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# **Federal Act on the Harmonisation of the Register of Residents and of other Official Registers of Persons (Register Harmonisation Act, RHA)**

of 23 June 2006 (Status as of 1 January 2022)

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*The Federal Assembly of the Swiss Confederation,*

based on the Articles 38 paragraph 1, 39 paragraph 1, 40 paragraph 2, 65 paragraph 2, 121 paragraph 1 and 122 paragraph 1 of the Federal Constitution<sup>1</sup>, and having considered the Federal Council Dispatch dated 23 November 2005<sup>2</sup>,  
*decrees:*

## **Section 1      General Provisions**

### **Art. 1            Aim and subject matter**

<sup>1</sup> This Act aims to simplify:

- a. the collection of data for statistics through the harmonisation of official registers of persons (the registers);
- b. the exchange of personal data between the registers provided for by the law.

<sup>2</sup> For this purpose the Act determines:

- a. the identifiers and attributes that must be recorded in the registers;
- b. the responsibility of the Federal Statistical Office (Federal Office) for the harmonisation of definitions, attributes and attribute characteristics;
- c. the requirement of completeness and accuracy in the registers;
- d. the obligation to update the registers of residents.

### **Art. 2            Scope of application**

<sup>1</sup> This Act applies to the following registers:

- a. the computerised civil status register (Infostar) maintained by the cantons and operated by the Federal Office of Justice;

AS 2006 4165

<sup>1</sup> SR 101

<sup>2</sup> BBl 2006 427

- b the Central Migration Information System (ZEMIS) of the State Secretariat for Migration<sup>3</sup>;
  - c. the Ordipro information system of the Federal Department of Foreign Affairs;
  - d.<sup>4</sup> the information system for the networked administration of data on and for the Swiss Abroad (E-VERA<sup>5</sup>) maintained by the Federal Department of Foreign Affairs;
  - e.<sup>6</sup> the Central Register of Insured Persons, the Central Pensions Register and the Register of Benefits-in-Kind of the Central Compensation Office in accordance with Article 71 of the Federal Act of 20 December 1946<sup>7</sup> on Old-Age and Survivors' Insurance (OASIA);
  - f.<sup>8</sup> the information system of the Central Compensation Office for processing data related to supplementary benefits in accordance with Article 71 OASIA.
- <sup>2</sup> It also applies to the cantonal and communal:
- a. registers of residents;
  - b. electoral registers that serve as the basis for federal popular votes and elections to the National Council.

### Art. 3 Definitions

In this Act the terms below are defined as follows:

- a. *register of residents*: register maintained manually or electronically by the canton or the commune, in which anyone who is permanently settled or is resident in the canton or in the commune is recorded;
- b. *commune of permanent settlement*: commune in which a person resides with the intention of remaining there permanently, in order to establish the focus of his or her life there, as must be recognisable to others; a person is regarded as permanently settled in the commune in which he or she has deposited the required document, and may have only one commune of permanent settlement;

<sup>3</sup> The name of this administrative unit was amended by Art. 16 para. 3 of the Publications Ordinance of 17 Nov. 2004 (AS **2004** 4937) as of 1 Jan. 2015.

<sup>4</sup> Amended by Annex No III 3 of the Swiss Abroad Act of 26 Sept. 2014, in force since 1 Nov. 2015 (AS **2015** 3857; BBl **2014** 1915 2617).

<sup>5</sup> This name was modified on 1 Sept 2016 pursuant to Art. 12 para. 2 of the Publications Act of 18 June 2004 (SR **170.512**).

<sup>6</sup> Amended by No II 1 of the FA of 22 March 2019 (EL-Reform), in force since 1 Jan. 2021 (AS **2020** 585; BBl **2016** 7465).

<sup>7</sup> SR **831.10**

<sup>8</sup> Inserted by Annex No 1 of the Federal Act of 17 June 2011 (Improvement in Implementation) (AS **2011** 4745; BBl **2011** 543). Amended by No II 1 of the FA of 22 March 2019 (EL-Reform), in force since 1 Jan. 2021 (AS **2020** 585; BBl **2016** 7465).

- c. *commune of residence*: commune in which a person resides for a specific purpose, without the intention of remaining there permanently, for a minimum of three consecutive months or three months within a single year; residency for the purpose of attending a educational institution or school and the accommodation of a person in a corrective, residential, or penal institution or hospital constitute a commune of residence;
- d. *household*: unit comprising everyone who lives in the same dwelling;
- e. *identifier*: non-descriptive and invariable number which, as a functional element in a database, permits the clear identification of a person or article;
- f. *attribute*: property of a person or article that may be objectively recorded and described;
- g. *attribute characteristic*: specific value that an attribute may acquire;
- h. *nomenclature*: system for the classification and presentation of attribute characteristics;
- i. *coding key*: code collection that enables the transcription of attribute characteristics recorded in text form into numerical values that can be processed in the computer systems.

#### **Art. 4** Task of the Federal Office

<sup>1</sup> The Federal Office defines the identifiers and attributes in accordance with Articles 6 letters b–t, 7 and 13 paragraph 2 as well as the corresponding attribute characteristics, nomenclatures and coding keys. The recording of data relating to civil status in the registers is governed by Articles 39–49 of the Civil Code<sup>9</sup>.

<sup>2</sup> In devising the definitions, the Federal Office takes account of the demands and needs of the cantons and communes as well as of the federal agencies that maintain or rely on the registers under Article 2 paragraph 1.

<sup>3</sup> It provides the cantons, the communes and the federal agencies under Article 2 paragraph 1 with the required definitions, nomenclatures and coding keys free of charge.

<sup>4</sup> It regularly publishes an official catalogue of attributes that contains the attribute characteristics as well as the nomenclatures and coding keys.

#### **Art. 5** Completeness of the registers

The registers must be up-to-date, accurate and complete in relation to the group of persons recorded therein.

## Section 2 Registers of Residents

### Art. 6 Minimum content

As a minimum, the registers of residents contain the data on the following identifiers and attributes of each permanently settled or resident person:

- a. the OASI number<sup>10</sup> under Article 50c OASIA<sup>11</sup>;
- b. the commune number allocated by the Federal Office and the official commune name;
- c. the building identifier according to the Federal Register of Buildings and Dwellings (RBD) of the Federal Office;
- d. the administrative dwelling identifier according to the RBD, household affiliation and form of household;
- e. the official name and the other names of a person documented in the civil status registers;
- f. all forenames in the correct order;
- g. home address and postal address including postcode and locality;
- h. date of birth and place of birth;
- i. place of origin in the case of Swiss citizens;
- j. sex;
- k. marital status;
- l. affiliation to any religious group recognised under public law or in any other way by the canton;
- m. nationality;
- n. in the case of foreign nationals, type of permit;
- o. permanent settlement or residency in the commune;
- p. commune of permanent settlement or commune of residence;
- q. in the case of arrival in the commune: date and previous commune or previous country;
- r. in the case of leaving the commune: date and commune or country of destination;
- s. in the case of relocation within the commune: date;
- t. right to vote and right to be elected at federal, cantonal and communal level;
- u. date of death.

<sup>10</sup> Term in accordance with Annex No 11 of the FA of 18 Dec. 2020 (Systematic Use of the OASI Number by Authorities), in force since 1 Jan. 2022 (AS **2021** 758; BBl **2019** 7359). This change has been made in the provisions specified in the AS.

<sup>11</sup> SR **831.10**

**Art. 7** Other attributes

The recording of any attribute not listed in Article 6 is governed by the requirements of the catalogue under Article 4 paragraph 4, provided the attribute is listed in the catalogue.

**Art. 8** Determining and updating of administrative dwelling identifiers and household affiliation

<sup>1</sup> In order to determine and update a person's administrative dwelling identifier and household affiliation, the attributes in the RBD may be included in the registers of residents that are required for their maintenance.

<sup>2</sup> The cantons issue the regulations required in order that commercial undertakings and other agencies maintaining registers provide the data free of charge that is required to determine and update the administrative dwelling identifier of a person to the public agencies that are responsible for maintaining the registers of residents.

<sup>3</sup> They may introduce the physical numbering of dwellings for the purpose of determining and updating the administrative dwelling identifier. The physical dwelling numbers are listed as the dwelling number of the canton of or the commune in the RBD.

<sup>4</sup> The cantons may issue further regulations in order to guarantee the determination and updating of the administrative dwelling identifier.

**Art. 9** Responsible office

The cantons shall designate an official agency that is responsible for the coordination, conduct and quality control of the harmonisation measures.

**Art. 10** Exchange of data in the event of relocation

<sup>1</sup> The cantons shall issue the regulations required in order that the data defined in Article 6 is exchanged between the registers of residents in the event of the arrival or departure of residents.

<sup>2</sup> The exchange is carried out electronically and in encrypted form. The encryption is governed by the Federal Act of 19 December 2003<sup>12</sup> on the Electronic Signature. The Federal Council stipulates the modalities for the exchange of data and the interfaces.

<sup>3</sup> The Confederation provides the responsible public offices and authorities with an information technology and communication platform for the exchange.

<sup>12</sup> [AS 2004 5085, 2008 3437 No II 55. AS 2016 4651 Annex No I]. See today: the FA of 18 March 2016 (SR 943.03).

**Art. 11** Duty to notify

The cantons shall issue the required regulations so that:

- a. natural persons notify the official agency responsible for maintaining the register of residents within 14 days of relocation;
- b. the persons required to report provide truthful information on the data defined in Article 6 and, if required, the relevant documents.

**Art. 12** Obligation to provide information

<sup>1</sup> The cantons shall issue the regulations required in order that the following persons provide the public offices responsible for maintaining the registers of residents on request with information on the persons required to report free of charge, if the duty to provide information under Article 11 is not fulfilled:

- a. employers on their employees;
- b. landlords and property management companies on tenants moving into, resident in or leaving their properties;
- c. householders on the persons resident in their household.

<sup>2</sup> Swiss Post shall on request provide the public offices responsible for maintaining the registers of residents with the postal addresses of residents free of charge, if the duty to provide information under Article 11 is not fulfilled.

**Section 3** Federal and Cantonal Registers**Art. 13**

<sup>1</sup> The agencies responsible for maintaining the registers in terms of Article 2 paragraph 1 letters a–d maintain a record of the social insurance number within the meaning of Article 50c OASIA<sup>13</sup>.

<sup>2</sup> The recording of other attributes is governed by the relevant federal provisions and the requirements of the catalogue in terms of Article 4 paragraph 4, provided the attribute is listed in the catalogue.

<sup>3</sup> The Federal Office is consulted in the event of amendments to the content of a register.

<sup>13</sup> SR 831.10

## Section 4 Provision, Use and Passing on of Data

### **Art. 14** Provision of data for statistical purposes by the cantons and communes

<sup>1</sup> The cantons and communes shall provide the Federal Office with the data defined in Article 6 free of charge. The Federal Council determines the date and the periodicity of the delivery of data.

<sup>2</sup> On request, the cantons and communes shall provide the Federal Office free of charge with the data under Article 7 in order to relieve the burden on survey interviewees, provided cantonal law does not expressly exclude its use for statistical purposes. The Federal Council determines the data required.

<sup>3</sup> The data is supplied by means of electronic data carriers or in electronic form. In the latter case, the data must be encrypted in accordance with the Federal Act of 19 December 2003<sup>14</sup> on the Electronic Signature.

<sup>4</sup> The Federal Office, in cooperation with the cantons, regulates the general technical conditions for the supply of data as well as the design of the interfaces.

<sup>5</sup> In cooperation with the cantons, it defines the required inspections and quality standards.

### **Art. 15** Provision of data for statistical purposes by federal agencies

<sup>1</sup> The federal agencies under Article 2 paragraph 1 shall provide data to the Federal Office free of charge.

<sup>2</sup> The Federal Council determines the data required.

### **Art. 16** Use of data by the Federal Office for statistical, research and planning purposes

<sup>1</sup> The Federal Office may use the data for statistical surveys and analyses.

<sup>2</sup> The Federal Office may draw random samples based on the data for statistical surveys.

<sup>3</sup> It may use data listed in Article 6 letters a–h, j, k and m as a directory of addresses for the conduct of statistical surveys.

<sup>4</sup> In order to fulfil its statistical tasks, it may permanently match and preserve the data with those of the RBD and of the Business and Enterprise Register (BER), subject to the removal of the names of persons.

<sup>14</sup> [AS 2004 5085, 2008 3437 No II 55. AS 2016 4651 Annex No I]. See today: the FA of 18 March 2016 (SR 943.03).

**Art. 17** Divulging of data by the Federal Office for statistical, research and planning purposes

<sup>1</sup> In order to enable federal statistical and research centres and cantonal and communal statistical offices to carry out statistical analyses, the Federal Office shall pass on data without names of persons and without social insurance numbers, free of charge, or permit authorised online access to the data.

<sup>2</sup> The Federal Office shall provide the cantonal and communal statistical offices with the data listed in Article 6 letters a–h, j, k and m on their own sovereign territory free of charge for the conduct of statistical surveys.

<sup>3</sup> It may divulge the data without names of persons and without social insurance numbers to other public offices of the Confederation, the cantons and the communes as well as to private individuals for statistical, research and planning purposes.

<sup>4</sup> The recipients under paragraph 3 must return the data received to the Federal Office on completion of their work or confirm in writing that the data has been destroyed. The passing on the data to third parties is only permitted with written consent of the Federal Office.

<sup>5</sup> The Federal Office divulges the data only if data protection is guaranteed and the required contractual arrangements have been made.

**Art. 18** Dissemination of the data for statistical, research and planning purposes

The results of assessments may only be disseminated in such a manner that the persons concerned may not be identified.

## **Section 5 Final Provisions**

**Art. 19** Deadlines for harmonisation

<sup>1</sup> The Federal Council shall stipulate the deadlines for harmonisation, taking account of the requirements for the 2010 census.

<sup>2</sup> It may extend the deadlines for the entering of the attributes listed in Article 6 letters a and d in the registers of residents beyond the census 2010 and instruct the Federal Office to issue directives regulating the details.

**Art. 20** Implementing provisions

The Federal Council issues the implementing provisions.

**Art. 21** Cantonal implementing provisions

<sup>1</sup> The cantons issue the provisions required for implementation. They shall notify the Federal Department of Home Affairs of these provisions.



<sup>2</sup> If the implementing provisions cannot be brought into force in the statutory form required by cantonal law by 1 January 2009, the cantonal governments have the power to issue the transitional provisions required for implementation.

**Art. 22** Amendment of current legislation

The amendment of current legislation is regulated in the Annex.

**Art. 23** Referendum and commencement

<sup>1</sup> This Act is subject to an optional referendum.

<sup>2</sup> The Federal Council determines the date on which this Act comes into force.

Commencement Date:

Art. 1–5, 6 let. b–u, 7–12, 13 para. 2 and 3, Art. 14–23 as well as No 4 of the Annex:

1 Nov. 2006<sup>15</sup>

Art. 6 let. a, 13 para. 1 and No 1–3 of the Annex: 1 January 2008<sup>16</sup>

<sup>15</sup> FCD of 18 Oct. 2006.

<sup>16</sup> O of 21 Nov. 2007 (AS **2007** 6717).

*Annex*  
(Art. 22)

## **Amendment of Current Legislation**

The following federal acts are amended as follows:

...<sup>17</sup>

<sup>17</sup> The amendments may be consulted under AS **2006** 4165.