法律基础与日内瓦的比较

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日内瓦和新加坡是在不同的法律传统之上建立起各自的金融中心的。日内瓦的法律秩序源于其自身的法规和欧洲大陆的罗马法传统，在1848年和1907年之后，又以瑞士联邦的联邦立法和《瑞士民法典》为基础。这是一个法典化体系，成文法是首要法律渊源，法官的任务是适用和解释法典。新加坡的法律秩序则是通过王室宪章从英格兰继受、并由法官发展起来的。至今，判例在这一体系中仍居于核心地位，商法的很大部分属于法官造法。

这种差异以具体方式影响着两个中心的实务。受新加坡法律管辖的合同往往更长、更详细，因为当事人无法依赖一部法典为各种情形提供默认规则。瑞士法仅通过《海牙信托公约》承认信托，而信托却是新加坡法律的固有制度。在国际合同中选择新加坡法律还是瑞士法律作为准据法（J部分将讨论这一问题），是在两种各具优势的法律文化之间作出选择。

比较也显示出一个共同点。两个中心的成功在一定程度上都归功于法律确定性——稳定的主权、独立的法院以及可靠的合同和财产规则——并且都在政治变迁中保持了这种确定性。就新加坡而言，法律确定性的基础奠定于1824年至1826年间：在这几年里，一个归属存在争议的贸易站成为拥有自己的法院和法律的英国属地。

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数据一览

《英荷条约》：1824年3月17日签订，1824年6月8日互换批准书。《友好同盟条约》：1824年8月2日签订，另向各首领一次性支付2万西班牙银元。《第二司法宪章》：1826年11月27日。记录法官薪俸：每年4000英镑。海峡殖民地政府所在地迁往新加坡：1832年。《第三司法宪章》：1855年8月12日。《英国法适用法》截止日期：1993年11月12日。托伦斯改革从提议到实施历时：75年以上。

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