

# Instructions & FAQ - “Loi Macron”

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# Legal Requirements

1. What are the key requirements of the *Loi Macron*?
  - these adaptations are into force on July 1st, 2016
  - the new regulation is designed solely to lay down formalities in case of posting of workers in the transport sector. It doesn't alter the relevant rules, as set out in directive 96/71/EC.
  - They shall apply in particular to cabotage and international transport to and from France (if conditions are met) but not to transit
  - French minimum wage only applies if higher
  
2. What documents need to be kept by the driver on board the vehicle in relation to Loi Macron?
  - The original filled in Attestation you download from the [SIPSI](#) portal after its submission;
  - A copy of the employment contract
    - in the language it is signed for the general case
  - A1 form
  
3. What documents need to be provided to the French representative?
  - Pay-slip (for the period of each attestation)
  - Proof of payment of the pay-slip
  - The name of the Collective Labour Agreement if applicable.  
**These documents may be requested with a translation in French.**
  
4. What does (in practice) a company needs to do to comply to the Loi Macron legislation:
  - to appoint a French representative
  - to have a valid attestation form transmitted via SIPSI
  - to keep a list of documents on board the vehicle
  - to provide a keep a list of documents to the appointed French representative
  
5. What information does the pay-slip need to contain?
  - Gross hourly wages, including increases for overtime, converted into euro
  - The period and hours of work to which the salary relates, distinguishing between hours paid at the standard rate and those with an increase
  - Leave and holidays and related remuneration
  
6. I am a transport company, which section do I need to select on SIPSI?  
You need to select section TRANSPORT, and then select the one relevant for your own case.

## Legal Scope of the Minimum Wage Law

1. What is the scope of the specific regulation applicable in the transport sector?
  - under a contract concluded between the undertaking making the posting and the party for whom the services are intended, established or operating in France (international transport to and from France, cabotage but not transit)
  - in case of intra-corporate transfer to France
  - When hired by a temporary employment undertaking, to a transport undertaking operating in France
2. What is out of the scope of the Loi Macron legislation?
  - Applicability of the posting rules to different kind of transport operations is only based on the objective criteria provided by directive 96/71/EC (No change to existing legal scheme).
  - Type of vehicle (heavy or light) doesn't matter.
  - Type of transport (goods or passengers) doesn't matter.
  - Self-employed workers are out of the scope

## Penalties

1. What are the penalties for not complying with the legislation?
  - the penalties are listed on page 17<sup>th</sup> of the document at the link below.  
[http://www.ecologique-solidaire.gouv.fr/sites/default/files/presentation\\_formalites\\_detachement\\_15\\_juin\\_2016.pdf](http://www.ecologique-solidaire.gouv.fr/sites/default/files/presentation_formalites_detachement_15_juin_2016.pdf)

## Useful links

More information can be found from the sources of the above listed information at the official links below:

In EN, FR, DE, ES, PT, IT, HU, PL and RO languages

<http://www.ecologique-solidaire.gouv.fr/formalites-declaratives-applicables-au-detachement-dans-transport-routier#e4>

In EN and FR:

<https://www.sipsi.travail.gouv.fr/SipsiFO/public/PageFAQ.action>

In FR:

<https://www.legifrance.gouv.fr/affichCode.do?cidTexte=LEGITEXT000023086525&dateTexte=20170701>

## Servicios Bagem

1. Who is Servicios Bagem (SB)?

SB is a Spanish company founded in 1987. Among other services that the company provides, in 2016 they developed an IT solution that provides a fast and effective software solution to the transport industry with regards to requirements related to Minimum wage laws, like Loi Macron.
2. In which languages can I contact SB?

Spanish, English, German, French, Romanian, 3. Does customer need to sign a contract with SB even if they are DKV customers? Why?

Yes, customer needs to accept the conditions of this new contract; this is because the future service will be provided by SB and not by DKV.

4. Why can customers not upload all documents on one website?

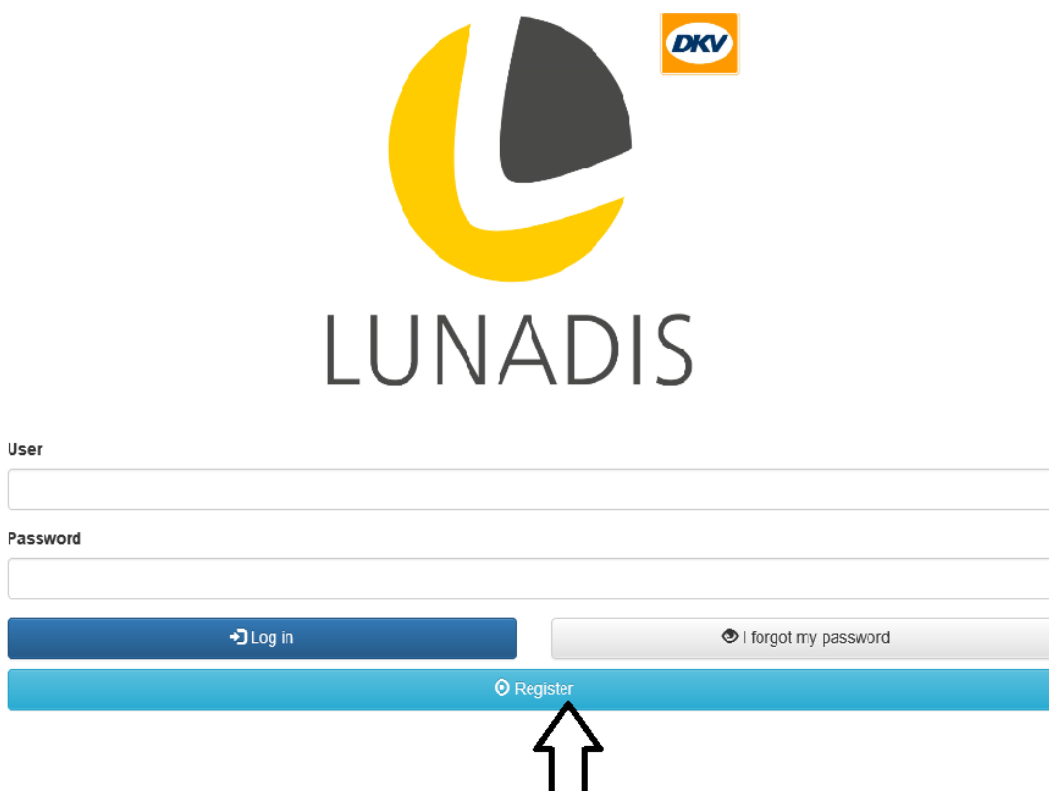
SIPSI or SB's?

The reason is because SIPSI is a French governmental website which is used only to submit the information related to the posting of the employee. Once the Attestation is submitted, the customer needs to download a pdf copy of the document from the SIPSI portal. The document needs to be printed out and given to the employee to keep it with him.

A list with additional documents needs to be made available to the French representative after July 1<sup>st</sup> 2017; this is the purpose of the SB's web-tool. It provides customers a platform where they can at convenient for them time upload the documents.

5. How to create an account on [SB's web-tool](#)?

- To start the registration, click on the "Register" button.



User

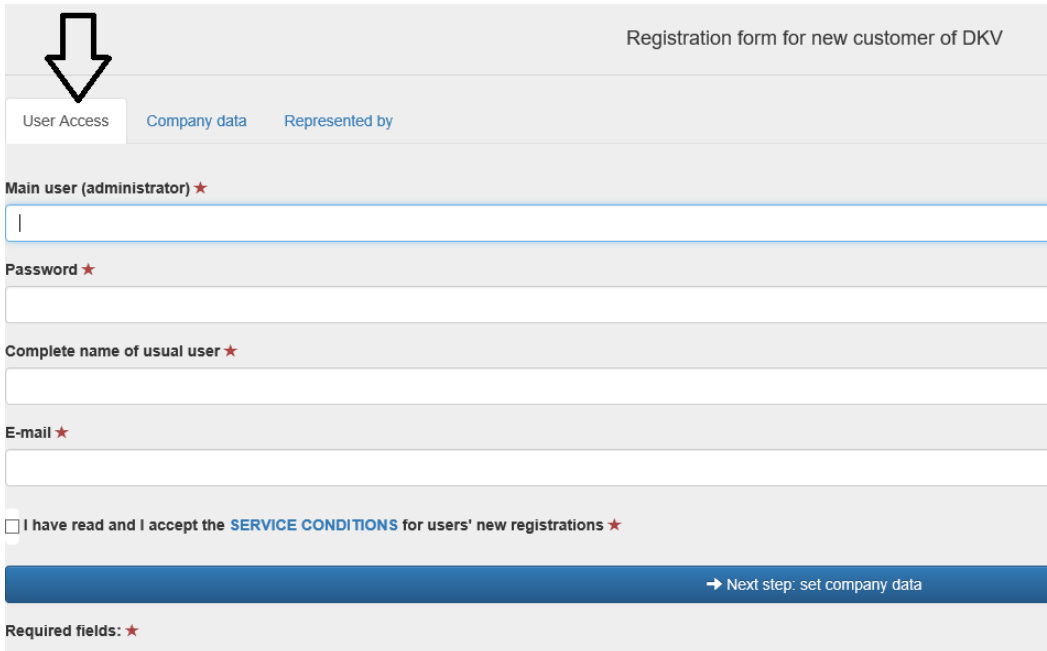
Password

Log in

I forgot my password

Register

- Complete the “User Acces” details:



The image shows a registration form titled "Registration form for new customer of DKV". At the top left, there is a large black arrow pointing downwards towards the "User Access" tab. The form has three tabs: "User Access" (selected), "Company data", and "Represented by". Below the tabs, there are several input fields, each with a red asterisk indicating it is a required field:

- Main user (administrator) \***: A text input field containing a vertical bar cursor.
- Password \***: A text input field.
- Complete name of usual user \***: A text input field.
- E-mail \***: A text input field.

Below the input fields, there is a checkbox with the text:  I have read and I accept the [SERVICE CONDITIONS](#) for users' new registrations \*


At the bottom right of the form, there is a blue button with the text: → Next step: set company data

At the bottom left of the form, there is a label: Required fields: \*

1. User name
2. Password
3. Name
4. E-mail
5. Mark "I have read and accept the SERVICE CONDITIONS for users' new registrations"

- Enter the company data:

User Access   **Company data**   Represented by

Company name ★ 

Telephone ★

Activity

E-mail for receiving electronic invoices

European VAT number ★

Full address (street, number, town) ★

Type of company

ZIP code ★

DKV Client number ★

Country ★

Albania

E-mail for notifications ★

I have read and I accept the [SERVICE CONDITIONS](#) for users' new registrations ★

Next step: set represented by data

1. Name of the company
2. Activity of the company
3. European VAT number
4. Legal form
4. DKV customer number
5. Email for notifications
6. Telephone number
7. Email to receive electronic invoices
8. Full address
9. Postcode
10. Country

- Fill in the details of the Representative of your company (Director, manager, administrator...)

User Access   Company data   **Represented by**

**Name ★**

**Address**

**ID Number ★**

**ZIP code**

**Position**

**Province/Region**

**City**

I have read and I accept the [SERVICE CONDITIONS](#) for users' new registrations ★

→ Final step: create carrier

← Previous step: set company data

1. Complete name of the representative of your company
2. Identity number or passport number of the representative
3. Position of the representative in the company
4. Address of the representative
5. Postcode
6. City

Tick the box "I have read and I accept the SERVICE CONDITIONS for user's new registrations" and then, press the "Final step: create carrier" button.

- Finally, you will receive an email with an activation link. Click on this link and your registration will be completed.

Dear customer,



Please click on [this link](#) in order to activate the user account of your company COMPANY 123 at Servicios Bagem

Do not hesitate to [contact us](#) for any question you might have.

Your Servicios Bagem Team

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