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BASIC PRINCIPLES OF BANKING LAW AIMED TO PROTECT THE INTERESTS OF BANKS AND THEIR CUSTOMERS

The Author consequently, as in other papers concerning issues discussed in the article, is guided by a few general assumptions of banking law, which are the need to demonstrate by banks greater concern for customers' property than its own assets, the need for measures to protect the customers' and banks' interests in face of the increasing dangers of banking services, the need to get the state interested in what is happening in the banking sector, as well as the need to adjust Polish law to EU solutions. These assumptions (principles) are standards perceived as particularly important in banking law. They are recognized as the superior values of banking law because they express its axiological base and determine its "philosophy".

The principles of banking law constitute a criterion for its interpretation and directly results from this law. The directories of principles of banking law are formulated very differently. However, the framework of this article allows to draw attention only to some of them. The superior values of banking law are safety and the need to balance the interests of the parties of legal relations that occur between banks and their customers. It should be also pointed out that it is impossible to establish a strict demarcation line between these values because they often overlap each other. They are implemented especially in such concepts as: the management and mitigation of banking risk, banking secrecy, funding the financial management of the bank and banking supervision.