Leer el sistema en su conjunto

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Para un abogado de Zug, el ordenamiento jurídico de Singapur encierra una paradoja. En un aspecto, el Derecho escrito es más accesible que el suizo, porque un único sitio web recoge en inglés todas las leyes y reglamentos con una función de consulta histórica y porque la MAS (Monetary Authority of Singapore, la autoridad monetaria y supervisora financiera) explica sus propias normas en documentos de consulta redactados con claridad. En otro aspecto es menos accesible, porque el Derecho no escrito de la propiedad, los trusts, la equity y los remedios solo se encuentra en la jurisprudencia. Además, la práctica del regulador está dispersa en notices, guidelines, FAQ y respuestas a observaciones de distinta fuerza jurídica. La tentación del jurista continental es leer la ley y detenerse ahí. La tentación del jurista de common law es leer la jurisprudencia e ignorar al regulador. En el trabajo con activos digitales, ambos hábitos fracasan. El profesional que prospera lee conjuntamente la ley, la normativa de desarrollo, los instrumentos de la MAS y la jurisprudencia, y sabe cuál de ellos vincula a quién.

Los restantes capítulos de esta Parte se basan en ese fundamento. El capítulo II describe la institución que redacta la mayoría de los instrumentos que se acaban de mencionar.

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