



**COMPLIANCE WITH THE FRENCH LAW "OBLIGATION DE VIGILANCE" - COMBATTING ILLEGAL -
WORKING -**

The following documents must be provided by the Supplier/Service Provider:

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- **before concluding the contract; and** -
- **every 6 months until the contract term.** -

I/ When the Supplier/Service Provider is based in France:

1. A certificate of compliance with the "obligation de vigilance" issued by the appropriate social security body responsible and covering the Supplier/Service Provider dated less than six months previously, certifying that the Supplier/Service Provider is up-to-date with his/her/its filing obligations with said body and the payment of its social security contributions and charges;

2. When it is compulsory for the Supplier/Service Provider to be registered on the Trade and companies Register or Business Register or in the case of a regulated profession, one of the following documents:

- a) An extract of the registration on the Trade and Companies Register (*K* or *Kbis*);
- b) An identity card providing evidence of registration on the Small Business Register (*répertoire des métiers*);
- c) A quote, advertising document or professional correspondence, provided that it states the name or company name, full address and registration number on the Trade and Companies Register or Small Business Register or on a list or register of a professional association, or the reference of the approval granted by the competent authority;
- d) Confirmation of filing a declaration with a business formalities centre for persons in the process of registration.

3. Where applicable, the list of the names of all relevant foreign employees that are working in France, dedicated to the contract and required to have a work permit, specifying each employee's joining date, nationality, and the type and number of the permit authorising work. In the event of modification of the supplier/service provider's organisation that amends the list, the latter needs to be updated.

II/ When the Supplier/Service Provider is based abroad:

1. In all cases, the following documents:

- a) A document stating its individual identity number. If the Supplier/Service Provider is not required to have such a number, a document stating its identity and address or, where applicable, the contact details of its tax representative in France;
- b) A document certifying that the Supplier/Service Provider's status is valid and lawful for social security purposes and, where provided by the law of the country of domicile, a document issued by the body managing the compulsory social security system and stating that the Supplier/Service Provider is up-to-date with filing its social security returns and paying its social security contributions, or an equivalent

document or, failing which, a certificate confirming filing of social security returns and payment of social security contributions and charges.

2. When it is compulsory for the Supplier/Service Provider to register on a professional register in the country of establishment or country of domicile, one of the following documents:

- a) A document issued by the authorities which keep the professional register or an equivalent document certifying such registration;
- b) A quote, advertising document or professional correspondence, provided that it states the name or company name, full address and type of professional registration;
- c) For companies in the process of formation, a document dated less than six months previously issued by the competent authority in charge of the registration on the professional register and certifying that a registration application has been filed for said register.

These documents shall be written in French or attach a French translation.

III/ Sub-contracting/Secondment

The Supplier/Service Provider shall be responsible for ensuring compliance by any of its subcontractors with regulations on illegal work.

In the event of secondment of foreign employees, the Supplier/Service Provider must submit the following documents before the start date of each secondment:

- a) the copy of the secondment declaration submitted to the Regional Unit of the Regional employment -authority (*DIRECCTE*) for the place where the service is performed (or the place where the service is first performed in the event that it is performed in different places);
- b) the copy of the document appointing the foreign company's representative in France.

In the event of foreign subcontracting and/or secondment of foreign employees, the Supplier/Service Provider undertakes to observe the following obligations:

- ensure that its seconded employees or those of its subcontractors are housed in accommodation which respects human dignity;
- ensure that its subcontractors comply with statutory provisions and collective agreements applicable to their employees;
- ensure that its seconded employees or those of its subcontractors are paid the statutory or collectively agreed minimum wage.