对手方尽职调查

Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland and Germany),
Solicitor (England & Wales and Hong Kong)
Of Counsel, KGP Legal LLC
alexander.ressos@kgplegal.com.sg
www.ressos.com.sg

只有当公司知道收款地址背后是哪家机构时，旅行规则才能发挥作用。因此，FATF 2021年的指引期望虚拟资产服务提供商（VASP）在传输个人数据之前进行对手方尽职调查。VASP必须识别对手方，确认其已获牌照或已注册，评估其AML/CFT控制的质量，并决定是否与之交易。[1]MAS采纳了同样的期望。指引要求持牌人在向对手方传输信息之前，评估该对手方是否遵守符合FATF标准的AML/CFT要求并就此受到监管。指引还要求持牌人考虑向不受监管或位于数据保护薄弱司法管辖区的实体发送个人数据的风险。[2]

在实践中，这就形成了一份分级的对手方名单。第一级包括FATF成员司法管辖区内与公司已建立旅行规则通道的持牌VASP。第二级包括尚无通道的持牌VASP，公司通过安全的备用方式向其传输信息，并对其进行更密切的监控。第三级包括无牌或身份不明的对手方，公司将其视同非托管钱包处理或拒绝与之交易。分级应形成书面记录，至少每年复核一次，并以牌照数据来源为依据，例如MAS的公开登记册、FINMA的SRO成员登记册以及其他司法管辖区的同类登记册。

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.

注释

1. FATF, Updated Guidance for a Risk-Based Approach to Virtual Assets and VASPs，2021年10月，第198–210段（对手方VASP尽职调查）。 ↩
2. Guidelines to Notice PSN02，关于对手方尽职调查以及保护与价值转移相关的所传输个人数据的部分。 ↩

Disclaimer

This article is provided for general information only. It is based on publicly available sources as at its date of publication. These sources have not been independently verified against licences, regulatory registers or the records of the entities concerned. It is not legal, tax, financial or investment advice. Nor is it a recommendation to invest in, transact with or use the services of any entity mentioned. Law and regulation change frequently, so the content may be incomplete or outdated. To the fullest extent permitted by law, Dr Alexander Ressos and the publisher of SingaporeIQ exclude all liability for loss or damage arising from the use of or reliance on this article. Readers should obtain advice on their specific circumstances before acting or refraining from action.

Names and trademarks of the entities discussed belong to their owners and are used for identification only. Their mention implies no endorsement, affiliation or allegation of wrongdoing. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. Corrections and updates: contact@ressos.com.

© 2026 Dr Alexander Ressos. This article may be quoted with attribution to SingaporeIQ (SingaporeIQ.com). Reproduction in full and any commercial use require prior written consent. The Legal Terms at https://singaporeiq.com/legal-terms apply.

Author contact: Dr Alexander Ressos, TEP · contact@ressos.com