為何這些問題對代幣而言更難

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每宗跨境糾紛都會引出三個問題。哪個法院有管轄權？適用哪一套法律？所得的判決在資產或被告所在地會否獲得承認？對於土地、銀行戶口和股份，這些問題都有既定答案，而答案建基於資產的所在地。代幣卻沒有所在地。它是分類帳上的一筆紀錄，複製於數十個國家數以千計的電腦上，由持有私鑰的人控制，而私鑰本身可能分拆存放於多個地方的不同裝置。由於《法院規則》（Rules of Court）中的司法管轄權門檻取決於所在地，新加坡法院不得不回答所在地的問題。法院的答案，是以控制人的居住地為準。本章闡述這項規則及其後果，然後討論法律選擇、新加坡與瑞士之間的判決承認，以及仲裁。對許多加密資產合約而言，仲裁是唯一切實可行的審理途徑。

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