拥有新加坡MPI的瑞士SRO成员：三个反复出现的问题

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在这种架构下，有三个问题出现得极为频繁，值得直接作答。

第一个问题是：瑞士SRO是否会接受以新加坡计划作为集团标准。SRO依据自身规章评估其成员的合规情况，并不监管境外关联公司。不过，SRO会审查成员的组织架构。如果成员提交的集团计划超出SRO的要求，并以瑞士附件证明其遵守了每一项规章，就能通过审计。需要留意的是瑞士表格。SRO审计师会在每份档案中查找K表或同等文件，因此，如果新加坡设计的准入流程以不同格式收集相同信息，可能会被质询。将瑞士表格纳入共享流程即可避免这一讨论。

第二个问题是：新加坡金融管理局是否会接受瑞士方面为新加坡客户完成的客户尽职调查。根据依赖条款，MAS会接受，前提是新加坡实体的档案显示其自行进行了筛查、评级和批准。如果新加坡档案只是一个指向楚格系统的链接，MAS不会接受。数据和文件必须存放在新加坡实体的系统中，使MAS在检查时无需瑞士实体配合即可调阅。实践中，这意味着需要一份由新加坡方面控制访问权限的复制记录。

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第三个问题是：两个实体对同一客户得出不同结论时该怎么办。楚格AG可能按照瑞士标准认为某客户可以接受，而新加坡MPI适用第V章所述2023年后的财富来源要求，拒绝了该客户。集团协议应规定，任一实体拒绝客户时须通知另一实体，另一实体应根据拒绝理由复核自身与该客户的关系。一个实体在另一实体拒绝后继续提供服务，应由集团合规委员会作出书面决定。结论不一致本身并不违法。检查人员会把无法解释的不一致结论视为证据，表明集团计划只是一纸空文。

跨境视角

您可以在同一套合规计划下运营一家楚格托管机构和一家新加坡交易所。这样做会加强您在FINMA的SRO体系和MAS面前的地位。该计划必须在每一个分歧点上采用较严格的规则，并且必须通过一次数据收集生成每个监管机构所期望的文件。它必须使两个实体的筛查、监控和报告相互独立，同时根据一份兼顾两种泄密制度的协议共享风险结果。在起步阶段就建立这一体系的集团，在合规系统上的花费或许比运行两个孤立体系的集团多出约五分之一。而当某一监管机构的检查发现在第二个监管机构询问之前就已在另一实体中整改完毕时，这笔差额便一次收回。

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