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硕 士 学 位 论 文

跨境网络银行业务监管规则评析

The Analyses and Comments on the Supervision Rules
of the Cross-border Internet-banking

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内容摘要

国际互联网的无边界性以及在不同语言间轻松转换的便捷性，使网络银行业务的跨境提供成为一项增长潜力巨大的业务。但是风险总是伴随机遇而来。跨境网络银行业务虽然不曾改变银行业务风险的类型与性质，却几乎影响到所有类别的风险，并对以传统地理概念为基础的风险监管规则提出了挑战。为了迎接网络银行业务跨境提供带来的挑战，本文在分析国际经验和我国现行规则的基础上，就完善与健全跨境网络银行业务的监管规则提出具体建议。

文章主体分为四个部分：

第一章从巴塞尔委员会对跨境网络银行业务的界定入手，简单介绍了业务现状与发展趋势；分析了跨境网络银行业务的特殊风险影响给现行的跨境银行监管框架所带来的挑战。

第二章包括两方面内容。首先，从准入主体资格、准入程序与实质考察因素以及业务范围等方面总结了各监管当局在业务准入上的态度。其次，依据市场准入与市场退出所具有的相同功能，就目前退出规则的缺失，提出对策设想。

第三章借分析巴塞尔委员会就跨境网络银行业务所公布的一系列文件，总结各监管当局在持续性监管的核心内容——风险管理方面所共同秉承的原则，以及在互联网环境下的国际监管合作框架。

第四章分析了我国有关跨境网络银行业务的现行监管规则，而后根据前文总结的国际经验，提出建立和完善相关监管规则的总体认识和具体设想。

关键字：跨境；网络银行业务；监管

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ABSTRACT

The cross-border supply of Internet-banking has grown with great potential, due to the borderlessness of Internet and the convenience of language conversion it brings about. While with the benefit, come side by side some cross-border risks, which are of no new types and natures compared with the traditional ones, however, affecting almost all types of the latter, and which has also challenged the geology-based risk supervision rules. In order to deal with the challenges posed by the cross-border supply of Internet-banking, suggestions have been made in this article on the perfection of supervision rules concerning the cross-border Internet-banking, based on the analyses of International experiences and the current rules in our country.

The main body of this article consists of four parts.

Beginning with the definition of cross-border Internet-banking, the first chapter, has briefly introduced the present situation of the operation and its developing trend. Also the challenges to the existing supervision framework of cross-border banking have been analyzed in this chapter.

The second chapter contains two parts. Firstly, the varied supervisors' attitude in the cross-border Internet-banking has been overviewed from the aspects of qualities of accessible subject, the procedural regulations of access, the substantial factors and the extension of accessible operations. Secondly, the same function performed by the access regulations and the termination ones has inspired the solutions to the shortage of termination rules of cross-border Internet-banking.

And in the third chapter, the risk management principles, which is the core of continuous supervision and adhered to by supervisors from varied countries and regions, as well as the framework of International cooperative supervision in the context of Internet, have been concluded with the benefit of analyzing series of working papers on the cross-border Internet-banking published by the Basel Committee on Banking Supervision

Then, grounded on the analysis of our current supervision rules and the above review of International experience, overall recognitions and specified assumptions have been presented in the fourth chapter on the establishment and perfection of supervision rules concerning cross-border Internet-banking in our country.

Key word: Cross-border; Internet-banking; Supervision

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缩略语表

Abbreviation

RBI	Reserve Bank of India	印度储备银行
MAS	Monetary Authority of Singapore	新加坡货币局
OCC	Office of the Comptroller of the Currency	美国货币监理署
WTO	World Trade Organization	世界贸易组织

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