起诉前阶段与交易所

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

交易所会做什么、不会做什么

持有新加坡牌照的交易所受《支付服务法》、MAS关于反洗钱的PSN02号通告以及其自身服务条款的约束。仅凭律师函，交易所不会披露客户信息，因为这样做会违反《2012年个人资料保护法》及其与客户之间的合同。若收到有警方报案记录支持、可信的函件，交易所通常会在短期内冻结账户，因为该函件为其提供了合理的怀疑理由，而冻结是其履行反洗钱义务的防御性措施。凭法院命令，交易所会披露信息并无限期冻结。了解这一顺序的律师，会在起草保全函时提供怀疑理由，并在自愿冻结期限内提出申请。

在外国注册但在新加坡经营的交易所会引发管辖权问题，*CLM v CLN*案对此作出了回答：注册于开曼群岛和塞舌尔的交易所被告获得境外送达，针对它们的命令也已发出。[1]实践中，这类集团的新加坡办事处会遵守命令，因为否则的话，一家牌照申请或牌照正在MAS审理之中的实体将面临藐视法庭的认定。

© 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.

稳定币发行人

Tether和Circle都曾应执法机关和法院的要求冻结地址。在某些情况下，它们还依法院命令向受害人重新发行被冻结的代币。在涉及USDT和USDC的追回诉讼中，针对发行人新加坡实体（如有）发出的新加坡法院命令，或经许可向境外发行人送达的命令，正日益常见。发行人的服务条款保留了冻结的权利，但其是否愿意依外国命令采取行动，取决于其自身的合规政策。Circle于2023年取得的新加坡MPI牌照，使新加坡法院就USDC有了一个境内的命令对象。[2]

示例

一家位于楚格的家族办公室在一家新加坡托管机构持有1200个ETH。托管机构的一名雇员利用被盗用的管理员凭证，将ETH转至一个新地址，在去中心化交易所将其兑换为USDT，再将USDT存入两家中心化交易所：一家持有新加坡牌照，另一家在迪拜运营。新加坡律师在四天内针对身份不明人士取得了所有权禁令和全球冻结令，并针对两家交易所取得了Bankers Trust令，后者送达至迪拜交易所的新加坡办事处。新加坡交易所在一周内披露了账户持有人，一名新加坡居民。迪拜交易所则在收到一封威胁对其新加坡实体提起藐视法庭程序的函件后作出披露。五个月后，依ByBit案模式作出了简易判决。托管机构自身的合同责任和过失责任在另一宗诉讼中追究，并以和解告终。在瑞士，该家族办公室本可扣押托管机构的瑞士银行账户，却无法触及上述交易所。

注释

1. CLM v CLN [2022] SGHC 46，第[8]、[21]段及第[61]–[75]段。 ↩
2. Circle Internet Singapore Pte Ltd，MAS于2023年6月授予的Major Payment Institution牌照；Tether Limited公布的Tether冻结政策。 ↩

© 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.

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