

SWITZERLAND

**FEDERAL LAW ON THE PROTECTION OF PLANT VARIETIES No. 232.16
of March 20, 1975 (status as of September 1, 2008)***

The Federal Assembly of the Swiss Confederation,
In view of Art. 64 and 64 A of the Constitution^{1,2}

In view of the message of the Federal Council dated
May 15, 1974,³

decides as follows:

Chapter 1
General provisions

...⁴

Art. 1⁵
Subject matter

The present law regulates the protection of new plant varieties, pursuant to the International Convention for the Protection of New Varieties of Plants of December 2, 1961.⁶

Art. 2⁷
Definitions

1. "Variety" means a plant grouping within a single botanical taxon of the lowest known rank, which can be:

- a. defined by the expression of the characteristics resulting from a given genotype or combination of genotypes;
- b. distinguished from any other plant grouping by the expression of at least one of the said characteristics;
- c. considered as a unit with regard to its suitability for being propagated unchanged.

2. A variety shall be deemed to be essentially derived from another variety (initial variety) if it satisfies the following conditions:

- a. it is predominantly derived from the initial variety, or from a variety that is itself predominantly derived from the initial variety;
- b. it is clearly distinguishable from the initial variety;
- c. except for the differences which result from the act of derivation, it conforms to the initial variety in the expression of the essential characteristics which result from the genotype or combination of genotypes of the initial variety.

3. "Propagating material" shall be deemed to be seeds, seedlings, grafts, stocks and any other parts of the plant, including the material obtained by in vitro production, which are meant to be propagated, sown, planted or replanted.

Art. 3
Authorized agent in Switzerland

Any person who has neither his residence nor his head office in Switzerland may only be a party to proceedings initiated in accordance with this Law and assert the rights arising therefrom if he has an authorized agent established in Switzerland. The latter has the authority to represent the person before the Bureau for the Protection of Varieties (bureau according to art. 23) as well as in disputes relating to the protection of varieties. The provisions governing the exercise of the profession of lawyer shall be reserved.

Art. 4
Reservation in favour of international treaties

Those filing an application for the title of protection (applicants) and the holders of such a title (holders) may invoke the provisions of the text, the most recent version ratified by Switzerland, of multilateral conventions when they are more favourable than those of the present law.

* Unofficial translation provided by the Office of the Union. The official version of the Law in French, German and Italian can be consulted at the following website http://www.admin.ch/ch/d/sr/c232_16.html

Chapter 1a
Protection of varieties⁸

Section 1⁹
Effects of the protection of varieties

Art. 5
Principle

1. As a result of the protection of varieties, the following acts shall require the authorization of the holder of the title of protection (holder):

- a. production or reproduction of the propagating material of the variety protected or conditioning for the purpose of propagation;
- b. offering;
- c. selling or other marketing;
- d. exporting or importing;
- e. stocking for any of the purposes mentioned in a. to d.

2. Para. 1 shall also apply to:

- a. varieties which are essentially derived from the protected variety, where the protected variety is not itself an essentially derived variety;
- b. varieties which are not clearly distinguishable from the protected variety;
- c. varieties whose production requires the repeated use of the protected variety;
- d. the harvested material from a protected variety or a variety referred to in a. to c. if, to obtain this material, propagating material was used without the authorization of the breeder, who has not had reasonable opportunity to exercise his right over such use in an appropriate fashion.

Art. 6
Exceptions

The breeder's authorization shall not be required for the acts referred to in art. 5, which are done:

- a. privately and for non-commercial purposes;

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- b. for experimental purposes;
- c. For the purpose of breeding other varieties entailing the use of the protected variety, as well as the acts referred to in art. 5, para 1, which pertain to these varieties, unless it concerns the varieties mentioned in art. 5, para 2, a. to c.

Art. 7
Farmer's privilege

1. Farmers who have acquired propagating material from a protected agricultural variety put in circulation by the holder or with his consent may, on their holdings, propagate the harvested material they have obtained by growing such material.

2. The Federal Council shall determine the plant species to which the farmer's privilege shall apply; in so doing, it shall give special consideration to their importance as raw materials for foodstuffs or fodder.

Art. 8
Nullity of agreements

Any agreement which restricts or annuls the exceptions to the right to protection for the varieties referred to in art. 6 and 7 shall be deemed to be null and void.

Art. 8a
Exhaustion of protection for the varieties

1. Protection of the varieties referred to in art. 5 shall be deemed to be exhausted if material has been sold or otherwise marketed by the holder or with his consent.

2. Protection of the varieties shall not be deemed to be exhausted if:

- a. a further propagation of the variety in question takes place without the material having been destined for such purpose at the time of assignment;
- b. material of the variety in question is exported to a country which does not protect varieties of the species concerned and the exported material is not for final consumption purposes.

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Section 2¹⁰
Varieties suitable for protection

Art. 8b

1. Protection shall be granted to all varieties which are new, distinct, uniform and stable.
2. The variety shall be deemed to be new if no propagating material or harvested material has been sold or otherwise disposed of, in Switzerland earlier than a year, and abroad earlier than four years prior to the date of filing of the application for protection (application) by the breeder himself or with his consent, for purposes of exploitation of the variety. The period shall be earlier than six years in the case of trees or vines sold or otherwise disposed of abroad.
3. The variety shall be deemed to be distinct if it is clearly distinguishable from any other variety whose existence was a matter of common knowledge at the time the application was filed.
4. The variety shall be deemed to be uniform if, subject to the variation that may be expected from the particular features of its propagation, it is sufficiently uniform in its relevant characteristics.
5. The variety shall be deemed to be stable if its relevant characteristics remain unchanged after repeated propagation or, in the case of a particular cycle of propagation, at the end of each such cycle.

Section 3
Right to protection

Art. 9
Principle

1. The right to protection of a variety shall be granted to the breeder or his successor in title. Art. 332 of the Code of Obligations¹¹ shall apply by analogy.¹²
2. If several persons have bred a variety together, they shall be jointly entitled to this right.
3. If the variety has been bred independently by several persons, the right shall be granted to the person who can invoke a prior filing or a filing which enjoys priority.

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Art. 10
Position of the applicant

The person who files the application shall, barring evidence to the contrary, be deemed to be authorized to apply for protection.

Art. 11¹³
Priority

1. Any person who files an application in the 12 months following the date on which he or his predecessor duly filed it for the first time abroad shall benefit from the priority attached to the first application. In this case, events occurring after the first filing shall not constitute a ground for rejecting the subsequent application.
2. Priority must be invoked when the application concerning the variety has been filed. The bureau may require documents justifying the first filing.

Section 4¹⁴
Denomination of the variety and mark

Art. 12
Variety denomination

1. The variety shall be designated by a denomination.
2. This denomination must not:
 - a. be liable to mislead or be confused with another denomination which has been filed or registered for a variety of the same plant species or of a closely related species in a State or an inter-State organization forming part of the International Union for the Protection of New Varieties of Plants;
 - b. be contrary to law and order or morality or infringe Swiss federal law or an international treaty;
 - c. consist solely of figures except where this is an established practice for designating varieties.
3. If the same variety has already been filed or registered in a State or an inter-State body referred to in para 2a., the denomination used must be retained, unless it is unsuitable on linguistic or other grounds.

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Art. 13

Use of the variety denomination

1. Any person who offers for sale or sells on a professional basis propagating material of a protected variety shall be obliged to use the denomination of that variety, even after the expiration of protection.
2. The rights of third parties shall be reserved.

Art. 13a

Modification of the variety denomination

Once the title of protection of the variety has been granted, the bureau may only change the variety denomination:

- a. further to an enforceable judgment;
- b. if a third party renders an opposing right credible and the holder accepts the change.

Art. 13b

Mark

In addition to the variety denomination, a protected variety may be put into circulation under a mark or another clearly distinguishable commercial designation. The variety denomination shall be clearly recognizable.

Section 5

Modifications affecting the existence of protection

Art. 14¹⁵

Expiration of the period of protection

Protection shall expire at the end of the twenty-fifth calendar year following the granting of the title and at the end of the thirtieth calendar year for varieties of vines and trees.

Art. 15

Premature expiration

1. The title of protection shall expire when the holder waives his right by means of a written declaration addressed to the bureau.¹⁶

2. Such waiver may be revoked until such time as the bureau has published it.

Art. 16

Declaration of nullity

1. The judge shall, acting upon a complaint, pronounce the nullity of the title of protection if it has been established:
 - a. that the variety was not new or distinct when the title of protection was issued;
 - b. that the variety was not uniform or stable when the title of protection was issued and that such title was primarily based on the information and documents furnished by the applicant;
 - c. that the title of protection has been granted to a person who is not entitled to it and that person has failed to transfer it to the rightful claimant.¹⁷
2. Any person who can justify an interest may bring suit for nullity.

3...¹⁸

Art. 17

Cancellation

1. The bureau shall cancel the title of protection:
 - a. if the holder, after having been requested to do so, does not provide the propagating material, documents and indications deemed necessary for verification within the time limit set;
 - b. if the holder, after having been requested to do so, fails to pay the annual fee due;
 - c. if it has been established that the variety is no longer uniform or stable.¹⁹
2. Cancellation of the title of protection shall take effect once it has been entered in the registry of titles of protection of varieties (registry).

Section 6
Modifications concerning the right to be issued the
title of protection and
the right to protection

Art. 18
Transfer

1. The right to be issued the title of protection and the right to protection may be transferred in full or in part to third parties and shall pass to the heirs.
2. The rights of third parties shall only be binding on a person who, acting in good faith, acquires the rights to production if they have been entered in the registry.

Art. 19
Assignment

1. When the application has been filed by a person who is not entitled to protection, the rightful claimant may petition for the assignment of the application or, if the title has already been granted, bring suit for assignment.
2. The suit must be brought within two years from the date of publication of the title of protection. Action brought against a defendant acting in bad faith shall not be subject to any time limit.
3. If the suit is successful, the rights granted by the defendant to third parties shall become null and void.

Art. 20
Expropriation

1. If national supply constraints so require, the Federal Council may order the total or partial expropriation of the title of protection.
2. The expropriated person shall be entitled to full and complete compensation, which shall be set in the event of a dispute by the Federal Tribunal. Chap. II of the Federal Law of June 20, 1930 on Expropriation²⁰ shall apply by analogy.

Section 7
License

Art. 21
Contractual granting of the license²¹

1. The holder may authorize a third person to use the protected variety (granting of the license). If the variety belongs jointly to several persons, the issuing of such a license shall be subject to their agreement.
2. Licenses shall only be binding on a person who, acting in good faith, acquires the rights to protection if they have been entered in the registry.

Art. 22²²
License granted in the public interest

When the public interest so requires, a person whose application for a license has been rejected by the holder without sufficient grounds may petition the judge to issue a non-exclusive, non-assignable license.

Art. 22a²³
License for a dependent patent

1. When a patent right concerning biological material cannot be exercised without infringing a prior right to protection of a variety, the patent holder shall be entitled to a non-exclusive operating license, of a scope enabling him to exercise his patent right, if his invention represents significant progress of clear economic interest in relation to the protected variety.
2. The holder of a right to protection may in exchange petition the patent holder for an operating license for the latter's patent right.

Art. 22b²⁴
Judicial application

1. The licenses provided for in art. 22 and 22a shall be granted if the efforts undertaken by the applicant to obtain a contractual license on reasonable commercial terms have not succeeded within an acceptable period of time. Such efforts shall not be necessary in national emergencies or other circumstances characterized by extreme urgency.

2. The scope and duration of the licenses shall be limited to the purposes for which they were granted.

3. Licenses may only be assigned to the part of the company which uses them. The same holds true for sub-licenses.

4. Licenses shall be granted primarily for supplying the domestic market.

5. Upon request, the judge shall withdraw the license from the rightful claimant if the circumstances which justified its granting no longer exist and if it is likely that they will not recur. Adequate protection of the legitimate interests of the rightful claimant shall be reserved.

6. The holder of a right to protection may lay claim to adequate remuneration, which shall be determined by taking the case at hand and the economic value of the license into consideration.

7. The judge shall decide on the granting or withdrawal of the license and on its scope and duration and the remuneration to be paid.

8. When the suit seems well-founded, the judge may, after having heard the defendant and subject to an enforceable decision, grant the license at the request of the petitioner if he provides the defendant with the necessary guarantees.

Chapter 2

Organization and procedure

Section 1

Organization and competence

Art. 23²⁵

Bureau for the protection of varieties

Unless the present Law provides otherwise, the Bureau for the Protection of Varieties (Bureau) shall be empowered to issue titles of protection and to examine related questions.

Art. 24²⁶

Authority responsible for examination

1. The Bureau shall commission a federal station for agronomic research or another qualified authority to

examine whether the variety is distinct, uniform and stable.

2. It may recognize the results of examinations performed by an authority outside Switzerland, provided that its examination methods satisfy the requirements of the present Law and the provisions arising therefrom.

Art. 25²⁷

Section 2

Filing of the application, examination of the variety and granting of the protection of varieties²⁸

Art. 26

Form of the application and date of filing

1. A person wishing to secure protection for a variety shall submit to the Bureau, in the prescribed form, an application accompanied by the requisite indications and documents, and pay the filing fee.

2. The date of filing shall be deemed to be the date on which all of the elements of the file were supplied and the filing fee was paid.

Art. 27

Procedure for rectification

1. An application which has not been properly made shall be rectified, if the Bureau so requires. If need be, it may require other rectifications at any moment.

2. If the shortcomings have not been remedied within the period set, the application shall be rejected.

Art. 28

Publication of the application

1. Applications that have been duly filed shall be published by the Bureau. Such publication shall include at least the following:

- a. date of filing;
- b. the name or company name and the address of the applicant and, as applicable, his authorized agent;
- c. the name or company name and address of the breeder, if he is not the applicant;

- d. the proposal concerning the variety denomination;
- e. the genus or species to which the filed variety belongs;
- f. as the case may be, the country and date of a prior filing from which priority has been derived.

2. When an application has been withdrawn or rejected after its publication or the wording of the application published is subsequently amended, a new publication shall be made.

Art. 29 Objections

1. Anyone may, in the three months following publication, submit objections to the application to the Bureau. These objections shall be in writing and must state the reasons. The documents and plants which serve as evidence shall be attached or indicated.

2. The sole purpose of objections is to assert that the filed variety does not qualify for protection under art. 8b, or that its denomination does not satisfy the requirements set out in art. 12.29

3. The applicant shall have the right to express himself with regard to the objections put forward. He shall in particular clarify whether he intends to maintain, modify or withdraw his application.

Art. 30³⁰ Examination of varieties

1. The applicant shall, within the period set, return the essential propagating material to the authority responsible for conducting the examination, provide it with all the necessary information and authorize it to verify such information. If he claims the priority of the application by virtue of art. 11, he shall furnish the propagating material within two years from the date of the expiration of the period set for priority.

2. The authority responsible for conducting the examination shall set the results down in a report. If the variety satisfies the conditions set, it shall describe its characteristics in an official report.

3. If the variety is subject to a growing test, the applicant must follow the test under way and express his views on the results of the examination.

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Art. 31 Granting of protection

1. Once the examination has been completed, the Bureau shall grant protection when all of the conditions have been satisfied. If this is not the case, it shall refuse to grant protection.

2. Protection shall be granted, without a guarantee from the Swiss Government (Confederation), by means of an entry in the registry. The applicant shall receive as title of protection an extract from the registry (title of protection of the variety).

3. Barring evidence to the contrary, the title issued shall be deemed to be legitimate, and the person who has obtained it shall be deemed to be the rightful claimant.

Art. 31a³¹ Titles of protection for a variety established outside Switzerland

The Swiss Federal Council shall regulate recognition of titles of protection for varieties issued by other States under comparable conditions.

Section 3 Registry of titles of protection, publication and taxes

Art. 32 Content of the registry

1. The Bureau shall maintain the registry in which the title of protection has been entered with the requisite indications, namely:

- a. the denomination of the variety;
- b. the description of the variety;
- c. the name or company name and address of the holder and his authorized agent, if any;
- d. the name or company name and address of the breeder, if he is not the holder;
- e. the dates on which the application was filed and published;
- f. as applicable, the country and date of the prior filing from which priority is derived.

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2. Any modifications which affect the existence of the title of protection or the right to protection shall also be entered in the registry. The courts shall forward to the Bureau complete copies, free of charge, of the enforceable decisions which have made such modifications necessary.

3. The Bureau may, if it has informed the holder in advance, complete the description of a variety when the description of another variety so requires.

Art. 33 Publication

1. The Bureau shall publish the entries recorded in the registry.

2. No one may claim that he is not aware of an entry recorded in the registry.

Art. 34 Public nature of the registry

1. Anyone may, upon payment of a fee, consult the registry or seek information on its contents and request extracts.

2. Except for the report of the authority responsible for conducting the examination, the different elements of the registry are confidential. They may not be consulted by third parties without the holder's authorization. The courts shall not require such authorization.

Art. 35 Records retention

The Bureau shall retain the elements on file which relate to the titles of protection, in original form or as a copy, until the expiration of a five-year time limit starting from the end of protection; however, the registry shall be retained indefinitely.

Art. 36 Fees

1. The competent authorities shall charge the following fees for issuing the title of protection:

- a. an application filing fee;
- b. fees for the examination of the variety;
- c. annual fees for the duration of protection.

2. Fees shall be payable in advance and shall be set in such a way as to cover expenses.

3. The Federal Council shall decide on prescriptions concerning the amount and the due date for fees, as well as the time limits for payment. It may decide to charge for other services rendered which relate to protection of the varieties.

Chapter 3 Civil law protection

... ³²

Art. 37 Action to prevent or restrain the disturbance³³

1. Anyone whose right deriving from protection or whose right to the variety denomination has been threatened or infringed may bring suit to put a halt to the act or to eliminate the resulting unlawful state of affairs.

2 ... ³⁴

Art. 38 Right to bring suit before the granting of protection

1. As soon as the application has been published, the applicant may, before protection has been granted, bring suit to put a halt to the act or to eliminate the unlawful state of affairs, provided he supplies the opposing party with sufficient guarantees.

2. Although action for damages may only be brought once protection has been granted, it can cover the damage caused by the defendant's fault from the time the application was published.

Art. 39 Action for official verification

Anyone who can prove an interest may bring suit to establish the existence or absence of a legal

relationship which must be judged in accordance with the present Law.

Art. 40

Safeguarding of production or business secrecy

1. The production or business secrets of the parties concerned shall be safeguarded.

2. The opposing party shall only be given cognizance of evidence likely to reveal such secrets to the extent that it is compatible with their safeguarding.

Art. 41³⁵

Art. 42

Single cantonal tribunal

1. Each canton shall designate for the whole of its territory a court responsible for serving as a single cantonal tribunal for hearing proceedings covered by the present Law.

2.³⁶

...³⁷

Art. 43³⁸

Provisional measures

1. Anyone who can credibly state that he has suffered or is likely to suffer an infringement of his right in a variety or a variety denomination and that such infringement could well cause him to sustain a loss that would be difficult to set right shall be entitled to request provisional measures.

2. He may in particular demand that the judge order measures to retain evidence, to ascertain the origin of the material bearing the variety denomination of a variety protected in Switzerland, to safeguard the state of affairs or to ensure on a provisional basis the exercise of an action to prevent or restrain the disturbance.

3. The following shall be competent to order provisional measures:

a. if suit has been brought, the judge of the place where the suit is pending;

b. if no suit has been brought, the competent judge by virtue of the Law of March 24, 2000 on Jurisdictions.³⁹

4. Moreover, art. 28c to 28f of the Swiss Civil Code⁴⁰ shall apply by analogy.

Art. 44 to 46⁴¹

Art. 47⁴²

Chapter 4

Criminal law protection

Art. 48

Violation of the provisions relating to the protection of varieties

1.⁴³ Anyone who, without being entitled to do so, carries out the acts referred to in art. 5, para 1, by utilizing the propagating material or the harvested material of a protected variety or a variety covered by art. 5, para 2 a.-c., or who utilizes such material on an ongoing basis with a view to producing the propagating material of a new variety, shall, if he has acted intentionally, be punished, subsequent to a complaint by the aggrieved party, by a maximum sentence of one year's imprisonment or a fine.

2. Punishment shall take the form of a fine if he has acted by negligence.

3. The right of complaint shall lapse upon expiration of a period of six months as from the date on which the aggrieved party ascertained the identity of the author.

Art. 49

Misleading advertising and other infractions

1. Anyone who, in advertising, in his business papers or, during the marketing of products, gives indications capable of inducing a wrongful belief that a product is protected,

Anyone who fails to use the variety denomination when he is in the business of selling the propagating material of a protected variety,

Anyone who, for another variety of the same botanical species or a similar species, utilizes in his

professional activity the variety denomination of a protected variety or a denomination leading to confusion with it,

Anyone who infringes in any other way the present Law or the related enabling prescriptions, shall be punishable by a fine, if he has acted intentionally.

2. Attempts and complicity shall be punishable.

Art. 50
Seizure of material

Even if it has not been possible to prosecute or convict any specific person, the judge may order the seizure of the products produced unlawfully.

Art. 51
Prosecution

Prosecution shall be the responsibility of the cantons.

Chapter 5
Final provisions

Art. 52
Amendment of prevailing legislation

1. The Federal Law of April 11, 1889 on Prosecution for Debts and on Bankruptcy⁴⁴ has been amended as follows:

Art. 132, para 2

...

2. The Federal Law on the Organization of the Judiciary of December 16, 1943⁴⁵ has been amended as follows:

Art. 100 n.

...

Art. 53⁴⁶

Transitional provisions of the amendment of October 5, 2007

1. As an exception to art. 8b, para 2, the following shall also be deemed to be new, during a transitional period of one year starting with the entry into force of the amendment of October 5, 2007: varieties for which the propagating material or harvested material has been sold or otherwise marketed in Switzerland for less than one year prior to the entry into force of the present amendment, with the breeder's consent, for purposes of exploiting the variety.

2. Art. 5, para 2 a. shall not apply to those essentially derived varieties that were known prior to the entry into force of the amendment of October 5, 2007.

Art. 54
Implementation

The Federal Council shall decide upon the necessary enabling provisions.

Art. 55⁴⁷

Art. 56
Referendum and entry into force

1. The present Law shall be subject to optional referendum.

2. The Federal Council shall set the date of its entry into force.

Date of entry into force: June 1, 1977⁴⁸

(Footnotes)

RO 1977 862

- 1 [RS 1 3]. At present, art. 122 and 123 of the Constitution of April 18, 1999 (RS Recueil systématique – (Systematic Compilation) 101) correspond to the provisions referred to.
- 2 New wording according to chapter 12 of the annex to the Law of March 24, 2000 on Jurisdictions, in force since January 1, 2001 (RS 272).
- 3 FF (Feuille fédérale - Federal Gazette) 1974 I 1409
- 4 Repealed by art. 2, ch. 1 of the AF (Arrêté fédéral - Federal Decree) of October 5, 2007, valid as of Sept. 1, 2008 (RO (Recueil officiel - Official Compilation) 2008 3897 3908; FF 2004 3929).
- 5 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 6 RS 0.232.161/.163
- 7 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 8 Introduced by art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since September 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 9 Formerly section 2 of chap. 1. New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 10 Introduced by art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 11 RS 220
- 12 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 13 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 14 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 15 New wording according to art. 2, ch.1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 16 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since September 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 17 New wording according to art. 2, ch. 1 of the AF of Oct.5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 18 Repealed by art. 2, ch. 1 of the AF of Oct. 5, 2007, as of Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 19 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 20 RS 711
- 21 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 22 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 23 Introduced by art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 24 Introduced by art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008; 3897 3908 FF 2004 3929).
- 25 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 26 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 27 Repealed by ch. 24 of the annex to the Law of June 17, 2005 on the Federal Administrative Tribunal, as of January 1, 2007 (RS 173.32).
- 28 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 29 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 30 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 31 Introduced by art. 2, ch. 1 of the AF of Oct. 5, 2007, in force since Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 32 Repealed by art. 2, ch. 1 of the AF of Oct. 5, 2007, valid as from Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 33 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, which entered into force on Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3920).
- 34 Repealed by art. 2, ch. 1 of the AF of Oct. 5, 2007, valid as from Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 35 Repealed by ch. 12 of the annex to the Law of March 24, 2000 on Jurisdictions (RS 272).
- 36 Repealed by ch. II 12 of the LF (Loi fédérale – Federal Law) of March 20, 2008 relating to the Formal Updating of Federal Law, valid as from August 1, 2008 (RO 2008 3437 3452; FF 2007 5789).
- 37 Repealed by art. 2, ch. 1 of the AF of Oct.5, 2007, valid as from Sept.1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 38 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, valid as from Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 39 RS 272
- 40 RS 210
- 41 Repealed by art. 2, ch. 1 of the AF of Oct. 5, 2007, valid as from Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 42 Repealed by ch. 12 of the annex to the Law of March 24, 2000 on Jurisdictions (RS 272).

(Footnotes cont/d)

- 43 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, valid as from Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 44 RS 281.1. The following amendment has been inserted into the said Law.
- 45 [RS 3 521 ; RO 1948 473 art. 86, 1955 893 art. 118, 1959 931, 1969 757 art. 80 b. 787, 1977 237 ch. II 3 1323 ch. III, 1978 688 art. 88 ch. 3 1450, 1979 42, 1980 31 ch. IV 1718 art. 52 ch. 2 1819 art. 12 para 1, 1982 1676 annex ch. 13, 1983 1886 art. 36 ch. 1, 1986 926 art. 59 ch. 1, 1987 226 ch. II 1 1665 ch. II, 1988 1776 annex ch. II 1, 1989 504 art. 33 a, 1990 938 ch. III para 5, 1992 288, 1993 274 art. 75 ch. 1 1945 annex ch. 1, 1995 1227 annex ch. 3 4093 annex ch. 4, 1996 508 art. 36 750 art. 17 1445 annex ch. 2 1498 annex ch. 2, 1997 1155 annex ch. 6 2465 appendix ch. 5, 1998 2847 annex ch. 3 3033 annex ch. 2, 1999 1118 annex ch. 1 3071 ch. I 2, 2000 273 annex ch. 6 416 ch. I 2 505 ch. I 1 2355 annex ch. 1 2719, 2001 114 ch. I 4 894 art. 40 ch. 3 1029 art. I1 para 2, 2002 863 art. 35 1904 art. 36 ch. 1 2767 ch. II 3988 annex ch. 1, 2003 2133 annex ch. 7 3543 annex ch. II 4 a. 4557 annex ch. II 1, 2004 1985 annex ch. II 1 4719 annex ch. II 1, 2005 5685 annex ch. 7, 2006 2003 ch. III. RO 2006 1205 art. 131 para 1].
- 46 New wording according to art. 2, ch. 1 of the AF of Oct. 5, 2007, valid as from Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 47 Repealed by art. 2, ch. 1 of the AF of Oct. 5, 2007, valid as from Sept. 1, 2008 (RO 2008 3897 3908; FF 2004 3929).
- 48 Para 2 of the ACF (Arrêté du Conseil Fédéral – Decree of the Federal Council) of May 11, 1977 (RO 1977 879).