

French and federal law: three authentic versions

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Switzerland legislates in three languages. The acts published in the Official Compilation appear simultaneously in German, French and Italian, three versions that are equally authentic.¹ This formal equality has considerable practical consequences for Geneva lawyers. No version is a translation of another in the legal sense: where the texts diverge, the judge seeks the true meaning of the provision by the ordinary methods of interpretation, comparing the three versions. The French-speaking practitioner who reads only the French version runs the risk of missing a nuance that the German version, often drafted first, expresses more clearly.

For this reason the federal legislative process has developed co-drafting: major bills are drafted in parallel in German and French by lawyer-linguists, who compare the formulations as they go along.² The Confederation maintains a terminology database, Termdat, which fixes the equivalences between legal and administrative terms in the official languages and in English.³ Geneva practitioners find there the official terminology of the financial statutes: the Financial Institutions Act, the Financial Services Act and the Anti-Money Laundering Act each have a French vocabulary fixed by the legislature, which contractual documents and internal procedures would do well to adopt.

Swiss legal French differs on several points from the legal French of France. The federal institutions have their own designations, the cantons have their particular features, and certain terms have a meaning of their own: the “recours”, the “poursuite”, the “for”, the “conseil d’administration” of a company limited by shares or the “raison sociale” do not have exactly the meaning that French law gives them. Practitioners serving French or African clients must explain these differences. Documents intended for such clients also benefit from being drafted with the reader in mind: a Geneva asset management mandate read in Abidjan or Paris must be comprehensible without prior knowledge of Swiss law.

1 Notes

1. Art. 14 para. 1 of the Federal Act of 18 June 2004 on the Compilations of Federal Legislation and the Federal Gazette (Publications Act, SR 170.512): simultaneous publication in German, French and Italian, “the three versions are equally authentic”; text on lexfind.ch (accessed September 2026). ↩
2. Federal Chancellery, pages “Commission interne de rédaction (CIR)” and “Rédaction législative” (bk.admin.ch): statutes are “most of the time” drawn up in two languages, German and French, the Italian version following a separate, slightly staggered procedure, the three versions being adopted together and being equally authentic; the CIR, composed of linguists from the Central Language Services and lawyers from the Federal Office of Justice, examines in co-drafting the German and French versions of the Constitution, of statutes and of important ordinances, other texts being reviewed only in their source language; CIR regulations of 2009 and the Languages Act. ↩
3. TERMDAT, the terminology database of the Federal Administration: some 400,000 entries in German, French, Italian, Romansh and English, freely accessible at termdat.ch; Federal Chancellery, “TERMDAT, banque de données terminologiques de l’administration fédérale”, bk.admin.ch (accessed September 2026). ↩

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