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Federal Act on the Reduction of CO₂ Emissions (CO₂ Act)

of 23 December 2011 (Status as of 1 January 2022)

The Federal Assembly of the Swiss Confederation,

on the basis of Articles 74 and 89 of the Federal Constitution¹

and having considered the Federal Council Dispatches dated 26 August 2009²
and 20 January 2010³,

decrees:

Chapter 1 General Provisions

Art. 1 Aim

¹ This Act is intended to reduce greenhouse gas emissions and in particular CO₂ emissions that are attributable to the use of fossil fuels (thermal and motor fuels) as energy sources with the aim of contributing to limiting the global rise in temperature to less than 2 degrees Celsius.

² The Federal Council designates the greenhouse gases.

Art. 2 Definitions

¹ Thermal fuels are fossil fuels used for the generation of heat, the production of light, the production of electricity in thermal facilities or the operation of combined heat and power plants (CHP plants).⁴

² Motor fuels are fossil fuels used in combustion engines to produce power.

AS **2012** 6989

¹ SR **101**

² BBl **2009** 7433

³ BBl **2010** 973

⁴ Amended by Annex No II 2 of the Energy Act of 30 Sept. 2016, in force since 1 Jan. 2018 (AS **2017** 6839; BBl **2013** 7561).

³ Emission allowances are tradable rights to emit greenhouse gases allocated or auctioned by the Confederation or by states or communities of states with emissions trading schemes (ETS) recognised by the Federal Council.⁵

⁴ Emission reduction certificates are internationally recognised tradable documents attesting to reductions in emissions achieved abroad in accordance with the Kyoto Protocol of 11 December 1997⁶ to the United Nations Framework Convention on Climate Change.⁷

^{4bis} International attestations are attestations of verifiable reductions in greenhouse gas emissions achieved abroad in accordance with the Climate Convention of 12 December 2015^{8,9}

⁵ Installations are fixed technical units at a single location.¹⁰

Art. 3 Reduction target

¹ Domestic greenhouse gas emissions must be reduced overall by 20 per cent as compared with 1990 levels, by 2020. The Federal Council may set sector-specific interim targets.

^{1bis} Greenhouse gas emissions must be reduced by a further 1.5 per cent annually by 2024 compared with 1990 levels. The Federal Council may specify sectoral interim targets.¹¹

^{1ter} At least 75 per cent of the reduction in greenhouse gas emissions in accordance with paragraph ^{1bis} must be achieved through domestic measures.¹²

² ...¹³

⁵ Amended by the Annex to the FD of 22 March 2019 on the approval of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems, in force since 1 Jan. 2020 (AS **2019** 4327; BBl **2018** 411).

⁶ SR **0.814.011**

⁷ Amended by No I of the FA of 17 Dec. 2021, in force since 1 Jan. 2022 (AS **2022** 262; BBl **2021** 2252, 2254).

⁸ SR **0.814.012**

⁹ Inserted by No I of the FA of 17 Dec. 2021, in force since 1 Jan. 2022 (AS **2022** 262; BBl **2021** 2252, 2254).

¹⁰ Inserted by the Annex to the FD of 22 March 2019 on the approval of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems, in force since 1 Jan. 2020 (AS **2019** 4327; BBl **2018** 411).

¹¹ Inserted by No I 2 of the FA of 20 Dec. 2019 on the Extension of the Time Limit for Tax Relief for Natural Gas, Liquid Gas and Biogenic Fuels and on the Amendment of the Federal Act on the Reduction of CO₂ Emissions (AS **2020** 1269; BBl **2019** 5679, 5813). Amended by No I of the FA of 17 Dec. 2021, in force since 1 Jan. 2022 (AS **2022** 262; BBl **2021** 2252, 2254).

¹² Inserted by No I of the FA of 17 Dec. 2021, in force since 1 Jan. 2022 (AS **2022** 262; BBl **2021** 2252, 2254).

¹³ Repealed by No I of the FA of 17 Dec. 2021, with effect from 1 Jan. 2022 (AS **2022** 262; BBl **2021** 2252, 2254).

³ The total volume of greenhouse gas emissions is calculated on the basis of the greenhouse gases emitted in Switzerland. Emissions from the use of aviation fuel on international flights are not taken into account.

^{3bis} The Federal Council shall determine the extent to which emission allowances from states or communities of states with ETSs recognised by the Federal Council shall be taken into account in order to achieve the reduction target in accordance with paragraph 1.¹⁴

⁴ The Federal Council may set reduction targets for individual economic sectors by agreement with the parties concerned.

⁵ It shall at the due time submit proposals to the Federal Assembly on the reduction targets for the period after 2020. It shall consult the parties concerned beforehand.

Art. 4 Measures

¹ The reduction target should in the first instance be achieved through measures under this Act.

² Measures that reduce greenhouse gas emissions in accordance with other legislation should also contribute to achieving the reduction target. These measures in particular include those in the fields of environment and energy, agriculture, forestry and timber industry, road traffic and the taxation of mineral oil, as well as voluntary measures.

³ Voluntary measures also include undertakings by consumers of fossil thermal and motor fuels voluntarily to limit their CO₂ emissions.

⁴ The Federal Council may assign suitable organisations to support and carry out voluntary measures.

Art. 5 Counting emission reductions achieved abroad

The Federal Council may take appropriate account of reductions in greenhouse gas emissions that have been achieved abroad when calculating emissions under this Act.

Art. 6 Quality requirements for reductions in emissions abroad

¹ The Federal Council specifies quality requirements for measures to reduce greenhouse gas emissions carried out abroad. Measures that do not meet these requirements are not considered emission reductions.

² The quality requirements must satisfy the following quality criteria in particular:

- a. reductions may only be counted if they would not have been achieved without support from Switzerland;

¹⁴ Inserted by the Annex to the FD of 22 March 2019 on the approval of the Agreement between the European Union and the Swiss Confederation on the linking of their greenhouse gas emissions trading systems, in force since 1 Jan. 2020 (AS **2019** 4327; BBl **2018** 411).

- b. reductions in developing countries must contribute to sustainable development in those countries and must not have negative social or ecological impacts.

Art. 7 Attestations for domestic emission reductions

¹ The Federal Council or the competent department issues documents attesting reductions in greenhouse gas emissions achieved voluntarily in Switzerland.

² It specifies the extent to which these attestations are considered equivalent to emission allowances or emission reduction certificates.

Art. 8 Coordination of adaptation measures

¹ The Confederation coordinates the measures to avoid or deal with the harm to persons or damage to property of substantial value that may be caused by the increased concentration of greenhouse gases in the atmosphere.

² It is responsible for devising and obtaining the basic knowledge necessary for these measures.

Chapter 2 Technical Measures to reduce CO₂ Emissions

Section 1 Buildings

Art. 9

¹ The cantons ensure that the CO₂ emissions from buildings that are heated with fossil fuels are reduced in compliance with the targets. Accordingly, they issue building standards for new and older buildings based on the current state of the art.

² The cantons submit a report each year to the Confederation on the measures taken.

Section 2¹⁵ Passenger Cars, Vans and Light Articulated Vehicles

Art. 10 Principle

¹ The CO₂ emissions from passenger cars that are registered for the first time must be reduced to an average of 130 g CO₂/km by the end of 2015 and to an average of 95 g CO₂/km by the end of 2020.

² The CO₂ emissions from vans and articulated vehicles with a total weight of no more than 3.50 t (light articulated vehicles) that are registered for the first time must be reduced to an average of 147 g CO₂/km by the end of 2020.

³ For this purpose, any importer or manufacturer of vehicles under paragraphs 1 and 2 (referred to below as “vehicles”) must reduce the average CO₂ emissions of the

¹⁵ Amended by Annex No II 2 of the Energy Act of 30 Sept. 2016, in force since 1 Jan. 2018 (AS **2017** 6839; BBl **2013** 7561).

vehicles that it imports into or manufactures in Switzerland that are registered for the first time in the reference year in accordance with its individual target (Art. 11).

⁴ The targets in paragraphs 1 and 2 are based on the current customary measurement methods. In the event of a change in the measurement methods, the Federal Council shall specify in the implementing provisions the targets that correspond to the targets in these paragraphs. It shall indicate the applicable measurement methods, taking account of the European Union regulations.¹⁶

Art. 10a Interim targets, facilitations and exceptions

¹ The Federal Council may specify binding interim targets in addition to the target values under Article 10.

² It may issue special provisions on the transition to new targets that facilitate the meeting of targets for a limited period.

³ It may exclude certain vehicles from the scope of the regulations on reducing CO₂ emissions.

⁴ In doing so, it shall take account of the regulations of the European Union.

Art. 10b Reporting and proposals for a further reduction of CO₂ emissions

¹ The Federal Council shall submit a report to the Federal Assembly for the first time in 2016 and every three years thereafter on the extent to which the targets specified in Article 10 and the interim targets under Article 10a paragraph 1 have been met.

² It shall at the due time submit to the Federal Assembly proposals for a further reduction in CO₂ emissions from vehicles for the period after 2020. In doing so, it shall take account of the regulations of the European Union.

Art. 11 Individual target

¹ The Federal Council shall establish a method for calculating the individual target for each importer or manufacturer of vehicles. The calculation relates to the vehicles of the importer or manufacturer first registered in the reference year (the new vehicle fleet). Passenger cars on the one hand and vans and light articulated vehicles on the other each constitute their own new vehicle fleet.

² In determining the calculation method, the Federal Council shall take account of the following in particular:

- a. the properties of the vehicles imported into or manufactured in Switzerland such as unladen weight, pan area or ecological innovations;
- b. the regulations of the European Union.

¹⁶ Inserted by No I 2 of the FA of 20 Dec. 2019 on the Extension of the Time Limit for Tax Relief for Natural Gas, Liquid Gas and Biogenic Fuels and on the Amendment of the Federal Act on the Reduction of CO₂ Emissions, in force since 1 Jan. 2021 (AS 2020 1269; BBl 2019 5679 5813).