National registers
Summary report on the audits of the Swiss Federal Audit Office

Key facts

Issues concerning federalism are of central importance in Switzerland, and audits by the Swiss Federal Audit Office (SFAO) involving the cantons are not uncommon. These audits take three forms.

The first type verifies the correct application of federal law, subsidy audits make up the second group and IT-related issues form the third group. This third group includes the challenges posed by telecommunications networks, but also the matter of national registers. How should the IT data necessary for the management of public services and justice be defined and collected at Swiss level.

After examining the data from the commercial register and the data for road traffic, the SFAO turned to the data of the debt enforcement and bankruptcy register, as well as that of the land register. Throughout the audits, the findings were consistent and similar. In numerous areas, Switzerland finds it hard to consolidate the data collected at cantonal and federal level. This hinders any efforts to introduce the once-only principle, even though this was adopted by Switzerland on 6 October 2017 in Tallinn[1]. However, this worrying situation is above all a hurdle for the users of the registers, the cantonal and federal administrations, and the prosecution authorities.

There are various reasons for this: the cantonal and even communal administrations responsible for data collection and entry generally use different software, common data models are non-existent, incomplete or non-binding, data is not defined in the same way across all cantons, data is of poor quality, incomplete or not up to date, the federal offices do not receive the data... In 2011, a legal opinion from the Federal Office of Justice[2] showed that adopting a constitutional legal basis is a reasonable way to change the situation in the area of IT. However, nobody dares tackle this subject in a rational manner, or address this constitutional task.

Therefore, it would probably be more realistic to choose the route of adapting individual laws. The three main recommendations of this report could be implemented with a model article on the management and use of registers. A consolidation bill would be suitable if there are to be parallel changes in several acts or ordinances.

What are the three best practices recommended by the SFAO?

In its reports, the SFAO made numerous recommendations, which can be summarised in three simple best practices:

1. Establish binding data models for the whole of Switzerland with unique identifiers

2. Ensure the data collected is of high quality, complete and up to date

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[1] Available at https://www.newsd.admin.ch/newsd/message/attachments/49838.pdf

[2] Available at https://www.bj.admin.ch/bj/de/home/publiservice/publikationen/berichte-gutachten/2012-1.html

3. Ensure that the federal authorities have the right to access the data

However, the ways in which these practices could be implemented are long and complicated.

IT projects will be sufficient only if they are supported by far-reaching legal reforms. Ultimately, it will be a question of whether the common desire of data users makes it possible to challenge current processes in order to provide Swiss administrations with efficient and reliable registers.

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