

**Steszczenie rozprawy doktorskiej Mgr Konrada Dobrowolskiego /j.angielski/
pt : „Credit capacity as the credit risk mitigation instrument of the bank”**

This work's research objective aims at assessment of impact on bank's credit risk of credit capacity (*zdolność kredytowa*) under article 70 of the Polish Banking law. The aforementioned scientific problem has been analyzed with the following auxiliary questions:

- 1) What is the nature (binding or non-binding) of the obligation to make a grant of loan (*kredyt*) contingent on the credit capacity, and prohibition to make a grant of loan in case it falls short?;
- 2) Does the article 70 of the Polish Banking law limit the freedom of risk-taking by the bank?;
- 3) In what ways does the credit risk identification, measurement and assessment take place?

The work comprises five chapters.

First chapter introduces credit capacity and credit risk issues. For this purpose, the first chapter discusses the function and significance of credit capacity in terms of credit risk issues, given the specificity of sources of law regarding credit risk, including, but not limited to, prudential regulations. The first chapter provides comparative legal analysis of credit capacity with other selected European Union countries and the United States.

Second chapter discusses the concept of credit capacity. For this purpose, it analyzes the normative and non-normative concept of credit capacity. It also takes into account the approach of economic sciences.

Third chapter aims at presenting credit capacity assessment in the bank's credit risk management system. For this purpose, the third chapter discusses the scope of freedom of the bank in credit capacity determination, as well as factors influencing its qualification. Against that background, the third chapter depicts the impact of credit capacity on the system of policies, strategies and credit procedures of the bank.

Fourth chapter analyzes the impact of prudential regulations on the process of identification, measurement and assessment of credit risk. Exemplary models of credit capacity assessment, reported in the related literature, presented in this chapter, allow to refer the credit capacity issues to current market practice in the banking sector. This

chapter concludes by providing the author's research on the formal and legal factors determining the credit capacity.

Fifth chapter analyzes regulations, other than prudential regulations, affecting the performance of credit capacity assessment by the bank, from the credit procedure perspective. In order to exemplify the risks related to that, there are analyzed, *inter alia*, provisions related to the borrowers' information undertakings towards the bank, bank secrecy, personal data protection, as well as provisions on sanctions that the bank may apply in the event of failure to keep up the credit capacity by the borrower.

Final part of this work is summary in which I expressed my *de lege ferenda* proposal and results of its application.