



FAQ on the Swiss Register of Criminal Records

Status: April 2020

What is entered in the Swiss Register of Criminal Records?

n The Swiss Register of Criminal Records lists persons who have legally binding convictions against them in Switzerland, as well as Swiss citizens who have legally binding convictions against them abroad. The records cover:

- Convictions for felonies or misdemeanours, provided a penalty was imposed
- Convictions for contraventions of the law, provided:
 - a fine of more than 5,000 Swiss francs was imposed or the person concerned was sentenced to more than 180 hours of community service
 - the convicting authority is expressly authorised or obliged by the relevant federal legislation to impose a certain minimum fine, or a further monetary penalty or custodial sentence in addition to a fine if the offence is repeated
 - a ban on certain types of activity, or a contact prohibition and exclusion order was imposed, or
 - they form part of a judgment which must be entered in the Register.

A total of 1,160,000 convictions, relating to 798,000 individuals, were entered in the Swiss Register of Criminal Records as of 31 March 2020.

n In addition, the Register lists persons against whom criminal proceedings for a felony or misdemeanour are pending in Switzerland.

→ [Art. 366 Swiss Criminal Code \(StGB\)](#) and Arts. 3-9 and Appendix 1 [Ordinance on the Swiss Register of Criminal Records \(Vostra Ordinance\)](#)

Under Swiss criminal law, the following definitions apply:

Felonies = Offences that carry a custodial sentence of more than three years

Misdemeanours = Offences that carry a custodial sentence of up to three years or a fine

Contraventions = Offences that carry a fine only

Who keeps the Swiss Register of Criminal Records?

The Federal Office of Justice works with other federal authorities and the cantons to keep a centralised, fully automatic system of criminal records known by its German acronym Vostra (*vollautomatisiertes Strafregister*). Vostra lists both *criminal convictions* and *pending criminal*

proceedings. The data on criminal convictions and that on pending criminal proceedings is managed separately.

What purpose does the Swiss Register of Criminal Records serve?

The Swiss Register of Criminal Records helps federal and cantonal authorities to fulfil a variety of tasks, specifically:

- Conducting criminal proceedings
- Preventing crime
- Providing information to Interpol and Europol
- Operating the Money Laundering Reporting Office
- Conducting international legal assistance and extradition proceedings
- Executing sentences and other measures ordered by the courts
- Reviewing civil and military security
- Imposing and lifting bans on entry against aliens, and other expulsions and national exclusion orders
- Reviewing asylum cases
- Checking naturalisation applications
- Issuing and revoking driving and provisional driving licences
- Ordering and revoking guardianship arrangements
- Imposing and revoking welfare-related detention orders
- Deciding on pardons
- Examining suitability for military or civilian service
- Producing criminal statistics.

→ [Art. 365 Swiss Criminal Code \(StGB\)](#) and Arts. 21, 22 and 33 [Vostra Ordinance](#)

Which authorities are permitted to enter data in the Swiss Register of Criminal Records?

The Federal Office of Justice, the criminal justice authorities, the military justice authorities, the authorities enforcing penalties and measures and the cantonal liaison agencies are permitted to process personal data on convictions in the Swiss Register of Criminal Records.

→ [Art. 367 para. 1 Swiss Criminal Code \(StGB\)](#)

Which authorities are permitted to inspect data in the Swiss Register of Criminal Records?

The authorities specified by law – primarily the criminal justice, migration, naturalisation and the child and adult protection authority KESB, as well as the road traffic offices – may inspect personal data relating to *all criminal convictions* as well as, under certain circumstances, information on *pending criminal proceedings and youth convictions*, either online (→ [Art. 367](#)

[para. 2 Swiss Criminal Code \(StGB\)](#)) or by making an application in writing (→ [Art. 22 Vostra Ordinance](#)). All other authorities may only obtain information from the Register indirectly, by obtaining an extract for private individuals. It is for the individual in question to decide to whom they wish to pass on the extract about themselves (employer, landlord, etc.).

When are entries removed from the Swiss Register of Criminal Records?

The length of time that entries remain in the Register (→ [Art. 369 Swiss Criminal Code \(StGB\)](#)) depends on the sentence that has been imposed. These periods are fixed with the aim of striking a balance between the interest in enforcing the law and protecting society on the one hand, and interest of the person concerned in achieving complete rehabilitation and reintegration on the other.

Convictions are removed automatically. Five different cases apply:

Penalty	Removed after
Non-suspended custodial sentences (paras. 1 and 2). Over 5 years 1 to 5 years Less than 1 year	20 years 15 years 10 years + duration of sentence as per conviction + duration of custodial sentence already entered
All other sentences: suspended and partially suspended custodial sentences, monetary penalties, community service, fines (para. 3)	10 years
Special rule for inpatient treatment (paras. 4 and 5).	10 to 15 years
Special rule for cases where outpatient treatment only is ordered (para. 4 ^{bis})	10 years
Special rule for individuals who are bound over to keep the peace, banned from exercising specific professions, banned from driving or excluded from the armed forces (para. 4 ^{ter})	10 years
Special rule for national expulsion orders (para. 5 ^{bis})	Conviction remains in the Register until the death of the person concerned. If the person was not resident in Switzerland, the entry is removed no later than 100 years from their date of birth.

Convictions involving a ban on certain types of activity, or a contact prohibition and exclusion order, are removed ten years after the end of the ban (→ [Art. 369 Swiss Criminal Code \(StGB\)](#)).

Once removed from the Register, a conviction may no longer be used against the person concerned. The data that has been removed is not archived, but is destroyed.

Who can order an extract for private individuals?

Private individuals can request an extract from the Register about themselves only. However, they can nominate someone to obtain the extract for them, or arrange for it to be sent directly to a third party, such as an employer or landlord. The extract costs 20 francs. An additional 20 franc charge applies if the extract has to be certified by the Chancellery of the Swiss Confederation (e.g. for a visa application).

What appears on the extract for private individuals?

The extract for private individuals shows *convictions for felonies and misdemeanours*. Convictions for contraventions of the law appear only if they meet the conditions for entry in the Register (see Page 1). Information about pending criminal proceedings does not appear in the extract for private individuals.

→ [Art. 371 Swiss Criminal Code \(StGB\)](#)

How long does a conviction appear on the extract for private individuals?

A conviction that involves some form of sentence is not included on an extract for private individuals once two thirds of the term of its inclusion in the Register have elapsed.

And in addition, special calculation rules apply to

- Convictions involving measures. These do not appear in the extract for private individuals once half of the term of their inclusion has elapsed.
- Convictions involving a suspended or partially suspended sentence. These do not appear in the extract for private individuals if the convicted person has fulfilled the terms of their probation through to its end.

→ [Art. 371 Swiss Criminal Code \(StGB\)](#)

What is the purpose of a special private extract?

In addition to an extract for private individuals, since 1 January 2015 it has been possible to order a special private extract. This provides information on whether or not a given person is banned from activities involving minors or particularly vulnerable individuals, or from having contact with them. The introduction of the special private extract is intended to protect minors and particularly vulnerable persons more effectively against sexual offences and domestic violence committed by persons who have been convicted of such offences.

Who can order a special private extract?

A special private extract can only be ordered by persons who have regular contact with minors or with other particularly vulnerable individuals in a professional or organised non-professional setting or by persons who carry out a professional or organised non-professional activity in the healthcare sector involving direct patient contact. When ordering the extract, the person concerned must also submit an 'employer form'. On this form, the individual's employer, a person in authority at the club or other organisation concerned, or the competent authority for authorising the exercise of the activity confirms that the applicant is applying to work or already works with minors or other vulnerable persons. The form can be downloaded from the www.strafregister.admin.ch website.

What appears on the special private extract?

The special private extract only contains convictions involving a ban on certain types of activity or a contact prohibition and exclusion order imposed in order to protect minors or other particularly vulnerable individuals.

How long does a conviction appear on the special private extract?

These convictions will appear on the special private extract for as long as they remain in effect. Please note that bans are suspended during any custodial sentence or other measure restricting the individual's personal liberty, i.e. the ban only takes effect once the convicted person has been released. In other words, the duration of the ban is extended by the duration of any non-suspended custodial sentence or other measure restricting liberty.

→ [Art. 371a Swiss Criminal Code \(StGB\)](#)

How long is the extract from the Register valid?

The recipient of the extract from the Swiss Register of Criminal Records has to decide how long it remains valid for their purposes. The extract is a snapshot which may be rendered out of date by a new entry, even on the day on which it is issued.

Are copies of an extract valid?

The person requesting the extract from the Register has to decide whether to accept a copy, or the original only.

The authenticity of extracts which do not contain any convictions and which are printed on original paper (or a copy thereof), and printed-out extracts bearing an electronic digital signature, may be checked via the [internet](#). This does not apply to extracts containing convictions, however.