監管架構：MAS、《銀行法》、SFA、FAA及FSMA

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一個為多國客戶管理財富的金融中心，所出售的其中一樣東西，就是其監管的質素。把資產轉移至新加坡的客戶，期望其銀行具償付能力、其顧問稱職，而其託管人會把客戶的證券與自身的證券分開保管。他們亦期望，當上述任何一項期望落空時，監管機構有能力採取行動。本章描述旨在確保這些期望得以實現的法律框架，涵蓋新加坡金融管理局（MAS）、《銀行法》、《證券及期貨法》（SFA）、《財務顧問法》（FAA）及《2022年金融服務及市場法》（FSMA），以及MAS自2020年起為其增補的個人問責指引。

本章是第E部分的開首，由金融中心的歷史轉向當今的財富管理實務。前面各部分追溯了這個殖民地港口如何取得英國商業法、1968年的亞洲美元市場如何創造離岸銀行業，以及1971年成立的MAS如何為年輕的國家提供中央銀行和監管機構。那些章節解釋了各機構如何誕生，本章則解釋它們在2026年如何運作。第E部分隨後的主題，由終止為外國稅務目的而設的銀行保密，到家族辦公室、信託及基金管理，全都以本章介紹的法規為基礎。

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日內瓦卷載有一個平行的章節，講述瑞士財富管理的監管框架。該章描述的是一個由多部互補聯邦法規組成的制度，由瑞士金融市場監管局（FINMA）在審計公司、監察機構及申訴專員機構協助下執行。新加坡提供了一個頗具啟發性的對比。其法規同樣按業務活動劃分，但全部由單一機構執行，而該機構同時是中央銀行、儲備管理者及金融中心的推廣者。本章結尾的比較，探討這種職能集中對客戶及企業有何意義。

要點

新加坡金融管理局於1971年1月1日成立，既是中央銀行，亦是銀行、保險公司、資本市場中介人、財務顧問及支付企業的綜合監管機構。其法規把建立穩健而聲譽良好的金融中心這一目標，置於推動金融中心增長的目標之上。《1970年銀行法》為銀行及（自2021年起）商人銀行發牌，以第47條保護客戶資料，並沒有另設私人銀行牌照。《2001年證券及期貨法》規定七類受規管活動須持有資本市場服務牌照，並把投資者分為零售、認可及機構三類。《2001年財務顧問法》規管就投資產品及人壽保險提供意見，《2022年金融服務及市場法》則匯集了有關禁止令、科技風險、打擊洗錢及數碼代幣服務提供者的跨行業權力。自2021年9月起生效的個人問責指引，令高級管理人員須為其職責範圍內的業務操守負責。

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