《2018年破产、重组和解散法》

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《2018年破产、重组和解散法》自2020年7月30日起施行，整合了新加坡的公司破产法和个人破产法，并纳入了2017年旨在使新加坡成为区域重组中心的重组改革。[1]对加密资产平台而言，有五组条款十分重要。第一，第64条规定的债务偿还安排暂停令：公司提出或拟提出与债权人和解的，在提出申请时自动获得三十天的暂停期，此后可由法院下令延长。第65条将暂停令扩展适用于在重组中发挥必要且不可或缺作用的关联公司。[2]第二，第67条允许法院给予拯救融资超级优先权。第三，根据第7部分进行的司法管理，由一名管理人员接管公司，力图使公司恢复经营，或实现比清盘更好的变现结果；在紧急情况下可委任临时司法管理人。[3]第四，清盘依照第8部分进行，第125条列明了清盘理由，包括无力偿还债务。第五，外国公司只有在根据第246条与新加坡存在实质联系的情况下，才能被清盘或获得暂停令。附表三所纳入的《联合国国际贸易法委员会跨境破产示范法》，允许外国破产代表获得承认和救济。[4]

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注释

1. Insolvency, Restructuring and Dissolution Act 2018，于2020年7月30日开始施行。第1条确认了简称。 ↩
2. Insolvency, Restructuring and Dissolution Act 2018，第64条（暂停令）及第65条（关联公司的暂停令）。 ↩
3. Insolvency, Restructuring and Dissolution Act 2018，第67条（拯救融资）、第91条（司法管理令）及第94条（临时司法管理人）。 ↩
4. Insolvency, Restructuring and Dissolution Act 2018，第125条、第246条、第252条及附表三（UNCITRAL Model Law on Cross-Border Insolvency）。 ↩

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