

Summary of the doctoral dissertation entitled:

"The role of private banking law in the banking regulation - analysis based on selected types of contracts"

The main research goal of the thesis is to present and discuss the role of private banking law in the regulation of the banking sector. In the opinion of the author, the main challenge in this field is to shape the relationship between the bank and its clients in such a way that it is possible to implement a general assumption that customer safety depends on the bank's stability, but also the bank's financial standing depends on the clients' satisfaction. As a consequence, the model of professional conduct of a bank in the field of financial services must be a significant supplement to the public-law approach, thus contributing to the financial stability system. As a result, the subject of analyzes should be not only the scale of the bank's economic activity and its adjustment to the business cycle and the bank's capital, but also the quality of the services offered, largely understood as an equivalent distribution of the rights and obligations of the parties to the contract.

In terms of the structure the dissertation can be divided into two main parts. The first one (Chapters I-II) discusses the theoretical issues of the regulation of banking activity, with particular focus on the area of banking contracts. The second one (Chapters III-IV) is an analysis of specific legal solutions in the area of selected contracts (a foreign currency mortgage loan and a currency option) and court judgments arising from the presented court disputes ("Swiss franc loans" and "toxic options"). The work ends with Chapter V, in which the main conclusions are presented and discussed.

In the opinion of the author, the development of an appropriate model of the bank's contractual relations with the client should complete the systemic approach to the banking sector. According to the assumption adopted in the thesis, the norms of private banking law should define fair "rules of the game", indicating how to shape contractual relations, as well as how to resolve conflicts of interest in accordance with the adopted principles (values). This element, i.e. constructing detailed rules of private banking law, relating directly to the bank's relationship with the client, especially in the event of exceptional circumstances relating to the position of the bank's counterparty (e.g. consumer status, information deficit, conflict of interests), should be the cornerstone of the banker customer contractual relations and hence the main subject of the private banking law, as well as the main topic of this dissertation. It is worth taking a closer look at this issue, in particular, so that the recent experiences and upon developed conclusions consequently have an impact for the future, preventing the accumulation

of negative practices in the contractual sphere, thus constituting a private-legal core of the financial services customer protection system, and therefore also an element of the financial stability system.