

Data Protection in Switzerland at a Glance

Legal framework

The primary laws and regulations governing data protection in Switzerland are the Swiss Federal Data Protection Act (DPA), the Swiss Federal Data Protection Ordinance (DPO), the Swiss Federal Ordinance on Data Protection Certification (DPCO) and Guidelines of the Federal Data Protection and Information Commissioner on the minimum requirements for a data protection management system (DPMS-Guidelines). The latest revisions of the DPA and the DPO as well as the DPCO entered into force on January 1, 2008. The DPMS-Guidelines entered into force on September 1, 2008.

Categories of data

Swiss data protection law applies to the personal data of both natural persons and legal entities, such as corporations ("data subjects").

Stronger legal protection is provided for sensitive personal data and personality profiles.

Principles of data processing

The law applies equally to electronic and manual data processing. Personal data may only be processed lawfully. The processing of personal data must be made in good faith and must be proportionate. Personal data may be used only for the purpose specified at the time of its collection and both the fact that personal data are collected and the purpose for processing it must be apparent to the data subjects. The data must be accurate. A lawful justification for data processing may be required. Data security must be ensured.

Formal requirements

Under certain circumstances, data files must be registered with the [Federal Data Protection and Information Commissioner](#).

Data subjects have the right to access their data and to have incorrect data corrected.

Data transfers abroad

The transfer of personal data out of Switzerland is restricted. Unless certain exceptions apply, personal data may not be transferred to countries which lack data protection laws which provide an adequate level of data protection.

Under certain circumstances, the [Federal Data Protection and Information Commissioner](#) needs to be informed before a transfer abroad takes place.