

Currencies and units of account

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The second line concerns money. For almost a thousand years the inhabitants of the territory kept accounts in Milanese lire while paying with coins of varying origin and value, and for three centuries after 1500 they did so as subjects of a Confederation whose northern cantons used entirely different units. The Swiss franc became their currency only in the 1850s. The habit of working in more than one monetary unit, of converting between them and of assessing the risk that one of them might lose value, was therefore embedded in the commercial culture of the region long before the twentieth century. It returned in modern form when the Italian lira lost value in the inflationary decades after the Second World War and when Italian investors sought the security of the Swiss franc.

Today legal tender in Switzerland consists, under the Federal Act on Currency and Payment Instruments, only of the Confederation's coins, the banknotes of the Swiss National Bank and Swiss franc sight deposits at the National Bank, while the euro is the currency of daily life a few kilometres south of Chiasso.¹ Lugano's banks and asset managers manage portfolios in euros, Swiss francs and dollars for clients whose income, property and liabilities are spread across the border. The city's experiment with the Plan B programme, launched with Tether in March 2022 to promote the use of bitcoin and stablecoins in local payments, added a further unit to the list.² The programme was extended into a second phase with a commitment of CHF 5 million.³ The legal framework for Kryptowerte und Digital Assets in Switzerland and the limits that monetary law sets for a municipality are discussed in Chapters I.I and I.II. For the present argument it is enough to observe that a territory used for centuries to a plurality of currencies has once again made the coexistence of monetary units a matter of local economic policy.

1 The notarial tradition

The third line is the notariat. The medieval Ticino was a notarial society, in which property, credit, family arrangements and communal decisions were recorded in public instruments with full evidentiary force. The tradition survived under Confederate rule and into the canton. Ticino belongs to the group of Swiss cantons with a Latin notariat, in which the notary is an independent public officer entrusted with the authentication of deeds, and whose profession is regulated by cantonal law.⁴ The notary's authentic instrument remains the standard form for the transfer of land, the foundation of companies and a range of family law acts. Its medieval ancestor was the instrument that made a debt contracted in Lugano enforceable in Como.

For the modern practitioner the notarial tradition has two consequences. The first is practical: cross-border transactions between Ticino and Italy take place between two systems of Latin notariat, which facilitates the recognition of deeds and the cooperation of notaries on both sides, although the formal requirements for the use of Swiss deeds in Italy and of Italian deeds in Switzerland must still be checked in each case. The second is cultural. The expectation that important arrangements are recorded in written form by a trusted third party, and that the record will be honoured by courts and authorities, is one of the foundations of a financial centre. Lugano's fiduciaries, trustees and lawyers work in a tradition in which the written instrument has been the vehicle of trust for eight centuries.

2 Notes

1. Federal Act of 22 December 1999 on Currency and Payment Instruments (CPIA), SR 941.10, Art. 2 (legal tender: "the coins issued by the Confederation; the banknotes issued by the Swiss National Bank; Swiss franc sight deposits at the Swiss National Bank"), <https://www.droit-bilingue.ch/de-en/9/94/941.10-2-5.html>, and Art. 3 (obligation to accept), <https://www.droit-bilingue.ch/de-en/9/94/941.10-3-6.html>. See Chapter I.I. ↩
2. FXStreet, "Switzerland: City of Lugano introduces bitcoin and tether as de facto legal tender" (4 March 2022), <https://www.fxstreet.com/cryptocurrencies/news/switzerland-city-lugano-introduces-bitcoin-and-tether-as-de-facto-legal-tender-202203040216> (title and URL date only consulted, 27

September 2026). The description "de facto legal tender" is the headline's and is legally inaccurate (see Chapter I.I). ↩

3. Tether, "Tether and the City of Lugano Commit CHF 5 Million to Advance Plan B Phase II, Positioning Lugano as a Global Hub for Digital Infrastructure", <https://tether.io/news/tether-and-the-city-of-lugano-commit-chf-5-million-to-advance-plan-b-phase-ii-positioning-lugano-as-a-global-hub-for-digital-infrastructure/> (title only consulted, 27 September 2026). ↩
4. Legge sul notariato del Cantone Ticino (LN) of 26 November 2013, as cited in the Codice professionale dell'Ordine dei Notai del Cantone Ticino of 18 June 2015, RL 952.205, <https://m3.ti.ch/CAN/RLeggi/public/index.php/raccolta-leggi/pdfatto/atto/150>. ↩

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