面向区域的法律服务

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一个出口行业

法律服务已成为政府像对待其他服务业一样加以衡量和推广的行业。其名义增加值从2018年的23.6亿新元增至2023年的29.8亿新元，增幅逾25%。同期，法律服务出口从10.4亿新元增至14.0亿新元，增长近35%。[1]因此，出口额相当于该行业增加值的近一半，不过由于出口按收入计算，两项指标并不严格可比。

出口数字反映了几种资金流。外国客户付费请新加坡律师起草和谈判跨境交易、在新加坡进行仲裁和诉讼，以及就区域监管事项提供咨询。国际律师事务所将其为亚洲客户所做的部分业务记入新加坡。新加坡以外的当事人向新加坡的仲裁员、专家和庭审场所付费。每一种资金流都取决于外国当事人是否愿意选择新加坡法律或新加坡争议解决机构。

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仲裁、SICC与调解

争议解决是出口中最显眼的部分。上文引述的SIAC案件量，使其跻身全球领先的仲裁机构之列。伦敦大学玛丽女王学院与White & Case于2025年发布的国际仲裁调查，将伦敦、新加坡、香港、北京和巴黎列为最受青睐的五个仲裁地。在所涵盖的六个地区中，伦敦和新加坡均位列前五。[2]

SICC和新加坡国际调解中心使这一服务更为完整。律政部第二部长在2024年的讲话中指出，SIAC管理的许多案件与新加坡并无直接关联，而这正是出口的定义。他报告称，SICC的案件量在2023年增长约30%，调解中心录得自开始运营以来的最高案件数。他还指出，当时《新加坡调解公约》有56个签署方和14个缔约方。[3]第F部分第II章和第III章介绍了这些机构和该公约。在此处的语境下，它们之所以重要，是因为它们使以新加坡法律为准据法的合同可以通过三种不同途径执行，由当事人事先选定。

区域客户群

上文引述的SIAC统计数字显示了客户的来源，排在前列的是中国内地、越南、印度和泰国。这些国家的当事人选择新加坡，理由相互交叠。投资东南亚的中国企业寻求一个其本地合作伙伴可以接受的中立争议解决地。印度企业长期以新加坡为仲裁地，部分原因在于对本国诉讼程序速度的疑虑。越南和泰国企业与来自许多国家的交易对手开展贸易，需要一个双方都不视为外国的共同基础。

新加坡法律的区域角色，也源于新加坡商业的区域角色。第I部分第I章所述的区域总部从新加坡签订集团内部及与第三方的合同，并常常选择新加坡法律作为准据法。第E部分所考察的设籍新加坡的控股公司和基金，其章程和股东安排采用新加坡法律。第I部分第III章和第IV章所讨论的对印度和印度尼西亚的投资，往往经由新加坡实体进行，其协议以新加坡法律为准据法。法律行业由此分享区域跨境投资的收益，而无需另行自我推销。

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海外的新加坡律师事务所

新加坡律师事务所追随客户走向海外。几家规模较大的本地事务所已在中国、印度尼西亚、缅甸、越南和海湾地区开设办事处或结成联盟，另一些则通过区域网络开展业务。[4]政府支持这一扩张，并发展了与邻近法律界的交流。例如，新加坡—上海律师交流计划迎来了首批十名上海律师。[5]这类计划建立起人际网络，未来的客户正是通过这些网络选择顾问。

推广新加坡法律

新加坡法学院将在国际上推广新加坡法律列为其职能之一。它出版法律报告，运营LawNet，并自2008年起运营每日法律新闻服务Singapore Law Watch。[6]推广一种准据法是一项缓慢的工作。它要靠法律的可获取性，靠向外国律师阐释新加坡法律的英文出版物，也要靠法院有目共睹的质量。一种法律若无从查找或难以理解，无论内容多好，都不会被选择。

常见误解

新加坡法律有时被描述为在新加坡适用的英国法。自1993年起，英国成文法只有在《英国法适用法》或新加坡成文法如此规定时，才构成新加坡法律的一部分。自1994年起，上诉庭依其自身权威发展普通法。尽管英国判决仍具说服力并常被遵循，新加坡法院仍依据新加坡判例解释以新加坡法律为准据法的合同。顾问若以为每一项新近的英国判决都适用于新加坡，就可能在上诉庭持不同观点的问题上给出错误意见。

注释

1. Ministry of Law， Response Speech by Second Minister for Law Edwin Tong at the Committee of Supply Debate 2024，2024年3月1日，mlaw.gov.sg（2026年11月访问）：法律服务名义增加值增长“by more than 25%, from

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S$2.36 billion in 2018 to S$2.98 billion in 2023”；出口增长“by nearly 35%, from S$1.04 billion in 2018 to S$1.40 billion in 2023”。↩

2. White & Case与Queen Mary University of London， *2025 International Arbitration Survey: The Path Forward: Realities and Opportunities in Arbitration*，执行摘要，第2页及第5页（qmul.ac.uk， 2026年11月访问）：“The five most preferred seats for arbitration are London, Singapore, Hong Kong, Beijing and Paris. London and Singapore rank among the top five seats for each of the six regions”；受访者2402名。↩

3. Ministry of Law， Committee of Supply Debate 2024， 2024年3月1日讲话（mlaw.gov.sg， 2026年11月访问）：SIAC“administers many cases which do not have a connection directly to Singapore”；SICC案件量在上一年增长“by about 30%”；SIMC录得最高案件数；《新加坡调解公约》有56个签署方和14个缔约方。↩

4. 新加坡律师事务所在区域内的海外办事处和联盟。↩

5. Ministry of Law， Committee of Supply Debate 2024（mlaw.gov.sg， 2026年11月访问）：新加坡—上海律师交流计划接待了首批10名上海律师。↩

6. Wikipedia，“Singapore Academy of Law”（2026年11月访问）：职能包括“International Promotion of Singapore Law”；Singapore Law Watch于2008年推出；LawNet于1988年首创， LawNet 2于2007年推出；Academy Publishing于2007年推出。↩

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