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The Federal Authorities 1986



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The new matrimonial law and the Swiss abroad

The new matrimonial law will come into force probably on 1st January 1988. What effect will it have on the conjugal union of Swiss living abroad and, in particular, on the wife's name and place of origin? (The most important points of the new legislation were set out on page 9 of our last issue.)

To answer these questions it is necessary to know whether the couple are living in a country which treats matters of international matrimonial law from the viewpoint of a couple's national law or that of their country of residence. In countries belonging to the first category (such as the Federal German Republic, Austria, Spain, to some extent France, Greece, Italy, Portugal,

many states in Eastern Europe, in the Middle and Far East) married couples are subject to their own national legislation, in this case to Swiss law. By contrast, in countries of the second category (e.g. Denmark, Norway, many states in Latin America, the USSR, the Anglo-Saxon countries – the United States, Canada, the United Kingdom – and countries with Anglo-Saxon traditions, like Ghana and

Nigeria) everything concerning matrimonial law is subject to the legislation of the country of residence.

The changes brought by the new Swiss law will only affect couples living in a country of the first category, i.e. in a country where the principles of their national law are applicable.

Wife's name and place of origin

Under the new law the family surname will still be that of the husband. The children will also continue to bear their father's surname. However, a wife who so wishes will be able to keep her previous surname, and prefix it to the family surname, even if she is the only one with Swiss citizenship. This change is particularly

important for women who are known professionally by their own names.

A woman married under the old law will have one year from the entry into force of the new law to declare to the Registrar of Civil Status that she wishes to prefix her previous surname to that of her husband.

As at present, a Swiss woman will have the same place of origin as her Swiss husband. But she will no longer lose her own former place of origin. This latter rule will also continue to apply to women

who have married foreigners and have declared that they wish to keep their Swiss nationality. A Swiss woman married under the old law to a Swiss man will have one year from the entry into force of the new law to declare to the competent authority of her canton of origin that she wishes to regain her former citizenship.

The children will continue to acquire their father's citizenship and, if he is a foreigner, their mother's Swiss citizenship. ●

Danielle Angel/Federal Office of Justice

Results of the Federal Ballot of 1st December 1985

By 1,099,864 votes against to 459,567 in favour the Swiss people overwhelmingly rejected the popular initiative for the abolition of vivisection. The initiative demanded that vivisection of vertebrates and all cruel animal experiments should be prohibited in the whole of Switzerland.

Next Federal Ballot:

June 8th 1986 (the matter put to vote has not been decided yet).

Duty-free allowances of alcoholic beverages:

Reminder

With effect from 1st June 1984 the Federal Council has reduced the duty-free allowances of alcoholic beverages for travellers and frontier traffic. As it is easy to forget regulations of this kind, we are setting them out here again.

Old regulations:

Travellers:

1 litre of alcohol over **25** degrees

and

2 litres up to **25** degrees

Frontier traffic:

1 litre up to **25** degrees

New regulations:

Travellers:

1 litre of alcohol over **15** degrees (e.g. liqueurs, apéritifs, brandies) and 2 litres up to **15** degrees (e.g. wines, sparkling wines, beer)

Frontier traffic:

1 litre up to **15** degrees

Thus, it is no longer possible for travellers to mix high and low strength spirits.

A survey has shown that nowadays almost as much 100% alcohol is imported by travellers as by the trade.

Because of the growing number of travellers, this tendency is continuing to increase to the detriment of the taxable goods sector. The goal of the legislation on alcohol, namely the protection of the public health, is increasingly jeopardized. The revenue from monopoly duties is diminishing, which means a deterioration in the Federal Alcohol Administration's accounts and thus leads to a reduction in the finance available for combatting alcoholism and for the OAI/DI.

Federal Department of Finances/Press and Information Service



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