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Swiss Civil Code

of 10 December 1907 (Status as of 1 July 2014)

*The Federal Assembly of the Swiss Confederation,
based on Article 64 of the Federal Constitution^{1,2}
and having considered the Dispatch of the Federal Council dated 28 May 1904³,
decrees:*

Introduction

Art. 1

A. Application
of the law

¹ The law applies according to its wording or interpretation to all legal questions for which it contains a provision.

² In the absence of a provision, the court⁴ shall decide in accordance with customary law and, in the absence of customary law, in accordance with the rule that it would make as legislator.

³ In doing so, the court shall follow established doctrine and case law.

Art. 2

B. Scope and
limits of legal
relationships

¹ Every person must act in good faith in the exercise of his or her rights and in the performance of his or her obligations.

1. Acting in good
faith

² The manifest abuse of a right is not protected by law.

Art. 3

II. Good faith

¹ Where the law makes a legal effect conditional on the good faith of a person, there shall be a presumption of good faith.

AS 24 233, 27 207 und BS 2 3

¹ [CFL 13]. This provision corresponds to Art. 122 of the Federal Constitution of 18 April 1999 (SR 101).

² Amended by Annex No. 2 of the Civil Jurisdiction Act of 24 March 2000, in force since 1 Jan. 2001 (SR 272).

³ BBl 1904 IV 1, 1907 VI 367

⁴ Amended by No 11 of the Federal Act of 26 June 1998, in force since 1 Jan. 2000 (AS 1999 1118 1144; BBl 1996 11). This amendment is taken into consideration throughout the Code.