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Initiatives against fat-cat pay and urban sprawl and in favour of the family

Two fiercely debated issues will be decided at referendum in March – excessive management salaries and the protection of undeveloped countryside. The Swiss people and cantons will also vote on enshrining an article on families in the federal constitution.

By René Lenzin

The people will now have the final say – how are excessive management salaries and enormous bonuses to be curbed? With the “fat cat” initiative launched by Thomas Minder, the Schaffhausen businessman and Council of States member, or with the indirect counterproposal put forward by the Federal Council and Parliament? If the people and cantons approve the initiative on 3 March, Parliament will then have to draw up applicable legislation. If it is rejected, the already adopted counterproposal will enter into force. Both proposals aim to strengthen shareholder rights and to subject the management of large listed companies to more stringent controls. The counterproposal gives companies more room for manoeuvre in relation to severance pay and the third-party mandates of members of the Board of Directors and management (see also “Swiss Review” 4/2012). Thomas Minder has stood by his initiative because he says the counterproposal only takes account of 40 % of his demands. In contrast, opponents of the initiative claim 80 % are incorporated. The National Council recommended the rejection of the initiative, as did the Council of States. Left-wing and green Members of Parliament support the initiative, while most conservatives are opposed to it. Industry associations are also against it.

Protection of the countryside

Spatial planning and urban sprawl have become increasingly important issues in recent

years. The growing sensitivity shown by the Swiss people towards protection of the countryside was reflected in the approval of the proposal restricting second homes in the referendum held on 11 March 2012. The countryside initiative submitted in August 2008, which calls for a 20-year ban on new development zones, is along similar lines. Having taken heed of the success of the second homes initiative, the Federal Council and Parliament have decided to oppose the countryside initiative with a robust counterproposal. Its aim is to curb urban sprawl and protect precious farmland better.

In specific terms, the proposed amendment to the spatial planning law provides that communes shall only have access to as much development land as they require for the coming 15 years. Excessive development zones are to be reduced. The proposal's key element is the so-called added value tax. The owners of newly categorised development land must in future pay 20 % of the added value to the state when the land is sold or developed. These revenues are to be used by the state to compensate landowners whose land is excluded from development zones and which loses value as a result.

The National Council finally approved the proposal by 108 votes to 77 and the Council of States by 30 votes to 10. The Social Democrats, Greens, Green Liberals and the majority of Christian Democrats voted in favour of it. It was opposed by the Free

Democrat-Liberals and the Swiss People's Party. The Swiss people must now decide after the Swiss Chamber of Commerce successfully called a referendum. If they approve the new law, the countryside initiative will be withdrawn.

Article on family policy

A broad consensus exists among politicians that families should be strengthened and promoted. How this objective should be achieved, nevertheless, remains contentious. A centre-left parliamentary majority has now pushed through a proposal for an article on family policy to be enshrined in the federal constitution. This would require federal government “to take account of the needs of families when performing its duties”. Together with the cantons, it would also have to “promote balance between family and work or education”. The cantons would have to ensure a “needs-led provision of day-care facilities for families to complement schools”, as set out in the new article 115a. The proposal has come from the ranks of the Christian Democrats. The National Council approved the article by 129 votes to 57 and the Council of States by 28 votes to 12. As this involves a constitutional amendment, the majority support of the Swiss people and cantons at referendum is mandatory

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TAX AGREEMENTS – IMPORTANT INFORMATION

Swiss citizens abroad in Germany, Austria and the UK must decide how their banks are to act vis-à-vis the tax authorities in future in view of the tax agreements between these countries and Switzerland. The banks are currently sending clients abroad the respective forms with mandates. It is important that these forms are completed and returned to the banks. Otherwise, the banks will calculate the withholding tax on the relevant capital and debit it from the account directly. The final deadline for notification according to the agreements is 31 May 2013 and not 14 December 2012 as communicated by some banks. Further information is available at www.sif.admin.ch

LAW ON EPIZOOTIC DISEASES APPROVED

68.3 % of the electorate and 24 out of 26 cantons approved the revised law on epizootic diseases on 25 November. This gives federal government greater powers to prevent such diseases. The cantons remain responsible for fighting epizootic diseases, but federal government can take and fund preventive measures. Only the cantons of Appenzell Innerrhoden and Uri rejected the law. The proposal was accepted by a narrow margin in the other cantons of central and eastern Switzerland. The larger cantons and French-speaking Switzerland overwhelmingly supported the law. The turnout of 27 %, the second lowest since the introduction of the right to vote for women in 1971, highlights the low level of interest in the proposal. (RL)