

The courts of Zug

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Because a headquarters economy generates disputes, the courts of the canton of Zug decide a considerable number of commercial and company law cases. Since the canton has no specialised commercial court, commercial disputes are heard at first instance by the Cantonal Court and on appeal by the Obergericht, whose decisions may be appealed to the Federal Supreme Court.¹ The Sika dispute, described in Chapter II, showed that the courts of Zug can be called upon to decide matters of great economic significance for listed companies.

The revision of the Swiss Civil Procedure Code in force since 1 January 2025 allows the cantons to permit the use of English in proceedings before their courts in certain commercial matters. Several cantons have created or are considering international commercial courts or chambers.² For a canton whose business community works in English, the question whether its courts will hear cases in English is of practical importance and is examined in Part J.

1 Notes

1. Germany Trade & Invest, "Die Schweiz internationalisiert ihr Zivilprozessrecht", 13 December 2024, gta.de: only four cantons have commercial courts, Zurich, Bern, St. Gallen and Aargau. The canton of Zug accordingly assigns civil disputes to the Kantonsgericht at first instance and the Obergericht on appeal. ↩

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2. Germany Trade & Invest, "Die Schweiz internationalisiert ihr Zivilprozessrecht", 13 December 2024, gtai.de: under the revised ZPO in force from 1 January 2025, cantons may allow proceedings in English before international commercial courts and in arbitration-related proceedings, and may extend their commercial courts to international commercial disputes; Canton of Zurich, Regierungsrat, proposal of 2 July 2025 to amend the GOG (Zurich International Commercial Court), zh.ch. Treated in Part J. ↩

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