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Federal Act on the Swiss National Park in the Canton of Graubünden (National Park Act)

of 19 December 1980 (Status as at 1 January 2017)

The Federal Assembly of the Swiss Confederation,
on the basis of Article 78 paragraphs 3 and 4 of the Federal Constitution^{1,2}
and having considered the Dispatch of the Federal Council dated
12 September 1979³,
decrees:

Art. 1 Nature and purpose

¹ The Swiss National Park in the Engadin and Münstertal in the Canton of Graubünden is a reserve where nature is protected against any human intrusions and in particular where all flora and fauna is allowed to develop naturally. Intrusions shall be permitted only if they directly serve the upkeep of the Park.

² The National Park shall be open to the general public to the extent permitted by the Park Regulations. The Park shall be the subject of continuous scientific research.

Art. 2 Park authority

The authority responsible for the National Park is the «Swiss National Park» public-law foundation («the Foundation») with registered office in Bern.

Art. 3 Funding

¹ The original assets of the Foundation shall comprise the National Park Fund established by the Swiss Nature Protection League.

² In order to fulfil its tasks, the Foundation shall use the revenues from the Foundation assets and other income.

AS 1981 236

¹ SR 101

² Amended by Annex No 1 of the FA of 18 March 2016, in force since 1 Jan. 2017 (AS 2016 3207; BB1 2014 4909).

³ BB1 1979 III 705

³ The Confederation shall contribute an annual sum to the costs of management, supervision and maintenance.

⁴ The Foundation may charge fees for the use of facilities within the National Park.

⁵ The Foundation assets may only be used in exceptional cases. They must not fall below 1,000,000 francs.

Art. 4 Federal National Park Commission

¹ The supreme governing body of the Foundation is the Federal National Park Commission. It comprises nine members, who are appointed by the Federal Council.

² Three members shall be proposed by the Swiss Nature Protection League, two by the Swiss Academy of Sciences, and one member each by the Canton of Graubünden and the park communes. Two members shall represent the Swiss Confederation.

³ The Federal Council shall appoint the president of the Federal National Park Commission. Otherwise the Commission shall constitute itself. It shall appoint the secretary, the accountant and other administrative personnel.

Art. 5 Tasks

¹ The Federal National Park Commission shall ensure the upkeep and promotion of the National Park. It shall in particular:

- a. cooperate with the canton and the communes;
- b. manage, supervise and maintain the Park and its facilities;
- c. inform the general public about the nature and purpose of the National Park as well as about the regulations for visitors;
- d. encourage cooperation between Park managers and research scientists.

² The Federal National Park Commission shall ensure the legal protection of the territory of the Park. It shall enter into contracts for the fulfilment of the objects of the Foundation. Contracts on the safeguarding of the Park territory, its reduction or expansion, together with any payments required in connection therewith shall require the approval of the Federal Council.

³ The Federal National Park Commission in consultation with the Federal Department of the Environment, Transport, Energy and Communications⁴ shall issue regulations on the management and supervision of the Park.

Art. 6 Legal succession

¹ The Foundation shall assume the rights and obligations that relate to the National Park and which were held by the Confederation prior to the commencement of this Act.

⁴ The name of this administrative unit was modified by Art. 16 para. 3 of the Publications Ordinance of 17 Nov. 2004 ((SR 170.512.1). This modification has been made throughout the text.

² It shall in particular become party to the contracts between the Confederation and the persons with rights to the land.

³ The participation of the Swiss Academy of Sciences and of the Swiss Nature Protection League shall be regulated in an agreement with the Swiss Confederation.

Art. 7 Park regulations

After consulting the Federal National Park Commission, the Canton of Graubünden shall issue the Park Regulations, which require the approval of the Federal Council.

Art. 8 Criminal provisions

¹ Any person who infringes the provisions of the Park Regulations that state that they carry a penalty in accordance with this Article shall be liable to a fine.

² The cantons are responsible for the prosecution of offences.

³ The Park management bodies may order the forfeiture of articles that persons have acquired in infringement of the Park Regulations.

Art. 9 Supervision and appeals

¹ The National Park shall be subject to the supervision of the Federal Department of the Environment, Transport, Energy and Communications. The Federal National Park Commission shall submit a report to the Department each year that shall require the approval of the Federal Council and the Federal Assembly.

² The Swiss Federal Audit Office shall audit the Park accounts.

³ Decisions made by the Federal National Park Commission shall be subject to a right of appeal in accordance with the general provisions on the administration of federal justice.⁵

Art. 10 Final provisions

¹ The Federal Decree of 7 October 1959⁶ on the Swiss National Park in the Canton of Graubünden is repealed.

² This Act is subject to an optional referendum.

³ The Federal Council shall determine the commencement date.

Commencement date: 15 April 1981⁷

⁵ Amended by Annex No 44 of the Administrative Court Act of 17 June 2005, in force since 1 Jan. 2007 (AS **2006** 2197, 1069; BBl **2001** 4202).

⁶ [AS **1961** 882]

⁷ FCD of 28 Jan. 1981..

