La arquitectura regulatoria: la MAS, la Banking Act, la SFA, la FAA y la FSMA: resumen

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La Monetary Authority of Singapore (MAS, la autoridad monetaria y supervisora financiera), fundada el 1 de enero de 1971, asumió progresivamente la supervisión de los seguros, de los valores y de la emisión de moneda y hoy actúa a la vez como banco central y como supervisor integrado, con una norma legal que da prioridad a la solidez y la reputación del centro financiero sobre su crecimiento. La Banking Act 1970 concede licencias a bancos con licencia plena, bancos mayoristas, bancos de negocios y bancos digitales, protege la información de los clientes en su sección 47 y no contiene un régimen específico para la banca privada, que se regula mediante la combinación de la Banking Act, la Securities and Futures Act, la Financial Advisers Act y los avisos contra el blanqueo de capitales. La Securities and Futures Act exige una Capital Markets Services Licence (licencia CMS) para siete actividades reguladas, sanciona el abuso de mercado con penas y sanciones civiles y distingue entre inversores minoristas, acreditados e institucionales, con un régimen de aceptación expresa (opt-in) para los inversores acreditados desde 2019. La Financial Advisers Act regula el asesoramiento sobre productos de inversión y seguros de vida

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a través de asesores con licencia y exentos y de representantes designados, mientras que la Financial Services and Markets Act 2022 añade facultades intersectoriales en materia de órdenes de inhabilitación, riesgo tecnológico, prevención del blanqueo de capitales y proveedores de servicios de tokens digitales. Las directrices sobre responsabilidad individual, vigentes desde septiembre de 2021, junto con los criterios de idoneidad y las órdenes de inhabilitación de la FSMA, hacen responder a los altos directivos de los sistemas a su cargo, como demostraron las medidas sancionadoras de julio de 2025.

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