注意義務に関するシンガポールの枠組み

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

シンガポールは、過失における注意義務の存否について単一の基準を適用しています。この基準は、控訴院（Court of Appeal）が*Spandeck Engineering v Defence Science and Technology Agency*事件で示したものです。まず、損害の事実上の予見可能性という前提要件があります。次に裁判所は、物理的、状況的及び因果的な近接性、ならびに責任の引受けと信頼の有無を考慮して、当事者間に十分な法的近接性があるかどうかを問います。近接性が認められれば一応の注意義務が生じますが、これは政策的考慮によって否定されることがあります。[1] この基準は、純粋経済損失の請求を含め、過失に基づくすべての請求に適用されます。シンガポールは純粋経済損失に関する英国の排除ルールを採用しませんでした。そのため、他者の不注意によって金銭を失った請求者は、最初から請求を阻まれることはなく、近接性と政策の段階を満たせばよいことになります。[2] 暗号資産に関する請求は常に経済損失の請求であるため、この点は英国の法廷地と比べて大きな利点です。

© 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.

注

1. *Spandeck Engineering (S) Pte Ltd v Defence Science & Technology Agency* [2007] SGCA 37 at [73]–[86]。 ↩
2. *Spandeck* [2007] SGCA 37 at [69]–[72]。純粋経済損失を特別な類型として扱う英国のアプローチに従わなかったもの。 ↩

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 Law and regulation change frequently, so the content may be incomplete or outdated.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