Course description form (syllabus form) – for 1st and 2nd cycle studies

**A. General data**

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| **Name of the field** | **Content** |
| Course title |  Banking Law |
| Organizational unit: |  Faculty of Management |
| Organizational unit where the course is offered: |  Faculty of Management |
| Course ID |  ------------ |
| Erasmus code / ISCED |  **-------------** |
| Course groups |  |
| Period when the course is offered | 15-18.01.2023 |
| Short description | The purpose of this course is to provide the students with an overview of EU banking law. The EU perspective will be supplemented with national regulatory environment in Poland. The main topics analysed in the course of this class are: legal aspects of banking business models, the concept of risk and regulatory responses, supervisory mechanisms, the lifecycle of a bank. |
| Type of course: | Konwersatorium |
| Full description | The course is divided into four blocks. The topics discussed will include:Class 1:- Defining banks and banking law- Banking business model- EU & national banking law – overviewClass 2:- Objectives of banking regulation- Financial stability- Investor / consumer protection- AML mechanismsClass 3:- Principles of banking supervision- The implementation and impact of the Basel III standards and the single rulebook in the EU and Poland- The main authorities and institutions responsible for banking regulation and supervision in the EU and PolandClass 4:- Lifecycle of a bank- Banking Resolution and Deposit Guarantee in the EU and Poland- The role and functions of the Bank Guarantee Fund in Poland- The legal rights and obligations of banks and their creditors in banking resolution |
| Prerequisites | Formal | None |
| Initial | English B2 |
| Learning outcomes |  By the end of this course, students should be able to: • Explain the main principles and sources of EU banking law • Identify and apply the relevant EU legal rules and standards governing banking activity • Compare and contrast the different types of banks and banking services in the EU and Poland • Evaluate the role and functions of the European Central Bank and the European Banking Authority in the EU banking system • Recognize and assess the mechanisms and procedures of banking regulation, supervision, and resolution in the EU and Poland • Recognize and assess the legal risks and challenges faced by banks and their customers in the EU and Poland • Communicate and present their arguments and opinions on banking law issues effectively and persuasively |
| ECTS credit allocation (and other scores) |  2 |
| Assessment methods and assessment criteria | Presence in class 40%Participation 60% - active and constructive participation in the lectures and discussions |
| Examination |  Graded credit |
| Type of class |  Konwersatorium |
| Method of implementation of the subject |  On-site |
| Language |  English |
| Bibliography | *Bibliography:*1. <https://www.knf.gov.pl/en/MARKET/Licensing_and_registration/Banking/Banks>
2. <https://finansdanmark.dk/media/raim0hhz/den-klassiske-realkreditmodel_uk_2021_final.pdf>
3. <https://www.bankingsupervision.europa.eu/legalframework/regulatory/html/index.en.html>
4. The architecture of the European financial market : legal foundations / Anna Jurkowska-Zeidler
5. ECB Guide to Banking Supervision (Nov 2014) <https://www.bankingsupervision.europa.eu/ecb/pub/pdf/ssmguidebankingsupervision201411.en.pdf?807838fa2a8bb958749f411c432d1f3e>

Yves Mersch: Financial stability and the European Central Bank. Speech by Mr Yves Mersch, Member of the Executive Board of the European Central Bank, at the ESCB Legal Conference, Frankfurt am Main, 6 September 2018. <https://www.bis.org/review/r180906a.htm>1. European Parliament, Briefing The resolution of Banco Popular [https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/602093/IPOL\_BRI(2017)602093\_EN.pdf](https://www.europarl.europa.eu/RegData/etudes/BRIE/2017/602093/IPOL_BRI%282017%29602093_EN.pdf)

Supplementary:1. https://www.ft.com/content/f762413e-76df-11e7-a3e8-60495fe6ca71
2. https://www.bbc.com/news/business-50107320
3. https://www.politico.eu/article/where-the-next-financial-banks-regulation-crisis-starts/
4. https://blogs.law.ox.ac.uk/oblb/blog-post/2023/07/preventing-new-global-financial-crisis-amidst-current-inflation-crisis-and
5. https://www.gisreportsonline.com/r/banking-crisis/
6. The Big Short (film)
7. Inside Job (film)
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| Internship as part of the course |  No |
| Coordinators |  |
| Group instructors | **Antoni Napieralski** |
| Notes |  |

**B. Detailed data**

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| **Name of the field** | **Content** |
| Group instructors: |  **Antoni Napieralski** |
| Title |  **Banking law** |
| Type of class: | Konwersatorium |
| Learning outcomes defined for didactic method used during the course |  By the end of this course, students should be able to: • Explain the main principles and sources of EU banking law • Identify and apply the relevant EU legal rules and standards governing banking activity • Compare and contrast the different types of banks and banking services in the EU and Poland • Evaluate the role and functions of the European Central Bank and the European Banking Authority in the EU banking system • Recognize and assess the mechanisms and procedures of banking regulation, supervision, and resolution in the EU and Poland • Recognize and assess the legal risks and challenges faced by banks and their customers in the EU and Poland • Communicate and present their arguments and opinions on banking law issues effectively and persuasively |
| Assessment methods and assessment criteria for didactic method used during the course | Presence in class 40%Participation 60% - active and constructive participation in the lectures and discussions |
| Examination for didactic method used during the course |  |
| Range of content | The course is divided into four blocks. The topics discussed will include:Class 1:- Defining banks and banking law- Banking business model- EU & national banking law – overviewClass 2:- Objectives of banking regulation- Financial stability- Investor / consumer protection- AML mechanismsClass 3:- Principles of banking supervision- The implementation and impact of the Basel III standards and the single rulebook in the EU and Poland- The main authorities and institutions responsible for banking regulation and supervision in the EU and PolandClass 4:- Lifecycle of a bank- Banking Resolution and Deposit Guarantee in the EU and Poland- The role and functions of the Bank Guarantee Fund in Poland- The legal rights and obligations of banks and their creditors in banking resolution |
| Didactic methods |  - analysis of legislation;- group work;- discussion;- close reading;- debate. |
| Bibliography |  Will be announced in class |
| Group limit |  |
| Time span |  |
| Location |  |