

French in federal institutions and in finance

*Dr Alexander Ressos, TEP
Attorney-at-Law (Switzerland), Solicitor (Hong Kong),
Solicitor (England & Wales)*

In the federal capital, French is an everyday working language. Federal acts are published in German, French and Italian, with all three versions equally authoritative. A lawyer interpreting a federal statute in Basel may therefore consult the French text where the German wording is ambiguous, a technique that the Federal Supreme Court uses regularly.¹ The Federal Supreme Court in Lausanne, the seat of the highest Swiss court since 1875, delivers its judgments in the language of the decision under appeal, so that a dispute from Basel is decided in German even when the judges deliberating include French speakers.²

In finance, French is the language of Geneva and Lausanne, two centres with distinct profiles. Geneva concentrates private banking, commodity trading and trade finance, while Lausanne and the Lake Geneva region host asset managers, family offices and the headquarters of several international sports federations. The parallel books on Geneva and Zurich in this series describe their financial institutions in detail.³ The Swiss Financial Market Supervisory Authority FINMA publishes its ordinances, circulars and many guidance documents in German, French and Italian, together with English versions that are provided for information. For the institutions supervised, the official language versions are binding, while the English version serves the international readership.⁴ A Basel bank that serves clients in the *Romandie* must offer its documentation in French. Its compliance staff must also be able to read French correspondence from the authorities of Geneva or Vaud.

The Swiss Bankers Association, the Swiss Funds and Asset Management Association and the self-regulatory organisations in anti-money laundering all publish their guidelines in German and French. The author, who works in German, English and French, regards this multilingual body of soft law as one of the less visible strengths of the Swiss financial centre, because it trains practitioners to compare legal concepts across languages

from the beginning of their careers. The chapter on multilingual contract drafting later in this Part takes up the practical consequences.⁵

1 Notes

1. Federal Act of 18 June 2004 on Collections of Federal Legislation and the Federal Gazette (Publications Act, PublG; SR 170.512), Article 14, on the equal authority of the language versions. On the use of the French and Italian versions in statutory interpretation, see the case law of the Federal Supreme Court. To be verified. ↩
2. On the seat of the Federal Supreme Court in Lausanne and the rule that judgments are drafted in an official language, as a rule that of the contested decision, see the Federal Supreme Court Act of 17 June 2005 (BGG; SR 173.110), Article 54. To be verified. ↩
3. See the companion volumes on Geneva and Zurich as international financial centres published in the same series. On the profile of the Geneva financial centre, see also the reports of Geneva Finance and the Fondation Genève Place Financière. To be verified. ↩
4. On FINMA's language practice and the publication of its circulars and ordinances in the official languages, with English translations for information, see the FINMA website. To be verified. ↩
5. See Part J, chapter IV of this book on multilingual contract drafting. On the language versions of the self-regulatory guidelines of the Swiss Bankers Association and the AML self-regulatory organisations, see their websites. To be verified. ↩

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