擁有新加坡MPI的瑞士SRO成員：三個常見問題

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在這種架構下，有三個問題出現得非常頻繁，值得直接作答。

第一個問題是瑞士SRO會否接納新加坡計劃作為集團標準。SRO按其本身規例評估成員的合規情況，並不監管海外聯屬公司。然而，SRO會審查成員的組織架構。成員若提交一套超越SRO要求的集團計劃，並以瑞士附件證明符合每項規例，便能通過審計。須留意的是瑞士表格。SRO審計師會在每份檔案中尋找K表格或同等文件，因此一套以不同格式收集相同資料的新加坡式開戶流程，可能會被質詢。將瑞士表格內置於共用程序，即可避免這方面的爭論。

第二個問題是新加坡金融管理局（MAS）會否就新加坡客戶接納由瑞士產生的客戶盡職審查（CDD）。根據依賴條文，MAS會接納，前提是新加坡實體的檔案顯示其本身的篩查、評級及批准。MAS不會接納只載有指向楚格系統連結的新加坡檔案。數據及文件必須存放於新加坡實體的系統內，MAS在檢查時無須瑞士實體合作即可查閱。實際上，這意味着須備有複製紀錄，並由新加坡一方控制存取權限。

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第三個問題是兩個實體對同一客戶得出不同結論時如何處理。楚格AG可能根據瑞士標準認為某客戶可以接納，而新加坡MPI按第V章所述2023年後的財富來源要求卻予以拒絕。集團程序應規定，任何一個實體拒絕客戶時須通知另一實體，而另一實體須按拒絕理由檢討其本身的客戶關係。在另一實體拒絕後，若一個實體繼續提供服務，應須由集團合規委員會作出書面決定。結果不一致並不違法。但無法解釋的不一致結果，會被檢查人員視為集團計劃只是紙上談兵的證據。

跨境視角

您可以在同一套合規計劃下營運楚格的保管機構及新加坡的交易所。這樣做會加強您在瑞士金融市場監管局（FINMA）的SRO制度及MAS面前的地位。計劃必須在每個分歧點採用較嚴格的規則，並必須以單一資料收集產生每個監管機構所期望的文件。計劃必須將兩個實體的篩查、監察及舉報分開處理，同時按照符合兩套通風報訊制度的程序共享風險結果。在起步時便建立這套機制的集團，在合規系統上的開支或會比運作兩個獨立系統的集團多約五分之一。當一個監管機構的審查結果在第二個監管機構查問之前已在另一實體獲得補救時，集團便能首次收回這筆差額。

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