員工培訓、甄選與企業文化

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《PSN02號公告》要求機構在聘用前甄選員工的誠信，並於入職時及其後定期為員工提供打擊洗錢及恐怖分子資金籌集（AML/CFT）培訓，內容須按其職務度身訂造。[1]對數碼支付代幣（DPT）機構而言，培訓必須涵蓋鏈上層面。員工須學會如何閱讀區塊鏈分析報告，如何識別會在前線出現的詐騙類型，旅遊規則（travel rule）如何運作，以及在以聊天為主的客戶支援環境中「通風報訊」（tipping-off）的含義。新加坡金融管理局（MAS）的檢查人員會約見前線員工並測試其知識。一名無法解釋某宗提款為何被暫緩的客服人員，已向檢查人員顯示培訓存在缺失。若他告訴客戶「合規部標記了你」，則僅憑一句話便暴露了通風報訊的風險。

企業文化較難檢查，但MAS仍會嘗試。《個人問責指引》及執法紀錄顯示MAS的關注點。它會查問合規部門是否曾被業務部門推翻、薪酬是否只獎勵交易量而不顧風險，以及員工能否提出疑慮。若DPT初創企業的創辦人視合規為取得牌照的成本，其合規主任便無法堅守底線，檔案亦會反映這一點。根據我的經驗，與MAS打交道最順利的創辦人，是那些接受合規職能屬於產品一部分的人。機構的銀行關係、機構客戶以及牌照，全都有賴於此。

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實務提示

新加坡DPT持牌機構即使只有三十人規模，其合規職能亦可按令MAS滿意的方式架構。委任一名居於新加坡、具備區塊鏈分析能力的合規主任，向董事會匯報，並以書面確立其阻止交易的權力。為合規主任配備至少兩名負責監察及篩查的分析員，人數按書面訂明的比例隨交易量增加。每年委聘外部審查人進行獨立審計，並授權其對檔案作端到端測試。每季召開一次有董事會出席的合規委員會會議，並將有關風險評估、可疑交易報告（STR）統計、審計結果及監管變動的討論記入會議紀錄。政策文件以一份核心AML/CFT計劃文件為主，並就《PSN02號公告》每個主題附設附件。每份附件均須註明其所落實的公告段落。以這種方式組織的機構，能夠在檢查人員提問當天即回答每一個問題。

註釋

1. MAS Notice PSN02，第16段，關於員工聘用及培訓。 ↩

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