제5단계: 자금세탁방지 온보딩과 트래블 룰

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스위스의 지급형 토큰 발행인은 토큰이 양도 가능해지는 순간부터 자금세탁방지법(AMLA)상 금융중개업자입니다. 발행인은 판매 참여자의 신원을 확인하고, 실질 소유자를 확인하며, 위험기반 접근법을 적용하고, 의심 사항을 스위스 자금세탁신고사무소(MROS)에 보고해야 합니다.[1] 이는 판매에 참여하는 모든 매수인에 대한 고객확인(KYC) 절차를 의미하며, 그래서 스위스의 공개 판매는 SRO에 가입한 발행인이나 온보딩 플랫폼을 갖춘 규제 대상 판매회사를 통해 진행됩니다. 신원확인 없이 환전 거래를 진행할 수 있는 1,000스위스 프랑 기준은 환전 거래에 적용됩니다. 발행인이 매수인과 영업관계를 형성하는 토큰 판매에는 적용되지 않습니다.[2]

싱가포르에서 자금세탁방지 제도는 라이선스 보유자에게 적용됩니다. 따라서 PSA 라이선스가 필요 없는 발행인에게는 법정 자금세탁방지 의무가 없는 반면, 라이선스를 받은 판매회사는 디지털 지급 토큰 이전에 대한 트래블 룰을 포함하여 MAS 고시 PSN02를 전면적으로 적용합니다.[3] 토큰 생성 이벤트 시 매수한 토큰을 참여자의 지갑으로 인도하는 것은, 라이선스 보유자가 실행하

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주

1. AMLA, SR 955.0, Art. 2 para. 3 lit. b(금융중개로서의 지급수단 발행), Arts 3 to 6(실사 의무) 및 Art. 9(보고); FINMA ICO Guidelines 2018, section 3.4. 제F편 제II장 및 제III장. ↩
2. Anti-Money Laundering Ordinance-FINMA of 3 June 2015 (AMLO-FINMA; GwV-FINMA), SR 955.033.0, Art. 51a(가상화폐 환전 거래에 대한 30일당 1,000스위스프랑 기준). 제F편 제III장. ↩
3. MAS Notice PSN02, "Prevention of Money Laundering and Countering the Financing of Terrorism – Digital Payment Token Service", 개정 포함, paras 6 to 8(고객 실사) 및 para. 13(가치 이전; 트래블 룰). 제L편 제II장 및 제III장. ↩

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