相互協商及資料交換

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納稅人如認為一國或兩國的行動導致其所受的課稅不符合協定，可以啟動相互協商程序。他可在首次接獲通知後三年內，向其居民國的主管當局提出個案。雙方主管當局其後會設法解決個案。2017年議定書加入了BEPS最低標準所要求的承諾，即不論本地時限如何，均須執行任何達成的協議。[1] 瑞士和新加坡的主管當局都相當積極。涉及數碼資產業務的雙重居民身份或常設機構爭議，可提交它們處理，但程序需時兩至四年，而且不會暫停任何一國的稅款徵收。

資料交換條文依循經合組織範本2009年後的第26條。它容許應要求交換對執行協定所涵蓋稅項可預見相關的資料，凌駕銀行保密規定，但不容許漫無目的的資料搜尋。瑞士《稅務行政協助法》（StAhiG/TAAA）中的實施規則規定，請求必須指明納稅人、所尋求的資料及稅務目的，並容許在不列出姓名的情況下以描述行為模式的方式提出集體請求。[2] 因此，新加坡國內稅務局（IRAS）可要求瑞士聯邦稅務局（ESTV）提供某新加坡居民在瑞士交易所或銀行的帳戶紀錄。聯邦稅務局亦可要求IRAS提供某瑞士居民在新加坡數碼支付代幣（DPT）服務提供者的紀錄。CRS及CARF的自動交換渠道（本部分第VII章）已減少了就帳戶結餘提出請求的需要，但對調查所需的詳細交易紀錄及往來通訊而言，請求仍屬必要。

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跨境視角

協定是兩個樞紐之間關係的底線。它防止普通收入被雙重課稅，並確認收益由居民國課稅。至於瑞士財富稅、新加坡商品及服務稅以及代幣的分類，協定則毫無作用，這些事項由各國自行決定。計劃在楚格和新加坡兩地生活或經營業務的客戶，應先決定居民身份，其次是實質，最後才是協定。這樣，協定便能發揮其設計功能，令所選擇的分配得以穩固。

註釋

1. Singapore–Switzerland DTA 2011，第24條（相互協商程序），經2017年議定書修訂。 ↩
2. Singapore–Switzerland DTA 2011，第25條（資料交換），經2017年議定書修訂；Federal Act on International Administrative Assistance in Tax Matters (TAAA; StAhiG), SR 651.1，第6條及第14a條（請求的要求；集體請求）。 ↩

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