



INSTITUCINĖS APŽVALGOS **INSTITUTIONAL REVIEWS**

THE INSTITUTIONS SUPERVISING COMMERCIAL BANKS IN POLAND

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Abstract. Banking supervision is the right to interfere by a supervisory institution in the operation of banks, by virtue of binding laws, in order to ensure their lawful and safe functioning. Efficient operation of banks is particularly important to the national economy, as it enables uninterrupted financing of economic processes. Commercial banks are guided in their operation by rules of competition and opportunities for making profit. In these circumstances, it is necessary to implement a suitable system of monitoring, assessment and possible reaction to irregularities that may occur in Poland.

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Introduction

The Polish legal literature enumerates four conditions which should be fulfilled by banking supervision.¹ Firstly, both supervisory bodies and supervised entities should be specified by legal acts. Secondly, the objectives, criteria and circumstances when interference of banking supervision is allowed should be clearly defined, as should be the measures to rectify irregularities. Thirdly, applied supervision instruments must also grant legal protection measures to a supervised entity. And lastly, the organisation and procedures of supervision should be regulated by laws which can not be changed by supervisory institutions themselves.

The objectives of Polish banking supervision are specified by law.² In Poland the supervision of banks is exercised by the Commission for Banking Supervision which was established and started operating in January 1998. Although the Commission is not an organ of the National Bank of Poland, it is related to the NBP through 2 of its 7 members. The executive

body of the Commission is the General Inspectorate of Banking Supervision which is a separate organisational unit of the NBP.

In accordance with Article 77 section 2 of the Act on Financial Market Supervision of 21 July 2006 (Journal of Laws No. 157, item 1119, as amended) until 31 December 2008 the Commission for Banking Supervision was put in past tense composed of:

- the Chairperson of the Commission – the Chairperson of the Polish Financial Supervision Authority or a Deputy designated by him/her,
- the Deputy Chairperson of the Commission – the minister dealing with financial institutions or a designated secretary or under-secretary of state in the office of the minister of financial institutions,
- a representative of the President of the Republic of Poland,
- the President of the Management Board of the Bank Guarantee Fund,
- the President of the National Bank of Poland or a Vice-President designated by him/her,
- a representative of the minister of financial institutions,

¹ L. Góral, *Nadzór bankowy*, Polskie Wydawnictwo Ekonomiczne, Warszawa 1998, p. 30.

² The Banking Law of 29 August 1997 (Consolidated text: Journal of Laws [Dziennik Ustaw] 2002, No. 72, item 665, Article 133, as amended).

- the General Inspector of Banking Supervision.

A representative of the Polish Banking Association participates (with a consultative vote) in sittings of the Commission concerning regulation of banking supervision. He/she can also take part in sittings which deal with establishing rules of banks' operation that ensure the safety of funds collected by clients in banks.

The current system of banking supervision in Poland is based on the French model.

Pursuant to Articles 66 and 67 of the Act on Financial Market Supervision, the Commission for Banking Supervision and the General Inspectorate of Banking Supervision was dissolved as of 31 December 2007. Responsibilities of the Commission for Banking Supervision was taken over by the Polish Financial Supervision Authority as of 1 January 2008, and employees of the General Inspectorate of Banking Supervision will become employees of the Office of the Polish Financial Supervision Authority. The role of the GIBS will be taken on by the section of banking supervision of the PFSA Office.

The basic tasks and objectives of the Commission for Banking Supervision are set out mostly in Article 133 of the Banking Law (consolidated text: Journal of Laws 2002, No. 72, item 665, as amended) and Article 25 section. 2 of the Act on the National Bank of Poland of 29 August 1998 (consolidated text: Journal of Laws 2005, No. 1, item 2, as amended). In particular, the Commission: formulates rules of banks' operation that ensure safety of funds held by customers in banks; supervises banks as regards their compliance with legal acts, the statute, other regulations and binding financial standards; carries out periodic assessments of the financial condition of banks and evaluates the impact of monetary, tax and supervisory policies on the development of banks; gives opinions on the organisation of banking supervision and establishes procedures of its performance.

The Commission takes decisions within its competence by the majority of votes, when at least half of its members are present. In the event of an equal number of votes, the Chairperson of the Commission has a decisive vote. Decisions of the Commission have the form of resolutions. The supervision covers the operation of Polish banks, as well as branches and representative offices of foreign banks.

The basic activities of banking supervision are: examining the financial situation of a bank, its solvency, payment liquidity and economic results, convergence of extended credits, loans, as well as interest rates.

The exact procedures followed by the Commission are specified in its by-laws³ and cover, for example:

- types of sittings of the Commission and the procedure for their summoning,
- the procedure for preparing materials to be examined by the Commission,
- the method of running sittings and establishing agendas,
- the mode of keeping proceedings (or a part of them) secret,
- the procedure for passing resolutions,
- the presence of invited experts and advisers at sittings,
- a list of issues reserved for the exclusive competence of the Commission,
- the procedure for dealing with classified documents.

As a collegial body, the Commission for Banking Supervision performs functions typical of a modern regulator and supervisor, i.e.: A. licensing, B. supervisory, C. regulatory. Moreover, the Commission fulfils regulatory tasks, provides trainings and maintains contact with foreign states.

A. The process of licensing is crucial for creating an efficient banking system, because it helps to eliminate inappropriate persons and entities planning to undertake banking activity, as well as suspicious capital, already at the beginning or in the course of a bank's operation.

Legal regulations on licensing operation of banks aim to prevent bankruptcies and losses of potential depositors (a protective function), and thus they contribute to maintaining confidence in the whole banking system. However, this does not mean that the licensing process guarantees that a given bank will operate smoothly and will not go bankrupt in the future. Furthermore, the policy of licensing gives the authorities influence over the quantity of operating banks and the structure of the banking sector, including the share of foreign capital and the number of foreign banks.⁴

The Polish licensing activity consists of examining applications and granting consent not only to establishing and undertaking operation by a new bank, branch or representative office of a foreign bank, but also for voting at general meetings of shareholders, merging banks or appointing members of the management board.

³ The resolution by the Commission for Banking Supervision of 4 February 1998 on the „By-Laws of the Commission for Banking Supervision,” as amended.

⁴ M. Zalewska, *Licencjonowanie działalności bankowej*, [in:] *Bankowość Podręcznik akademicki*, ed. by: W. J. Jaworski and Z. Zawadzka, Poltext, Warszawa 2003, p. 218.

The level of requirements set out for founders, shareholders and management boards of banks enhances the efficiency and the competitiveness of these institutions.

The main objective of licensing is to admit to the banking sector only such investors which could guarantee cautious and steady management of banks. This is why the economic situation of an investor (or a group of companies), previous activity in Poland and planned strategy towards the bank whose shares are to be purchased come under close scrutiny.

As a consequence, these were big and renowned financial institutions with high ratings that became strategic foreign investors in Polish banks. This was associated with an inflow of foreign capital of commercial banks, resulting from privatisation processes in Poland. As at 30 June 2007, foreign investors controlled 70.6% of commercial banks' assets.⁵ Banks with dominant foreign capital (including branches of credit institutions) of the following countries have the highest percentage shares in the assets of the banking sector: Italy (18.4), Germany (9.1), the Netherlands (8.5) and the United States (7.4).⁶

The Commission for Banking Supervision pays particular attention to commitments undertaken by strategic investors on the Polish market. These obligations refer to: preserving the local identity of the bank, maintaining listings of the bank's shares on the Warsaw Stock Exchange, keeping liquidity of shares in stock exchange trading, as well as development strategy. The supervision policy pursued towards strategic investors also influences the activities of investors in other banks in Poland.

During the examination of documents enclosed to applications for opening representative offices, particular attention is paid to information on the legal and financial condition as well as rating of the applying bank. The management of the bank is required to submit documents confirming the intention to run a representative office and to make a statement that the bank will not conduct banking and economic activity through its representative office in the territory of Poland.⁷

The president or a member of the Management Board of a bank which is a joint-stock company must be authorised by the Commission to perform his/her functions. The Commission checks whether

candidates to these positions fulfil the requirements specified by the Banking Law (Articles 22b and 30), particularly whether they give a guarantee to manage the bank prudently and securely, have a suitable education level and the professional experience necessary to manage a bank, as well as proven knowledge of the Polish language.⁸

These requirements must also be met by candidates for Presidents of Management Boards of cooperative banks.

Other supervisory tasks connected with the licensing activity of the Commission include: examining applications for permission to vote at a general meeting of a bank's shareholders, as well as giving consent to mergers of banks and to changes in statutes of banks.

The licensing powers of the Commission are also influenced by Poland's membership of the European Union, and, more generally, of the European Economic Area (EEA). In accordance with the so-called one licence rule, a bank which has obtained permission for operating in one of the EU countries, is thus authorised to operate in any other EU state through a branch or cross-border activity, on condition that it has properly notified its national supervisory authorities about this intention and the notification is conveyed to a competent supervisor in the host country. Hence, supervisory authorities of states, including the Commission for Banking Supervision, are particularly obliged carefully to verify the credibility of banks' owners. This is especially important in view of the number of notifications received by the General Inspectorate for Banking Supervision from 1 May 2004 to 21 September 2007, i.e.:

- 191 notifications of the intention to undertake cross-border operation in Poland by credit institutions,
- 1 notification of the intention to undertake cross-border operation in Poland by a financial institution,
- 7 notifications of the intention to undertake cross-border operation in countries belonging to the EEA,
- 2 notifications from domestic banks of the intention to undertake cross-border operation through a branch in countries belonging to the EEA.

Furthermore, in the above mentioned period the General Inspectorate of Banking Supervision informed competent supervisory authorities of EEA states

⁵ Synthesis of a report on the situation of the banking sector in the first quarter of 2007, the NBP, Warszawa 2007, p. 4.

⁶ *Op. cit.*, p. 36.

⁷ The legal basis for the Commission's supervision of representative offices of foreign banks and foreign credit institutions is the Resolution No. 1 of 9 June 2004 amending the resolution on the procedure of exercising banking supervision (paragraph 1, section 2, point 1), Official Journal [Dziennik Urzędowy] of the NBP, No. 8, item 15.

⁸ At the request of a bank's founders, the Commission may decide to waive the requirement of proven knowledge of the Polish language if this requirement is not necessary for prudential supervision, taking into account - in particular - the level of permissible risk or the scope of the bank's activity.

that it received 19 notifications of the intention to undertake operation through a branch in Poland by credit institutions under their supervision.

B. The supervisory function of the Commission for Banking Supervision covers rehabilitation proceedings in banks, inspecting supervision and analytical supervision.⁹

In order to ensure safety of funds collected in bank accounts, the Commission participates in the restructuring of Polish banks. Following the results of inspection and analytical supervision and exercising its statutory supervision powers, the Commission may issue recommendations or orders to a bank, pursuant to Article 138 of the Banking Law. In the event of a bank failing to comply with these recommendations and orders, or should a bank's operation infringe the law or its statute, or jeopardise the interests of bank account holders, the Commission for Banking Supervision may, having warned the bank in writing:

- apply to the bank for dismissal of the President, Vice-President or other members of the Management Board who are directly responsible for the noted irregularities,
- suspend from office the aforementioned persons, until an appropriate resolution is adopted by the bank's Supervisory Board,
- limit the scope of activity of the bank or its organisational units,
- impose a financial penalty on the bank or a member of the Management Board,
- revoke authorisation for establishment of the bank and decide on liquidation of the bank.

Moreover, pursuant to Article 138a of the Banking Law, the Commission for Banking Supervision is entitled to:

- obligate the bank to increase own funds,
- impose an additional capital requirement on the bank.

Finally, pursuant to Articles 142-146 of the Banking Law, the Commission for Banking Supervision may obligate a bank to institute rehabilitation proceedings, in the event the bank suffers a balance sheet loss, or is threatened by such a loss or by insolvency and the Management Board does not submit a recovery programme to the Commission. If the recovery programme or its implementation are not adequate, the Commission for Banking Supervision may prohibit or restrict extension of credits and loans to shareholders (members) of the bank and members of the Management Board, Supervisory Board and employ-

ees, and can order the Management Board to call an extraordinary general meeting of shareholders to examine the bank's situation, decide on covering a balance sheet loss and adopt any other resolutions, including a resolution to increase own funds. Should the Management Board fail to fulfil this order, the Commission for Banking Supervision is entitled to call an extraordinary general meeting on its own. During implementation of the recovery programme, the Commission may also decide to appoint a trustee supervising the performance of the programme, and/or administration.

The inspecting supervision consists in preparing and exercising control in banks, branches and representative offices of foreign banks, while maintaining uniform standards of inspection. In recent years, inspection tasks of the banking supervision have also covered – apart from the basic areas of risk – preparation of banks for implementing NBCA/CRD provisions.

C. The regulatory function of the Commission for Banking Supervision is connected with preparing and adopting legal acts on correct and secure functioning of the banking system. Polish banking supervision takes into account the solutions of the European Commission and the Basel Committee on Banking Supervision to ensure efficient preparation of draft statutory acts and executive acts of the Commission for Banking Supervision, compliant with international standards. This is also associated with harmonisation of Polish and EU laws.

One of the latest priority tasks in this area was transferring provisions of the New Basel Capital Accord (NBCA) and Capital Requirements Directive (CRD) into the Polish legal system. An important part of this work was preparation of draft amendments to the Banking Law and resolutions of the Commission for Banking Supervision as executive regulations to the act. The work was accompanied by extensive consultations with the banking sector (including e.g. publication of consultative documents presenting the opinion of the banking sector on the so-called 'national options', i.e. areas in which member states are free to choose specific regulatory solutions.¹⁰)

As it has already been mentioned, the General Inspectorate of Banking Supervision is an organisational unit separated out of the structure of the National Bank of Poland. It is an executive body of the Commission for Banking Supervision and is responsible for supervision of banks to ensure safety of collected deposits and stability of the banking system.

⁹ The presentation of these issues is based on a study "The Commission for Banking Supervision 1998-2003" Warszawa 2004, pp.15-22.

¹⁰ On the basis of "Report on the operation of the Commission for Banking Supervision in 2006."

At the same time, banks are guaranteed flexibility and freedom in taking current decisions.

Responsibilities of the General Inspectorate of Banking Supervision include:¹¹

- conducting the proceedings of licensing banks and monitoring their ownership structure and adequacy of management,
- monitoring the financial stability of banks through the system of supervisory reporting,
- preparing prudential regulations for the banking system which specify permissible or recommended parameters of banks' operation regarding capital adequacy and levels of bank risk, e.g. credit, foreign currency and liquidity risk,
- carrying out on the spot inspections in banks to review their financial condition, risk exposure, adequacy of risk management, and compliance of their operation with the provisions of the Banking Law, the Act on the National Bank of Poland, the statute, and the permit to establish the bank,
- initiating and implementing, at the request of the Commission for Banking Supervision, supervisory measures aimed at banks in crisis, including monitoring of rehabilitation proceedings and recovery programmes, and
 - in the event of insufficient progress in financial (capital) condition of the banks – applying to the Commission for taking further actions in accordance with the provisions of the Banking Law (liquidation, bankruptcy, merger),
- exercising consolidated supervision of banks operating as part of holdings, including cooperation with foreign institutions of banking supervision.

The aim of prudential supervision exercised by the General Inspectorate of Banking Supervision is to reduce high levels of various types of risk. Excessive risk could have a negative impact on the safety of the deposits entrusted to banks, as well as jeopardise the stability of the whole financial system. The General Inspectorate of Banking Supervision accepts the fact that banks take risk, but at the same time checks whether the scale of this risk remains in a reasonable proportion to the capital held by banks, their financial results, and the reserves they have collected. Nevertheless, the supervision by the Inspectorate does not absolve a bank's management of ultimate accountability for the running of the bank.

The Inspectorate fulfils its responsibilities mainly through, professional assessment of the qualifica-

tions of bank management and through the implementation of regulations limiting risk. The General Inspectorate carries out these tasks by means of five offices: Analyses of the Banking System, Cooperative Banking, Inspection, Licensing, and Supervision Policy.

Other responsibilities of the General Inspectorate of Banking Supervision are:¹²

- cooperation with the Basel Committee on Banking Supervision, including participation in the Regional Group of Banking Supervisors from Central and Eastern European Countries, operating within the Basel Committee, as well as in the Consultative Group on the Core Principles for Effective Banking Supervision,
- cooperation with other agencies and institutions of banking supervision worldwide, and also in the area of cross-border banking supervision and consolidated supervision,
- cooperation with international financial institutions, including the World Bank and the International Monetary Fund, in issues regarding banking supervision and stability of the banking sector,
- cooperation and exchange of information with the Polish Financial Supervision Authority and other institutions of the financial sector, such as: the Bank Guarantee Fund, the Association of Polish Banks, the National Chamber of Statutory Auditors, rating agencies,
- updating and improving supervisory reporting within the system of Bank Statistical Information,
- periodic assessments of the economic condition of the banking system for the Commission for Banking Supervision, the Management Board of the NBP and the Monetary Policy Council of the NBP,
- preparing thematic reports and special reports at the request of the Commission for Banking Supervision, the Management Board of the NBP, the Parliament and the Government,
- developing methodology for supervisory analysis and assessment of the financial condition of banks (analytical supervision) as well as methodology for banking risk assessment and methods of managing banking risk, applied at bank inspections,
- formulating guidelines and ongoing instructions for banks regarding supervisory repor-

¹¹ The NBP website.

¹² The NBP website.

ting - by means of correspondence or periodic meetings and training,

- producing and publishing recommendations on good practice of prudent and secure management of banks.

An important issue in the evaluation of Polish banking supervision is its effectiveness, understood, in general terms, as achievement of its targets. Effective banking supervision entails assessment of the risk incurred by particular banks and evaluation of proper allocation of means for taking risk.

Therefore, banking supervision sets prudential limits reducing exposure to banking risk from a bank's operation. Competitiveness of domestic banks is of primary importance in evaluating effectiveness of banking supervision. In order to ensure stability of the banking sector, and thus safety of the deposits held by banks, effective banking supervision should promote a competitive banking system. Accordingly, banks must be required by supervisors to have suitable capital, reliable management boards, as well as effective systems of internal control and risk management. The banking sector, which is strong in terms of capital, managed in a modern way and thus secure and competitive, testifies to the effectiveness of banking supervision.

It has been found that the effectiveness of banking supervision is a product of a variety of factors.¹³ First of all, the legal framework of an economic system determines the quality and significance of legal and economic institutions functioning in a given economy. This law defines the rules of operation of banks and their environment (e.g. accounting law, composition and bankruptcy law), and influences the level of participation of the state in the economy, e.g. through ownership or interference in economic processes. Preliminary conditions for the effective supervision of banks by the state – from an organisational and technical perspective – have been specified by the Basel Committee on Banking Supervision.

Members of the Basel Committee are representatives of: Belgium, France, Spain, the Netherlands, Japan, Canada, Luxembourg, Germany, USA, Switzerland, Sweden, Great Britain and Italy. These states are represented by central banks, or by the institutions formally responsible for banking supervision if the central bank of a given country does not deal with it.

The Committee creates a platform for regular cooperation in supervision issues among its member

states.¹⁴ Initially, the cooperation was limited to reducing gaps in supervision, but then it was extended to cover the need for better understanding of banking supervision and improving its quality worldwide. These goals are to be achieved by means of:

- exchanging information,
- increasing the effectiveness of international banking supervision techniques,
- setting minimum supervisory standards in the areas where this is needed.

The Basel Committee on Banking Supervision has no supranational powers, and recommendations issued by it are not mandatory – the Committee has no legislative competence. These are rather standards of supervision or suggestions and advice on the most effective practices. Nevertheless, the Committee expects the authorities of states to undertake measures aimed at introducing these standards to legal regulations adjusted to the circumstances of particular countries. To achieve this goal, the Committee is constantly seeking the support and commitment of central banks for its initiatives. Since among members of the Committee there are also representatives of institutions other than central banks, decisions and initiatives of the Committee involve authorities from outside the central banks group, as well. Thus, the Committee fosters convergence of basic approaches and standards in countries which follow its recommendations, without direct involvement in the harmonisation processes of their banking supervision.

In May 1983, the Committee published a document: "Principles for the Supervision of Banks' Foreign Establishments," which confirmed the rules for supervision of banks' foreign branches, affiliated banks and joint venture companies, exercised jointly by a parent country and a host country. The document is an amended version of the Act of 1975, known as the Concordat, whose scope was considerably extended and changed to accommodate market transformations and the rules of consolidated supervision of international banking groups, adopted in 1978. In April 1990 a supplement to the act was issued, whose goal was to facilitate the exchange of vital information among banking supervision institutions in various states. In June 1992 a part of rules of the 1983 Concordat were transformed into Minimum Standards for the Supervision of International Banking Groups and their Cross-Border Establishments, which were presented to supervisory authorities for consultation, and published in July 1992. The Com-

¹³ On the basis of a study by K. Zalega, Wpływ nadzoru bankowego na sektor bankowy w świetle najnowszych badań, Bank i Kredyt, October 2003, pp. 50-55.

¹⁴ M. Koterwas, Bazylejski Komitet ds. Nadzoru Bankowego i jego wpływ na kształt nadzoru bankowego na świecie, Bank i Kredyt, October 2003, pp. 57-58.

mittee is constantly working on the mechanism of implementing these standards.

As a result of international cooperation in banking supervision, the Committee has gathered information on the attitude of supervision institutions in many countries towards banking units from abroad. It has examined obstacles to effective supervision caused by different regulations of banking secrecy and studied procedures of licensing new banking units from abroad. In October 1996 the Committee published a report presenting ways of overcoming difficulties in introducing effective consolidated supervision of international banks. The report was supported by 140 states participating in the International Conference of Banking Supervisors in June 1996.

One of the most significant recommendations of the Basel Committee on Banking Supervision is the document "Core Principles for Effective Banking Supervision." It was compiled as a result of a summit in Lian which took place in June 1996. Following the summit, Presidents of G7 states issued a communiqué calling the Committee for participation in activities aimed at strengthening supervision in emerging markets. Consultation and work with numerous supervisors from outside G-10 states had been commenced already a few years before. In consequence, the abovementioned document was published in 1997. The document was prepared with the direct involvement of representatives of the Committee, as well as of Chile, China, Hong Kong, Mexico, Czech Republic, Russia and Thailand. Other countries involved were: Argentina, Brazil, India, Indonesia, Korea, Malaysia, Singapore, Hungary and Poland.

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Summary

Bank activities in Poland are supervised by the Commission for Banking Supervision which commenced its activities in January 1998.

The Commission is composed of: The Chairperson of the Commission - the Chairperson of the Polish Financial Supervision Authority or a Deputy Chairperson designated by him/her, the Deputy Chairperson of the Commission - a minister competent for financial institutions or a Secretary of State or a Deputy Secretary of State delegated by him/her in the office of the minister competent for financial institutions, a representative of the President of the Republic of Poland, the President of the Management Board of the Bank Guarantee Fund, the President of the National Bank of Poland or a Vice President of the National Bank of Poland designated by him/her, a representative of the minister competent for financial institutions and the General Inspector of Banking Supervision.

The Commission as a collegial body performs functions typical for the modern regulator and supervisor: licensing, supervisory and regulatory. Moreover, it performs analytical functions, conducts training activity and is in contact with foreign institutions. It takes also into consideration the decisions of the Basel Committee on Banking Supervision. The executive body of the Commission is the General Inspectorate of Banking Supervision. It is responsible for supervising the operations of banks.

LENKIJOS KOMERCINIŲ BANKŲ PRIEŽIŪROS INSTITUCIJOS

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Santrauka. Bankų priežiūra vykdoma remiantis teisiniais tam tikrų priežiūros institucijų pagrindais – stebimos atliekamos bankinės operacijos ir vykdoma bankų veikla. Bankų priežiūros problemos straipsnyje nagrinėjamos atsižvelgiant į teisinio reglamentavimo specifiką ir vertinant veiksnius, užtikrinančius teisiškai pagrįstą ir saugų bankų funkcionavimą. Efektyvi bankų veikla svarbi kiekvienos šalies ekonomikai, kadangi užtikrina nepertraukiamus finansinius ir ekonominių atsiskaitymų procesus. Komeraciniai bankai valdomi pagal tam tikras taisykles, garantuojančias jų kompetencijos ir pelningos veiklos galimybes. Todėl šioje veikloje būtina įdiegti tinkamą bankų stebėsenos (monitoringo) ir vertinimo sistemą.

Lenkijos bankų veiklą prižiūri Bankų priežiūros komisija, savo veiklą pradėjusi 1998 m. sausį.

Komisiją sudaro: Komisijos pirmininkas – Lenkijos finansų priežiūros vadovas arba įgaliotas vadovo pavaduotojas, Komisijos vadovo pavaduotojas – Finansų ministras arba Valstybės Sekretorius arba Finansų ministro paskirtas Valstybės Sekretoriaus pavaduotojas, Lenkijos Respublikos Prezidento atstovas, Bankų garantijų fondo valdybos prezidentas, Lenkijos centrinio banko prezidentas arba jo įgaliotas viceprezidentas, Finansų ministro atstovas ir generalinis bankų priežiūros inspektorius.

Komisija kaip kolegialus organas atlieka tipines šiuolaikines kontrolės ir priežiūros funkcijas: licencijavimo, priežiūros ir kontrolės. Be to, atliekamos ir analitinės funkcijos, apimančios praktinę veiklą, bendradarbiaujama su užsienio valstybėmis. Komisija vadovaujasi ir Bazelio bankų priežiūros komiteto, susidedančio iš G-10 pasaulio valstybių bei Liuksemburgo ir Ispanijos centrinių bankų valdytojų, sprendimais. Komisijos vykdomasis organas yra Generalinis bankų priežiūros inspektoratas, atsakingas už bankų operacijų priežiūrą.

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Jan Gluchowski is a full time professor of finance and financial law at Nicolaus Copernicus University in Toruń and Catholic University of Lublin, as well as the rector of Toruń School of Banking. Author of over 200 scientific papers, lecturer at foreign universities, e.g. University of Michigan (USA), Universidade de Santiago de Compostella (Spain) and Haagse Hageschool (the Netherlands). Member of the Scientific Council at the Centre for Information and Organisation of Research on Public Finance and Tax Law of the Central and Eastern Europe, European Association of Tax Law Professors and other scientific associations.