



FAQ on the Swiss Register of Criminal Convictions

What is entered in the Swiss Register of Criminal Convictions?

- The Swiss Register of Criminal Convictions 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 crimes or misdemeanours, provided a penalty has been imposed
 - Convictions for infringements of the law, provided:
 - a fine of more than 5,000 Swiss francs has been imposed
 - the person concerned has been 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 restraining or exclusion order has been imposed, or
 - it forms part of a ruling which must be entered in the Register.

A total of 1,146,000 convictions, relating to 789,000 individuals, were entered in the Swiss Register of Criminal Convictions as at 4 February 2019.

■ In addition, the Register lists persons against whom criminal proceedings for a crime 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 Convictions \(Vostra Ordinance\)](#)

The following definitions apply in this context:

Crimes = Offences punishable with a custodial sentence of more than three years

Misdemeanours = Offences punishable with a custodial sentence of up to three years or with a fine

Infringements = Offences punishable with a fine

Who keeps the Swiss Register of Criminal Convictions?

Working alongside other federal authorities and the cantons, the Federal Office of Justice keeps a central, fully automatic system of criminal records known by its German acronym Vostra. 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 Convictions serve?

The Swiss Register of Criminal Convictions 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 punitive measures
- Reviewing civil and military security
- Imposing and lifting bans on entry against aliens, and other expulsions and national exclusion orders
- Reviewing asylum cases
- Naturalisation proceedings
- Issuing and withdrawing driving and provisional driving licences
- Imposing and lifting guardianship arrangements
- Imposing and lifting detention orders for the person's own welfare
- Pardon proceedings
- 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 Convictions?

The Federal Office of Justice, the criminal justice authorities, the military justice authorities, the enforcement authorities and the cantonal liaison agencies are permitted to edit personal data on convictions in the Swiss Register of Criminal Convictions.

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

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

The authorities laid down in law – specifically the criminal justice, migration, naturalisation and the child and adult protection authority KESB, as well as the road traffic agencies – may inspect personal details relating to *all criminal conviction data* as well as, under certain circumstances, information on *pending criminal proceedings and youth convictions*, by following a query procedure (→ [Art. 367 para. 2 Swiss Criminal Code \(StGB\)](#)) or making an application in writing (→ [Art. 22 Vostra Ordinance](#)). All other authorities may obtain information from the Register only indirectly, by means of excerpts for private individuals. It is for the individual in question to decide to whom they wish to pass on the excerpt about themselves (employer, landlord, etc.).

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

The duration of entries and the timing of their removal (→ [Art. 369 Swiss Criminal Code \(StGB\)](#)) depends on the sanction that has been imposed. The periods concerned seek to balance the conflicting aims of criminal prosecution interests and the need to protect society, on the one hand, and the needs of those concerned for complete rehabilitation and reintegration, on the other.

Convictions are removed automatically, ex officio. Five different cases apply:

Sanction	Deleted 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 ruling in the case of inpatient treatment (paras. 4 and 5).	10 to 15 years
Special ruling in cases where outpatient treatment only is ordered (para. 4 ^{bis})	10 years
Special ruling in the case of individuals being	10 years

bound over to keep the peace, banned from exercising specific professions, banned from driving or excluded from the armed forces (para. 4 ^{ter})	
Special ruling in the case of 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 restraining or 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.

What is the purpose of a special excerpt from the Register?

In addition to Register excerpts for private individuals, since 1 January 2015 it has been possible to order a special excerpt for private individuals. 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 excerpt for private individuals is intended to protect minors and particularly vulnerable persons more effectively against sexual offences and domestic violence committed by convicted persons.

Who can order an excerpt from the Swiss Register of Criminal Convictions?

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

Who can order a special excerpt from the Register for private individuals?

Only those who have regular contact with minors or with other particularly vulnerable individuals in a professional or organised non-professional setting or those who carries out a professional or organized non-professional activity in the healthcare sector involving direct patient contact can order special excerpts for private individuals. What is known as an

'employer form' must therefore be submitted along with the request for the excerpt. On this form, the individual's employer, or a person in authority at a club or other organisation, 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 excerpt from the Register for private individuals?

The excerpt for private individuals contains *convictions for crimes and misdemeanours*. Convictions for infringements 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 excerpt for private individuals.

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

Do convictions for speeding offences and drink driving appear in the excerpt for private individuals?

Only *serious road traffic offences* appear in the excerpt from the Register for private individuals. Driving more than 25 km/h above the speed limit in built-up areas, 30 km/h in non built-up areas and 35 km/h over the limit on motorways counts as a misdemeanour in Switzerland. The corresponding convictions therefore appear on the excerpt for private individuals for a certain period of time. This also applies to convictions for drink driving where the blood alcohol content exceeds 0.08 percent.

What appears on the special excerpt from the Register for private individuals?

The special excerpt for private individuals only contains convictions involving a ban on certain types of activity, or a restraining or exclusion order, in order to protect minors or other particularly vulnerable individuals.

How long does a conviction appear in the excerpt from the Register for private individuals?

Convictions appear in the excerpt for private individuals for less time than they are entered in the Swiss Register of Criminal Convictions. A conviction that involves some form of sentence ceases to appear in the individual's excerpt once two thirds of the term of its inclusion in the Register has elapsed.

Special calculation rules apply to

- Convictions involving punitive measures. These cease to appear in the individual's excerpt once half of the term of their inclusion has elapsed.

- Convictions involving a suspended or partially suspended sentence. These cease to appear in the individual's excerpt if the convicted person has fulfilled the terms of their probation through to its end.

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

How long does a conviction appear in the special excerpt from the Register for private individuals?

The special excerpt for private individuals only contains convictions involving a ban on certain types of activity, or a restraining or exclusion order, in order to protect minors or other particularly vulnerable individuals. These convictions continue to appear on the special excerpt 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 duration of the ban only begins 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 excerpt from the Register valid?

The recipient of the excerpt from the Swiss Register of Criminal Convictions may determine how long it remains valid for their/its purposes. The excerpt 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 Register excerpt valid?

Whether or not to accept a copy, or the original only, is left to the discretion of the person requesting the excerpt from the Register.

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

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