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Federal Act on the Federal Assembly (Parliament Act, ParIA)

of 13 December 2002 (Status as of 18 December 2021)

The Federal Assembly of the Swiss Confederation,
based on Article 164 paragraph 1 letter g of the Federal Constitution¹,
and having considered the report of the Political Institutions Committee of the
National Council dated 1 March 2001²
and the opinion of the Federal Council dated 22 August 2001³,
decrees:

Title 1 General Provisions

Art. 1 Subject matter

This Act regulates:

- a. the rights and duties of the members of the Federal Assembly;
- b. the tasks and organisation of the Federal Assembly;
- c. the procedure in the Federal Assembly;
- d. procedural relations between the Federal Assembly and the Federal Council;
- e. procedural relations between the Federal Assembly and the federal courts.

Art. 2 Meetings of the councils

¹ The National Council and the Council of States shall convene regularly for ordinary sessions.

² Either council may decide to convene special sessions if the ordinary sessions are not sufficient to deal with the volume of business.

AS 2003 3543

¹ SR 101

² BBl 2001 3467

³ BBl 2001 5428

³ One quarter of the members of a council or of the Federal Council may request that the councils or the United Federal Assembly be convened for an extraordinary session to deal with the following items of business:

- a. drafts by the Federal Council or of a Federal Assembly committee of a Federal Assembly enactment;
- b. identical motions that have been submitted in both chambers;
- c. elections;
- d. declarations by the Federal Council or identical drafts submitted in both chambers for declarations by the National Council and des Council of States.⁴

⁴ An ordinary or an extraordinary session is normally held in both chambers in the same calendar week.⁵

Art. 3 Oath and solemn promise

¹ Each member of the Federal Assembly shall swear the oath or make the solemn promise before assuming office.

² The persons elected by the United Federal Assembly shall swear their oath or make their solemn promise before the United Federal Assembly following their election, unless the law provides otherwise.

³ Any person who refuses to swear the oath or make the solemn promise is prohibited from assuming office.

⁴ The oath is as follows:

«I swear by Almighty God to uphold the Constitution and the law and to fulfil the duties of my office to the best of my abilities.»

⁵ The solemn promise is as follows:

«I solemnly promise to uphold the Constitution and the law and to fulfil the duties of my office to the best of my abilities.»

Art. 4 Access of public to meetings

¹ The meetings of the councils and of the United Federal Assembly are open to the public. The debates are published in full in the Official Bulletin of the Federal Assembly. The details of publication are regulated in an ordinance of the Federal Assembly.

² For the protection of major security interests or for the protection of personal privacy, a meeting in camera may be requested. The following have the right to make such a request:

⁴ Amended by No I of the FA of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS **2013** 3687; BBI **2011** 6793 6829).

⁵ Inserted by No I of the FA of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS **2013** 3687; BBI **2011** 6793 6829).

- a. a sixth of the members of either council or of the United Federal Assembly;
- b. a majority of the members of a committee;
- c. the Federal Council.

³ The debate on an application for a meeting in camera is itself held in camera.

⁴ Any person who participates in a meeting in camera is obliged to preserve secrecy with regard to the proceedings thereof.

Art. 5 Information

¹ The Councils and their organs shall provide comprehensive information in good time about their activities provided there are no overriding public or private interests that prevent this.

² The use of sound or image broadcasts from the Assembly chambers, as well as the accreditation of journalists, is regulated in an ordinance of the Federal Assembly or by the respective Standing Orders of the Councils.

Title 2 Members the Federal Assembly

Chapter 1 Rights and Duties

Art. 6 Procedural rights

¹ The members the Federal Assembly (assembly members) have the right to submit parliamentary initiatives and parliamentary procedural requests and to propose candidates for election.

² They may submit proposals relating to pending business and procedure.

³ The right to speak and the time allowed for speeches may be limited by the Standing Orders of the Councils.

⁴ If a parliamentary initiative, a motion or a postulate is opposed, a vote may be held only if the originator has been given the opportunity to provide verbal justification. In addition, the person who first requested rejection must at least be given the right to speak.⁶

Art. 7 Rights to information

¹ The assembly members have the right to be provided with information by the Federal Council and the Federal Administration and to inspect documents on any matter of relevance to the Confederation, provided this is required for the exercise of their parliamentary mandates.

⁶ Inserted by No I of the FA of 21 June 2013 (Improvements in the Organisation and Procedures of Parliament), in force since 25 Nov. 2013 (AS **2013** 3687; BBl **2011** 6793 6829).

² An individual assembly member has no right to information:

- a. from the joint reporting procedure and deliberations in Federal Council meetings;
- b. that is classified as confidential or secret in the interests of state security or the intelligence service, or the disclosure of which to unauthorised persons may be detrimental to national interests;
- c. that is treated as confidential for the protection of personal privacy.⁷

³ In the event of any disagreement between an assembly member and the Federal Council as to the extent of rights to information, the assembly member may call on the Presiding College of the council to which he or she belongs. The Presiding College mediates between the assembly member and the Federal Council.

⁴ If there is disagreement between an assembly member and the Federal Council, the Presiding College of the council has the final decision on whether the information is required to exercise the relevant parliamentary mandate.

⁵ As an alternative to permitting the inspection of documents, the Federal Council may submit a report to an assembly member if there is disagreement between the Federal Council and the assembly member as to whether the assembly member has a right to information in terms of paragraph 2 and the mediation of Presiding College of the council is unsuccessful.

⁶ The Presiding College of the council has an unrestricted right to inspect the documents of the Federal Council and the Federal Administration when preparing to mediate.

Art. 8 Official secrecy

The assembly members are bound by official secrecy where, through their official activities, they acquire knowledge of information that must be kept secret or confidential in order to safeguard overriding public or private interests, and in particular in order to protect personal privacy or to avoid prejudicing pending court proceedings.

Art. 9 Income and expenses

Assembly members receive from the Confederation a salary in respect of their parliamentary activities and a contribution to cover the expenses that they incur in connection therewith. The details are regulated by the Parliamentary Resources Act of 18 March 1988⁸.

⁷ Amended by No I of the FA of 17 June 2011 (Specification of the Information Rights of the Supervisory Committees), in force since 1 Nov. 2011 (AS 2011 4537; BBl 2011 1817 1839).

⁸ SR 171.21

Art. 10 Duty to attend meetings

Assembly members are obliged to attend the meetings of the councils and committees.

Art. 10a⁹ Voting in absentia in the National Council because of COVID-19

¹ Members of the National Council may vote in absentia if they are officially ordered to go into isolation or quarantine because of COVID-19.

² A member of the National Council who wishes to vote in absentia pursuant to paragraph 1 shall notify the Council Secretariat on the day before the sitting.

³ The votes cast by members of the National Council pursuant to paragraph 1 shall be recorded in the electronic voting system at the same time as votes are cast in the Council. The vote shall not be held again if a Council member is unable to cast his or her vote on technical grounds.

Art. 10b¹⁰**Art. 11** Duties of disclosure

¹ On assuming office and at the start of every year, each assembly member must inform his or her office in writing about his or her:

- a.¹¹ professional activities; if the assembly member is an employee, they must give information about their position and their employer;
- b.¹² further activities on management or supervisory committees as well as advisory committees and similar bodies of Swiss and foreign business undertakings, institutions and foundations under private and public law;
- c. activities as a consultant or as a specialist adviser to federal agencies;
- d. permanent management or consultancy activities on behalf of Swiss or foreign interest groups;
- e. participation in committees or other organs of the Confederation.

^{1bis} In the case of activities listed in paragraph 1 letters b–e, the assembly member shall declare whether the activity is voluntary or paid. The reimbursement of expenses is not regarded as payment for an activity.¹³

⁹ Inserted by No I of the FA of 10 Dec. 2020 (COVID-19: Voting in the National Council; Suspension or Postponement of the Session) (AS 2020 5375; BBl 2020 9271 9283). Amended by No III 1 of the FA of 17 Dec. 2021, in force from 18 Dec. 2021 until 31 Dec. 2022 (AS 2021 878; BBl 2021 2515).

¹⁰ Inserted by No I of the FA of 10. Dec. 2020 (COVID-19: Voting in the National Council; Suspension or Postponement of the Session), in force from 11. Dec. 2020 until 1 Oct. 2021 at the latest (AS 2020 5375; BBl 2020 9271 9283).

¹¹ Amended by No I of the FA of 15 June 2018, in force since 2 Dec. 2019 (AS 2018 3461; BBl 2017 6797 6865).

¹² Amended by No I of the FA of 15 June 2018, in force since 2 Dec. 2019 (AS 2018 3461; BBl 2017 6797 6865).