軸心四：打擊洗錢責任及旅遊規則

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兩個樞紐均全面實施打擊清洗黑錢財務行動特別組織（FATF）就虛擬資產服務提供者訂立的標準，而且實施時間比大多數司法管轄區更早。差異在於架構及門檻。瑞士透過自律組織（SRO）對不受審慎監管的中介機構進行打擊洗錢監管，而瑞士金融市場監管局（FINMA）則監管SRO及直接受監管的機構。有關責任源自《打擊洗錢法》（GwG/AMLA）、《打擊洗錢條例》（GwV/AMLO）及FINMA的《FINMA打擊洗錢條例》（GwV-FINMA）。加密資產與法定貨幣之間或加密資產之間的偶發兌換交易，識別身份門檻為每三十日1,000瑞士法郎；FINMA修訂《FINMA打擊洗錢條例》後，該門檻於2021年由5,000瑞士法郎下調。[1] 旅遊規則（travel rule）透過《FINMA打擊洗錢條例》第10條適用。FINMA自2019年起將該條解讀為：就轉帳至或來自非託管錢包的情況，中介機構須以技術方法核實客戶對外部錢包的控制權。瑞士的旅遊規則並無最低豁免門檻。[2]

新加坡由新加坡金融管理局（MAS）直接監管。DPT服務提供者的責任載於《PSN02號公告》及其指引，申報方面則以《1992年貪污、販毒及其他嚴重罪行（沒收利益）法》（CDSA）作補充。PSN02規定，每段業務關係以及

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超過適用門檻的偶發交易均須進行客戶盡職審查，對較高風險客戶則須採取加強措施。價值轉移規定就所有DPT轉帳落實旅遊規則：超過1,500新加坡元須提供完整的匯款人及收款人資料，低於該金額則提供較少資料。[3] 就非託管錢包而言，PSN02規定服務提供者須評估風險並採取與風險相稱的措施，實際上即篩查錢包，以及就較大金額核實擁有權。

對雙樞紐集團而言，重要的跨境問題是「日出」問題（sunrise problem）。必須在任何轉帳前核實非託管錢包控制權的瑞士中介機構，會遇上採用風險為本方法的新加坡交易對手。必須傳送旅遊規則數據的新加坡MPI，會遇上使用OpenVASP或TRP協議的瑞士交易對手。集團需要一套協議及一個數據標準，並以較嚴格的規則管限共用政策。第L部分第VIII章闡述如何撰寫這類政策。

問題	瑞士	新加坡
監管機構	FINMA直接監管，或SRO（VQF、SO-FIT、PolyReg、ARIF、OAD-FCT）	MAS
法律依據	AMLA；AMLO；AMLO-FINMA；SRO規例	PSA；《PSN02號公告》；1992年CDSA；2002年TSOFA
偶發交易門檻	加密資產兌換交易每30日1,000瑞士法郎	PSN02下的門檻（參見上文標示）
旅遊規則門檻	無；適用於所有轉帳	超過1,500新元須提供完整資料；低於則較少
非託管錢包	轉帳前須核實控制權	風險為本；篩查及與風險相稱的措施
申報	洗錢舉報辦公室（MROS），AMLA第9條；凍結機制見AMLA第10條	可疑交易報告辦公室（STRO），CDSA第45條；通風報訊罪
申報標準	合理懷疑（BGE 147 IV 274系列案例）	知悉或有合理理由懷疑

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問題	瑞士	新加坡
實益擁有權登記冊	2024至2026年改革下的聯邦透明度登記冊（參見第F部分第VI章）	自2017年起的ACRA可登記控制人登記冊

註釋

1. AMLO-FINMA第51a條（SR 955.033.0），自2021年1月1日起生效；FINMA 2020年有關AMLO-FINMA部分修訂的說明報告。參見第F部分第III章。 ↩
2. AMLO-FINMA第10條；FINMA Guidance 02/2019 of 26 August 2019 on payments on the blockchain。參見第F部分第IV章。 ↩
3. MAS Notice PSN02 on Prevention of Money Laundering and Countering the Financing of Terrorism, Digital Payment Token Service，截至2026年6月30日生效的第6及13段；Guidelines to MAS Notice PSN02。參見第L部分第II及III章。 ↩

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