营销：PS-G02与“公共场所”规则

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

作为行为措施的技术与网络风险

第二部分回应将《技术风险管理通知》（PSN05）扩展适用于数字支付代币服务提供商，自2024年初起设九个月过渡期。[1] MAS将技术故障视为行为问题，因为客户在市场异动期间无法提款所遭受的损失，任何披露都无法弥补。通知要求关键系统在任何十二个月内的计划外停机时间不超过四小时。对于撮合引擎和钱包系统均属关键系统的交易所而言，这一要求相当严格。《网络卫生通知》同时适用，其中规定了管理员账户、补丁更新、安全标准、网络边界防御、恶意软件防护和多因素认证等要求。[2]

营销限制早于消费者准入措施。2021年底，新加坡公共交通和自动提款机上出现了一波加密广告。作为回应，MAS于2022年1月17日发布了《Guidelines on Provision of Digital Payment Token Services to the Public》（PS-G02，《向公众提供数字支付代币服务指引》）。[3] 指引规定，DPT服务提供商不应向新加坡公众推广其DPT服务。具体而言，它们不应在公共场所投放广告，例如公共交通场所、广播和印刷媒体、公共网站和社交媒体平台，也不应通过社交媒体网红等第三方进行推广。它们不应通过自动提款机提供实体渠道。它

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们只能在自己的公司网站、移动应用程序和官方社交媒体账户上推广服务，而且即使在这些渠道，也不得淡化DPT交易的风险，或将交易描绘为致富之路。

指引适用于PSA下的所有DPT服务提供商、银行和其他获豁免的支付服务提供商，也适用于在过渡安排下获豁免的人士。MAS对“推广”作宽泛解释。与体育俱乐部签订赞助协议、其标志出现在体育场内，即属在公共场所推广。在主流媒体安排首席执行官接受采访的公关活动，如果内容属资讯性质且不推广服务，则是允许的。界线并不精确，MAS将执法保留给明确的案例，但在2022年和2023年已有数家持牌人被要求撤下营销内容。

实务提示

新加坡持牌DPT服务提供商仍可扩大零售客户群，但只能通过自有渠道，且只能使用具教育性的内容。您可以在自己的网站和应用程序上发布市场评论、说明托管的运作方式、介绍收费表并展示上架政策。您不能付费聘请网红、开展户外或交通广告活动、投放针对新加坡零售用户的付费搜索广告、提供推荐奖励或以减免费用作为促销。为全球交易所建立的任何营销职能，都必须为新加坡实体重新设计，并由合规官审批每一项营销活动。请保存审批记录：MAS在检查时会要求查阅。

注释

1. Allen & Gledhill，2023年12月（同上）：技术风险通知将于2024年初对DPT服务提供商强制适用，过渡期九个月。 ↩
2. MAS Notice on Cyber Hygiene（PSN06），适用于支付服务提供商，第4至9段。 ↩
3. Sidley Austin，“Monetary Authority of Singapore issues guidelines on digital payment token services to the public”，2022年1月：PS-G02于2022年1月17日发布；不得在公共交通或广播媒体等公共场所投放广告；不得设置

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

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