ß ' - *þŽþ£þŽþ³þã

þŽþ‘þà 7 6 1þ÷ ' -þüþ»þ" ÷ þ³ Hû ç # ûþ ß þ à þ Ê ë þ ã Ë H þ Ë 1 / þ ã ß ' Fþã þ”þçþãþŽþ›þß

.þŽû-þ£þüþ»þ—þ³ ' / ' 1þãþß ' 6 1þ÷ ' þ”þÌ 7þ× þŽû-ûþþÓ /þŸ

‹þòþß ' Hþß ' Fþã 1 ' 1þØþŠþŽ Ë ž • þ × ' û « þ ã # 7 ß þ à þ ã þ Ë ã ‘ Š “ ‘ ´ ¶ œ Š • ’ Š Ã • • ’ ’ Š Á • ‡

þ”þØþàþÌþ—þãþß ' *þŽûþ 7þÌþãþß ' 1 H 7 ž • ‘ ß ¢ þ Ž þ Š þ Ž æ ¶ Š þ Ì ¥ “ Š 1 ã þ ã þ ß ž › þ ”þ à ‘ þŽþ× þ

." !þŽþãþß ' þË H þ à þ ß # *þŽûþçþŽþÛþã

Dþ‘þŽþØþã 6 1þÐþß ' ' 0û-þß (Fþ£þ2þ£þ1þ—þÔß'þ (F³þ£1þA—þÀÔãþ‘þ”þÓ Hþ£þ1þã2þ

þ”þÌþ× ' Hþß ' þ”ûþþ¿ 1þ÷ ' þÊ 7þØþß'þ•Ž•Ê ‡þ”þ5þŽ•þß'Ê•Hûþ”þ£Ðþ» Hþ—Eûþ³

."´–œ•ˆŠ) /þŽþãþß ' 3þŽþ³ # þðþàþË Eþ—þ‹þ”ûþþçþ—þãß *þŽþŽþ

´•¥¨¨ *þŽþÔþàþãþß ' G 0 ¾•‘Šûþ1þ³þ—þ”þÌ ŽÎ-þ£ûþ—þÓ—þ³/þŸ/"Hþ—þãß ') 1

(1) .þŽû-þ—þ³ ' 1 / /þ»þ× þ”ûþ

´•¥¨¨Š €¨¦‡Ž‡Šþ þŽþãþ‘ Aþàþ‹Ûþ‹724/83•þ”þ•Ø”Š—þß 11þÃ•þ”þŸ þãÞß ' Fþˆþ‹Ó

H # þ”þØþÓ ' Hþãþßþ‹Žþ•þüþ»þ±þß³þùF Hþ£ûþ1þŽþ#þãF þBûþãûØþ£þ— þ”ûþþçþŽþÛ

."—˜ ±•œˆšœ ´–›Š"‘Š ••¶œ ¢ •’Š •ƒ•Ç¾¯Ø¥Ë•Hþ‹Ôþ·þã F HþÛûþ

(2)‹þ¢þ· 1þ—þß ' *þŽþÔþàþã þŽû-þãþ»þ•þçþØþ±ûþ1þŽŽû-ûþF#þã 1û-þ»þ‹Ûþ‹Ÿþ#ûþ

9 Hþ¿ Hþã 6 1þ÷ ' û«þãûþþàþ×þˆþ‘) /þŸ ' Hþ—þãß ' J /þàþ‘þß ' þòþ‘þÌþ·þß '

(3) . 6þÓ 1þß ' ' 0 ¾ 1ûþ 1þ‹þŽ•Ž•þçþŸ‹Ø•þ ¨¨ „þ.Ó 1¯²Šˆþ‹Ó

*þ»þç 1þŽ 7þù‹þŽûû-ûþ¼þàþ‹þ•Ë•Ó‹þ”þØþÓ ' Hþãþß ' /þ»þ× þŽûþþãûþþàþ× % 5þ—þ

:û«þ•ßçƒ#724/83 •ž• •”ˆ•‘Š “‘ 14 Ã••‘Š

¬¡” ‹þòþç Hþ•çþŽþØþß ' DþŽþŸþõ ' H DþŽþ‹Ûþ·þ÷ ' (þ³þ£ þŽû-ûþþàþË Bþ‹Ó ' H

þÊûþ 1þ·þ—þàþß þŽþØþÓ H Fþ‹Ì 7þß ' Bþ£ Cþàþãûþ‹Ž’Š”JŠ•þ‹É›• þ¢þ· 1þ—þãþà

"þ”þ»þŽþ§ þ”ûþþçþØþ— þŽ•þ‹Ž•þ‹Ž•þ‹þàþ—Aþàþ‹Ê•þ‹ß '*þ‹ŽŽ•þ‹Ûþ‹Ê•þ‹Ë•Þ‘ Hþ‹ãþ‹Ûþ‹ãþ‹ŽŽ

(4) :þ”ûþþÛþàþãþß ' /þØþË 1ûþ 1þ£þ—±Hœþòþß ' Hþß '

þòþ‘þÌþ·þß ' 3þàþŸþãþß ' *þû H ' /þãþ»þ‹ûþ•Ž•þ‹Ø•Š€Ì•þã”ê›•þ‹ãþ³ Žûþ ' 1 ' 1þ× þòþ

þ”ûþ•þ‹Ûþ‹ã ' /þØþË / ' /þËþù þ”ûþþç 7 Hþ•þß¿þ—Cþ•ŸþãÞ÷%þ”ûþ•þ‹Ûþ‹ã ' þ•Ûþ‹7Ø•þ‹Ê

Fûþûþþàþ£þãþß ' Fûþþàþ³þãþã724/83•þ•þàþË•‘ŠŽû-ûþ‹Ó) /þŽþãþ•þ‹Ø•þ‹ûþ³þ£ þ”ûþ•þçþØþ—þß ' þ”

."´"•'Š —…‘ Ã•Š•Ÿ” ¢•'Š" ´¯…¾'Š ·•†‘

."þŽû-ûþ•þ‹ù 1þ£ ' H 1û-þ· GþŽþ»þ×"#.û•þ‹ûþ•þ‹Ø•þ‹ß ' 1Ž”þ•þ‹Ÿþ‹à‘ / /þ£ûþ

3þàþŸþãþß ' þðþß % þ”ûþþçþØþ—þß ':ûþ•þ‹ûþ•þ‹Ø•þ‹ß '•ž•J•#•1Š “þ”þ1 3Hþ£•Šþ‹à•‡³ þŽþÔþàþãþß '

þ”ûþ /þŽþË Žþ1ûþ•þ‹Ï“•¡)”1”Hþ‹Žû-þçþ„þ· þòþ‘þ÷ D þ‹Ê 7þ•þ‹ß '•þ‹ûþ•þ‹Ø•þ‹ß '•Ÿ•þ‹ûþ•þ‹Ø•þ‹ß '•þ‹Ûþ‹ß ' þ”ûþ /þàþ‘þß ' þòþÓ

."´"'Š•‘Š Ž› ±•œ•‹Šçûþþ‘þã *þŽþÔþàþãþß ' 3þ‹Ó 1þ‹ß '•þ‹Ûþ‹ß '•þ‹ûþ•þ‹Ø•þ‹ß '•þ‹Ûþ‹ß ' þ”ûþ

þòþ‘þÌþ·þß ' 3þàþŸþãþß ' *þû H ' /þãþ“ ûþ•þ‹Ø•þ‹ß '•þ‹ûþ•þ‹Ø•þ‹ß '•þ‹Ûþ‹ß ' 1þ‡5 þ•þ‹ß '•Š ‹þß '‡ Dþ³ 1ûþ

1ûþ 2/þ£ûþ•þ‹ù 7þ•þË 7•þ‹Ûþ‹ß ' þ”ûþ•þ‹Ûþ‹ã þ”ûþþÛþàþãþß '•þ‹ûþ•þ‹Ø•þ‹ß '•þ‹Ûþ‹ß ' H•þ‹ß '•þ‹ûþ•þ‹Ø•þ‹ß '•þ‹Ûþ‹ß ' þ”ûþþË

."...•Š•–œ¶'Š' 0 ¾ , 0 Hþãþç þ”ûþþßþŽ

(1) .Îˆ•¾’Š «•¦’•œe Œ”¾¦‘’Š

þòþß ' Hþß ' 1 ' 1þ× J /þàþ‘þß ' þòþ‘þÌþ·þß ' ‹ûþàÔþàþãþß ' ”ˆ•‘’Šþ“ÝÃ•”’Šþãþ1Ãþ•”’Š ±Îþãþ‘ûþ

. -þüþ»þ—þ³þù ' DþŽþÐþ· # þòþÓ 9 H 1þ›ûþ«þãÞàþ³þÊ¶Ý¾’Šþ¶Ý¾’Šþ¶Ý¾’Šþ

*þŽþË 2þŽþçþãþß ‹ 5þ1»þŽþ§þãHþÊ'þŽþ¿þ2þ3 Hþ ‰••Fþš“ F›ûþþ‘ûþ Eþß

1 8þçþß ' þ”ûþþû H ûœûþþß % ‹ÂHþ.þ512 Fþ)þŽþãþ¾ ' J/þŽÓÌþß 1 Hþ0þ2þ3 ' þ”F

(1) . *þŽþË 2þŽþçþã ' 0þÛ ¾

) 1 /þŽþ»þß ' * ' 1 ' 1þØþß ' !þŽþÐþß % þ3þ»þË1þË HþBûþ³ þŽþ1 ' /þ3þ»þË1þŽ¿þ

þ”ûþþû H½)F1þ‹ þ2þß'þ3þ-þçþ1þ›þ³þ¾þß'¾Hþ»þË) 2þÛ1þ¾þ1þ3þ”/þ1þ3 ' þ¢þÊ2

“”••ž “‘ 512) /þŽþãþß ' ûœþ‘ * ‹þ2þ1þÛþŽþ¾þ3þ›þ3þÊ£Þ‘!þŽþçþ'þ—ûþŠ þŽþã DþÛ

.þ”ûþ 1 ' /þù ' H©Š›¥³Šç /þãþß ' *

:²†–‘ƒ„ ©†• “¨‰¤••ƒ„ ¡‰ŧŒƒ„

Ž’Š”’Š •Š•ž ©•Á’² ·¦•‡‘’Š “‘ “”¡‡‹ŽŽŠ•-Š „…†‡ˆŠ Œ”°”‘ ¬”¯ Ã••³‘Š ¿”•ƒ•’Š

þžþãþŽþç 1þ‘ þ¢þàþ»þ—þ³þãþß ' 0þÔþçûþ Eþß‹·¦•‡0Š€¨þòþ£ŠŠ•Hþß ' Fþã þ”

.þŽû-þ£þüþ»þ—þ³ ' /þ»þ× þ¢þàþ»þ—þ³þçþ¾þß'Š‘™«Šþ¿¬.1 #¨ þ¢þçþ¾þ‘ 1ûþþÐþ

:³°•Ž•ƒ„ ´• “¨‰¤••ƒ„ ²†µƒ¥„ ¡‰¼¨§

) 1þ‹ ' /þØþŽþ¾þß”ûþ”þçþÝþàþß ' ‹ Hþ/þß»þ¢þ³þù —þBûþ 1Ã7àþ£þÉ9 ' Cûþ”þ¾þãþ—þß '

Dþ£þã 6 1þ÷ ' /þÝ ' Hþ— FþŽþÛþã J /þàþ‘þß‹þŽþûþçþ»þØþß ' 3þŽãþÝ¾þã1þ3«þß3

3þàþÝþãþß ' þ”þß H ' /þãþ‘ þŽþ× HþÓ€1þŠ “šþ 1”þŠ•þ©Š•¥Aþ„þ¾þ‡ˆŠþŽþ³ 1þˆþ‘

(þÝû‹þ.H¶‘ É›•’ ' F HþÛûþ× 6Hþ 1þ¾þàþË # þ”þØþÓ ' Hþãþß ' 1 ' 1þ× 1 /þ»ûþþß

. Fþì 7þß ' Bþ£ Cþàþãûþ J 0þß ' þ¢þ

:“”¡‡ “¶«’Š ¬•¥Æ “Å”ûþ 1 ' /þù ' H þ”ûþþç /þãþß8'29*Ã•’‘Šþ¥Þ•ù±ˆ¯”F HþçþŽþ× Fþã

."þòþËþŽþãþÝþß ' J 1 ' /þù ' 1 ' 1‹þ1Øþß '# 1þ”þþ‘ þþ¡þ‘1þŽþ

830) /þŽþãþŽ'þû‹þŽ¾Hþ1Ûþç DþŽþÝõ ' Fþãþ¿ þòþ‹þŽþ¿þØþß ' Fþì 7þàþß

(2) .“”••–’Š Í¾• “‘

.43 ´¯¾Ä ’Šªœ•Š Ä¥•’‘Š /þŽûþþË1 Bûþþ Hþ—

Eþà 8þ— Eûþ /þØþ— J 1 ' /þù '" :1ûœþçØþþ1þ¾þ•••þ•þ¾þ•þ¾Š ‘“Šß8Ã••þ¾ŠÀ•‡² HþÝûþ

."...Â…ƒ829) /þŽþãþß ' þòþÓ û«ûþþàþË 5 Hþ»þçþãþß ' DþÝþ÷ ' þ

•–„•—„ ˜™•Žš„ Bûþ 1 7þ”þ»þ Ž§þß ' þ”þ ‡ 1 ‰ ‹ ‚ ‚ ‚

þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ 'ƒ„Ÿ•Ë †‡Ÿ‡ƒŽ•ƒ„”ûþÛþà

´›•¶‘ ¬œž”1þŽþ› " þ”þË HþãþŸþã / HþØþÌ 'þ³Fþã Fþ Ë 1þŽþ DþŽþçþ¿ þ”1þÛþà

B HþØþ£ Fþã û«þ“ 1þŽþØþÌ'1þÌþã-þ þ”ûþþç HþçþŽþØþß ' þ”þÌûþþ

.(Ž••³’Š Œ•¾ ‡ˆ’Š” ´”•’Š §¨ƒ ¸•‘Š¤‡’Š”

•–„•— ' -þüþ»þ—þ³ ' Fþ þ”þ 7 1þ·þß ' þÊþÓ 1 /þÌþ‘ þ - Hþçþãþã

•”• ·¨†‡ˆ’Š” ´”•¨”” ‹ * ' Hþçþ³ 3þãþ§ û«þ…† ‰Š Î•¾’Š

.—’˜ Ž› ¤••œ

:·š†¤ ••° ¸Œ¨ ¹Œ’• §’ƒŸ‰

/þØþË Fþ Hþã Fûþûþþ Ì þ Hþã Fþ Ì‘

Fþ Hþã 3ûþþß þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' Fþ þ

Ž›” ‹ * ' Hþçþ³ 3þãþ§ DþŸ # Dþüþ§ û«þ£þüþ»þ—þ³ ' þžþãþŽþç 1þ‘ 2þŽþŸþç

±¥”‘œ Ž°Š•-Š —•þ.—þã " :ûˆ/þ§û#18/83þ•þ’Š “‘ ´^••’Š) /þŽþãþß ' *þ»þç 1þŽ 7þù

.þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³þû þ¢þ· 1þ—þãþß ' þ¢þßþŽþ»þß

2þ‹þŽþ£þß ' G /þÌûþ -þüþ»þ—þ³þù ' þžþãþŽþç 1þ‘ 2þŽþŸþç % þòþÓ Dþ›þã

."...) 1 ' /þù ' û«ûþþàþË B /þŽþ

þòþ—þß ') 1 ¾þŽþØþ« þ£ þ»þ³ þ²þ þ Ÿ!Ã¼ þçþ þŽþ‘

“ §¨ƒ ‹þŽþç HþçþŽþ× *þ‘þ›þãþß ' G 2þŸþË þ”þßþŽþ£ ‹ þ þ« þ Hþ Ó

(1) . DþŽþÛþ·þ÷ ' 3þÔþç Fþãþ¿ þ¦þ³þŽþÔþß ' 7 1þ·þ

:·š†,ƒ„ ••°ƒ„ º¤• •¤ ³Œ•Žš•ƒ„‰ “ƒ‰ Sþ Ž‰ þ

7 1þ·þß ' þÊþÓ 1 (þà'7 ûþ Sç F#18/83þ Ž”à Š þ Ã••’Š À•‡

. Gþüþ Ë # þ”þ³ /þŽþ³þß ') /þŽþãþß ' þòþÓ

." E Hþ³ 1þã (þŸ Hþãþ‘ / /þ£þ— *þŽûþþÔûþþÛ (þ³þ£ -þüþ»þ—þ³þù ' þžþã

---

1 .18/83 •ž• “”••–’Š “•¦ƒ ´ ûþ /þŽ Ê Š À• •Ç•

Ã••‘Š ±ˆ ‹••«þù ' ' 0 ¾ þòþÓþüþ»þÛþ³þùH þžþãþŽþç 1þ‘ 2þŽþŸþç % I /þã 1ûþ
þ”ûþþàþ»þ÷ ' û«þ—þ§þ³þç û«þŸ Hþ—Ž‡ûþ 1þŽþß • þ”þçûþ§þŽþÌþã þ”ûþþàþãþË
."þòþçþÌþãþß ' Cþßþ Žþãþß ' þðþß % û«þçþã þ”ûþþçþŽþ› þ”

3ûþþ‹ 1 ‹þŽþâ 7ûþ þŽþŸûþ % þ”þçûþþŽþÌþãþß Ôþçûþ E1þß ŠŒ Ûþã þŽþã /þçþË
1þ›þÛþ÷ ' þðþàþË þ”ûþþß ' Hþãþß ' þŽþã Hûþ 1þ·þË þ”þ³þãþ§þßŠ Dþüþ§ F
. 1ûþ 1þØþ—þß ' Eûþþàþ³

J /þàþ‘þß ' þòþ‘þÌþ·þß‹' (þàþŸþß þã«þ þÓþß E% þ×þÎþàþûþ H 1û-þ·þß ' Dþüþ§ Eþà
."—'•‘Š"

DþŸ # þòþÓ Hþ—î þ³ûþŠ ‹•·#ß Cþßþ Žþãþß % H/þ»þ× þ”ûþ 1þŽþØþÌþß ' þ” 8þÓþŽ
(2) .þŽûþþ‘þàþ³ þ”þçûþþŽþÌþãþß ' 1ûþ 1þØþ—

³Œ•Žš•ƒ„‰ "ƒ‰§ƒ„ •†•„¬Žƒ„‰‡ƒ‰Ž•‚ƒ„

§¨ƒ Ä••••‡ ¸•'Š¤‡'Š"••ž"•• Ž°Š•-Š „…†‡ˆŠ ••«Ÿ Ž› „"•‘'Š ûþþÛþàþãþË ' þ¢þçþãûþ
.· ••••••‡ˆ‘Š ª‡•ƒ

:"ƒ‰§ƒ†•„¬Žƒ„‰ ¹º‰

þŽû-ûþþàþË þ”þß H 1ûþ þŽþãþØþ£þß ' Fþã þ”þË Hþãþ Ÿþã þòþ¿ ' 1þ÷ ' -þüþ»þ
.¸•'Š¤‡²Š "' ´¨'¥

:"ƒ‰§ƒ„ ¹ºþ‘›

Ì'•••œ' ·¨†‡ˆ‘Š ¤•¥•Ÿ ¿•' ´œžŠ•' ª¯ ´"724/83 •ž• •"ˆ•‘Š "' 25 Ã••‘Š ·•'‡

:û«þç # þðþàþËþß Fþ Žþ»þçþ—þ Žþ»þß ' þŽþ£ûþ»þ— 1þ³þØþÓ
þðþß % þ”ûþþ¿þØþ¾þŽþòþß ' (þ þß J þ Êþ Ó 1ûþ Cþß þŽþãþß ' 9 1 Œ" E /þË H * ' Hþ
. Fþü 7þ‘þß ' 7 1þ· !þŽþÐþß % /þ»þ× J /þàþ‘þß ' þòþ‘þÌþ·þß ' 3þàþŸþ
´'•¯ Ž›‹þŽþàþ—#þç# ûþãþ—þ£ûþ þòþ—þß ' * ' /þàþËþß /þãþß * " 28þÛþŸþ£þß '
."þ”ûþþàþãþÌþß ' Fþü 7þ‘þ‘ þòþ¿þŽþ

---

1 ´•ûþþãþçþ…ŠŒ¥' Í •ûþþ‹ 1" 724/83 •ž• •"ˆ•‘Š "' ""•¦¶'Š " Ã•¯Š"Ã••‘Š ±ˆ¯ ´•¥¨'Š ""¡‡‡
·'•† ' ' Ž¨¯'Š ¬³'Š" •ûþûþ 1þ‹ûþŸþßþ•Ôþß þ‡ïþ Ž•¨¯'Š •³' 'Š‹¢••œ'Š•ž¶¦'Š •¥'•œ
."´•"•'Š —•..Ã•Š•² Ž¨¯'Š³'Š‹¢• •••••Š
2 .724/83 •ž• •"ˆ•‘Š "' ""•¦¶'Š " ´¶œŠÃ••‘Š À• •Ç•

•”•‘ ¬œžÃ••¾‡ˆ‰Š–’ ŽÁ¨‘Š ¢•Š•²Š •Š•‹‹þŽû-þ— ' 1 ' 1þ× /þ£ # þòþÓ þŽûþþàþÌþß '

(1) . F HþçþŽþØþß ' þ”þÔþßþŽþ§þã (ûþþÌþ‘ þŽ

:“ƒ‰§ƒ•„¬Ž±„œ

:Ž‡šþ þŽþãû‹þÓ‡’Š³þß H /þß '

:˜™•ŽšŸ„€›• þòþ¿ 1þ÷ ' þ‡ûþþÛþàþã Dþ

þ”þçþŸþß A 1 7 Fþã û«þ—þ³ ' 1 / H Aþàþãþß ' 9 ' /ûþ % H þŽû-þ£þüþ»þ—þ

1 1þ‹ûþþÓ 1þ÷ ' þ¢þçþã Fþãþ¿þ—ûþ þŽûþþãûþŽþŸ‰ûþþŽþ§þãþß ' # 1 þß ' /þ

«•¦œ •ƒ”¾¦‘ F HþÛûþ F # þðþàþËç 7 G Hûþþ· Cþü—ãþ þß þ¢þßþŽþ»þã Fþã þ”ûþþÛ

/þØþË þ¢þ‘þ»ûþþß * ' Hþçþ³ 3þãþ§þß ' Dþüþ§ -þüþ»þ—þ³þù ' DþŽþÐþ·þ„þ

(2) .þŽûþþ‹þŽû-þç þ”ûþþÛ

: -þüþ»þ—þ³þù ' þÊûþ 1þŽþ·þãþß þ”ûþþ‹þŽþ‘þŸþß ' * ' !þŽþÔþ

Ã••¾‡ˆ² Eû-þ‘þà 7 þðþàþË" :ûþçþ‹ 1þŽþàþËþãþß ’Š F 1 3þàûþŠ À•‡

G 0 ¾ þÎþßþŽþ»þã—þ³þù' þžþãþŽþç 1þ‘ Dûþ Hþãþ—þß þ”þ»þ»þ§þã * ' /þŽþãþ-

."þ”ûþþßþŽþãþß ' Fûþþç ' Hþ× (þŸ Hþãþ‘ þŽû-

!þŽþÔþËþù ' Fþã) /þŽþÔþ‹û-þ³þÔþç Cþ E 1 þàþË GþŽ 7 þàþËþÓ

ª”–¯’Š” •”ˆ•’Š “‘ ©•¾ƒ²Š “‘ Ã••¾‡ˆ²þ”ûþþßþŽþãþß ' Fûþþç ' Hþ× ¾ 1þŽþ·þàþËþÓ Cþüþ

DþüþÐþ—þ³ ' H # -þüþ»þ—þ³þù ' þžþãþŽþç 1þ‘ 0ûþþÔþçþ—þß þ”ûþ 1 H 1þ¿

."´¥‡•‘ ¸¯œ† Ž‡’Š Ž°Š•-Š

:˜™•Žš¥„ €†µ° •”– 3

•ž• “”••–’Š “12 Ã••‘’ŠþŽû-þ—þ£þ¿þŽû-ûþþÓ Hþ¿ 1þ· þòþ—þß ' -þüþ»þ—þ³þù ' þÊûþ

7 H 1þ·þàþß þŽþØþÓ H þŽû-ûþþÓ 9 1þ· "þðþ‹þçþß ' þàþËþ§þß ' þÊûþþ 1þ

: 5 Hþ»þ§þß ' þðþàþË Dûþþçþß ' 7 0 ¾ Hþ¿þÓ þŽû-ûþþàþ

‹þŽþãû-ûþþß % þ”þŸþŽþ£þß ' H GþŽûþþãþß

‹þ”þË 1 2þãþß ' þòþÓ þŒþàþŽþ»þ—þ×þù '

."…þŽû-þ£þüþ»þ—þ³ ' (HþÊ 7þàþËþã ' /ûþ /þ£þ÷

‹•£Š¤¥’Šþ”þÌûþ‹þÊûþ 2 Hþ—þß ' H 1þ·þçþß‘•³Š ¶¶þËþŽþ‘¶Šàþß°–þ§þã¦Hœ¾¢•1 ' 1

.128 ´¯¾ ’Š 2003

2 .40 ´¯¾ ’Šªœ•ˆ’Š Ä¥•‘ŠþŽûþþË BûþþÓ Hþ—

:³Œ•Žš•ƒ„ •†•„¬Žƒ„‰ ¹‰ûþþçþŽþ›

: *þŽþã ' 2þ—þßþù ' FþãBþ"þØþÿþß û«Fþàþ Ëþàþã‹Ÿ1 þ¢þàþ»þ—þ³þãþß

:³Œ•Žš•ƒ„ ¹‰‘±

:Ž‡šþ þŽþãûþþÓ B HþØþ£þß ' G 0

F # Fþûþçþ«1 þßþàþË •ž• "”••–'Š "' ´¶ˆ•‡'Š Ã••''Š À•‡¦•ƒ„ ¬†«¦£ •¤ ¹›ƒ±1

*þŽûþþŽþçþ' H û«þ—þàþ‹þŽþË H 9 1 ' 2þãþàþß þ"þ»þ»þ§þã þòþçþÛþ³þß ' Dþ

."´ƒ•¤' Ž› ¢••ƒ ª¯¨' ¬¡" ¬…Á‡ˆ²Š

1þŽ 7 % þòþÓ þ"þÛþàþ—þãþãþß ' þòþ¿û«þ÷ HþØþ£þÛþàþ£D þòþÓ Hþ"þà

þ¦þ³þŽþÔþß ' 7 1þ·þß ' þÊþÓ 1 Dþ'þ× û«þ¾'ŠþØþŠ ÄD•¶Hþ‰þŸ—„…Cþ³ŠŽþãþà

¤¥ƒ ´'•¯ Ž›‹û«þç.#' þŽ‰ûþ1þß3 •ž• "”••–'Š "'17) /þŽþãþß ' þŽû-þ— / 1 H # 7þ' ' H

" §¨ƒ ‹û«þ× HþØþ£ Dûþ Hþ£þ»þ—þ³þŽþãþàþß ËþŸþàþ» ' Hþã FþË þŽþç H

.¬•¡¦-Š Í¾• "'° Îˆ•¾ þß ' 7 1þ·þß ' þðþàþË J 1þ—þ·þ

•'" ‹þŽûþþ'þàþ³ þ"þçûþþŽþØþàþß ' þ¦þ³þÓþØþ÷þß þŽ ûþþÓ 0 %' /þÌþãþß ' H * ' 2ûþÛ

9 HþÔþ·þãþß ' þ"ûþþÛþàþãþß ' /þØþË þ¦þ³þÓ‹ 1þ¾þŽþ×Cþ¦þŽþãþß‚þ' /þ¿þßþŽþ

û«ûþþàþË þðþË‹þàþ„þß'')8û1þ§÷þ /þŽþãþß ' *þ¿þ× ‹Î¹³ŽŠ«¦'•œ0 ¾ þòþÓ

."þ"ûþþàþãþÌþß ' Fþü 7þ'þ' þòþ¿þŽþØþß—1þã #þ×' û«þçþŽþãþß-þŽþÛûþþÔþ-

:³Œ•Žš•ƒ„ •†•„¬Žƒ€

:Ž‡šþ þŽþãûþþÓ þ¢þàþ»þ—þ³þãþß ' *þŽþã

û«þ— /þÛ‹ # 2þŽþãþß‚¾1þŽ‰ŠD/þßþŽ þòþ¿ ' 1þ÷ ' :Fþ§‡•ƒ„ ¢þŽƒçþ¤þß ' Eþ—û

." J 2þã 1þß ' 1þŽþçûþ /þŽþ·þß/8û1þÛþàþãþß3 ÃD•²Šç´ˆ•E–Ã•''Š

Dþ›þãþ—þãþß ' J /þŽþãþß ' Dþ'þŽþØþãþß ' þðþàþË !þŽþçþ' /þØþÌþß ' þŽþçþ

þðþàþË ŽD-/ûþþŽþ— þŽþçþãþ› •¥•þ"þ‘¾ûþ/þØ2þã 1þß‹ þ•1þŽ‰çþ/þß‰Ž› FþŽþÛ

þ"þãûþþ× Fûþþ' H û«þçûþþ' (þ³þŽþÌþÓ—/þß ' J DþÌþŸûþàþß£ Eþß‹%þàûþþàþ

F HþÛþÊûþþàþãþß ' /þØþË þòþÓ þŽþ£ûþþ£þ» ‹þŽþ¿þŽþã—G /þË HþØþÔþã Hþ£

[1] .þ"þ' ¾ Dþ' þŽþÌûþþ' þÊ

.90 ´¯¾1 'Š¹ªœ•ˆ Ä¥•':þ"ûþ 1 Hþ£ þ"ûþ ¾Ã•"²•'Š¹þ³ Hûþ þòþ³

§¨ƒ" :û«þ 1 8/ß3 •ž• “” •••••–’Š “‘ Ã•¦•¶’Š Ã••’Š:À ‡ ƒ „ ••° ƒ „ ²± • œŒ©” – ŽŸ ‚

. GþüþË # þ”þ³ /þžþ³þß ') /þžþãþß ' þòþÓ û«ûþþß % 1þžþ·þ

." E Hþ³ 1þã (þŸ Hþãþ‘ / /þ£þ— *þžûþþÔûþþÛ (þ³þ£ -þüþ»þ—þ³þù ' þžþãþ

+ûþ 1 8/ß3 Eþ× 1 F Hþçþžþ Øþß '72 4/ß8 •7 þ– þãþ fþžûþ Hþ ³ Ûþ ½ûþ Hûþ »þ Øþ ¼ þ ß ãþ ß Eþ× 1 Hþ³

þ”ûþþçþžþÌþãþ 8/ß1 þ»þ– þ þžþÛ' þ”þçûþ þžþÌþãþ Hþ 1 þ»þ– þ þ§þ 2 þžþ”þŸ þçþ¶þ þ Eûþ Hþ Øþ– þ

¸••¡ Š˜Ÿ •‹þ¦þ³þžþÔþß ' 7 1þ· 5 þß 3 Dþ þ Ê§þ Ó þ 1 þß ' þžþ Hûþ àþ‘þß ' þòþ‘þÌþ·þß ' 3þàþ

(1) .û«þ—þçþ— Eþß ' 0 % * ' Hþçþ³þ 3 þãþ§þß ³ þçûþ Dþ þžþÛ þ

1þŽ 7 % þòþÓ þ”ûþþ£þüþÔþß ' þ”ûþ 1 þžþ Ø þ– þ³þù þ”ûþ þžþãþžþç 1þ‘ (þ þ– þ

Dþüþ§ -þüþ»þ—þ³þù ' þžþãþžþç 1þ‘ 2þžþŸþç % þòþ Ó Š•Š› þãþ ‡ ˆ Šûþ þ¦þ³þžþÓ

û«þß FþÛþ— Eþ Ø Ÿ þ÷ Dþ Ì þ Ó ¾ þ Dþ Ê ü Ø Ë þ– 1 þ³þãþ§ 2 þ Ø Ÿ þ Ø Ë % û«þçþˆþÓ

1þžþ‘þ—þËþžþ‘ þžûþþ‹þ Ì ¿ ¾ þ Ì þ× þ) Hþ Ûˆ þ Ì”ûþŸ Ûþ à þ– ãþ ß þž þ Ø Ë þ Ø Ë þ Ø Ë

:€•,ƒ„…†

‰Š‹Œ•ˆ Ž••••þ”þ»þŽþ§þß ' þ”ûþþÛþàþãþß ' 3ûþ /þŒÞ9 €•,þ„þðþàþÏË, Eþ‹þŽþØþß '
5 Hþ»þçþß ' H þ”ûþþç 7 Hþß§þŽþ€þþŽþ”þ„þã Hþ›þŽþØþß' 5 Hþ“Šþ¢þß ' Cþß 0
Bûþ 1 7 FþË þ”ûþþ»þŽþ§þß " Cþüþãþøþß þ”þÌþ‘þŽþ—þß ' þ”þãûþþØþß' 1þ”þŒÞ5þ+
.˜™ˆ€•ˆ š› —•,ƒ———

þ”þÌþ‘þŽþ—þß ' þ”þãûþþØþß' ¡ Cþüþ Hþ»þçþß ' G 0 ¾ þßþÛ þ€þã þŽþã H
.˜™ˆ€•ˆ š›•,ƒˆ• “¤„Š‡,•ˆ•¥ ûþþ‡þß Šƒ Šƒ¡ ¤ ¢”„“þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþ

þ”ûþ 1þŽþØþãþß '' þ€þ”þ”“•þ”ûþ„þçþŽÞ0Þ0þã®€–•†ŠŒ•ˆ8Ÿ ¦„Š”•ˆ §„¨¡
þ”ûþ /þ„þ—þß þŽû-þ—ûþ“þŽûþŽþ›þ»þ‡þß€ Dþ“þŽþ‡þß þ€ ' /þÌþ€þ•þ‡þ›þŽþ§þß ' þ”
.•ˆ• —þ§þß ' Eû-þ„þ”ãþçþ€ Hþçþ‡þŽþØþß ' 5þ“þŽûþ§þ”þŽû-þ‡þã þ

ž› þãþ÷ ' F HþçþŽþ× þòþÓ 5 ' Hþ§þ‡þ§þ”þÌþ“þŽþ‡þ›þ§þß " þ”ûþþçþŽþ€Hþß'' þ€ûþ
˜™ˆ€,•Š‡ ¥ ûþþ‘þß ' H þòþçþàþÌþß ' / ' 2þãÞ0Þ§þŽþ“ûþ€þ“þ€þŽ“þ›þ»þòþÓ ûþß'ûþ†/1
Fþã 1 ' 1þ×) /ûþ ' 2þ“þ›þß ' —þ§þ‡þ‡þ„þçþŸþB‘þ”ûþþç 7 Hþß ' Cþüþ
1þ¿þ€ûþþç 7 Hþß ' Cþüþ Hþß ' 1ûþ /þ‡þ›ûþ€þ›þ§þ‡þ›þß 'þ‡þ„þ€¿þ'-þ
«¬•ˆ -¬•”†Ÿ• ‡Šþ”ûþþç 7 Hþß ' Cþüþãþ÷ ' þ”þ£þàþ»þã G /þÌþ— 7 H 1þ· 1þ—þ
.þ”ûþþ€þ‡þ›þß ' 1ûþ 2 H G 1þ

¦„€ˆ••ˆ ‹•€¯•ˆ“˜†Ÿ’•ˆ „ˆ®”•Š“þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþ÷ ' * ' 1þŽþØþË þð
EþŽûþþ€þ‡þ›þß ' €„þÌþ‘.Ÿ³ ŽŒ£ˆ•”•ˆ –199•ˆ²€Š” 15 ˜£ °€±”•ˆ «€ˆ®••ˆ €ˆ€Œ•ˆ ˜£
˜•ˆ•þß ' F 0 % /þÌþ‘ þ”ûþþç 7 Hþß ' Cþüþ
.þŽûþþãûþþàþ× % 5þ—

þ”ûþ 1þŽþŸþ—þß ' þ”þãûþþØþß ' FþË “˜™ˆ€,•Š‡ ¥ ûþþ‘þß ' þ”ûþþç 7 Hþß ' þŽþ
þòþÓ ' 1þ»þ£ Fûþ / /þ£þãþ”ûþ“þŽþ‡þ›þ§þ”þ£1þà2þãþ€þ5þ§þ 1þ£þãþðþà1þ
.427/12 ‘©€ ‘•ƒ€”•ˆ –’91 ¦„Š”•ˆ

ˆ„³ “ª€•¡ 5 Hþ»þç þòþÓ þ”þ»þŽþ§þß ' þ”ûþþç 7 Hþß ' Cþüþãþøþß þ”þÌþ‘þŽþ—
…´Ÿ”•01/81 F HþçþŽþØþß ' þòþÓ) 1þã D Hþ÷ Eþ”ûþþç07þ Hþß ' D2þüþãþ

F Hþçþ[illegible]

.2001/12/31 ¤‡© Ž³„•”•^ §Š·Ÿ”•^ …Ÿ³

J 0ûþþÔþçþ—þß ' E Hþ³ 1þãþß ' 1þŽ 7 % þò[illegible]

þ”þçþ³þß þ”ûþþ[illegible]

Cþüþãþ÷ ' û«þØûþþ‘ 7[illegible]

þ”þß H /þàþß þ”þÌþ‘þŽþ—þß ' þ”ûþþçþ‘þãþß [illegible]

. J 1þŽþØþÌþß ' 1ûþûþþ³þ—þß ' H þ”

Fûþ H[illegible]

þÊþÓ /þß ' þòþ—þßþŽþ£ þòþÓ þ”þ— Hþ[illegible]

. 7ûþþ³þØþ [illegible]

¤›• ¹Ÿ”•^ ²€„„ ˜‚•^ ¦€ [illegible]

.‘›‚ƒºŠ‡ €Š’¯»^ ¥” Ž†•”™” Ž•Šƒ€‡1þ¼¯þãþàþß 1 '[illegible]

92 ¦„Š”•^ •† ˜£“•^•••^ Ž [illegible]

þ”ûþþ× 1þ—þß ' F ' /ûþþãþ‘ 6 Hû-þçþàþ[illegible]

7 H 1þ· 1þ—þÓ /þß þŽþØ[illegible]

°€±”•^ €^€Œ•^ µƒ„þŽû-þçþË D [illegible]

.þ¦þ³þŽþÓ 7 1þ· þðþàþË [illegible]

þ”ûþþç 7 Hþß ' Cþüþãþøþß[illegible]

‘•ƒ€”•^ –” 120 …•1[illegible]

Ž¸Ÿ•”•^ •¡ •Š••^ €ŠŒ’•^ ž•Š” –” ¦€„Š‡”‡ ¡„‡¤„˜Š‡•^ §^¾^€[illegible]

§Š¸€‚Œ”•Š‡þ”ûþþÛþàþãþß ' * ' /[illegible]

.þ”þß H /þß ' Cþüþã # þ¢þßþŽþ»þãþß [illegible]

û«ûþþÓ / /þ£ûþ þ”ûþþßþŽþãþßþŽþ[illegible]

þ”ûþþàþãþË ‘[illegible]

.þòþØûþþ› Hþ— [illegible]

D /þŽ[illegible] .þ”þ»þŽþ¨ßþ ' þ”ûþ H ' 1þ£þ»ßþ ' Ž”®þŽ‰ŒþŽþ³þ¢þ¡ßþ ' DþüþÐþ—þ³

¤„'"•ˆ 25/90 –•†ŠŒ¨•18/83 Eþ× 1 F HþçþŽþØþß'•• 51HþŽ‹þþ¡ß¡þ¡ß¡Œ©Œß¼‡ E ¾ #

¤Š¶" –Š¨£","•ˆ• ¤„'"•ˆ 483/97 J 0ûþþÔþçþ—“28/92Ł‘Œ®³ 1þ¢þ›•"'H,'•ˆ•

…•½ Ž£Š™¼þ[illegible] .Ž—ûŠ·Ÿ¸•ˆ“þ”ûþ HþË 1ßþ ' þòþ¿ ' 1þ÷

Fûþûþþ[illegible] .þ”ûþþ£þüþÔßþ ' þ”ûþ 1ŽþØþ

þ”þ£þüþÔßþ ' þ¢ßþ[illegible] .Ê[illegible] ¤ƒ€, “¢*þŽþÔþàþãßþ ' Eþüþ—þ³ ' Fþã 1û-þ· DþŸ # Dþüþ§ -þü

' 1 ' 1þ× 1 /þ»ûþ J 0ßþ ' [illegible] .þ”ûþþç 7 Hßþ ' Cþüþãþ÷ ' [illegible] .Ž—ûŠ·Ÿ¸•ˆ“þ”ûþ HþË 1ßþ ' þòþ¿ ' 1þ÷

Fûþûþþ[illegible] .þ”ûþþ

ملحق رقم 01

ملحق رقم 02

ملحق رقم 03

ملحق رقم 04

“£‡‹…• œþãþß þ”þã H ¾ 1 ' / þ”þçþãþŽþ›þß Š•þ”þÌþ‘ 7þß ' Šª J 1þŽþØþÌþß '

.2003 ˜“©…¡¥‹þ”þÌûþ þÊûþþ 2 Hþ—þß ' H

þ”þã H ˜œ•š‹†‹“ ™•Œš J 1þŽþØþÌþß ' û«ûþþŸ Hþ—þß ' [illegible] þŸþß ' þòþç H

.2003 1þ‹ ' 2þŸþß ˜ ûþþ 2 Hþ—þß ' H 1þ·þçþß ' H

þ”þËþŽþ‘ 7þß ' H 1þ·þçþàþß þ”þã H ¾ 1 ' [illegible] Fþ‘þÊûþ

.2004 ˜“©' 2þŸþß ' þ”þÌûþ 1 2 Hþ‘ þÊû

“…Œ ˜œ•š•‹… †›(þ”þç Œš þŽþØþãþß ' H) %þÊûþþ‘þß [illegible] ”Œ Hþ— ‹…

.2005 1þ»þã þ”ûþ ˜£/þþ [illegible] þß ' þ”þÌþãþŽþŸ

“…Œ‹•˜„…œ•š•… J 1þ‹ ' 2þŸþß ' þÊûþ 1þ·þ—þß ' [illegible] *þŽþÓ 1

.2006 ˜ 1þ‹ ' 2þŸþß ' þ”ûþþç H /þ

þ”ûþþç H /þàþ§þß ' 1 ' / þ”þÌþ‘ 7þß ' Eþ× 1 F H /þ‘ [illegible] þË*þŽþ£

.2005 ˜“©…¡¥‹þÊûþ 2 Hþ—þß ' H 1þ·

þ”þËþŽþ‘ 7þàþß 1þ·þËþã [illegible] þ”ûþ 1þŽþØþÌþß [illegible] þçþãþß '

.2009 ˜“©…¡¥‹þ”þÌûþ þÊûþþ 2 Hþ—þß ' H 1þ·

þÊûþþ‘þß•‡ŒŠ‹Øþ[illegible] ¢“£ •ž.³•‹…:«Œ•ƒ‹… «“šŸ ŒŠª•ŠŒ ‹…

.2008 ˜“©.¥þß ' þ”þÊûþþË þÊûþ 2 Hþ—þß ' [illegible]

†›“ ™•Œ(š‡“•ŽŠ œ‹ƒþÊûþþ‘þß ' /þØþÊûþ [illegible] ”Œ Hþ³ Hûþ þòþ³…

.2008 ˜“©…¡¥‹… ˜œ••š•‹…• “£‡¬‹ °Š„… “…Œ ˜œ•š•

þ”þã H Œ‹ƒŠ•®œ•š•‹˜« 1þ‹ ' 2þŸþß ' þÊûþ 1þ·þçþß ' H [illegible] þØþÌþß ' EþŽ

.2009 ˜“©…¡¥‹þ”þÌûþ þÊûþþ 2 Hþ—œ•š•‹ 1þ·þçþß ' H

F H /þ‘ J 1þ‹ ' 2þŸþß ' þÊûþ 1þ·þ—þß ' þòþÓ 2 [illegible] J 1þŽþØþÌþß '

.2009 ˜“©…¡¥¢… “¥ ´•š«Œ…Œ-š ’…“•£‡Š ˜œ•š•‹… †›“

œ•š•‹.(þ”þŽþØþãþß ' H) %þÊûþþ‘þß…Œ 1þŽþØþË þ»þçþã Fûþþ³þ£”Œ þã 1 H

.2010 ˜™•‡š* H 1ûþþ‘ þ”ûþþ× HþØþ£þß ' þòþ‘þàþ£þß

þ”þÌþ‘ 7þß ' J 1þ‹ ' 2þŸþß ' þÊûþ 1þ·þ—þß ' [illegible] H þ”þ»þŽþ§

.2011 1þ‹ ' 2þŸþß ' þÊûþþ 2 Hþ‘ H 1þ·þçþß ' H þ”þËþŽþ‘

1þ·þçþß ' H þ”þËþŽþ‘ 7þàþß þ”þã H ¾ 1 ' / þ”Šþ•Žþß«Œ Šª 1 F H /þ‘ þ”

.2012 ˜“©…¡¥‹þ”þÌûþ þÊûþþ 2 Hþ—þß ' H

¤¡¥‹…(þ”ûþ 1 ' /þù ' FþÌ 7þß ') þ”ûþ 1 [illegible] ‘•–® Œþþ·1

.2013 ˜“©…¡¥‹™•‡”• ™š”ûþþÌþãþŽþŸþß ' *þŽþË Hþ‘ 7þãþß ' F ' Hûþ /

œ þÌþ‘ 7þß ' þòþçþŽþ›þß ' ! 2þŸþß ' þ”ûþ 1 ' /þù [illegible] þçþãþàþß þ”þ

.2013 ˜“©…¡¥‹™•‡”• ™š”ûþþÌþãþŽþŸþß ' [illegible] 7þãþß '

•©•žŽ‹…•¶‡‹… •‘ûþ 1 ' /þù ' *þŽþË 2þŽþçþãþ [illegible] þ”ûþ 1 8þçþß '

*þŽþË Hþ‘ 7þãþß [illegible] §‹… ¤¡¥‹.(þ”ûþ 1 ' /þù ') «“©þË¡¥þß.'

. 1þ·þçþß ' þ”þçþ³ 1þÛ 0 F H /þ‘ 1þ‹ '

:‘,ƒŒŠŠŠŠŠ [illegible]

þÊûþ 1þ·þ—þß ' D 8 þòþÓ þ”þß H /þàþß [illegible] þ”ûþ

.2005) /ûþþàþ‘þß ' (þàþ£ / /þÌþ³ þ”þÌþãþŽþŸ 1ûþþ—þ³þŸþŽ

þ”ûþþŽû-þç) 1þÛ 0þã Eûþ 1 71þF þË [illegible]

3 1þŽþÓ þòþ£ûþ 1 Hþ‘ [illegible] þŽû-þ·

.2012/2011 þ”þÌþÓ / þ”ûþ /þãþß

þ³ ' 1 /þß ' þ”ûþþŽû-þç) 1þÛ 0þã þ”þß [illegible] þ”þ»þŽþ§þß

þòþ£ûþ 1 Hþß þÛ þ”þÌþãþŽþŸ B [illegible] þðþàþ

. 2013/2012 ˜œ ûþ /þãþß ' 3 1þŽþÓ

:þ”ûþþãûþ 8þçþ—þß [illegible] þŽþØþß '

˜œ‹•Œ‹… ’•ƒƒºŠ ’•”¬‚ŠŠš »1970Š‹…1ûþ [illegible] ¹“ºŠ‹…11/70 †›“ “Š„…1

.1970 1ûþ [illegible] ¹“ºŠ‹09˜ŒŒ þ”ûþþãþ³ 1þß ') /ûþ 1þŸ

) /ûþ 1þŸþß ' þ”ûþþ [illegible] ¹“ºŠ‹…73/71 †›“ “Š„…2

.97 / /þÌþß ' þ”ûþþãþ³ 1þß

3ûþþ³þ„þ— H EþŽþÌþß ' þòþ¿ 1975 [illegible] ¹“ºŠ‹…74/75 [illegible] þãþß ' H

.1975“š‘•‡18 •‘ œ®“ºŠ‹52 / /þÌþß ' þ”ûþþãþ³ 1þß ') /ûþ 1þŸþß '

þ”ûþþãþ³ 1þß [illegible] 1975 [illegible] 26 •‘ ¹“ºŠ‹…58/75 †›“ “Š„…4

þ”ûþþãþ³ 1þß 2005 [illegible] ¹“ºŠ‹…10/05 †›“ ™•‡•Ž‹•š †Š‚Š‹…79 [illegible]

ŒŒ•ûþþãþ³ 1þß 2007 [illegible] “ºŠ‹…05/07 †›“ ™•‡•Ž‹•š †Š‚Š• °Œ4 [illegible]

.31

†•ƒ“Š‹•š †Š,Š‹…•.1995 1þ‘þãþ7ûþ /œ®“ºŠ‹8.3 / /þÌþß ' þ”ûþþãþ³ 1þß '' û« 7 H 1þ

œ®“ºŠ‹8.8 ˜ / /þÌþß ' ' þ”ûþþãþ³ 1þß 'Š‘•‡23 •‘ ¹“ºŠ‹…372/98 †— þ× 1 J 0ûþþÔþçþ—þ

.1998“šŠ‘•‡25 •‘

*þŽûþþÔûþþÛ H 2003 1þ‘þß 07/ /þÌþß ' :269/03 Eþ× 1 J 0ûþþÛ14çþ—þß ' E H

1ûþûþþ³þ—þß ' H þ”ûþþ× 1þ•š‹þ×3ûþ H þ”ûþ‹H./þß„H. þ™þ°H /þàþß‡‹‹þ:

48 / /þÌþß ' ' þ”ûþûþãþ³ 1þß '1ûþþŽþçûþ D H þ þ Dþ³þ× ' D2ûþ£ þ”þË Hþ¿ Hþãþ

02 •‘ ¹“ºŠ‹…296/06 Eþ× 1 J 0ûþ‡þ‹Ûþçþ H þ‡ .2003 H þ£1 13 •‘ œ®“ºŠ‹…

†•ƒ“Š‹•š °Œ•Š2006 “šŠ‚ƒ03 •‘ œ®“ºŠ‹.54˜ / /þÌþß ' 'þ”ûþûþãþ³ 1þß šŠ‚ƒ

25 •‘ œ®“ºŠ‹22 / /þÌþß 'þß”ûþþãþ³ 1þß Ÿ DC 15þ‘ #“ºŠ‹… 153/13 Eþ× 1 J 0ûþþÔþçþ–

.2013 Dûþ 1þ‘ #

œ©¡¥••“£‹ ŒŒªŠ‹1997 1þ‘þãþ³ûþ /“ºŠ‹… 490/97 Eþ× 1 J 0ûþþÛ15çþ—þß ' E H

.84 / /þÌþß ' þ”ûþþãþ³ 1þß ') /ûþ 1þŸþ

ŒŒªŠ‹… ••“£‹… “,‘Œ ¾€•šš‹±¬•™šž‚Š997 ˜½“•Š05 •‘ ¹“ ºŠ‹… “…Ž‹16

* ' /ûþþ‘2þãþ•þŽþ§þß ' þ” @ @ @ @ @ *@ 1þŽþŒþþç7 H þ ûþþCþûþ@ @þ”þŒþ @þ

.55 / /þÌþß ' þ”ûþþãþ³ 1þß ') /ûþ 1þ

þ”þãûþþØþß ' /ûþ /þ‹Šþ‹ 2001 ûþûþþŽ1•“ûþ“ºŠ‹… ¼“,£Š‹… «“…¡•‹…17…“Ž‹…

1ûþûþþ³þ—þß ' H þ”ûþþ× 1þ—þß ' F-ûþ H ãþ H /þß H Ëþ”þ 2 þŽþàþß —þ³þÌ‘þŽŽþ 7 þ

.12 / /þÌþß ' þ”ûþþãþ2001 1ûþ‚ŽþçûþŸ H # Dþ‘þ× Dþüþ‹Dþ Ž‹³þû ' 2ûþþ£

3 1û-þÔþß

†‡ˆ‰…• €•‚ƒ„…•

„•‚ƒ

„ ! ' / ¾ %

01 .... …†‡ˆ†

.šûþþ'þßþ ™þ"þ»þŽþ§þßŒ•Ž'ûþþç 7 Hþß "'•„–… —•‚˜:Š‹•Œ‰Žˆ…•

06 .... J 1þŽþØþÌþß ' þÊûþþ'þß Œ•Ž

06 .... J 1þŽþØþÌþß ' þÊûþþ'þß "†•

06 .... J 1þŽþØþÌþß ' þÊûþþ'þß "•"•

06 .... J 1þŽþØþÌþß ' þÊûþþ'þß•Š–

07 ....—•˜ˆ™þÊûþþ'þß /þØþÌþß ŽþŽ

08 .... J 1þŽþØþÌþß ' þÊûþþ'þß•€ "

08 .... EþŽþË û«þŸ Hþ' þÊûþþ'þß

08 ....þ"þ»þŽþ§þß ' þ"ûþþç 7 Hþß ' Cþüþãþøþß þ"þÌþ'þŽþ

09 ....û«þß þ"û-þ'þŽþ·þãþß ' / HþØþÌþßŒ•œ•Ë "•

09 ....þ"þ¿ûþþŽþØþãþß/þØþË•Š

10 .... 1þŽþŸûþþù ' /þØþË FþŽË

10 ....þ"þ'û-þß ' /þØþË Fþ˜œ•

10 ....þ"þß HþŽþØþãþß ' /þØþËŽ

11 ....—•˜ˆ™þÊûþþ'þß ' :þØþË •'F

11 ....š•€•žžžžžžžžŸ•‰Š‹€ "•"

11 .... D H @ @ @ @ @þ'þØþß•ŠH

11 ....š•€•Ÿžžžžžžžžžžžžžžþ€

12 ....‰žžžžžžžžžž•$•œ‚€ "•

12 ....¢žžžž£˜Ž•€ ¤€¥Ÿ•Š•€

13 ....—•Ÿƒ†•€ ¤€¥Ÿ•þŽ‰

13 ....•Ž§•€ ‚• :Œ•˜œ•€ "

14 .....þ”ûÞþàÞÛÞàÞã þ”Ë H 2þçÞãÞß ' ˜Š¡Þ
15 ..... 5 ' Hþ§þàÞß þ”þ»ÞŽþ§Þß ' þ”ûÞþç 7 Hþß ' Cþüþãþ÷ ' F Hþ§þàÞß
15 .....þ”ûÞþç 7 Hþß ' Cþüþãþ÷ ' F Hþ§þàÞß
15 .....šžžžŽþçþàÞÌÞß ' / ' 2þãÞß ' Bûþ 1 7 FþË * ' þŽû
16 .....) /ûþ ' 2 @ @ @ @þãÞß ' þ” @ @ @
17 .....þòÞçÞàÞÌÞß ' / ' 2þãÞß ' Bûþ 1 7 FþË * ' þŽû
19 .....þòÞ¿ ' 1þ—ûÞß ' þ”ûÞþç 7 Hþß ' Cþüþãþ÷ ' F Hþ§þàÞß
19 ..... 9 Hûþþ·þ•Š¡Þ
20 .....¨•Š¡•†•€ š•€•‹€ …•˜•þŽû
20 .....þ”ûÞþç HþçÞŽþØÞ
20 .....•€Š©•€ …˜•™Ž
20 ..... Eû-þ—ûÞþÛÞàÞã þ”þË H 2þçÞãÞß ' ˜Š¡Þ
21 ..... Fûþþ—ûÞþßÞŽþ—þ—Þã Fûþþ˜Š¡Þ
21 .....¡˜ª «Š¡› 1ÞŽ 7 % þòÞçŠ› ˜þ•€•Þ“ þ
21 .....‰¥žžžžžžžžžžžžžžžžžžžž Fûþþçþ”ûÞ•€ “1”
21 .....01/81 Eþ× 1 F HþçÞŽþØÞ
23 .....¤†Ÿ†•€Š ‰2569/03•€ Eþ× 1 J 0ûÞþÔÞçþ—ßÞŽÞ
26 ..... 5 ' Hþ§þß ' þ”ûþ 1ÞŽÞØÞÌÞß ' þ”ûÞþ× 1Þš›˜þß•€ “þ
. D /ÞŽþ‘þ—€™ßÞ»ÞŽÞ§Þß ' •Þ0ÞŽÞç ' H “•”'•„–… —•˜…•›Þ0ÞŽ‰^…
29 .....‰¥žžžžžžžžžžžžžžžžžžžž‰Š¡Þ
29 .....û«þ»þ‹ÞŽþ»þ§ FÞŽûþþ‰Š‹Þ
29 .....‰‡˜žžžžžžžžžžžžžžžžžžžž‰Š¡Þ
29 ..... D /ÞŽþ‘þ—þàÞß þòû-þ
30 ..... D /ÞŽþ‘þ—þàÞß þòÞÌ
31 .....‰‡˜ŽŸ•€ ‡ˆ¬ «£Šœ•€ “•”
31 ..... EÞŽÞË û«ÞŸ Hþ‘ D /ÞŽþ‘
32 .....þ”þ»ÞŽþ§Þß ' þ”ûÞþç 7 Hþß ' Cþüþãþ÷ ' F Hþ§þàÞß
33 .....þÊûþþ‘Þß ' /ÞØÞË FÞŽ˜œ•€ÞŽþ

33 .....þÊûþþ‘þß ' H D /þŽþ‘þ—þ‰Š‹€“‘
33 ..... FþŽþÛ 1þ÷ ' +ûþþ£ Fþã þÊûþþ‘þß ' H
36 ..... 1þŽþ›þõ ' +ûþþ£ Fþã þÊûþþ‘þß ' H I
36 .....þÊûþþ‘þß ' H D /þŽþ‘þû«þß›Ì
37 .....þŽû-þ‘ þ”þØþàþÌþ—þãþß ' *þŽþË 2þŽþçþ
37 ..... D /þŽþ‘þ—þß ' Bûþ 1 7:‰FŠË •“
37 ..... D /þŽþ‘þ—þß ' /þØþË 1ûþ:
37 ..... D /þŽþ‘þ—þß ' (þà
39 .....þ”ûþ
40 ..... ‰‡˜ŽŸ•€ ‡ˆ¬ ¤€•Ž¦
40 ..... F @ @ûþþß /þ‘þß ' Fûþþ‘ þ” @ @
41 ..... G 1û-þ· H û«þàûþþŸþ³þ—
43 .....‰‡˜ŽŸžžžžžžžžž•€ ¬ …žžžžžžžžžŽŸ†•
43 .....þ”þß H /þß ' H 5 ' Hþ§þß ' Fûþþ‘ þ”ûþ
43 .....¬¥˜›†•˜Ž ‡Š¡ˆ†•€
45 ..... 5 ' Hþ§þß ' þÊþã þ”þß H /þß ' * ' 1þŽþØþË þ”þß
45 .....þŽû-þÌþÓ 1 Dþãþ—þ£
46 .....þ”ûþ 1 ' /þù ' þ”ûþþ‹þŽþ¿þØ
47 .....þŽû-þÌþÓ 1 Dþãþ—þ£þã
49 ..... D /þŽ @ @ @ @ @ @ @þ‘
Bûþ 1 7 FþË þ”þ
.› •”‹• Ž•‰’Ÿ•
51 .....þòþ¿ ' 1þ÷ ' -þüþ»þ‰Š€
51 .....û«þ— ' 1 1þ‘þã H þòþ¿ ' 1þ‰Š‹
51 .....þòþ¿ ' 1þ÷ ' -þüþ»þ‰Š€ “
51 .....þ”ûþþãþüþ³þù ' þ”þÌûþ 1þ·þß ' þòþ
52 .....þ”ûþþç Hþçþ
54 .....¯°¡Ÿ§± ' þ”ûþþß " /þŽ
55 .....¤˜™•€ “˜’^•€ …¡¡Šª Š•› ²˜©•

55 .....š¬€•¥•€ ³˜Ÿ›±€ ´™ŽÞû
55 ..... -þüþ»þ—þ³þüþß þ”þàþ‘þŽþ× þ”þÌþ³þŽ
56 .....š•€•‹€ ¯°¡Ÿ§€ ‰˜©‡š›˜œ•€ •’†
56 .....þ”ûþ H ' 1þ£þ»þ‰Šþ€“”
56 .....þ”þãþŽþÌþß ' þ”ûþþÛþàþãþàþß•Šþ
57 .....þ”þ»þ»þ§þãþß ' 1ûþþÏ þ”ûþŽ
58 .....þ”ûþþàþ‘þ‹€ß›˜œ•€“
58 .....724/83 Eþ× 1 E Hþ³ 1þãþß ' 1þŽ •Š
58 .....¤†Ÿ†•€ Š ‰2577/90•€Eþ× 1 F HþçþŽþØþß ' Dþž
59 .....18/83 Eþ× 1 F HþçþŽþØþß ' Bûþþ‘ 7þ•˜œ•€Dþ
59 .....þòþ— ' 0þß ' 1ûþûþþ³þ—þŠ
59 .....þ”ûþ¥€ ¨•1Šœ•€ µŠ‡›¡• …™Ž˜Ÿ•€
60 .....þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' Bûþ 1 7 FþË þ”ûþ
60 .....þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' Bûþ 1 7 FþË þ”ûþþ£þ‰Š€þ‹”†
60 .....þŽû-þ£þüþ»þ—þ³ ' (Hþà 7
60 .....þòþ¿ ' 1þ÷ ' þÊþ× ' Hþã /ûþ /
61 .....¯°¡Ÿ§±€ ‰•† š•€•‹€ ’Š•ƒ þŽû
62 .....þŽû-þçþË þ”þ‘þ— 1þ—þãþß ' *þŽþË 2þŽþçþãþ
62 ..... -þüþ»þ—þ³þù ' Bûþ 1 7 FþË
65 ..þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' þ 1 þ”ûþ þ”ûþþÛ
68 .....þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' FþË
68 .....þòþ¿ ' 1þ÷ ' -þüþ»þ—þ³ ' FþË
68 .....¸ §˜¶ ’•ƒ ·‘¬ µ‘™† ‡^™•Š€
68 .....¸§˜”•€ ’•ƒ•€ ¢¶• š¶ ¹‘¡Ÿ§†•€Š …•Š‡
69 .....¹‘¡Ÿ§†•€Š …•Š‡•€ -˜†€¥Ÿ•€Š
69 .....•Š‡•€ -˜†€¥Ÿ•€Š
71 .....¹‘¡Ÿ§†•€ -˜†€¥Ÿ•€Š µ
73 ..... …†Ÿ˜

77 .....µ•°†•€
100 .....¢©€•†•€ ..
105 ..... 3 1û-¦