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Federal Act on the Protection of the Environment (Environmental Protection Act, EPA)

of 7 October 1983 (Status as of 1 January 2022)

*The Federal Assembly of the Swiss Confederation,
based on the Article 74 paragraphs 1 of the Federal Constitution^{1,2}
and having considered a Federal Council Dispatch dated 31 October 1979³,
decrees:*

Title 1 Principles and General Provisions

Chapter 1 Principles

Art. 1 Aim

¹ This Act is intended to protect people, animals and plants, their biological communities and habitats against harmful effects or nuisances and to preserve the natural foundations of life sustainably, in particular biological diversity and the fertility of the soil.⁴

² Early preventive measures must be taken in order to limit effects which could become harmful or a nuisance.

Art. 2 Polluter pays principle

Any person who causes measures to be taken under this Act must bear the costs.

AS 1984 1122

¹ SR 101.

² Amended by No II 1 of the FA of 19 March 2010, in force since 1 Aug. 2010 (AS 2010 3233; BBl 2009 5435).

³ BBl 1979 III 749

⁴ Amended by Annex No 4 of the Gene Technology Act of 21 March 2003, in force since 1 Jan. 2004 (AS 2003 4803; BBl 2000 2391).

Art. 3 Reservation of other legislation

¹ Stricter regulations in other federal legislation are reserved.

² Radioactive substances and ionising rays are covered by the legislation on protection against radiation and on atomic energy.⁵

Art. 4 Implementing provisions based on other federal legislation

¹ Regulations on the environmental effects of air pollution, noise, vibrations and radiation that are based on other federal legislation must comply with the principles of limitation of emissions (Art. 11), ambient limit values (Art. 13–15), alarm values (Art. 19) and planning values (Art. 23–25).⁶

² Regulations on the handling of substances and organisms affecting the environment that are based on other federal legislation must comply with the principles governing environmentally hazardous substances (Art. 26–28) and organisms (Art. 29a–29h).⁷

Art. 5 Exemptions for reasons of national defence

If the interests of national defence so require, the Federal Council regulates exemptions from the provisions of this Act by means of ordinances.

Art. 6⁸**Chapter 2** General Provisions**Art. 7** Definitions

¹ Effects are air pollution, noise, vibrations, radiation, water pollution or other interference in water, soil pollution, modifications of the genetic material of organisms or modifications of biological diversity caused by the construction and operation of installations, by the handling of substances, organisms or waste, or by the cultivation of the soil.⁹

² Air pollution, noise, vibrations and radiation are referred to as emissions when discharged from installations, and as ambient pollution levels at their point of impact.

⁵ Amended by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

⁶ Amended by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

⁷ Amended by Annex No 4 of the Gene Technology Act of 21 March 2003, in force since 1 Jan. 2004 (AS 2003 4803; BBl 2000 2391).

⁸ Repealed by Art. 2 No I of the FD of 27 Sept. 2013 (Aarhus Convention), with effect from 1 June 2014 (AS 2014 1021; BBl 2012 4323).

⁹ Amended by Annex No 4 of the Gene Technology Act of 21 March 2003, in force since 1 Jan. 2004 (AS 2003 4803; BBl 2000 2391).

³ Air pollution means modification of the natural condition of the air, in particular, through smoke, soot, dust, gases, aerosols, steams, odours or waste heat.¹⁰

⁴ Infrasound and ultra sound are regarded as noise.

^{4bis} Soil pollution is the physical, chemical and biological modification of the natural condition of the soil. Soil means the unsealed top layer of land where plants may grow.¹¹

⁵ Substances are natural or manufactured chemical elements and their compounds. Preparations (mixtures, blends and solutions) and articles containing such substances are also regarded as substances.¹²

^{5bis} Organisms are any cellular or non-cellular biological entity capable of replication or of transferring genetic material. Mixtures and articles containing such entities are also regarded as organisms.¹³

^{5ter} Genetically modified organisms are organisms whose genetic material has been changed in a way that does not occur under natural conditions by crossbreeding or natural recombination.¹⁴

^{5quater} Pathogenic organisms are organisms that can cause disease.¹⁵

⁶ Waste is any moveable material disposed of by its holder or the disposal of which is required in the public interest.¹⁶

^{6bis} Disposal of waste includes its recovery or deposit in a landfill as well as the preliminary stages of collection, transport, storage and treatment. «Treatment» is any physical, chemical or biological modification of the waste.¹⁷

^{6ter} Handling means any activity in connection with substances, organisms or waste, and in particular their manufacture, import, export, putting in circulation, use, storage, transport or disposal.¹⁸

⁷ Installations are buildings, traffic routes and other fixed facilities as well as modifications of the terrain. Appliances, machines, vehicles, ships and aircraft are also regarded as installations.

¹⁰ Amended by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

¹¹ Inserted by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

¹² Amended by Annex No II 2 of the Chemicals Act of 15 Dec. 2000, in force since 1 Aug. 2005 (AS 2004 4763, 2005 2293; BBl 2000 687).

¹³ Inserted by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

¹⁴ Inserted by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

¹⁵ Inserted by Annex No 4 of the Gene Technology Act of 21 March 2003, in force since 1 Jan. 2004 (AS 2003 4803; BBl 2000 2391).

¹⁶ Amended by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

¹⁷ Inserted by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

¹⁸ Inserted by No I of the FA of 21 Dec. 1995 (AS 1997 1155; BBl 1993 II 1445). Amended by Annex No 4 of the Gene Technology Act of 21 March 2003, in force since 1 Jan. 2004 (AS 2003 4803; BBl 2000 2391).

⁸ Environmental information is information in the fields addressed by this Act and in the fields addressed by legislation on the protection of nature and cultural heritage, landscape protection, waters protection, protection against natural hazards, forest conservation, hunting, fishing, gene technology and climate protection.¹⁹

⁹ Biogenic motor and thermal fuels are liquid or gaseous motor and thermal fuels that are produced from biomass or other renewable energy sources.²⁰

Art. 8 Assessment of effects

Effects are assessed individually, collectively and according to their actions in combination.

Art. 9²¹

Art. 10 Disaster prevention

¹ Any person who operates or intends to operate installations which, in exceptional circumstances, could seriously damage people or their natural environment must take the measures required to protect the population and the environment.²² In particular, suitable sites must be chosen, the required safety distances must be observed, technical safety measures must be taken and the monitoring of the installation and organisation of the alarm system must be ensured.

² The cantons coordinate the services responsible for disaster prevention and designate a reporting agency.

³ The operator of the installation must immediately report any extraordinary event to the reporting agency.²³

⁴ The Federal Council may prohibit by ordinance certain production methods and the keeping of certain stocks if there is no other way of protecting the population and the natural environment adequately.

¹⁹ Inserted by Art. 2 No I of the FD of 27 Sept. 2013 (Aarhus Convention), in force since 1 June 2014 (AS 2014 1021; BBl 2012 4323).

²⁰ Inserted by the Annex to the FA of 21 March 2014 (AS 2016 2661; BBl 2013 5737 5783). Amended by No I 3 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 from 1 July 2020 to 31 Dec. 2023 (AS 2020 1269; BBl 2019 5679 5813).

²¹ Repealed by No I of the FA of 20 Dec. 2006, with effect from 1 July 2007 (AS 2007 2701; BBl 2005 5351 5391).

²² Amended by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

²³ Amended by No I of the FA of 21 Dec. 1995, in force since 1 July 1997 (AS 1997 1155; BBl 1993 II 1445).

Chapter 3²⁴ Environmental Impact Assessment

Art. 10a Environmental impact assessment

¹ Before taking any decision on the planning, construction or modification of installations, an authority must assess their impact on the environment at the earliest possible stage.

² The requirement of an environmental impact assessment applies to installations that could cause substantial pollution to environmental areas to the extent that it is probable that compliance with regulations on environmental protection can only be ensured through measures specific to the project or site.

³ The Federal Council designates the types of installation that are subject to an environmental impact assessment; it may stipulate threshold values above which the assessment must be carried out. It reviews the types of installation and threshold values periodically and adjusts these if required.

Art. 10b Environmental impact report

¹ Any person who wishes to plan, construct or modify an installation that is subject to an environmental impact assessment must submit an environmental impact report to the competent authority. This forms the basis for the environmental impact assessment.

² The report contains all the information required to assess the project in accordance with the environmental protection regulations. It is drawn up in accordance with the guidelines issued by the environmental protection agencies and includes the following:

- a. the existing condition;
- b.²⁵ the project, including proposed measures for the protection of the environment and in the event of disaster, and an outline of the main alternatives, if need be studied by the applicant;
- c. the foreseeable residual environmental impact.

³ In order to prepare for the report, a preliminary investigation is carried out. If the preliminary investigation conclusively ascertains the effects on the environment and the environmental protection measures required, the results of the preliminary investigation are deemed to be the report.

⁴ The competent authority may request information or further clarification. It may call for expert reports; before doing so, the authority must allow interested parties the opportunity to state their opinions.

²⁴ Inserted by No I of the FA of 20 Dec. 2006, in force since 1 July 2007 (AS 2007 2701; BBl 2005 5351 5391).

²⁵ Amended by Art. 2 No I of the FD of 27 Sept. 2013 (Aarhus Convention), in force since 1 June 2014 (AS 2014 1021; BBl 2012 4323).