Singapura: tribunais, resolução de disputas e setor

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Supreme Court of Singapore

A General Division da High Court julga em primeira instância as ações cíveis acima do limite de alçada da district court e todos os pedidos de proprietary injunctions (medidas cautelares de natureza real), ordens de bloqueio (freezing orders) e ordens de exibição em casos de ativos digitais. A Singapore International Commercial Court (SICC), uma divisão da High Court, julga litígios comerciais internacionais com um colegiado que inclui juízes internacionais e já tratou de casos de ativos digitais. A Court of Appeal é a última instância.[1] Abordagem: por meio de advogado habilitado em Singapura ou, na SICC, por advogados estrangeiros registrados em casos offshore. O sistema de processo eletrônico dos tribunais permite pedidos urgentes em um dia.

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Singapore International Arbitration Centre (SIAC) e Singapore International Mediation Centre (SIMC)

As instituições de arbitragem e de mediação, cujas regras (SIAC Rules 2025) preveem árbitros de emergência e procedimentos expeditos e que têm experiência com disputas sobre tokens, corretoras e contratos de investimento.[2] Abordagem: pela apresentação de um requerimento de arbitragem (notice of arbitration) com base em uma convenção que remeta ao SIAC. A secretaria do SIAC é eficiente, e o procedimento de árbitro de emergência produz uma decisão em poucos dias.

Singapore Academy of Law (SAL)

A entidade de promoção e desenvolvimento da profissão jurídica, cujo Law Reform Committee publicou relatórios sobre ativos digitais e cujas publicações têm autoridade persuasiva perante os tribunais.

Personal Data Protection Commission (PDPC) e Cyber Security Agency (CSA)

O regulador da PDPA (a lei de proteção de dados pessoais) e a autoridade de cibersegurança. A PDPC fiscaliza as obrigações de proteção de dados relevantes para a análise de blockchain e para as transferências de dados da travel rule. A CSA administra o Cybersecurity Act 2018 e recebe comunicações de incidentes dos titulares de infraestruturas críticas de informação.[3]

Entidades setoriais

A Blockchain Association Singapore (BAS), a Singapore FinTech Association (SFA) e a Association of Banks in Singapore (ABS) são as entidades pelas quais a MAS consulta o setor e pelas quais os profissionais obtêm a visão do mercado. O grupo setorial do Project Guardian é coordenado pela própria MAS.

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Notas

1. Supreme Court of Judicature Act 1969; Rules of Court 2021; ver Parte N, Capítulo V. ↩
2. SIAC Rules 2025, em vigor desde 1º de janeiro de 2025; International Arbitration Act 1994; ver Parte N, Capítulo VI. ↩
3. Personal Data Protection Act 2012; Cybersecurity Act 2018; ver Parte J, Capítulo IX. ↩

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