制裁與出口管制：聯合國措施、俄羅斯與次級制裁：實務影響

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對銀行及財富管理機構的影響

對銀行而言，新加坡的制裁法律相對簡單。大部分複雜之處，來自外國制裁帶來的商業壓力。本地義務包括聯合國規例、俄羅斯公告及舉報責任。商業義務則源自代理銀行、美元結算系統及國際銀行的集團政策；這些銀行通常在旗下所有分行統一適用美國、歐洲及英國的制裁。因此，服務來自俄羅斯、伊朗周邊地區或其他受制裁地區客戶的私人銀行，必須按多套名單進行篩查，並按多項標準評估擁有權及控制權。舉例而言，新加坡的公告對指定銀行採用「擁有或控制」標準，而美國規則則凍結由指定人士擁有50%或以上權益的實體。[1]

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對貿易商及船東的影響

對貿易商而言，決定性的問題是貨物的來源及運載貨物的船舶身份。一批從指定油輪在海上轉駁的貨物，可能污染整條交易鏈中其後的每一宗交易。在新加坡為商品貿易提供融資的銀行，現已例行要求提供船舶紀錄、追蹤數據及價格上限下的證明。新加坡的船東及船舶管理公司，亦須就其服務的租船人及貨主回答類似問題。

從業者核對清單

- 確定適用哪些制度：新加坡法律（聯合國規例、俄羅斯措施、《戰略物資（管制）法》），以及因當事人、其銀行及所用貨幣的國籍而適用的美國、歐洲及英國制度。
- 按聯合國名單、俄羅斯公告及主要外國制度的名單篩查所有當事人，包括實益擁有人、船舶所有人、管理人及租船人，並分別適用各制度的擁有權標準。
- 根據《戰略物資（管制）令》為貨物分類；凡有任何跡象顯示最終用途與武器有關，須檢視全面管制條款。
- 就石油及成品油而言，取得每艘船舶的追蹤數據，並核實其船對船轉駁、更換船旗及自動識別信號中斷的紀錄。
- 如可能涉及原產於俄羅斯的石油，取得價格上限證明，並與交易檔案一併保存。
- 在合約中加入制裁條款，並檢視一旦某一當事人或船舶被指定時，不可抗力及終止條款如何運作。
- 由於俄羅斯公告將禁令延伸至加密資產，須檢查數碼支付代幣的資金流向是否與受制裁人士有關連。
- 記錄分析過程；凡新加坡法律有所要求，須向當局舉報可疑情況及已凍結資產；每當公佈新一輪措施或新的指定時，重新檢視情況。

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註釋

1. US Department of the Treasury, press release JY2777，2025年1月10日：由被指定石油公司擁有50%或以上權益的實體遭凍結；MAS Notice SNR-N01，第2.1段：指定銀行包括"all entities owned or controlled by, directly or indirectly, or acting on behalf of or under the direction of"所列銀行。 ↩

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