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title of the dissertation: **transfer of ownership title as collateral according to Polish law and *fiducie-sûreté* according to French law.**

The subject matter of thesis is a comprehensive juridical characterisation of the transfer of ownership title as collateral. The purpose of my work is to show the complex nature of such transfer of ownership title linking in rem and obligatory features, the latter being a manifestation of fiduciary character of legal actions. The conclusions of the thesis come down to a single statement - in the light of current doctrine views, judicial review and legal regulations, the transfer of ownership title as collateral does not meet the expectations of the market economy. To give this type of collateral a consistent form and to eliminate flaws, it would be necessary to propose changes at the legislative level and standardize the transfer of ownership title as collateral in the form of a nominate contract. A contract regarding the transfer of ownership title is a source of collateral differing from traditional types of security based on a third party's object and therefore requires separate regulation, within which obligations, determining the fiduciary character of this kind of collateral – are taken into consideration.

The reference point for the above consideration is *fiducie-sûreté* in France, with *fiducia cum creditore contracta* serving as the prototype of the same. For many years *fiducie-sûreté* played no essential role in the market economy. This approach, has changed and *fiducie-sûreté* as a legal institution was regulated in the Code civil as a separate type of tangible collateral based on the transfer of the ownership title. At the same time, *fiducie-sûreté* was classified as a superior category of fiduciary activities.

Explaining the notion of *fiducie-sûreté* allows describing, to a greater extent, the transfer of ownership title as collateral *de lege lata*, but above all shows the potential of fiduciary collateral.

The thesis consists of four parts. Part I which is devoted to Roman *fiduciae cum creditore contracta*, considered as the prototype of *fiducie-sûreté*. The analysis of *fiduciae cum creditore contracta* is focused on presenting its evolution and complex structure covering disposal and *pactum fiduciae*, which formally are two separate notions, but in fact determine its fiduciary character.

The historical and descriptive method adopted in this part of the thesis will provide information on the *fiduciae* structure, but also show the manner of solving real-life problems.

Part II of the work devoted to *fiducie-sûreté*, and provides a juridical analysis of *fiducie-sûreté*

from a subjective and objective perspective, incorporating tangible and obligatory results, the characteristics of fiduciary property and fiduciary assets and its advantages from the perspective of bankruptcy and recovery proceedings.

Using the dogmatic and legal method, I attempt to construct a normative model of *fiducie-sûreté*. Part III is focused on the characteristic of the transfer of the ownership title as collateral. It contains terminological analyses, presentation of the empirical model of the contract, its objective and subjective characteristics, as well as classification. Obligatory and *in rem* results are presented in detail together with an attempt to recreate fiduciary constituent features.

Therefore, I use a dogmatic and legal method, due to numerous regulations referring to the transfer of ownership title as collateral, as well as a comparative method, seeking reference points both in *fiducie-sûreté* and in *fiduciae cum creditore*. Part IV constitutes a summary with my conclusions on a contract regarding *de lege lata* and considerations on the location of the proposed regulation in the structure of the Civil Code itself. Finally, I put forward proposal for regulation of the transfer of ownership title as collateral as a nominate contract.