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Ordinance on the Fees charged by the Federal Department of Foreign Affairs (FDFA Fees Ordinance, FeeO FDFA)

of 7 October 2015 (Status as of 1 November 2015)

The Swiss Federal Council,

based on Article 46a of the Government and Administration Organisation Act of 21 March 1997¹

and Articles 59 and 60 paragraph 3 of the Swiss Abroad Act of 26 September 2014² (SAA),

ordains:

Section 1 General Provisions

Art. 1 Subject and scope

¹ This Ordinance governs the charging of fees for decisions and services of the Federal Department of Foreign Affairs (FDFA), including those of Swiss representations abroad (representations). The FDFA charges fees in the following areas:

- a. consular protection;
- b. other consular services;
- c. investment protection and promotion of business location Switzerland.

² The following special legislative provisions on fees shall remain unaffected:

- a. Ordinance of 23 November 2005³ on Fees under the Federal Act on Swiss Citizenship;
- b. Ordinance of 24 October 2007⁴ on Fees under the Foreign Nationals and Integration Act of 16 December 2005⁵ (FNIA);

AS 2015 3849

¹ SR 172.010

² SR 195.1

³ [AS 2005 5239. AS 2016 2577 Annex No I 1]. See now: the Art. 24–29 of the O on Swiss Citizenship of 17 June 2016 (SR 141.01).

⁴ SR 142.209

⁵ The title was amended on 1 Jan. 2019 pursuant to Art. 12 para. 2 of the Publications Act of 18 June 2004 (SR 170.512).

- c. Ordinance of 20 September 2002⁶ on Identity Documents;
- d. Ordinance of 14 November 2012⁷ on the Issue of Travel Documents for Foreign Nationals;
- e. Ordinance of 27 October 1999⁸ on Civil Status Fees;
- f. Ordinance of 14 December 2007⁹ on Maritime Navigation Fees.

³ Insofar as this Ordinance does not lay down specific provisions, the provisions of the General Fees Ordinance of 8 September 2004¹⁰ apply.

Art. 2 Obligation to pay fees and assessment of fees

¹ Individuals and legal entities must pay a fee for decisions and services provided by the FDFA.

² Insofar as this Ordinance does not lay down specific provisions, fees shall be based on time spent. The rate is 75 Swiss francs for each half-hour or part thereof.

³ Fees also include reimbursement of costs incurred by the FDFA in connection with the decisions or services. These include, in particular:

- a. travel, accommodation and meal costs;
- b. costs for services provided by other authorities and third parties consulted;
- c. costs for procuring information and documents, including the associated staff costs;
- d. communication and transmission costs.

⁴ A supplement of a maximum of 50 per cent of the ordinary fee may be charged for services provided outside of working hours. No supplement is charged on expenses.

Art. 3 Exemption from fees

¹ No fees are charged to inter-cantonal bodies, cantons and communes or to foreign states for the provision of consular protection and other consular services, provided they:

- a. grant reciprocal rights; or
- b. cannot pass the fee on to third parties.

² No fees are charged to the following institutions, provided they cannot pass the fee on to third parties:

- a. the Pro Helvetia Foundation;
- b. the Organisation for the Swiss Abroad;
- c. educationsuisse;

⁶ SR 143.11

⁷ SR 143.5

⁸ SR 172.042.110

⁹ SR 747.312.4

¹⁰ SR 172.041.1

- d. the Foundation for Young Swiss Abroad;
- e. the Area for the Swiss Abroad Foundation;
- f. Switzerland Tourism;
- g. export promoters commissioned by the Confederation in accordance with Article 3 paragraph 1 of the Federal Act of 6 October 2000¹¹ on Export Promotion.

³ International organisations that have concluded a headquarters agreement with Switzerland may be exempt from paying fees if there is an overriding public interest.

⁴ For expenses in excess of 50 Swiss francs, the costs must be reimbursed even if in principle the fee has been waived.

Art. 4 Notification and advance payment

¹ Where possible, the FDFA shall notify those concerned or their relatives of the obligation to pay a fee and of the expected amount in advance.

² An appropriate prepayment or advance payment may be requested.

Art. 5 Invoicing

¹ The FDFA invoices the fee after the service has been provided, as soon as all administrative units in Switzerland and abroad have submitted the supporting documents.

² For services provided over a period of more than six months, interim invoices are issued every six months. If the fees accrued amount to more than 500 Swiss francs, they are invoiced.

Art. 6 Term of payment

The term of payment is 45 days from the date the payment is due.

Art. 7 Fee collection

¹ Outside Switzerland, fees must be paid in the local currency.

² If the local currency cannot be converted into Swiss francs, the representation may stipulate that fees should be paid in another specified currency, subject to the approval of the FDFA's Directorate for Resources.

³ The FDFA determines the exchange rate based on the current rate.

⁴ Fees for services purchased via an online counter must be paid in the currency quoted in the electronic payment process.

¹¹ SR 946.14

Art. 8 Waiving of fees

¹ The FDFA may waive fees in full or in part under the conditions set out in Article 61 SAA; it also takes into account whether the person concerned has acted negligently.

² Parts of a fee paid for by a third party may not be waived.

Art. 9 Negligence

In terms of this Ordinance, negligent behaviour is when persons:

- a. fail to take notice of the Confederation's recommendations, particularly travel advice and individual recommendations provided by the FDFA;
- b. violate the laws of the receiving state; or
- c. do not hold adequate insurance or have lost their insurance cover due to one of the exclusion criteria.

Section 2 Consular Protection**Art. 10** Waiving of fees

¹ The FDFA does not charge fees for assistance provided in the context of consular protection that:

- a. takes less than one hour and does not involve any expenses; or
- b. requires a maximum of half an hour and expenses not exceeding 30 Swiss francs.

² No fee shall be charged for the following general assistance services:

- a. assistance in the event of illness and accident as set out in Article 51 letters a–f of the Swiss Abroad Ordinance of 7 October 2015¹² (SAO), provided full insurance cover exists.
- b. assistance for victims of serious crime, as set out in Article 52 SAO;
- c. assistance for missing persons, as set out in Article 53 paragraph 1 letters a–c SAO;
- d. assistance in the event of death, provided it occurs outside the country of residence, as set out in Article 54 paragraph 1 letters a–f SAO;
- e. assistance in the event of child abduction, as set out in Article 55 paragraph 1 letters a–f SAO.

³ In case of need or if there is an overriding public interest to do so, the FDFA may waive fees in whole or in part for other general assistance services, unless the person concerned has acted negligently.

¹² SR 195.11

Art. 11 Organised travel out of crisis or disaster regions

¹ Travel out of crisis or disaster regions organised by the FDFA is not charged to the persons concerned, unless they have acted negligently.

² In the event of negligent conduct, the fee for the journey is split evenly between the persons concerned.

Art. 12 Assistance in the event of imprisonment

¹ No advance payment, whether in full or in part, may be requested for assistance in the event of imprisonment set out in Article 57 SAO¹³.

² Once persons have been released, the FDFA reviews which costs may be charged to the persons concerned. It takes into account whether persons:

- a. will be in a position to pay the costs in the foreseeable future;
- b. have acted negligently.

Art. 13 Assistance in the event of political or terrorist kidnappings and hostage-taking

¹ For assistance in the event of political or terrorist kidnappings and hostage-taking, persons who have acted negligently shall pay:

- a. the costs directly attributable to them, in particular for:
 1. their transport,
 2. their medical care,
 3. their clothing,
 4. other aid from which they have directly benefited,
 5. the transport of such aid;
- b. the operational costs related to the case, consisting of the costs for:
 1. the services provided by the representation based on time spent,
 2. travel accommodation and meals costs for public employees,
 3. services of third parties retained,
 4. additional infrastructures at third locations,
 5. the procurement of information and documents, including the associated staff costs,
 6. communication and transmission.

² The following persons shall only pay the costs directly attributable to them:

- a. persons who have not acted negligently;
- b. persons with multiple nationalities if another country provides consular protection;

¹³ SR 195.11

- c. employees of international organisations, the persons who are recognised by the employer as accompanying such employees and the children of these persons, if the international organisation is handling the case under its own authority and the Confederation is only acting in a complementary capacity.

³ The following persons are exempt from the obligation to pay a fee if the kidnapping or hostage-taking occurred during an official assignment abroad:

- a. public employees, the persons who are recognised by the employer as accompanying such employees and the children of these persons;
- b. persons who are directly assigned by the government, the persons who are recognised by the employer as accompanying such persons and the children of these persons.

⁴ No interim invoices will be issued for assistance in connection with kidnappings and hostage-taking.

Section 3 Other Consular Services

Art. 14 Legalisations and confirmations

¹ A fee of 40 Swiss francs per document will be charged for the following services:

- a. legalisations of official seals and signatures on official documents;
- b. certification of signatures on private documents;
- c. confirmations that involve less than half an hour's work, in particular confirmations of Swiss citizenship and entry in the Register of the Swiss Abroad;
- d. laissez-passer for corpses;
- e. laissez-passer for Swiss citizens.

² No fee is charged for the following services:

- a. life and civil status certificates for social security authorities;
- b. confirmations of export documents in tourist traffic.

³ For any other confirmations, the fee will be calculated based on time spent.

Art. 15 Deposits

¹ The fee for depositing personal effects, funds and other assets, such as securities, savings books and jewellery, is 150 Swiss francs per calendar year or part thereof.

² The fee for depositing official or private documents is 75 Swiss francs per calendar year or part thereof.

Section 4**Investment Protection and Promotion of Business Location Switzerland****Art. 16**

¹ For services in the area of investment protection and promotion of business location Switzerland, the first hour is not billed.

² Export promoters contracted by the Confederation in accordance with Article 3 paragraph 1 of the Federal Act of 6 October 2000¹⁴ on Export Promotion shall collect fees for services performed on their behalf by representations for clients domiciled in Switzerland.

Section 5 Final Provisions**Art. 17** Repeal of current legislation

The Ordinance of 29 November 2006¹⁵ on the Fees charged by Swiss Diplomatic and Consular Representations is repealed.

Art. 18 Transitional provision

The previous law applies to administrative procedures and services that are not yet concluded when this Ordinance comes into force.

Art. 19 Commencement

This Ordinance comes into force on 1 November 2015.

¹⁴ SR **946.14**

¹⁵ [AS **2006** 5321]

