# Le cadre singapourien du devoir de diligence

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

Singapour applique un critère unique pour l'existence d'un devoir de diligence (duty of care) en matière de négligence, fixé par la Court of Appeal dans *Spandeck Engineering v Defence Science and Technology Agency*. Il existe une condition préalable de prévisibilité factuelle du dommage. Le tribunal recherche ensuite s'il existe une proximité juridique suffisante entre les parties, en tenant compte de la proximité physique, circonstancielle et causale ainsi que de toute prise en charge de responsabilité (assumption of responsibility) et de toute confiance légitime (reliance). Si la proximité est établie, un devoir naît prima facie, qui peut être écarté par des considérations de politique juridique (policy).[1] Ce critère s'applique à toutes les actions en négligence, y compris celles portant sur une perte purement économique (pure economic loss). Singapour a rejeté la règle d'exclusion anglaise applicable à la perte purement économique. Un demandeur qui a perdu de l'argent en raison de la négligence d'autrui n'est donc pas écarté d'emblée, mais doit satisfaire aux étapes de la proximité et de la politique juridique.[2] Pour les actions en matière de crypto-actifs, qui portent toujours sur des pertes économiques, c'est un avantage significatif par rapport à un for anglais.

© 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.

## Notes

1. *Spandeck Engineering (S) Pte Ltd v Defence Science & Technology Agency* [2007] SGCA 37, [73]–[86]. ↩
2. *Spandeck* [2007] SGCA 37, [69]–[72], refusant de suivre l'approche anglaise qui traite la perte purement économique comme une catégorie à part. ↩

## 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