[CH] Work Starts on New Federal Legislation to Promote Culture

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Switzerland's official promotion of culture is based on Article 69 of the new Federal Constitution that came into force on 1 January 2000. To implement this provision of the Constitution, federal legislation on the promotion of culture (LEC) now needs to be drawn up. A steering group chaired by the director of the Federal Office for Culture (OFC) has been instructed to draw up a preliminary draft for national legislation on culture and to state the financial requirements this new legislation would involve. On 20 September 2002, the OFC submitted the working document drawn up by the steering group to the appropriate quarters.

Firstly, the steering group made an effort to define the actual concept of "culture" and state the role of the public authorities in this field. The working document also describes the areas of competence and the duties of the Confederation in the promotion of culture.

The working document also defines the characteristics the future legislation should have. Thus the steering group noted that the function of this legislation would be to cover and regulate the whole system for the promotion of culture in Switzerland. It must also organise the promotion of culture in areas where there is no specific legislation, or for which legislation is currently in preparation. The LEC must also be compatible with legislation on the promotion of culture in specific fields, such as cinematographic production, the transfer of cultural goods, copyright and broadcasting. The new legislation should also regulate relations between the national system for promotion and the similar systems set up by the cantons and municipalities. Lastly, the LEC will lay down the principles governing the future development of the promotion of culture at national level.

Lastly, the working document states the objectives that the law must set out in terms of national policy concerning the promotion of culture. In particular, it will be for the Confederation to preserve the nation's cultural heritage, to support the diversity and quality of what is offered in terms of culture, and to create overall conditions favourable to the creation of culture and the financing of culture by the private sector. The Confederation must also guarantee freedom of the arts, promote intercultural understanding, and support cultural organisations, projects and events of national importance. Lastly, the Confederation must encourage the spread of culture and cultural exchanges both within and beyond national borders.

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