Singapur: supervisión y política normativa

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Monetary Authority of Singapore (MAS)

El banco central y regulador financiero integrado de Singapur, responsable de la Payment Services Act (PSA), la Securities and Futures Act (SFA), la Financial Services and Markets Act (FSMA) y las notices (instrucciones vinculantes) sobre prevención del blanqueo y de la financiación del terrorismo (AML/CFT) para todas las entidades financieras reguladas. En materia de activos digitales, los departamentos relevantes son el Payments Department (concesión de licencias conforme a la PSA y supervisión de los proveedores de servicios de DPT) y los departamentos Capital Markets Intermediaries y Markets Policy (asuntos de la SFA, incluidos los valores tokenizados). El AML Department, el Enforcement Department y el FinTech and Innovation Group (Project Guardian, sandbox) completan el panorama.[1] Forma de acercarse: la reunión previa a la solicitud se pide por escrito al departamento competente con una breve descripción del negocio, y la MAS (Monetary Authority of Singapore, la autoridad monetaria y supervisora financiera) concede estas reuniones a los solicitantes serios. La MAS también responde a consultas escritas sobre la aplicación de sus notices, con lentitud y en términos generales. La MAS no emite cartas de no actuación (no-action letters) ni

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confirma que un negocio concreto no necesite licencia, de modo que ese juicio queda en manos del abogado. El FinTech and Innovation Group es la parte más accesible de la MAS y el contacto adecuado para los proyectos piloto de tokenización.

Accounting and Corporate Regulatory Authority (ACRA)

El registro de sociedades, VCC, LLP y nombres comerciales, y el regulador de los contables públicos y de los proveedores de servicios societarios. El portal BizFile de ACRA gestiona la constitución, las declaraciones anuales y los cambios de cargos.[2] Forma de acercarse: las presentaciones las efectúa un agente registrado (filing agent) o los propios cargos de la sociedad a través del portal. ACRA es eficiente e impersonal. Las cuestiones de fondo sobre si una VCC cumple los requisitos conviene plantearlas al abogado o a la MAS.

Ministry of Manpower (MOM)

Gestiona el Employment Pass, el ONE Pass, el EntrePass, los permisos para familiares dependientes (Dependant Passes) y la Employment of Foreign Manpower Act. Forma de acercarse: solicitudes a través del portal del MOM por el empleador o su agencia de empleo. El MOM no evalúa previamente las solicitudes, pero publica una herramienta de autoevaluación para el Employment Pass.

Economic Development Board (EDB)

La agencia de promoción de inversiones, que gestiona el Global Investor Programme (GIP) y la relación con los family offices que comparten la MAS y el EDB. Forma de acercarse: para el GIP, a través de la unidad específica del EDB. Para los family offices, el EDB y la MAS gestionan conjuntamente el proceso de interlocución con los solicitantes conforme a las secciones 13O y 13U.

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Notas

1. Monetary Authority of Singapore Act 1970; Financial Services and Markets Act 2022, Part 2; la organización de la MAS se describe en la Parte I, capítulos II y VI. ↩
2. Companies Act 1967; Variable Capital Companies Act 2018; Accounting and Corporate Regulatory Authority Act 2004; véase la Parte P, capítulo III. ↩

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