实务影响：在新加坡进入银行业与持有银行

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选择合适的执照

1998年后的改革确立了外国银行至今仍须应对的执照架构。希望服务零售客户的外国银行必须持有全面银行执照。自1999年以来，此类新准入均通过特准全面银行（Qualifying Full Bank）类别进行。MAS期望对国内市场变得重要的银行将其零售业务在本地注册成立。服务企业、机构和私人银行客户的银行，通常只需批发银行执照，因为其客户并不需要分行或新加坡元零售存款。例如，瑞士信贷（Credit Suisse）便在2001年第二阶段获得了批发银行特权。

对所有权的管控

改革所确立的5%、12%和20%门槛，至今仍规管对新加坡注册银行权益的收购，现载于《1970年银行法》第15A条和第15B条。[1]MAS从一开始便严格执行这些门槛。1999年，美国基金经理Brandes Investment Partners在未获事先批准的情况下为其客户购入星展银行（DBS Bank）6.9%的股份。MAS拒绝给予

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追溯批准，并指示该银行的控股公司要求这家基金经理在三个月内将其持股降至5%以下，超出部分股份的投票权予以暂停。MAS宣布，不会考虑超过5%、12%和20%上限的追溯批准申请。[2]对于持有上市银行股份的基金和家族办公室而言，这一案例至今仍具借鉴意义。

外国银行与投资者检查清单

- 确定拟开展的业务是否需要获取新加坡元零售存款和设立分行（这需要全面银行或特准全面银行执照），抑或批发银行执照即已足够。
- 预计一旦银行对国内存款市场变得重要，MAS将要求其零售业务在本地注册成立。
- 在所有基金和客户账户层面监察对新加坡注册银行及其控股公司的合计持股，并在跨越5%、12%或20%门槛之前取得批准，因为MAS不会给予追溯批准。
- 在架构银行集团时，考虑金融与非金融业务分离的要求，包括对获准经营的非金融业务10%的上限以及对房地产开发的禁令。
- 为按影响与风险调校的监管做好准备：在这种监管下，董事会和高级管理层对控制负首要责任，监管力度则取决于机构的评级。
- 在为离岸实体安排新加坡元融资之前，查核《MAS第757号通告》（MAS Notice 757）下向非居民金融机构提供新加坡元贷款的现存限制。

注释

1. Banking Act 1970，第15A条，“Control of substantial shareholdings in banks incorporated in Singapore”（于2001年7月18日或之后成为主要股东须事先获得部长批准）；第15B条，“Control of shareholdings and voting power in banks incorporated in Singapore”（成为12%控制人、20%控制人或间接控制人须获批准，其定义见第15B(3)和(5)条）；第15D

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条，“Power to exempt and make further transitional provisions”；条文据lawplayer.com所载（2026年11月访问）。↩

2. MAS, “Press Statement on Brandes Investment Partners L.P.”，1999年10月16日，mas.gov.sg：BIP于1999年8月6日在未获事先批准的情况下持有星展银行6.9%的股份，违反Banking Act第17条；拒绝追溯批准；根据MAS Act第28(3)条发出指示，要求在三个月内将持股降至5%以下；暂停投票权；MAS“will not consider applications for retrospective approvals to exceed the shareholding limits of 5%, 12% and 20%”。↩

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