

Collecting Personal Data in Switzerland

Collecting data is data processing

The Swiss Federal Data Protection Act (DPA) provides that the mere act of collecting personal data constitutes the processing of personal data. Therefore, all legal requirements which apply to the processing of personal data also apply to the collection of personal data.

Data collection must be lawful

According to the DPA, the collection of personal data must be lawful. The collection of personal data is unlawful if it is collected by unlawful means, such as the illegal recording of conversations or secret monitoring of persons.

Issues to consider when collecting data

It is important to collect personal data in compliance with the DPA. Some issues to consider when collecting personal data include:

- Informing data subjects about the data processing and its intended purpose;
- Informing data subjects about whether the data will be disclosed to third parties and whether a transfer outside Switzerland is contemplated;
- Obtaining any consents required for the data processing.