

The legal framework

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

The fight against money laundering rests on two pillars. The criminal pillar comprises Articles 305bis and 305ter of the Criminal Code, introduced in 1990, which penalise money laundering and the lack of due diligence in financial transactions, as Part E recalled.¹ Money laundering presupposes a predicate offence, the scope of which has widened over successive revisions to include, in particular, the aggravated tax offence since 2016.²

The preventive pillar comprises the Federal Act on Combating Money Laundering and Terrorist Financing, which came into force in 1998. It imposes due diligence obligations on financial intermediaries: verification of the identity of the contracting party, identification of the beneficial owner, clarification of the object and purpose of the business relationship, enhanced due diligence in cases of elevated risk, documentation and organisation.³ It imposes a duty to report to the Reporting Office any reasonable suspicion that assets are connected with an offence, originate from a felony or an aggravated tax offence, or are linked to terrorist financing. It further provides for the freezing of assets in certain cases.⁴

These obligations are given concrete form by the FINMA Anti-Money Laundering Ordinance, by the banks' Due Diligence Agreement, whose origin Part E described, and by the regulations of the self-regulatory organisations.⁵ Banks, wealth managers, securities dealers, insurers, managers of collective investment schemes and non-bank intermediaries — fiduciaries, asset managers, payment service providers, precious metals dealers — are subject to them. The revision adopted on 26 September 2025 extends the obligations to certain advisory activities, in particular those of lawyers and notaries, as Part E explained.⁶

The Swiss system forms part of the international framework of the Financial Action Task Force, created in 1989, whose recommendations are the subject of periodic mutual evaluations. Switzerland has undergone

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several evaluations, and the 2025 revision is intended in particular to address the gaps identified before the next one.⁷

Element	Content
Criminal law	Art. 305bis and 305ter of the Criminal Code, money laundering and lack of due diligence, since 1990
Prevention	Anti-Money Laundering Act, since 1998, due diligence and reporting obligations
Implementation	FINMA ordinance, banks' Due Diligence Agreement, regulations of the SROs
Reporting Office	MROS, attached to the Federal Office of Police
2025 extension	advisers, in particular lawyers and notaries, for certain activities
International framework	FATF recommendations and mutual evaluations

Key points. The fight against money laundering rests on a criminal pillar, Articles 305bis and 305ter of the Criminal Code, and on a preventive pillar, the Anti-Money Laundering Act, given concrete form by the FINMA ordinance and the Due Diligence Agreement. The Reporting Office receives suspicious activity reports and forwards them, where appropriate, to the prosecuting authorities.

1 Notes

1. University of Geneva, continuing education, document on the emergence of anti-money laundering strategies, unige.ch (accessed September 2026). ↩
2. Federal Act of 12 December 2014 on the Implementation of the Financial Action Task Force Recommendations revised in 2012: aggravated tax offence made a predicate offence to money laundering (Art. 305bis no. 1bis of the Criminal Code, taxes evaded of at least CHF 300,000 per tax period) from 1 January 2016, other provisions in force on 1 July 2015; Altenburger, “Loi GAFI : délit fiscal qualifié, infraction préalable au blanchiment”, altenburger.ch, 2015. ↩
3. Federal Act of 10 October 1997 on Combating Money Laundering and Terrorist Financing (Anti-Money Laundering Act, AMLA; SR 955.0), in force since 1 April 1998, Art. 3 to 8 (due diligence obligations); “Rétrospective des 25 ans de la loi sur le blanchiment d'argent”, *La Vie économique*, March 2023. ↩

4. Money Laundering Reporting Office Switzerland, Annual Report 2023, fedpol.admin.ch, which reproduces the content of the duty to report. ↩
5. Article “Convention relative à l’obligation de diligence des banques”, Wikipédia (fr) (accessed September 2026). ↩
6. Federal Council, press release of 15 October 2025, transpareg.admin.ch; “Blanchiment d’argent en Suisse : nouvelles obligations du conseiller”, Croce & Associés, 20 October 2025. ↩
7. University of Geneva, document cited above, for the creation of the FATF; “Blanchiment d’argent en Suisse : nouvelles obligations du conseiller”, cited above, for the evaluation timetable. ↩

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