銀行保密對外國稅務機關的終結：實務影響

Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland and Germany),
Solicitor (England & Wales and Hong Kong)
Of Counsel, KGP Legal LLC
alexander.ressos@kgplegal.com.sg
www.ressos.com.sg

對銀行、信託公司及資產管理人的影響

這些規則的累積效果是：新加坡金融機構必須能夠就每一名客戶證明，它了解客戶的稅務居民身份，並且沒有理由懷疑有關資產是逃稅的得益。這項責任同樣適用於銀行、持牌信託公司及基金經理。本部分第III章及第V章探討的家族辦公室及外部資產管理人制度，另有其本身的規定。2024年的風險評估指出，信託公司及資產管理人等專業中介可能被濫用於清洗外國稅務罪行的得益。[1]

對客戶及其顧問的影響

對客戶而言，實務規則很簡單。在新加坡持有的任何帳戶，都必須假定客戶居住國的稅務機關已經知悉，除非該國位於新加坡的資料交換網絡之外，例如目前的阿拉伯聯合酋長國。美國人士的帳戶根據《海外帳戶稅收遵從法》（FATCA）向美國國稅局（IRS）申報。架構並不會改變這個結果，因為被

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.

動實體及信託會被穿透至其控制人。旨在規避申報的安排，可根據《所得稅法》第105MA條不予理會。協助客戶隱藏源自逃稅的資產的顧問，在新加坡可能須根據CDSA的洗錢條文承擔刑事責任。

核對清單

- 確定每一名帳戶持有人、控制人、財產授予人、受益人及保護人的稅務居民身份，並以自我證明及佐證文件記錄。
- 檢查其居住司法管轄區是否列於IRAS現行的須申報司法管轄區名單，以及該帳戶是否屬於FATCA的範圍。
- 就每一名新客戶，運用MAS《626號公告》指引附錄B所列的指標，評估資產在稅務上的合法性，以及把資產入帳於新加坡的理由是否合理可信。
- 把參與外國稅務特赦視為須舉報事件，提交所需的可疑交易報告，並按風險為本的原則決定是否審查該帳戶。
- 如被逃避的外國稅項在新加坡並無對應稅項，仍須實施風險控制措施，並在提交自願報告前考慮缺乏法定保障的問題。
- 避免以令帳戶免受共同匯報標準（CRS）或FATCA申報為主要目的的安排，因為稅務局局長可對其不予理會。
- 檢視暫存郵件及休眠帳戶等舊有服務，確保它們受到獨立控制。
- 為自2027年1月1日起生效的經修訂CRS，以及加密資產申報框架（CARF）作好準備，CARF的首次交換預計於2028年進行。

註釋

1. *Money Laundering National Risk Assessment 2024*，第6.2.18段：“Professional intermediaries such as trust companies and asset managers may also be

© 2026 Dr Alexander Ressos. General information only, not legal, tax or investment advice. No client relationship is created. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. More information at SingaporeIQ.com and ressos.com.sg.

misused”；法人及法律安排被用於透過複雜的擁有權及控制架構持有資金。 ↩

Disclaimer

This article is provided for general information only. It is based on publicly available sources as at its date of publication. These sources have not been independently verified against licences, regulatory registers or the records of the entities concerned. It is not legal, tax, financial or investment advice. Nor is it a recommendation to invest in, transact with or use the services of any entity mentioned. Law and regulation change frequently, so the content may be incomplete or outdated. To the fullest extent permitted by law, Dr Alexander Ressos and the publisher of SingaporeIQ exclude all liability for loss or damage arising from the use of or reliance on this article. Readers should obtain advice on their specific circumstances before acting or refraining from action.

Names and trademarks of the entities discussed belong to their owners and are used for identification only. Their mention implies no endorsement, affiliation or allegation of wrongdoing. All Singapore law advice is provided by a duly licensed and regulated firm of Singapore advocates and solicitors only on the basis of an express written letter of engagement. Corrections and updates: contact@ressos.com.

© 2026 Dr Alexander Ressos. This article may be quoted with attribution to SingaporeIQ (SingaporeIQ.com). Reproduction in full and any commercial use require prior written consent. The Legal Terms at https://singaporeiq.com/legal-terms apply.

Author contact: Dr Alexander Ressos, TEP · contact@ressos.com