

The Languages Act of 2007 and the Languages Ordinance

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For almost a decade after 1999 the language article of the constitution lacked an implementing statute. The Federal Council at first considered a languages act unnecessary and withdrew a draft in 2004, after which the Committee for Science, Education and Culture of the National Council prepared its own bill on the basis of a parliamentary initiative.¹ The result was the Federal Act of 5 October 2007 on the National Languages and Understanding between the Linguistic Communities, known in English as the Languages Act (LangA) and in Italian as the *Legge sulle lingue* (LLing), SR 441.1. The Federal Council brought it into force on 1 January 2010 by decree of 4 December 2009.² The Languages Ordinance of 4 June 2010 (LangO, in Italian *Ordinanza sulle lingue*, OLing), SR 441.11, implements it. The ordinance was substantially revised in 2014 and again with effect from 1 January 2026.³

1 Scope and the official languages

The first section of the Act governs the use of the official languages by the federal authorities. Article 4 defines its scope: the Federal Assembly and its organs, the Federal Council, the Federal Administration as defined in the Government and Administration Organisation Act, the federal courts and the extra-parliamentary committees. The Federal Council may extend the rules to organizations and persons outside the central administration that are entrusted with administrative tasks under federal law. It may also make licences, assignments and financial assistance conditional on compliance with the language rules.⁴ This extension clause matters for the financial centre because it allows the language duties to be applied to bodies such as supervisory organizations or self-regulatory organizations when they perform federal tasks. Whether and how far the Federal Council has made use of it for a particular body must be determined case by case.

Article 5 repeats the constitutional rule that German, French and Italian are the official languages of the Confederation and Romansh an official language in dealings with Romansh speakers. Paragraph 2 adds that the federal authorities shall use the official languages in their standard forms.⁵ For Italian this means standard Italian. The federal authorities do not write in the Ticinese or Lombard dialects that many Italian speakers in Ticino and the Grisons use in daily conversation. Whether the standard used by the Confederation includes Swiss Italian administrative vocabulary, the *elvetismi* discussed later in this chapter, is a question of style and terminology that the Act does not decide.

2 The citizen's right to Italian

Article 6 contains the individual right that gives the system its practical force. Any person dealing with a federal authority may do so in the official language of his or her choice. The federal authorities shall answer in the official language in which they are addressed, although they may agree with the person concerned to use a different official language. Romansh speakers may write in their idioms or in Rumantsch Grischun and receive answers in Rumantsch Grischun. The Federal Council may restrict the free choice for authorities whose activities are limited to a specific region. In dealings with persons who have no command of an official language, the federal authorities shall if possible use a language that these persons understand. The special provisions on the administration of federal justice are reserved.⁶

The right is not limited to Italian speakers or to Swiss citizens. A German-speaking company in Zurich may write to the State Secretariat for International Finance in Italian and is entitled to an answer in Italian. An Italian citizen resident in Milan who applies to a federal office may do so in Italian. In practice the right is used above all by residents of Ticino and the Italian-speaking Grisons and by lawyers and fiduciaries who act for them. Its existence obliges every federal office to maintain the capacity to work in Italian, either through Italian-speaking staff or through the language services. The reservation in favour of the special provisions on federal justice refers to the procedural codes, under which the language of proceedings is fixed by other rules that are discussed in a later section.

3 Notes

1. On the legislative history (draft of the Federal Department of Home Affairs, the Federal Council's decision of 2004 not to pursue it, and parliamentary initiative 04.429) see the report of the Committee for

Science, Education and Culture of the National Council of 15 September 2006, BBl 2006 8977. ↩

2. Federal Act of 5 October 2007 on the National Languages and Understanding between the Linguistic Communities (Languages Act, LangA), SR 441.1, Art. 27, with the note on commencement on 1 January 2010 by Federal Council decree of 4 December 2009, <https://www.droit-bilingue.ch/en-it/4/44/441.1-27-30.html>; title in English and Italian at <https://www.droit-bilingue.ch/en-it/4/44/441.1-index.html>. ↩
3. Ordinance of 4 June 2010 on the National Languages and Understanding between the Linguistic Communities (Languages Ordinance, LangO), SR 441.11, title at <https://www.droit-bilingue.ch/en-it/4/44/441.11-preface-1.html>; version of 1 October 2014 as reproduced by the Canton of the Grisons, https://www.gr.ch/DE/institutionen/verwaltung/ekud/dd/dfm/DokumenteFachstelle/SpV_Bund.pdf. ↩
4. LangA, Art. 4, <https://www.droit-bilingue.ch/en-it/4/44/441.1-4-7.html>. ↩
5. LangA, Art. 5, <https://www.droit-bilingue.ch/en-it/4/44/441.1-5-8.html>. ↩
6. LangA, Art. 6, <https://www.droit-bilingue.ch/en-it/4/44/441.1-6-9.html>. ↩

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