

GIFT AND SUCCESSION DUTIES**Droits de Donation ou de Succession**

These are payable by the recipient.

Recipient	Exempt amounts	
	On death	Gifts*
	€	€
Spouse	Fully exempt	80,724
Partners under PACS	Fully exempt	80,724
Children / parents (each)	100,000	100,000
Handicapped persons (additional exempt amount)	159,325	159,325
Grandchildren (each)	-	31,865
Great grandchildren (each)	-	5,310
Nieces or nephews (each)	7,967	7,967
Siblings (each)	Fully exempt	-
(but only if single, five years cohabitation with the deceased and sibling over 50)		
Siblings (in other cases)	15,932	15,932
Other (each)	1,594	-

* Exemption applies to declared cumulative gifts made by the same donor to the same donee during the previous fifteen years. An additional one-off exemption applies to cash gifts to each of your children, grandchildren, great grandchildren and nieces / nephews, of €31,865, provided that the donor is under 80 years of age and the recipient is over 18 years of age.

Taxable amounts for gifts and successions

To direct descendants	Rate
€	%
0	-
0,072	8,072
12,109	10
15,932	15
552,324	20
902,838	30
1,805,677	40
Excess	45

Between spouses and partners under PACS

(gifts only – successions are exempt)

0	-	8,072	5
0,072	-	15,932	10
15,932	-	31,865	15
31,865	-	552,324	20
552,324	-	902,838	30
902,838	-	1,805,677	40
Excess			45

Between siblings

0	-	24,430	35
Excess			45

Between others

Remoter relatives	55 - 60
Third parties	60

STAMP DUTY**Droits d'Enregistrement**

Purchase of a business	%
- Up to €23,000	0
- Between €23,000 and €200,000	3
- Excess	5

Assets transferred to a new company for consideration in shares:

- to a company subject to corporation tax in certain circumstances (except where the shareholder is subject to corporation tax)	5
- to a company not subject to corporation tax	nil

Transfer of building (except where subject to TVA)	5,09
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Purchase of shares

SA, SAS or SCA shares	0.1
SARL, SC (exempt amount : up to €23,000)	3
Companies where more than 50% of the company's assets are in French real estate (these sales must be formalised by a Deed written by a French notary, even if the company is not French).	5

CORPORATION TAX**Impôt sur les Sociétés (IS)****Main rates on profits**Basic tax is 33^{1/3}% on profits adjusted for tax purposes. The use of prior year losses is restricted.

There is an additional tax of 3.3% of the basic tax after the first €763,000 of tax.

A further 5% of the basic tax is due for companies with a turnover above €250,000,000.

A reduced rate of 15% applies to small businesses (as defined) up to €38,120 of profits.

There is an *Impôt Forfaitaire Annuel* (minimum "flat rate" corporation tax) which applies to companies with a turnover in excess of €15,000,000.**Additional tax on rental income – CRL (Contribution sur les Revenus Locatifs)**

Tax on gross rents from properties in France older than 15 years, held by companies not registered for TVA but subject to corporation tax.	2.5
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Tax payment dates

IS is payable in quarterly instalments on 15 March, 15 June, 15 September and 15 December with the balance falling due three months and 15 days after the company's year end.

Tax returns

The filing date is three months after the end of the accounting period (extended to four months for 31 December year ends).

TAXATION OF BUSINESS PROFITSDepending on the nature of the entity, business profits (both income and capital gains) will be liable to either *Impôt sur les Sociétés (IS)* or *Impôt sur le Revenu des Personnes Physiques (IRPP)*, summarised as follows:

	IS	IRPP
<i>Société Anonyme (SA)</i>	✓	
<i>Société par Actions Simplifiée (SAS)</i>	✓	
<i>Société en Commandite par Actions (SCA)</i>	✓	
<i>Société à Responsabilité Limitée (SARL)*</i>	✓	
<i>Entreprise Unipersonnelle à Responsabilité Limitée (EURL)**</i>	✓	✓
<i>Entreprise Individuelle à Responsabilité Limitée (EIRL)***</i>		✓
<i>Succursale</i> (French branch of a foreign company)	✓	
<i>Société Civile (SC)</i> with a non-commercial activity***		✓
<i>Société Civile (SC)</i> with a commercial activity	✓	
Associations with a commercial activity	✓	
Sole trader (including <i>Autoentrepreneur</i>)		✓
<i>Société en Nom Collectif (SNC)***</i>		✓

*Exception: a "family business" can opt for IRPP.

**For EURLs: if the shareholder is a company, or by option for an individual, IS applies.

***Or IS by option.

Profits subject to income tax are increased by 25% for tax purposes, unless the business is registered with a *Centre de Gestion Agréé* or an *Association Agréée*.**Taxation of a small (micro) business**

For small sole-trader businesses, taxable profits are calculated as a percentage of turnover as follows:

	Turnover threshold	Taxable profit
	€	%
Sales of goods	81,500	29
Provision of services and rents from furnished lettings	32,600	50
Furnished lettings with B+B type additional services	81,500	29
Unfurnished lettings	15,000	70
Other (BNC) activities	32,600	66

It is possible to opt for the "real" regime based on bookkeeping records instead.

Micro-businesses may also opt for a flat rate withholding tax based on turnover, subject to conditions. Withholding tax rates vary between 1% and 2.2%, depending on the activity.

VALUE ADDED TAX

Taxe sur la Valeur Ajoutée (TVA)	%
Standard	19.6
Reduced	7.0
Lower	5.5
The reduced rate applies for example to food at restaurants, books, hotels and "parahotels", etc. The lower rate applies mainly to basic food.	
There is no "zero rate" of TVA, but some activities are exempt, in which case VAT on purchases is not recoverable.	

Registration thresholds

	Turnover
	€
Sales of goods	81,500
Provision of services and non-commercial activities	32,600
Commercial companies are automatically registered irrespective of turnover level.	

FRENCH SOCIAL SECURITY SYSTEM**1 Mandatory contributions applicable to monthly salaries**

On average, employees' contributions vary between 20% to 22% of the gross salary, and employers' contributions vary between 40% to 45% of the gross salary. Employers may also pay for additional health cover or contribute to supplementary pension schemes (but there is no legal requirement to do so).

2 Self-employed contributions (based on annual net income)

Industrial and commercial activities	Rate	Minimum	Maximum*
	%	€	€
French residents			
Health cover: - 1st contribution	6.50	963	none
- 2nd contribution	0.70	104	1,296
Pension contributions	23.15	437	13,387
Death and disability cover	1.30	25	481
Contribution to family benefits	5.40	none	none
Solidarity contributions (CSG/CRDS)	8.00	none	none
Pension contributions	23.15	427	13,148
Death and disability cover	1.30	24	473
Contribution to family benefits	5.40	none	none

*Corresponding to an income of €185,160.

Under EU legislation, EU residents have to pay French social security on their self-employed activity in France, unless they are employed or self-employed in their country of residence and can obtain the appropriate A1 form (previously E101).

Non-resident self-employed contributions are not calculated in the same way (no CSG/CRDS but higher rate of health cover contributions).

Other professions

As above, except health cover 2nd contribution is reduced by 0.5%.

Pension contributions vary depending on the profession being carried on.

Micro-businesses (Autoentrepreneurs)

Micro-businesses may opt for a flat rate withholding based on turnover, subject to conditions. The flat rate (covering social security and income tax) is 13% for sales of goods and 20.50% to 23.50% for provision of services (depending on the type of activity).

TAX DATA 2013 FRANCE

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The tax rates and allowances and other information contained in this card are based on official information available at the time of publication (January 2013). The reader should be aware that the French tax year is the calendar year, and that some rates are likely to change during the year.

Professional advice should be sought before taking any action based on this tax summary.

INCOME TAX**Impôt sur le Revenu des Personnes Physiques (IRPP)**

The amount of tax payable in 2013 on 2012 income depends upon the level of income and the number of parts. The taxable unit is the household.

2012 income bands and rates

T = taxable income and N = number of parts

Value of T/N		Tax	
€	€	€	€
Up to	5,963	0	
5,963 –	11,896	(T x 0.055)	– (327.97 x N)
11,896 –	26,240	(T x 0.14)	– (1,339.13 x N)
26,240 –	70,830	(T x 0.30)	– (5,566.13 x N)
70,830 –	150,000	(T x 0.41)	– (13,357.63 x N)
Excess		(T x 0.45)	– (19,357.63 x N)

Parts

Taxpayer	:	1 part	Child 2	:	1/2 part
Spouse or partner under PACS	:	1 part	Child 3	:	1 part
Child 1	:	1/2 part	Child 4	:	1 part

Examples (2012 income)

Rate	1 part (single person)			3 parts (married, 2 children)		
	Band	Cumulative Tax to Upper limit	Band	Cumulative Tax to Upper limit	Band	Cumulative Tax to Upper limit
%	€	€	€	€	€	€
0.0	0 –	5,963	0	0 –	17,889	0
5.5	5,963 –	11,896	327	17,889 –	35,688	979
14.0	11,896 –	26,420	2,360	35,688 –	69,474	5,710
30.0	26,420 –	70,830	15,683	69,474 –	141,660	27,365
41.0	70,830 –	150,000	48,142	141,660 –	300,000	92,285
45.0	Excess					

Relief in respect of parts for children is restricted to € 2,000 per half part.

These examples do not show the effect of other tax reductions for low incomes. After taking into account such reductions, no income tax is due for a single person with a taxable income up to € 11,790 (€ 23,716 for a married couple or couple under PACS, with two children).

Main allowances

	Rate %	Maximum deduction €
Flate rate expense allowance on net salaries (after deducting social security contributions)	10	12,000
Flat rate allowance on gross dividends from EU sources, or from a company based in a country having a tax treaty with France.		40

Non-French residents

Minimum tax rate on French income for non-residents 20
Other specific rules apply to non-residents.

Additional income taxes – solidarity contributions

An additional surcharge for “solidarity contributions” (contributions sociales) of 15.5% is levied on worldwide investment income, rental income and capital gains. This comprises three elements:

CSG (<i>Contribution Sociale Généralisée</i>)	8.2
CRDS (<i>Contribution au Remboursement de la Dette Sociale</i>)	0.5
Prélèvement social and additional contributions	6.8
	<u>15.5</u>

The above surcharge is assessed on French residents.
It is also due by non-residents on their realised French property gains and rental income.

Additional contributions for high levels of income

The basis of the additional contribution is the “reference income for tax purposes” (*revenu fiscal de référence – RFR*), which includes capital gains and most income sources, even if not subject to French income tax or taxed at a lower rate.

Single person

€	€	%
0 –	250,000	0
250,000 –	500,000	3
Above 500,000		4

Married couples and partners under PACS

€	€	
0 –	500,000	0
500,000 –	1,000,000	3
Above 1,000,000		4

For non-residents, the additional contribution may apply if their income (as defined) from French sources is in excess of the above limits.

TAX DATES : RETURNS & PAYMENTS**Returns**

Tax returns are based on the calendar year.

Married couples and couples under PACS (*Pacte Civil de Solidarité*) must submit a joint tax return.

	Deadline
French residents	31 May
Europe, Mediterranean border countries, Africa, North America	30 June
Other countries	15 July

Payment dates - in 2013

First interim payment	15 February
Second interim payment	15 May
Final balancing payment	15 September

Tax may be paid in monthly instalments at the taxpayer's option.

Solidarity contributions (general)	15 November
Solidarity contributions (dividends)	15th of the month following dividend payment (withheld at source)

There is no automatic system of deduction of income tax at source from salaries.

CAPITAL GAINS TAX**Impôt sur les Plus-Values**

In general, capital gains tax is payable with the final balancing payment of income tax except on a sale of property, where it is withheld at source by the *notaire*. Special rules apply to certain assets.

Individuals

Quoted shares and securities (2012 gains)	Rate %
French residents (including 15.5% solidarity contributions – see above)	39.5
Special taxation for entrepreneurs (as defined), including solidarity contributions	34.5
Non-residents (when taxable)	19

Quoted shares and securities (from 2013)

French residents: subject to income tax and solidarity contributions at normal income tax rates.

The taxable gain is progressively reduced, as follows:

- 20% for shares owned between 2 and 4 years;
- 30% for shares owned between 4 and 6 years;
- 40% for shares owned for more than 6 years.

Exception : for entrepreneurs (as defined), possible option for taxation at 34.5% including solidarity contributions.

Non-residents (when taxable): 45% withholding (possible refund if effective income tax rate below 45%).

Property

The gain is progressively exempted for each complete year of ownership (whenever acquired) after five years, giving total exemption after thirty years, as follows:

- first 5 years : no taper relief;
- next 12 years : 2% per annum;
- next 7 years : 4% per annum;
- final 6 years : 8% per annum.

The following rates include solidarity contributions of 15.5% :	%
Individuals resident in France, another EU country, Iceland or Norway	34.5
Individuals resident in non-cooperative countries	90.5
Others	48.83

An additional tax is levied on property gains above € 50,000. The rate varies between 2% and 6% (the maximum rate applies to gains above € 250,000).

Main exemptions

- sale of principal residence;
- first sale of a property (rented or not), if the tax payer does not own his principal residence and is using the proceeds of the sale to buy his principal residence;
- sale price below € 15,000 (property);
- first sale of a French property by an EU national if :
 - he/she has been French resident for tax purposes for at least two years at any point in time, and is non-resident at time of sale;
 - the property is not rented and was fully available to the owner from 1 January of the year preceding the sale.

Companies are subject to less favourable treatment.

WEALTH TAX**Impôt de Solidarité sur la Fortune (ISF)**

Taxable amount	Rate	Cumulative tax to upper limit
€	€	€
0 –	800,000	0
800,000 –	1,300,000	0.50
1,300,000 –	2,570,000	0.70
2,570,000 –	5,000,000	1.00
5,000,000 –	10,000,000	1.25
Excess		1.50

No wealth tax is due if net assets are below € 1,300,000.

French residents are liable in respect of worldwide net assets held at 1 January.

Residents of other countries are liable in respect of net French situs assets held at 1 January. Subject to conditions, this regime also applies to those who have been French residents for under five years, after which liability is calculated on all assets wherever situated.

Principal exemptions include most business assets and a 30% deduction from the value of a French resident's principal residence.

TAXATION OF TRUSTS

France introduced disclosure and taxation rules which are likely to apply whenever:

- a settlor or a deemed settlor (as defined) is French resident;
- a trust (as defined) owns French assets (except financial assets);
- there are French resident beneficiaries.

Deemed settlors are defined as those beneficiaries to whom the assets or beneficial interests are attributed following the death of the settlor. The provisions also apply to nominee arrangements.

TRUST1 forms need to be filed in the month following any trigger event affecting the trust (including distributions). TRUST2 forms need to be filed annually: the form includes a full description of trust assets, with a valuation as at 1 January.

In some cases trustee tax is due.

The penalties for non-compliance are punitive.

3% TAX

Companies or trusts which own French real estate, directly or indirectly, are subject to an annual tax of 3% of the market value of the property.

There are many cases where exemption can be claimed but often a tax form needs to be filed each year.