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**Federal Act
on the Statutory Principles
for Federal Council Ordinances on
Combating the COVID-19 Epidemic
(COVID-19 Act)**

of 25 September 2020 (Status as of 1 July 2024)

The Federal Assembly of the Swiss Confederation,
on the basis of Articles 68 paragraph 1, 69 paragraph 2, 92, 93, 101 paragraph 2, 102, 113, 114 paragraph 1, 117 paragraph 1, 118 paragraph 2 letter b, 121 paragraph 1, 122, 123 and 133 of the Federal Constitution¹,
and having considered the Federal Council dispatch dated 12 August 2020²,
decrees:

Art. 1³ Subject matter and principles

¹ This Act regulates special powers of the Federal Council to combat the COVID-19 epidemic and to respond to the effects of the measures to combat the disease on society, the economy and the public sector.

AS 2020 3835

¹ SR 101

² BBl 2020 6563

³ Applies until 31 Dec. 2031 (Art. 21 para. 6).

² The Federal Council shall use these powers only to the extent that they are required to respond to the COVID-19 epidemic. In particular, it shall not use these powers if the same objective can be achieved using regular or emergency legislative procedures.

^{2bis} The Federal Council shall be guided by the principles of subsidiarity, efficacy and proportionality. It shall aim for the shortest and least severe restriction of economic and social life possible, by ensuring that the Confederation and the cantons exhaust all the options provided by precautionary measures, testing and vaccination strategies and contact tracing beforehand.⁴

³ It shall consult the cantonal governments and the umbrella organisations for the social partners when drawing up measures that relate to their responsibilities.⁵

⁴ It shall inform Parliament regularly, in good time and comprehensively about the implementation of this Act. It shall consult the relevant committees beforehand about planned ordinances and amendments to ordinances.

⁵ In emergency cases the Federal Council shall inform the presidents of the relevant committees. They shall inform their committees without delay.

⁶ When ordering measures, the Federal Council and the cantons shall be guided by any available data, comparable with regard to time and the regions concerned, that

⁴ Inserted by No I of the FA of 18 Dec. 2020 (Culture, Hardship Cases, Sport, Unemployment Insurance, Fixed Penalty Fines) (AS **2020** 5821; BBl **2020** 8819). Amended by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2021 extended to 31 Dec. 2031 (AS **2021** 153, 878 No II para. 3; BBl **2021** 285, 2515).

⁵ Amended by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2021 extended to 31 Dec. 2031 (AS **2021** 153, 878 No II para. 3; BBl **2021** 285, 2515).

indicate that the healthcare system is in danger of becoming overburdened, the mortality rate is increasing or the disease is becoming more virulent.

Art. 1a⁶

Art. 2⁷

Art. 3⁸

¹ and ² ...

³ ...⁹

⁴ ...

^{4bis} ...¹⁰

^{4ter} ...¹¹

⁵ and ⁶ ...

^{6bis} ...¹²

⁷ ...

⁶ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2021, extended to 31 Dec. 2022 (AS **2021** 153, 878 No II para. 2; BBl **2021** 285, 2515).

⁷ In force until 31 Dec. 2022 (AS **2021** 878 No II para. 2; BBl **2021** 2515).

⁸ In force until 31 Dec. 2022, with the exception of para. 7 let. d, para. 1 and 2 let. a–g extended to 30 June 2024 (AS **2021** 878 No II para. 2; **2022** 817 No II; BBl **2021** 2515; **2022** 1549).

⁹ Amended by No I of the FA of 16 Dec. 2022, in force from 1. Jan. 2023 until 30 June 2024 (AS **2022** 817; BBl **2022** 1549).

¹⁰ Inserted by No I of the FA of 17 Dec. 2021 (AS **2021** 878; BBl **2021** 2515). Amended by No I of the FA of 16 Dec. 2022, in force from 1 Jan. 2023 until 30 June 2024 (AS **2022** 817; BBl **2022** 1549).

¹¹ Inserted by No I of the FA of 16 Dec. 2022, in force from 1. Jan. 2023 until 30 June 2024 (AS **2022** 817; BBl **2022** 1549).

¹² Inserted by No I of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 until 31 Dec. 2022 (AS **2021** 878; BBl **2021** 2515).

Art. 3a¹³

Art. 3b¹⁴

Art. 4¹⁵

1 ...¹⁶

2-4 ...

Art. 4a¹⁷

Art. 5 and 6¹⁸

Art. 6a¹⁹

Art. 7²⁰

Art. 8²¹

Art. 8a²²

Art. 9 Insolvency measures

The Federal Council may, insofar as it may be required in order to prevent mass bankruptcies and to stabilise the Swiss economy and society, issue provisions that derogate

¹³ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force since 20 March 2021 until 31 Dec. 2021, extended to 31 Dec. 2022 (AS **2021** 153, 878 No II para. 2, BBl **2021** 285, 2515).

¹⁴ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2021, extended to 31 Dec. 2022 (AS **2021** 153, 878 No II para. 2; BBl **2021** 285, 2515).

¹⁵ In force until 31 Dec. 2022, with the exception of para. 1 (AS **2021** 878 No II para. 2; BBl **2021** 2515).

¹⁶ Amended by no I of the FA of 16 Dec. 2022, in force from 1. Jan. 2023 until 30 June 2024 (AS **2022** 817; BBl **2022** 1549).

¹⁷ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2021, extended to 31 Dec. 2022 (AS **2021** 153, 878 No II para. 2; BBl **2021** 285, 2515).

¹⁸ In force until 31 Dec. 2022, extended to 30 June 2024 (AS **2021** 878 no II para. 2; **2022** 817 No II; BBl **2021** 2515; **2022** 1549).

¹⁹ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2022, extended to 30 June 2024 (AS **2021** 153; **2022** 817 No II; BBl **2021** 285; **2022** 1549). Correction by the FA Drafting Committee dated 25 Aug. 2021, published 2 Sept. 2021 (AS **2021** 527).

²⁰ In force until 31 Dec. 2021 (Art. 21 para. 2), let. b until 31 Dec. 2022 (AS **2021** 878 No II para. 2; BBl **2021** 2515).

from the Federal Act of 11 April 1889²³ on Debt Enforcement and Bankruptcy (DEBA) and from the Swiss Code of Obligations²⁴ on:

a. and b.²⁵ ...

c.²⁶ the obligations to report in the case of a loss of capital and over-indebtedness.

Art. 10²⁷

Art. 11²⁸

Art. 11a²⁹

Art. 11b³⁰

Art. 12³¹

Art. 12a³² Hardship measures for businesses: Personal data and information

¹ The responsible federal and cantonal offices, the Swiss Federal Audit Office (SFAO) and the cantonal audit authorities may process and disclose to each other personal data, including data about administrative or criminal proceedings and sanctions, and information required to administer, supervise and process the financial assistance under Article 12 and to prevent, combat and prosecute abuse. In this context, the SFAO may systematically use OASI numbers pursuant to Article 50c of the Federal Act of 20 December 1946³³ on Old-Age and Survivors' Insurance.

²¹ Art. 8 applies until the provisions on the conduct of general meetings in the Amendment of 19 June 2020 to the Swiss Code of Obligations (Company Law) comes into force, but at the latest until 31 Dec. 2023 (AS **2021** 354). Art. 699ff of the Code of Obligations came into force on 1 Jan. 2023 (see AS **2022** 109).

²² Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2021 (AS **2021** 153; BBl **2021** 285).

²³ SR **281.1**

²⁴ SR **220**

²⁵ In force until 31 Dec. 2021 (Art. 21 para. 2).

²⁶ Applies until 31 Dec. 2031 (Art. 21 para. 8).

²⁷ In force until 31 Dec. 2021 (Art. 21 para. 2).

²⁸ In force until 31 Dec. 2022 (AS **2021** 878 No II para. 2; BBl **2021** 2515).

²⁹ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 30 April 2022, extended to 31 Dec. 2022 (AS **2021** 153, 878 No II para. 2; BBl **2021** 285, 2515). Correction by the FA Drafting Committee dated 25 Aug. 2021, published 2 Sept. 2021 (AS **2021** 527).

³⁰ Inserted by No I of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 until 31 Dec. 2022 (AS **2021** 878; BBl **2021** 2515).

³¹ In force until 31 Dec. 2022 (AS **2021** 878 No II para. 2; BBl **2021** 2515).

³² Inserted by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force from 19 Dec. 2020 to 31 Dec. 2031 (AS **2020** 5821; BBl **2020** 8819).

³³ SR **831.10**

² The following entities and persons are obliged to provide the competent cantonal offices, the State Secretariat for Economic Affairs (SECO) and third parties designated by SECO on request with the personal data and information that they require to administer, supervise and process the financial assistance under Article 12 and to prevent, combat and prosecute abuse:³⁴

- a. the competent federal and cantonal public offices;
- b. the businesses that claim or receive financial assistance, their auditors and the persons and businesses they engage to carry out accounting and fiduciary activities.

³ The competent federal and cantonal public offices are obliged, on request, to provide the State Secretariat for Economic Affairs and the SFAO with the personal data and information that they require to fulfil their controlling, accounting and supervisory tasks.

⁴ Neither official secrecy nor the confidentiality of bank customer, tax, statistical or audit data may be invoked in order to prevent the processing or disclosure of personal data and information pursuant to this Article.

Art. 12^{b35} Measures in the sports sector: Non-repayable contributions to clubs playing professional and semi-professional team sports

1–4 ...

5 ...³⁶

6 and ⁷ ...

⁸ If the conditions specified in paragraph 6 letter a or d or the duty in the first sentence of paragraph 7 are not complied with, the contributions may be reclaimed in accordance with the Subsidies Act of 5 October 1990³⁷. If the conditions specified in paragraph 6 letter b or c are not complied with, the club concerned must repay the contributions that exceed 50 per cent of the lost ticket revenues in accordance with paragraph 4.³⁸

9 ...³⁹

³⁴ Amended by No I of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 until 31 Dec. 2031 (AS **2021** 878; BBl **2021** 2515).

³⁵ Inserted by No I of the FA of 18 Dec. 2020 (Culture, Hardship Cases, Sport, Unemployment Insurance, Fixed Penalty Fines), in force from 19 Dec. 2020 to 31 Dec. 2021, para. 1–4, 6 and 7 extended to 30 June 2022 (AS **2020** 5821; **2021** 878 No II para. 1; BBl **2020** 8819; **2021** 2515).

³⁶ Repealed by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), with effect from 1 Jan 2021 (AS **2021** 153; BBl **2021** 285).

³⁷ SR **616.1**

³⁸ Amended by No I of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 to 31 Dec. 2027 (AS **2021** 878; BBl **2021** 2515).

³⁹ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 1 Jan 2021 to 31 Dec. 2021 (AS **2021** 153; BBl **2021** 285).

Art. 13⁴⁰

Art. 14⁴¹

Art. 15⁴²

Art. 16⁴³

Art. 17 Measures relating to unemployment insurance

¹ The Federal Council may issue provisions in derogation from the Unemployment Insurance Act of 25 June 1982⁴⁴ (UIA) on:

- a.⁴⁵ ...
- b.⁴⁶ ...
- c.⁴⁷ ...
- d.⁴⁸ ...
- e.⁴⁹ ...
- f. and g.⁵⁰ ...
- h.⁵¹ ...

² and ³ ...⁵²

⁴⁰ Amended by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force from 19 Dec. 2020 to 31 Dec. 2021, extended to 30 June 2022 (AS **2020** 5821; **2021** 878 No II para. 1; BBl **2020** 8819; **2021** 2515).

⁴¹ In force until 31 Dec. 2021 (Art. 21 para. 2).

⁴² Applies until 31 Dec. 2022 (Art. 21 para. 11).

⁴³ In force until 31 Dec. 2021 (Art. 21 para. 2).

⁴⁴ **SR 837.0**

⁴⁵ Applies until 31 Dec. 2023 (Art. 21 para. 7).

⁴⁶ Amended by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force from 1 Sept. 2020 to 31 Dec. 2023 (AS **2020** 5821; BBl **2020** 8819).

⁴⁷ Applies until 31 Dec. 2023 (Art. 21 para. 7).

⁴⁸ In force until 31 Dec. 2022 (AS **2021** 878 No II para. 2; BBl **2021** 2515).

⁴⁹ In force until 31 Dec. 2022 (AS **2021** 878 No II para. 2; BBl **2021** 2515).

⁵⁰ Inserted by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force from 19 Dec. 2020 to 31 Dec. 2021, extended to 31 Dec. 2022 (AS **2020** 5821, **2021** 878 No II para. 2; BBl **2020** 8819, **2021** 2515).

⁵¹ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2022 (AS **2021** 153; BBl **2021** 285).

⁵² Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2023 (AS **2021** 153; BBl **2021** 285).

Art. 17a⁵³

Art. 17b⁵⁴

Art. 17c⁵⁵

Art. 17d⁵⁶

Art. 18⁵⁷

Art. 19⁵⁸ Implementation

¹ The Federal Council shall regulate the implementation of the measures under this Act.

² The Federal Council shall regulate the accounting, management and implementation of cantonal claims to federal contributions towards hardship measures for the years 2020, 2021 and 2022 in accordance with Article 12.⁵⁹

Art. 19a⁶⁰

Art. 20 Amendment of other legislation

...⁶¹

⁵³ Inserted by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force from 1 Dec. 2020 to 31 Dec. 2021, extended to 31 Dec. 2022 (AS **2020** 5821; **2021** 153, 354, 878 No II para. 2; BBl **2020** 8819; **2021** 285, 1093, 2515). Correction by the FA Drafting Committee dated 25 Aug. 2021, published 2 Sept. 2021 (AS **2021** 527).

⁵⁴ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events) (AS **2021** 153; BBl **2021** 285). Amended by No I of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 until 31 Dec. 2022 (AS **2021** 878; BBl **2021** 2515).

⁵⁵ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2022 (AS **2021** 153; BBl **2021** 285).

⁵⁶ Inserted by No I of the FA of 19 March 2021 (Hardship Cases, Unemployment Insurance, Childcare, Creative Artists, Events), in force from 20 March 2021 to 31 Dec. 2021, extended till 31 Dec. 2022 (AS **2021** 153, 878 No II para. 2; BBl **2021** 285, 2515).

⁵⁷ In force until 31 Dec. 2021 (Art. 21 para. 2).

⁵⁸ In force until 31 Dec. 2031 (AS **2021** 878 No II para. 3; BBl **2021** 2515).

⁵⁹ Inserted by No I of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 until 31 Dec. 2031 (AS **2021** 878; BBl **2021** 2515).

⁶⁰ Inserted by No I of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 until 31 Dec. 2022 (AS **2021** 878; BBl **2021** 2515).

⁶¹ The amendments may be consulted under AS **2020** 3835.

Art. 21 Referendum, commencement and duration

¹ This Act is declared to be urgent (Art. 165 para. 1 Federal Constitution). It is subject to an optional referendum (Art. 141 para. 1 let. b BV).

² It comes into force subject to the reservation of paragraph 3 on 26 September 2020 and applies subject to the reservation of paragraphs 4 and 5 until 31 December 2021.

³ Article 15 comes into force with retrospective effect on 17 September 2020.

⁴ Articles 1 and 17 letters a–c apply until 31 December 2022.

⁵ Article 15 applies until 30 June 2021.

⁶ The term of application of Article 1 pursuant to paragraph 4 is extended until 31 December 2031.⁶²

⁷ The term of application of Article 17 letters a and c pursuant to paragraph 4 is extended until 31 December 2023.⁶³

⁸ The term of application of Article 9 letter c is extended until 31 December 2031.⁶⁴

⁹ In derogation from paragraph 2, Article 17 letter e comes into force with retrospective effect on 1 September 2020 and applies until 31 December 2021.⁶⁵

¹⁰ The term of application of Article 15 in accordance with paragraph 5 is extended until 31 December 2021.⁶⁶

¹¹ The term of application of Article 15 in accordance with paragraph 10 is extended until 31 December 2022.⁶⁷

⁶² Inserted by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force since 19 Dec. 2020 (AS **2020** 5821; **2021** 924; BBl **2020** 8819).

⁶³ Inserted by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force since 19 Dec. 2020 (AS **2020** 5821; **2021** 924; BBl **2020** 8819).

⁶⁴ Inserted by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force since 19 Dec. 2020 (AS **2020** 5821; **2021** 924; BBl **2020** 8819).

⁶⁵ Inserted by No I of the FA of 18 Dec. 2020 (Culture. Hardship Cases. Sport, Unemployment Insurance, Fixed Penalty Fines), in force since 19 Dec. 2020 (AS **2020** 5821; BBl **2020** 8819).

⁶⁶ Inserted by No I of the FA of 18 June 2021 (Loss of Earnings Compensation, Sport and Capacity Restrictions), in force since 19 June 2021 (AS **2021** 354; BBl **2021** 1093).

⁶⁷ Inserted by No I of the FA of 17 Dec. 2021, in force since 18 Dec. 2021 (AS **2021** 878; BBl **2021** 2515).

