PhD Paweł Szczęśniak
Department of Financial Law
Faculty of Law and Administration
Maria Curie-Skłodowska University
e-mail: pawel.szczesniak@mail.umcs.pl

Academic Background

1. Education

On 22 May 2014 I graduated with distinction from the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin. The Master's thesis titled "Sieć bezpieczeństwa finansowego w Polsce a instrumenty special resolution regime na przykładzie ustawy o spółdzielczych kasach oszczędnościowokredytowych" [Financial Security Network in Poland and Special Resolution Regime Instruments as Shown on the Example of the Act on Credit Unions] was prepared under the supervision of prof. dr. hab. Antoni Hanusz. In recognition of very good academic record, the Rector of UMCS awarded me on 17 July 2014 with a certificate of appreciation (Diploma Honorificum).

On 19 October 2017, I defended with honours my doctoral dissertation on the basis of the thesis "Środki przymusowej restrukturyzacji banku w polskim porządku prawnym" [Means of Special Bank Resolution Regime in the Polish Legal System] prepared under supervision of prof. dr. hab. Antoni Hanusz. The reviewers of the dissertation were: dr. hab. Anna Jurkowska-Zeidler, Professor at the Gdańsk University and dr hab. Patrycja Zawadzka, Professor at the Wrocław University. I was awarded the degree of Doctor of Laws by a resolution of the Board of the Faculty of Law and Administration of 15 November 2017. On 22 October 2018 the Rector awarded me with the 3rd Degree Individual Prize for an outstanding doctoral dissertation.

In December 2019 I obtained a research grant as part of the *Miniatura 3* grant competition held by the National Science Centre for the implementation of the project "Systemy solidarnościowe banków spółdzielczych w porządkach prawnych państw Unii Europejskiej" [Solidarity Mutual Protection Systems for Cooperative Banks in Legal Systems of EU Members]. I was the manager of the project in the field of economic education entitled "Affiliations of Cooperative Banks" financed by the National Bank of Poland.

2. Object of research

I do my research in the scientific specialisation of financial law. I am the author of publications on financial market law, banking law, tax law and public finance law.

My scientific achievements include the authorship of two single-author scientific monographs:

- "Zgrupowania solidarnościowe banków spółdzielczych. Konstrukcja normatywna" [Affiliations of Cooperative Banks. Normative Structure], Warszawa 2022, Wydawnictwo C.H. Beck;
- 2) "Środki przymusowej restrukturyzacji banku" [*Means of Special Bank Resolution Regime*], Warszawa 2018, Wydawnictwo C.H. Beck.

My scientific achievements include also 18 scientific papers, 24 chapters in collective-authorship publications and 75 commentaries to the provisions of laws.

I an a member of the authors' team as part of the series "Komentarze Prawa Prywatnego" [Commentaries on Private Law] (Chief Editor prof. dr hab. Konrad Osajda, Wydawnictwo C.H. Beck), my responsibility being the commentary on the Act – Banking Law, the Act on the functioning of cooperative banks and the Act on crowdfunding for business ventures.

3. Major scientific achievements

In April 2021 my monograph "Zgrupowania solidarnościowe banków spółdzielczych. Konstrukcja normatywna" [Affiliations of Cooperative Banks. Normative Structure], (Wydawnictwo C.H. Beck, 552 pages, ISBN: 978-83-8291-033-9). This is the first comprehensive study on the legal aspects of affiliations of cooperative banks, i.e. the consolidation scheme, integration scheme and institutional protection schemes. To protect liquidity and solvency, cooperative banks are entitled

to unite in affiliations. Their functioning is based on the principles of mutual help and self-regulation. The first principle manifests itself in the possibility to create common protection funds in order to provide financial assistance to cooperative banks which face the risk of losing liquidity and solvency, eventually resulting in bankruptcy. The principle of self-regulation, on the other hand, is implemented in the process of the delegation by the State of some of its controlling and supervision powers to the entity managing the affiliation. There are contractual ties between the parties to the affiliation. Thus, the affiliation of cooperative banks should be treated as a legal relationship of an obligatory, voluntary, intentional, mutual, causal, corporate, permanent and perpetual nature. A comprehensive analysis of the elements of the legal relationship of an affiliation, conducted also in comparative-legal aspects, made it possible to propose critical conclusions indicating the legislative defects of the legal provisions regulating the functioning of such affiliations, as well as postulates as to changes in the current legislation.

The monograph was prepared owing to a research grant from the National Science Centre and an educational project of the National Bank of Poland. In the 2023, the monograph received the 1st Degree Award in the category of doctoral and habilitation theses in the 19th edition of the Competition for the best research work in the field of cooperatives of the National Cooperative Council;

4. Professional experience (place of conducting research)

Since 2014 I have worked as a research and teaching staff member at the Department of Financial Law in the Faculty of Law and Administration of the Maria Curie-Skłodowska University in Lublin (UMCS). In the period 2014-2019 I was employed as an assistant lecturer, and since February of 2019 I have been employed under a labour contract for an indefinite period of time as an assistant professor in the above-mentioned Department. I carry out research at the Department of Financial Law of UMCS.

I also carried out research activities as part of research trips and fellowships in the following foreign scientific centres: Tilburg University (the Netherlands); Matej Bel University, Banská Bystrica (Slovakia), Institute for Law and Finance, Goethe University, Frankfurt am Main (Germany); Faculty of Law, University of Sevilla (Spain); Department of Tax and Fiscal Law, University of Graz (Austria).

I am the author of opinions and expert studies for the Polish Senate, the Polish Financial Supervision Authority, the Polish Bank Association and banking sector entities.

Since April 2021, a have worked as a lecturer at the National School of Judiciary and Public Prosecution.

5. Foreign study trips and fellowships

- research trip to the Tilburg Law School Tilburg University (the Netherlands) financed from an internal grant of the Faculty of Law and Administration of UMCS, 23-30 September 2018;
- research trip to the Faculty of Law, Matej Bel University, Banská Bystrica (Slovakia) as part of the Erasmus+ programme, 21-24 November 2018;
- 3) research trip as a Visiting Scholar at the Institute for Law and Finance, Goethe University, Frankfurt am Main (Germany) financed from an internal grant of the Faculty of Law and Administration of UMCS, 1-7 December 2018;
- 4) research trip to the Faculty of Law, University of Sevilla (Spain) as part of the Academic Visitor Programme financed from an internal grant of the Faculty of Law and Administration of UMCS, 1-8 December 2019;
- 5) fellowships at the **Department of Tax and Fiscal Law, University of Graz** (Austria) as part of a research grant of the National Science Centre *Miniatura* 3, 2-14 March 2020 and 16-21 August 2022.

6. Major scientific conferences

- paper titled Niepogarszanie sytuacji akcjonariuszy bądź członków banku lub jego wierzycieli w wyniku przymusowej restrukturyzacji [Non-deterioration of the bank's shareholders or members or its creditors as a result of resolution regime] delivered at the Fourth International Baltic Conference on Financial Law (Copenhagen, 21-24 April 2017);
- 2) paper titled *The write-down or conversion of liabilities in the European Union* and *Polish regime of bank resolution* presented during the 6th International

- Scientific Conference "The Castle Days od Law in Banská Bystrica" (Banska Bystrica, 22-23 November 2018);
- paper titled Normy prawne w zakresie regulacji nad systemami ochrony instytucjonalnej [Legal norms in the regulation of institutional protection systems] delivered during the Polish Nationwide Scientific Seminar "Law of the Financial Market" (Warsaw, 12 April 2019);
- 4) paper titled *The nature of legal relations between the authorities of the financial safety net* delivered at the 5th International Baltic Conference on Financial Law (Borgholm, 10-13 May 2019);
- 5) paper, titled Znaczne pogorszenie sytuacji finansowej banku a podatek od niektórych instytucji finansowych [Significant deterioration of the bank's financial standing and the tax on certain financial institutions] delivered at the 6th Congress of Financial Markets (Warsaw, 17-18 October 2019).
- 6) paper titled *Problemy stosowania przepisów o przejęciu banku oraz utworzeniu instytucji pomostowej na tle dotychczasowych postępowań przymusowej restrukturyzacji* [*Problems of application of the provisions on bank takeover and establishment of a bridging institution on the backdrop of the resolution proceedings carried out to date*] delivered during the 8th Congress of Financial Markets (Warsaw, 13-14 October 2021);
- 7) paper titled The problem of qualifying sales revenues on online auction portals according to Polish regulations and jurisprudence presented during the 19th International Conference Cyberspace 2021 (Brno, Czech Republic, 25-26 November 2021);
- 8) paper titled *Mechanizmy rekompensujące dla inwestorów nieprofesjonalnych w* świetle norm prawa unijnego i krajowego [Compensation mechanisms for non-professional investors in the light of EU law and Polish law] delivered during the International Scientific Conference "Protection and Security of Financial Services Market Participants" (Łódź, 9 December 2021);
- 9) paper titled Taxation of Real Estates Located in Road Lanes Selected Issues delivered during the International Scientific Conference "The Condition of Public Finances in the EU and Their Future Perspectives" (Faculty of Law Pavel Jozef Šafárik University in Košice, 2–3 June 2022);
- 10) paper titled *Normative Evolution of Solidarity Affiliations of Cooperative Banks*in EU Law delivered during the International Scientific Conference

- "Contemporary Financial Management Conference" (University of Belgrade, 7–10 December 2022);
- 11)paper titled *The Principle of Proportionality as a Basis for Differentiated Requirements for Credit Institutions versus the Legislative Activity of the European or National Lawmakers and Transnational Regulatory Networks (TRNs)* delivered during the International Scientific Conference IGCOORD Conference "Political Actors in Intergovernmental Coordination: Perspectives and Priorities" (Eötvös Loránd University, Budapest, 18–19 May 2023).