

Report by René Matteotti, Professor at the University of Zurich, on the “Yes to the protection of privacy” initiative (Matter Initiative)

Basel, 20 May 2015

As a result of the “Matteotti Report”, the Board of Directors of the Swiss Bankers Association (SBA) is taking a negative stance on the Matter Initiative. It remains key that in the end, it is left to the people of Switzerland to reach a decision on this political issue.

Rationale

- For the SBA, privacy is an asset of high importance that is worth protecting. That is why it is important that the Swiss voters decide on changes in the law regarding this important and highly political sphere. But it is also clear that, for banks and their employees, this must not be associated with heightened liability risks and increased responsibility for the tax compliance of their customers.
- In a first evaluation of the “Yes to the protection of privacy” initiative (Matter Initiative), the SBA has come to the conclusion that both of these principles would be violated should the initiative be adopted.
- Contemporaneously, the SBA commissioned René Matteotti, Professor for Swiss, European and International Tax Law at the University of Zurich, to draft an in-depth report examining the aspects of the initiative relating to tax law and tax policy.
- The report reinforces the concerns of the SBA’s Board of Directors: The initiative violates the constitutional principle of equal taxation. According to this principle, each citizen should be taxed based on their economic performance. In the event the initiative is passed, persons who are dishonest in their tax matters would be protected vis-à-vis individuals who are honest in their tax affairs. According to the report, this could create increased incentive to behave in a dishonest manner with regard to taxes.
- Professor Matteotti makes also clear that in the event the initiative is passed, responsibility and liability risks will greatly increase for banks and their employees. The SBA’s Board of Directors therefore rejects the Matter Initiative in its current form. Without substantial concessions on the part of the initiative’s committee, the SBA will be forced to also take a negative stance during the referendum campaign.
- The SBA is publishing Professor Matteotti’s report in order to facilitate an objective discussion on the feared implications of the Matter Initiative, and so the Swiss population can gain a comprehensive understanding of the issue.
It is available at: [Report by Professor René Matteotti](#).

Contact address	Thomas Sutter, Deputy CEO, Head of Communication Daniela Flückiger, Head of Comm. Latin World Sindy Schmiegel Werner, Head of Communication Anglo-Saxon World	T +41 61 295 92 06 T +41 61 295 92 55 T +41 61 295 92 15
Internet	www.swissbanking.org http://twitter.com/SwissBankingSBA	
