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### CRIMINAL CASES RULINGS IN PRINCIPLE

- B.19** I. Placing someone on probations shall be terminated due to the crime committed prior to the placement on probation and penalty shall be imposed, if the person on probation was sentenced; if however during the repeated procedure – prior to the definitive decision – probation was terminated, the culpability of the perpetrator was terminated, and due to the crime committed prior to placement on probation the termination of placement on probation and the imposition of an aggregate penalty are not legally possible. If probation is terminated after the decision of first instance, however prior to the decision of second instance, the court of second instance shall disregard the repeal and termination of the probation.  
II. Due to the unlawful termination of placing someone on probation, based Section 416, on Paragraph (1), Point a) of the Be, there shall be a review in spite of the fact that the determination of culpability is made in the decision stating placing someone on probation; the application of legal disadvantage cannot be separated from the determination of culpability, as it is subject to the statement of guiltiness 1202

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- 283** I. The fact, if the court proceeding in the base case did not at all or did not lawfully specify the earliest time of the placement on probation shall not result in an unlawful penalty, thus it is not a reason for review. The determination of the earliest time of the execution level of imprisonment and the placement on probation shall not be the part of the imposition of the penalty; the imposition of the penalty shall be the order provision related to the type and extent of the penalty.  
The word “establish” in Section 38, Paragraph (1) of the Criminal Code shall mean that – except for the possibility specified in Paragraph (3) – placement on probation shall not be based on the court’s deliberation; the law shall provide for when the perpetrator can be placed on probation, and the judge shall only include this in his/her decision  
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- I.**
1. Article 13 of Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings shall be interpreted so that the question of in what form and to what deadline shall the obligee of the legal transaction, which is disadvantageous for all creditors raise his/her objections specified in the above article in order to contest the motion related to the objection against the *lex fori concursus* provisions of same legal transaction and the question, whether the competent court can apply this article even after the deadline specified for the party in question shall fall under the procedural law of the member state, in which the legal dispute is in progress. This law, however cannot be more disadvantageous than the law regulating similar situations falling under the scope of the internal law (the principle of parity), and cannot make the exercise of rights provided by EU law practically impossible or extraordinarily difficult (the principle of actual enforcement), which shall be examined by the court addressing the case.
  2. Article 13 of Regulation 1346/2000 shall be interpreted so that the party, which is obliged to take out an insurance obligation, shall be obliged to prove that if the *lex causae* makes possible the objection to the legal transaction, deemed disadvantageous, the conditions, which are different from the ones specified by the *lex fori concursus* are not met, which are necessary in order for the motion submitted against such legal transaction be accepted.
  3. Article 13 of Regulation 1346/2000 can be validly referred to, if the contracting parties, who have their registered offices in the same member states, to the territory of which all other relevant facts are related, chose the law of another member state with regard to the applicable law to this agreement, provided that the parties chose such law not fraudulently or by corrupt practice, which shall be examined by the court addressing the case..... 1307
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1. Article 56 of the Treaty on the Functioning of the European Union shall be interpreted so that the following regulation is against the same: a regulation establishing a concession and licensing system related to the organization of distance gambling, similar to the one in the base case, if it includes discriminatory rules with regard to economic players settled in other member states, or if it includes non-discriminatory provisions, but they are applied in a non-transparent way, or execute them hindering or making difficult the submission of tenders by bidders settled in other member states.
  2. Article 56 of the Treaty on the Functioning of the European Union shall be interpreted so that the sanctions similar to those included in the base case are against the same, which were imposed due to the violation of the national rules establishing the concession and licensing system related to the organization of gambling services, if such national rules are in violation of this article 1311
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