

Federal law on currency and payment instruments of 22 December 1999

(Unofficial translation)

The Federal Assembly of the Swiss Confederation,
by virtue of Articles 99, 122, para 1 and 123, para 1 of the Federal Constitution, after duly taking
note of the message of the Federal Council of 26 May 1999,

resolves:

Section 1: Currency and legal tender

Art. 1 Currency unit

The Swiss currency unit is the Swiss franc. It is divided into 100 centimes.

Art. 2 Legal tender

The following payment instruments are considered to be legal tender:

- a. the coins issued by the Confederation;
- b. the bank notes issued by the Swiss National Bank;
- c. Swiss franc sight deposits at the Swiss National Bank.

Art. 3 Obligation to accept

¹Any person is obliged to accept up to 100 Swiss coins for circulation in payment. Coins for circulation, commemorative coins and investment coins are accepted at nominal value without any restrictions by the Swiss National Bank and the public cash offices of the Confederation.

²Swiss bank notes must be accepted in payment without any restrictions by any person.

³Swiss franc sight deposits at the Swiss National Bank must be accepted in payment without any restrictions by any person holding an account there.

Section 2: Coinage order

Art. 4 Issue of coins for circulation

¹The Confederation can operate a federal mint.

²The Confederation mints and issues coins for circulation in order to meet the demand for payments.

³The Federal Council decides which coins for circulation are to be minted, put into circulation or withdrawn from circulation.

⁴The Federal Council decides on the design and the features of coins for circulation. It determines the denominations in agreement with the Swiss National Bank.

⁵It regulates the exchange of coins by public cash offices of the Confederation and the elimination of damaged, unsightly and counterfeit coins.

Art. 5 Provision of coin

¹The National Bank provides the required quantities of coins for circulation for payment purposes and takes back without any restrictions the coins no longer needed against reimbursement of the nominal value.

²In order to ensure cash distribution, the National Bank may issue regulations on the manner, place and time for the receipt and delivery of coins.

³Destroyed, lost and counterfeit coins are not replaced.

Art. 6 Commemorative coins and investment coins

¹For numismatic requirements and investment purposes, the Confederation may mint special quality coins for circulation, as well as commemorative coins and investment coins. These coins may be issued above nominal value.

²The responsible government department decides on the nominal values, designs and features of commemorative coins and investment coins. It also decides what commemorative coins and investment coins are to be minted, issued and taken out of circulation.

Section 3: Bank note order

Art. 7 Issue of bank notes

¹The National Bank issues bank notes commensurate with the demand for payment purposes. It determines the denominations and the design.

²It takes back without any restrictions the bank notes no longer needed against reimbursement of the nominal value.

³The National Bank withdraws worn and damaged bank notes from circulation.

⁴In order to ensure cash distribution, the National Bank may issue regulations on the manner, place and time for the receipt and delivery of bank notes.

Art. 8 Replacement of bank notes

¹The National Bank shall provide compensation for a damaged note, provided that its series and number are recognisable and the holder presents a part that is larger than half or proves that the missing part of the note has been destroyed.

²The National Bank shall not provide any compensation for destroyed, lost or counterfeit notes.

Art. 9 Recall

¹The National Bank may recall note denominations, types and series.

²The public cash offices of the Confederation shall accept the recalled notes in payment at their nominal value during a period of six months following the first notice of recall.

³The National Bank shall be required to exchange the recalled notes at their nominal value

during a period of 20 years following the first notice of recall.

⁴The equivalent value of notes not presented for exchange within this period shall accrue to the Swiss fund for aid in case of uninsurable damage by the forces of nature.

Section 4: Sight deposits at the Swiss National Bank

Art. 10

By virtue of the National Bank Law (NBL) of 23 December 1953, the National Bank shall lay down the conditions under which institutions offering payment transaction services may maintain Swiss franc sight deposits.

Section 5: Penal provisions

Art. 11

¹Anyone who - in contravention of the provisions contained in article 99 of the Federal Constitution and in this law - issues or puts into circulation coins or bank notes denominated in Swiss francs shall be punishable by imprisonment or a fine.

²Contraventions shall come under the jurisdiction of the Federal Court.

Section 6: Referendum and entry into force

Art. 12

¹The present law is subject to the optional referendum.

²The Federal Council shall determine the entry into force (May 1, 2000).

Rescission and amendment of the current law

1. The Federal Coinage Act of 18 December 1970 shall be rescinded.

2. The Code of Obligations shall be amended as follows:

Art. 84

D. Payment

I. National currency

¹Pecuniary obligations must be settled by means of legal tender in the currency in which the debt is owed.

²Where the obligation is denominated in a currency which is not the national currency at the place of payment, the debt may be paid in national currency according to the rate of exchange on the due date, unless the contract calls for literal performance by use of the word "effective" or some similar addition.

3. The Federal Penal Code shall be amended as follows:

Art. 243

*Reproduction of bank notes,
coins or other official value tokens
without intent of counterfeiting*

¹Anyone who - without intent of counterfeiting - reproduces or imitates bank notes in such a way as to create the risk of a person or a machine confusing them with genuine bank notes - especially if the entire note, one side or the larger part of one side of a bank note is reproduced or imitated on a type of material and in a size that is identical with or similar to the material and the size of the genuine bank note, anyone who - without intent of counterfeiting - produces items which are similar in their imprint, weight or size to coins for circulation, which have a nominal value or other features of an official mintage in such a way as to create the risk of a person or a machine confusing them with coins for circulation, anyone who - without intent of counterfeiting - reproduces official value tokens in such a way as to create the risk of confusing them with genuine value tokens, anyone who imports, puts on offer or into circulation such items, shall be punishable by imprisonment or a fine.

²If the offence has been committed by negligence, the penalty shall be custody or a fine.

Art. 244

*Importing, acquiring,
storing of counterfeit
money*

Anyone who imports, acquires, or stores counterfeit or debased coins, counterfeit or forged paper money or counterfeit or forged bank notes in order to put them into circulation as genuine or unaltered shall be punishable by imprisonment.

Art. 249

Collection

¹Counterfeit or debased coins, counterfeit or forged paper money, counterfeit or forged bank notes, official value tokens, official tokens, measures, weights, scales or other measuring instruments as well as counterfeiting equipment shall be collected and rendered unusable or destroyed. Bank notes, coins or official value tokens which have been reproduced, imitated or produced without intent of counterfeiting, yet create a risk of confusion, shall also be collected and rendered unusable or destroyed.

Art. 327

Rescinded

4. The National Bank Law of 23 December 1953 shall be amended as follows:

Chapter III (Articles 17-24)

Rescinded

Art. 63, sub-section 2, d-f

Rescinded

Arts. 64 and 65

Rescinded