

GMS Flash Alert

2019-147 | September 20, 2019



France - Tax and Social Security Authorities Join Forces to Combat Non-Compliance

In an effort to combat fraud and evasion and improve the collection of tax and social security contributions, the French government recently created an organization to "lead the reform in tax and social security collection."¹ The new institution called *France Recouvrement* (France "recovery" or "collection" literally translated) will be tasked with coordinating the collection of tax and social security contributions which today is split between, on the one hand, the tax administration, and on the other, various agencies in charge of the collection of social security contributions.

WHY THIS MATTERS

Faced with the complexity and the administrative burden of dealing with French rules, in the past some may have found it tempting to adopt a pragmatic "fly under the radar" approach to hiring and to seconding employees, taking into account the fact that the tax and social security authorities did not connect. It would be advisable to review this risk strategy.

Over the past year or two, there has been a concerted effort by the French authorities to step up investigations of employment practices, tax non-compliance, fraud, and illegal work.²

Employers can expect increased audits and face the prospect, if irregularities are discovered, of financial penalties.

Employers seconding employees to France may have to adjust their procedures and practices in light of these developments.

Further Details on *France Recouvrement*

Amongst the objectives assigned to *France Recouvrement* is "the mutualization of data between networks," meaning that it will be able to cross-reference information available to the French tax authorities to identify non-compliance in

relation to social security and vice versa. It is also expected to learn from the French tax administration's initiatives and increasing reliance on data mining to detect fraud and evasion.

FOOTNOTES:

1 *Décret no 2019-949 du 10 septembre 2019 portant création d'une mission interministérielle, dénommée « France Recouvrement », chargée du pilotage de la réforme du recouvrement fiscal et social.* Decree dated September 10, 2019, published in the French Official Journal ([Journal Officiel, Jeudi 12 septembre 2019, No 212](#)) on September 12, 2019.

2 For earlier reports on efforts by the French government to step up scrutiny of employers, tackle non-compliance, and combat fraud and illegal work, see the following issues of GMS *Flash Alert*: [2018-128](#) (September 28, 2018) and [2018-042](#) (February 28, 2018).

* * * *

Contact us

For additional information or assistance, please contact your local GMS or People Services professional or one of the following professionals with KPMG Avocats in France:



Alain Loehr

Partner

Tel. +33 (0)1 55 68 48 32

alainloehr@kpmgavocats.fr

Ann Atchadé

Partner

Tel. +33 (0)1 55 68 48 46

annatchade@kpmgavocats.fr

The information contained in this newsletter was submitted by KPMG Avocats in France.

© 2019 KPMG Avocats, a French law firm and a member firm of the KPMG network of independent member firms affiliated with KPMG International, a Swiss cooperative. All rights reserved.

www.kpmg.com

kpmg.com/socialmedia



© 2019 KPMG LLP, a Delaware limited liability partnership and the U.S. member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. All rights reserved. Printed in the U.S.A. NDPPS 530159

The KPMG name and logo are registered trademarks or trademarks of KPMG International.

The KPMG logo and name are trademarks of KPMG International. KPMG International is a Swiss cooperative that serves as a coordinating entity for a network of independent member firms. KPMG International provides no audit or other client services. Such services are provided solely by member firms in their respective geographic areas. KPMG International and its member firms are legally distinct and separate entities. They are not and nothing contained herein shall be construed to place these entities in the relationship of parents, subsidiaries, agents, partners, or joint venturers. No member firm has any authority (actual, apparent, implied or otherwise) to obligate or bind KPMG International or any member firm in any manner whatsoever. The information contained in herein is of a general nature and is not intended to address the circumstances of any particular individual or entity. Although we endeavor to provide accurate and timely information, there can be no guarantee that such information is accurate as of the date it is received or that it will continue to be accurate in the future. No one should act on such information without appropriate professional advice after a thorough examination of the particular situation.

Flash Alert is a GMS publication of KPMG LLP's Washington National Tax practice. To view this publication or recent prior issues online, please click [here](#). To learn more about our GMS practice, please visit us on the Internet: click [here](#) or go to <http://www.kpmg.com>.