MAS通告：PSN01、PSN02与DTSP通告

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DPT企业的AML/CFT操作义务，规定在新加坡金融管理局根据PSA发布的通告中。MAS第PSN01号通告（Prevention of Money Laundering and Countering the Financing of Terrorism – Specified Payment Services）适用于账户发行、境内及跨境汇款、商户收单和电子货币发行。MAS第PSN02号通告（Prevention of Money Laundering and Countering the Financing of Terrorism – Digital Payment Token Service）适用于所有开展DPT服务的支付服务牌照持有人，以及处于过渡期内的豁免提供商。[1]两份通告均于2019年12月5日发布，于2020年1月28日即PSA生效之日起施行。此后两份通告均经修订。PSN02的修订紧随第K部分第I章所述的DPT边界扩展而进行。

根据《2022年金融服务与市场法》（FSMA）第9部分获发牌照的数字代币服务提供商，须遵守MAS根据FSMA发布的一份内容基本相同的平行通告；该制度于2025年6月30日起施行，适用于仅服务新加坡境外客户的提供商。[2]实际要点在于：无论牌照依据哪部法令颁发，MAS在整个DPT边界内适用同一套AML/CFT标准。熟悉PSN02的读者，也就熟悉了DTSP通告。

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令外国读者困惑的是通告与其指引之间的关系。每份AML/CFT通告都附有MAS指引（就PSN02而言，即Guidelines to Notice PSN02 on Prevention of Money Laundering and Countering the Financing of Terrorism – Digital Payment Token Service）。[4]指引明确声明其不具有法律效力。然而，MAS检查人员仍以指引作为衡量控制措施的标准。偏离指引的公司必须能够说明，为何其自身的做法能够达到相同的效果。瑞士读者会从FINMA通函中认出这种方法，但有一点不同：FINMA通函作为FINMA对法律的解释，在形式上对受监管机构具有约束力，而MAS指引在形式上仅具有说服力。在实践中，两者的运作方式相同。

文件	发布者及依据	法律效力	典型内容
CDSA 1992、TSOFA 2002	国会	刑事法令，约束在新加坡的所有人	罪行、报告义务、没收
根据《2001年联合国法》制定的条例	部长	附属立法，约束所有人	制裁与资产冻结
MAS通告（PSN01、PSN02、FSMA DTSP通告）	MAS，依据PSA第102条/FSMA	约束持牌人，违反即构成犯罪	客户尽职调查、记录保存、可疑交易报告程序、集团政策
MAS通告指引	MAS	不具约束力，但为检查基准	如何适用通告、示例、危险信号

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文件	发布者及依据	法律效力	典型内容
MAS通函及信息文件	MAS	不具约束力	专题审查结果、监管期望、良好实践
MAS常见问题解答	MAS	不具约束力	对具体问题的解释

注释

1. MAS Notice PSN01和MAS Notice PSN02，均于2019年12月5日发布，自2020年1月28日即Payment Services Act 2019生效之日起施行；两者均经多次修订，包括为反映2021年PSA修订及2024年DPT定义的扩展。 ↩
2. MAS Notice on Prevention of Money Laundering and Countering the Financing of Terrorism – Digital Token Service Providers，根据FSMA第9部分发布，自2025年6月30日起施行；关于DTSP制度，参见第K部分第V章。通告编号：FSM-N27。 ↩
3. PSA 2019，第102条（指令和通告），结合同一部分的罚则条款；此外，MAS有权对PSA下的罪行进行和解。 ↩
4. MAS Guidelines to Notice PSN02，于2020年3月16日首次发布，此后经修订；指引声明其不具法律约束力，但MAS在评估持牌人的行为时会考虑其对指引的遵守情况。 ↩

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