

The Paris office of Hogan Lovells is pleased to provide this English language edition of our monthly e-newsletter, which offers a legal and regulatory update covering France and Europe for December 2013.

Please note that French legal concepts are translated into English for information only and not as legal advice. The concepts expressed in English may not exactly reflect or correspond to similar concepts existing under the laws of the jurisdictions of the readers.

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Summary of miscellaneous French draft legislation

- **Draft law granting amnesty for acts committed in the course of social movements and trade unions' protesting activities** – Filed on November 28, 2012 – Adopted on first reading by the Senate on February 27, 2013 – A vote for a referral to commission was adopted during the first session on May 16, 2013.
- **Draft law relating to consumption**, n°1015, filed on May 2, 2013 – Adopted on second reading by the National Assembly on December 16 – in debate before the Senate since January 27, 2014.
- **Draft law aiming at recapturing the real economy**, n°1037, filed on May 15, 2013 – emergency procedure – adopted on first reading by the National Assembly on October 1, 2013.
- **Draft law for the access to housing and redeveloped town planning**, n°1179 – filed on June 26, 2013 – adopted on first reading by the National Assembly on September 17, 2013 – adopted on first reading by the Senate on October 26, 2013.
- **Draft law relating to social and solidarity-based economy**, n°805 – filed on July 24, 2013 – adopted on first reading by the Senate on November 7, 2013 – in debate before the National Assembly for first reading from January 14 to 16, 2014.
- **Draft law relating to various provisions for the transposition of EU Law into French Law in the health sector**, n°1336 – filed for first reading before the National Assembly on August 2, 2013.
- **Draft law for craft industry, trade and very small businesses**, n°1338 – filed for first reading before the National Assembly on August 21, 2013.
- **Draft law to take various measures to simplify and secure business life**, n°1341 – filed on September 4, 2013 – emergency procedure – adopted on first reading by the National Assembly on October 1, 2013 – adopted on first reading by the Senate on December 9, 2013 –

adopted on second reading before the National Assembly without amendments on December 19, 2013.

- **Draft law to guarantee the future and justice of the pension system**, n°1376, filed on September 18, 2013 – adopted on first reading by the National Assembly on October 15, 2013 – Rejected on first reading by the Senate on November 5, 2013 – adopted on new reading by the National Assembly on November 26, 2013 – adopted on new reading by the Senate on December 16, 2013 – adopted on final reading by the National Assembly on December 18 – Seisin of the Constitutional Council on December 19, 2013.
- **Draft law which aims not to include the delivery service to the single price of the book**, n°1189, filed on June 26, 2013 – Adopted on first reading by the National Assembly on October 3, 2013 – in debate on first reading at the Senate on January 8, 2014.
- **Draft law to implement a control of the Work Councils' accounts**, n°679, filed before the Senate on July 18, 2012 – Adopted on first reading by the Senate on October 10, 2013.
- **Draft reform relating to the railway system**, n°1468, filed on October 16, 2013.
- **Draft law for the ratifying of order n°2013-676 of July 25, 2013 which amends the legal framework of asset management**, n°1467, filed on October 16, 2013.
- **Draft law which authorises the ratifying of the agreement relating to the establishment of a unified jurisdiction for patents**, n°97, filed on October 23, 2013 – accelerated procedure by the Government – Adopted on first reading by the Senate on November 21, 2013.
- **Draft law which aims at reinforcing the fight against counterfeiting**, n°866, filed on September 30, 2013 – Accelerated procedure by the Government – Adopted on first reading by the Senate on November 20, 2013.
- **Draft law aiming at a better control of the use of phytosanitary products on the national territory**, n°40, filed on October 7, 2013 – adopted on first reading by the Senate on November 19, 2013.
- **Draft law for the modernisation and simplification of law and procedures in relation to justice and home affairs**, n°175, filed for first reading at the Senate on November 27, 2013 – in debate for first reading on January 21 and 23, 2013.

Enacted laws

- **Law n°2013-1117 of December 6, 2013 relating to the fight against tax fraud and serious economic and financial crime** - OJ of December 7, 2013.
- **Law n°2013-1203 of December 23, 2013 on the financing of Social Security for 2014** – OJ of December 24, 2013.
- **Finance law for 2014 n°2013-1278 of December 29, 2013** – OJ of December 30, 2013.
- **Amending finance law for 2013 n°2013-1279 of December 29, 2013** - OJ of December 30, 2013.

1. Banking

France: Update of the regulation applicable to banking and financial activities

The order (*arrêté*) dated 23 December 2013 on the conditions of access and exercise of banking and financial activities ([*JORF* n°0301 dated 28 December 2013](#)) amends several of the Banking and Financial Regulatory Committee's regulations in order to (i) transpose the directive 2013/36/EU

("CRD IV") and (ii) take into account the new financing company status created by Order n°2013-544 dated 27 June 2013 ([please refer to the Legal and regulatory update – June 2013](#)).

The order has come into force on 1st January 2014.

France: Thresholds of usury

The notice (*avis*) dated 23 December 2013 on the implementation of Articles L.313-3 of the Consumer Code and L.313-5-1 of the Monetary and Financial Code concerning usury ([JORF n°0299 dated 26 December 2013](#)) fixed the usury thresholds corresponding to the different categories of loans.

These thresholds have come into force on 1st January 2014.

2. Capital Markets

France: The AMF publishes a guide related to investment research

To make the rules that apply to investment research more understandable and clarify its expectations for their application, the AMF has decided to publish a guide for investment firms. The purpose of the guide, published in the form of a position-recommendation (DOC-2013-25), is to state the provisions in effect and the AMF's interpretation of actual situations that were brought to its attention by professionals.

France: AMF consultation on their draft guidelines on best-execution principles

The AMF prepared guidelines for the attention of investment service providers. These guidelines are to clarify the AMF expectations on the best-execution of orders to investors (End of consultation: 31 January 2014).

3. Competition

European Law: Mergers – Red tape cutting

Commission Implementing [Regulation](#) (EU) n°1269/2013 of 5 December 2013 amending Regulation (EC) n°802/2004 implementing Council Regulation (EC) No n°139/2004 on the control of concentrations between undertakings was published in the OJ of the EU on 14 December 2013. It aims at simplifying the procedures for reviewing concentrations, in particular by widening the scope of the simplified procedure and by reducing the amount of information required for notifying transactions in all cases. The Regulation entered into force on 1st January 2014.

European Law: State aid – Adoption of revised *de minimis* Regulation

Commission [Regulation](#) (EC) n°1407/2013 of 18 December 2013 on the application of Articles 107 and 108 of the Treaty on the Functioning of the European Union to *de minimis* aid was published in the OJ of the EU on 24 December 2013. The new Regulation is the result of three public consultations and replaces from 1st January 2014 Regulation n°1998/2006 to set the conditions under which small aid amounts fall outside the scope of EU state aid control because they are deemed to have no impact on competition and trade in the internal market. The main criteria of the current regulation, which exempts aid amounts of up to €200,000 per undertaking over a three-year period, remain unchanged, while the treatment of small aid measures is simplified. Moreover, companies undergoing financial difficulties are no longer excluded from the scope of the regulation and will therefore be allowed to receive *de minimis* aid.

European Law: State aid – Public consultation on a draft revised version of the General Block Exemption Regulation

The European Commission launched on 18 December 2013 a [public consultation](#) on a draft revised version of the General Block Exemption

Regulation (GBER). The Draft aims at widening the scope of the aid exempted from prior notification, by increasing certain notification thresholds so that higher aid amounts can be exempted from prior notification and by introducing new exemption categories, in particular innovation aid for large companies, certain aid for broadband infrastructure, aid for culture including audio-visual works, aid for sport, aid to make good the damage caused by natural disasters and social aid for the transport of residents of remote regions.

Interested third parties can submit their comments until 12 February 2014.

European Law: State aid – Public consultation on draft Guidelines on environmental and energy aid

The European Commission launched on 18 December 2013 a public consultation on draft revised State aid guidelines for assessing public support projects in the field of energy and the environment for 2014-2020. The Draft aims at extending the scope of the existing guidelines beyond the environmental field into the energy area and at clarifying and simplifying the assessment of state aid measures.

Interested third parties can submit their comments until 14 February 2014.

European Law: State aid – Public consultation on a draft Framework for state aid for research and development and innovation

The European Commission launched on 18 December 2013 a public consultation on a draft revised Framework for state aid for research and development and innovation. The Draft aims at widening the conditions under which Member States can grant state aid for research, development and innovation activities, in particular by making more flexible the conditions for subsidised pilot and demonstration projects and by creating a new category of aid for the construction and upgrade of research infrastructure.

Interested third parties can submit their comments until 17 February 2014.

4. Corporate

France: Censorship of the extension of the creditors' opposition period in case of transfer of all assets and liabilities

On 4 December 2013, the Constitutional Council censured Article 29 of the bill concerning the fight against tax evasion and serious economic and financial crimes which provided to extend the creditors' opposition period in case of transfer of all assets and liabilities from 30 days to 60 days.

France: The *Autorité des Marchés Financiers* (AMF) updates the guidelines on registration documents

On 17 December 2013, AMF amended some of its recommendations included in the guidelines on registration documents. The recommendation on the capital structure's description (section 3.4 of the guidelines) and the one on the information to be provided on the corporate officers' compensation (section 3.5 of the guidelines) have been updated.

5. Employment

France: Law ensuring the future and fairness of pension system

The draft law ensuring the future and fairness of the pension system mentioned in the Legal and regulatory update of October 2013 was definitively adopted by the National Assembly on 18 December 2013. The law, which is currently taken to the Constitutional Court, has not been published in

the Official Journal yet.

France: Decree relating to delays of works council's consultation and expertise and single database

The draft decree mentioned in the [Legal and regulatory update of October 2013](#) was definitively adopted on [27 December 2013](#). New deadlines of consultation enter into force as from 1 January 2014.

France: Decree increasing the hourly rate of the minimum wage

The [decree n°2013-1190 dated 19 December 2013](#) increases the hourly rate of the minimal wage to 9.53 euros as from 1 January 2014.

France: Inter-branch national agreement relating to vocational training

Social partners reached an inter-branch national agreement relating to vocational training on 14 December 2013 which is open to the signature of organisations representing employees and representing employers. A draft law on the same topic has been drafted. Both texts provide for implementing measures of the personal training account and modify the rules of financing vocational training.

6. Insolvency proceedings

European Law: Proposal for a regulation amending Council Regulation n°1346/2000 on insolvency proceedings

The proposal for a regulation of the European Parliament and of the Council (SWD(2012) 416 and SWD(2012) 417) amending Council Regulation (EC) n°1346/2000 on insolvency proceedings aims to extend its scope of application by revising the definition of insolvency proceedings to include the proceedings in which the debtor retains some control albeit subject to the control / supervision by a court / a judicial administrator, including pre-insolvency proceedings.

The proposal clarifies the notion of Centre Of Main Interests, improves the jurisdictional rules and requires the court to examine its jurisdiction *ex officio* prior to opening insolvency proceedings. The proposal also improves the cooperation between main and secondary proceedings, particularly by abolishing the requirement that secondary proceedings must be winding-up proceedings.

With respect to groups of companies, the proposal provides for an improvement of the coordination of the insolvency proceedings concerning different members of the same group of companies by obliging the liquidators and courts to cooperate and communicate with each other – to date, this is only an option.

With regard to the creditors, a publicly accessible electronic register will list the court decisions in cross-border insolvency cases. In this respect, national registers will communicate amongst themselves. The proposal also introduces standard forms for the lodging of claims.

7. Insurance

France: Life insurance – seizure by the tax administration and confiscation by the criminal court

Law n°2013-1117 of 6 December 2013 (Article 41) on the fight against tax evasion and the great economic and financial crime authorises, under certain conditions, the use of simplified prosecution acts on sums paid on a life insurance contract in euros or unit of account when the contract is redeemable despite any limitations affecting the redemption right. Individual and collective contracts are encompassed by the Law. The right of

seizure is limited to the tax administration to the exclusion of other creditors. The Law (Article 22) introduces in the French Insurance Code, Mutuality Code and Social Security Code provisions pursuant to which in case of a definitive decision of confiscation of sums paid on the life insurance contract, the contract shall be cancelled *ipso jure* and the funds transferred to the State.

France: Investment of insurers in loans

The Order of 9 December 2013 on investment rules for insurance undertakings in loans or economy loan funds specifies the system of analysis and measurement of the risks that the insurers must implement to invest in loans or loan funds. The order also states that the loan funds can notably be structured such as shares from emissions or from a program the minimum value of which is at least equal to EUR 30 million, or bonds with the same size constraint.

European Law: Solvency II – Second Quick Fix Directive published in the Official Journal

On 18 December 2013, the [second Solvency II Quick Fix Directive](#) (the Directive amending Directive 2009/138/EC (Solvency II) as regards the date for its transposition and the date of its application, and the date of repeal of certain Directives (Solvency I)) was published in the Official Journal of the European Union. It entered into force on 19 December 2013. The Directive extends to 1 January 2016 the deadline for the application of the Solvency II Directive and its transposition into national law.

European Law: EIOPA – Complaints handling by insurance intermediaries

On 3 December 2013, the European Insurance and Occupational Pensions Authority ("**EIOPA**") published guidelines on complaints-handling by insurance intermediaries. The guidelines, which lay down high-level principles for national competent authorities (NCAs), are supplemented by a report on best practices by insurance intermediaries in handling complaints. The guidelines provide guidance in particular on ensuring the right institution deals with the complaint; complaints management policy; complaints management function; registration (etc.). They apply from their final date of publication. Within two months of the publication of the guidelines, competent authorities are required to confirm to EIOPA whether they comply, or intend to comply, with the guidelines, with reasons for non-compliance. Competent authorities that comply or intend to comply with the guidelines should incorporate them into their regulatory or supervisory framework in an appropriate manner.

European Law: EIOPA – Beneficiary protection arrangements regarding life insurance contracts

On 3 December 2013, the EIOPA published an opinion, dated 27 November 2013, on beneficiary protection arrangements regarding life insurance contracts. The opinion gives information on different types of beneficiary protection arrangements in some Member States, measures helping beneficiaries to search for policies and the provisions in place in some Member States that allow insurance undertakings to access to data in national population registers to ensure that insurance undertakings are informed about the occurrence of the death of the insured person. EIOPA recommends that national supervisory authorities should facilitate, or assist with, or advise upon the establishment of a national beneficiary arrangement for life insurance policies, where no such arrangements are already in place.

8. Intellectual Property

European Law: Publication of the implementing Regulation establishing the forms provided for in Regulation (EU) n°608/2013 concerning customs enforcement of intellectual property rights

Further to the adoption, on 12 June 2013, of [Regulation \(EU\) n°608/2013 concerning customs enforcement of intellectual property rights, repealing Regulation \(EC\) n°1383/2003](#), in force since 1 January 2014 (please refer to the [French Legal and Regulatory Update – June 2013](#)), the European Commission has adopted on 4 December 2013 the [Implementing Regulation \(EU\) n°1352/2013](#) which establishes new forms for customs action for goods suspected of infringing intellectual property rights.

This Implementing Regulation includes (i) a form intended to application for an action, (ii) a form intended to request for an extension, and (iii) notes for assisting the completion of these two forms.

The use of these forms is compulsory for any application or request for extension filed as from 1 January 2014.

9. New technologies

France: Military planning law

The military planning law ([please refer to the Legal and Regulatory Update - November 2013](#)), which defines the legislative and budgetary framework for French defense and intelligence departments for years 2014 to 2019, was published in the *Journal Officiel* on 19 December 2013 and entered into force on 1 January 2014. The provisions of the law allow intelligence agencies to have access not only to connection data but also to content data of electronic communications. The French data protection authority (the CNIL) expressed reservations on the text, considering, notably, that such legislation may lead to a disproportionate privacy intrusion.

France: Cookies

On 16 December 2013, the CNIL published a recommendation relating to cookies clarifying its position regarding the enforcement of the provisions of the French data protection law, which implements the terms of the e-Privacy Directive (Directive 2002/58) as amended. The recommendation defines a number of best practices for website editors with regards to the implementation of their cookies as well as tips to the attention of internet users. Recommendations regarding the means of collecting valid prior consent from internet users are also included in the document.

10. Public law

France: New thresholds for the procurement procedures of public contracts

Decree n°2013-1259 of 27 December 2013, published in the OJ of 29 December 2013, modifies the thresholds for the implementation of procurement procedures relating to public contracts provided by the "*Code des marchés publics*". These rules shall apply to public contracts which have a value exclusive of value-added tax (VAT) estimated to be equal to or greater than the following thresholds:

- EUR 134,000 for public supply and service contracts awarded by central government authorities;
- EUR 207,000 for public supply and service contracts awarded by other contracting authorities;
- EUR 414,000 in the *Utilities* sector;
- EUR 5,186,000 for public works contracts.

These thresholds shall enter into force on 1st January 2014.

11. Real Estate

France: Energy audit

Decree n°2013-1121 dated 4 December 2013 published in the Official Journal of 7 December 2013 determines the thresholds from which companies are required to conduct an energy audit of their activities: companies with more than 250 employees or with an annual turnover exceeding EUR 50 million or with a total balance sheet exceeding EUR 43 million; bearing in mind that the first energy audit must be performed no later than 5 December 2015 and then every four years.

France: The 2014 Finance Bill and the Amended 2013 Finance Bill

The 2014 Finance Bill (Law n°2013-1278 dated 29 December 2013) and the Amended 2013 Finance Bill (Law n°2013-1279 dated 29 December 2013) have introduced the following main measures:

(i) New capital gains tax regime on real estate properties

1) Modification of the allowance for holding period

Regarding the sales of real properties and related rights other than plots of land to be built, the rate and the ratio of the allowance for holding-period are different to determine the tax basis of capital gains on property in relation to income tax and social security contributions:

- The exemption from income tax is applicable after a 22-year holding-period;
- The exemption from social security contributions of 15.5% is applicable after a 30-year holding-period.

2) Exceptional allowance of 25%

Regarding capital gains resulting from the sale of residential premises or related rights realized between 1 September 2013 and 31 August 2014, an exceptional allowance of 25% is applicable to determine the net taxable basis (i.e., after taking into account the allowance for holding period).

(ii) Modification of the listed real estate companies regime ("SIIC")

Dividends paid by listed real estate companies, to the extent of their distribution requirements, are exempt from the CIT additional contribution of 3%.

In return, distribution requirements have been increased:

- From 85% to 95% for profits derived from real estate rental activities;
- From 50% to 60% for profits generated by the sale of real estate assets.

These new distribution requirements apply to financial years ending on or after 31 December 2013.

(iii) VAT

Please refer to the Tax section.

12. Tax

France: Fight against tax fraud

The law related to the fight against tax fraud and large-scale economic and financial crime was published in the Official Journal dated 7 December 2013 (*Law n°2013-1117 dated 6 December 2013*). This law provides for the following measures among others:

(i) Prosecute tax fraud and money laundering cases: reinforcement of sanctions for tax fraud; easing of the filing of complaints' conditions by the French tax authorities ("**FTA**"); reinforcement of the tax police's role; the commission of fiscal offences is more transparent; exchange of information between the FTA and the judicial and financial authorities.

(ii) Reporting obligations of taxpayers: systematic communication of the transfer pricing documentation; increase in the disclosure obligations for the directors of trust; reinforcement of sanctions in case of breach of their disclosure obligations by the companies; hardening of sanctions in case of breach of wealth tax declaration regarding credits held abroad.

(iii) Reinforcement of the means of control of the FTA: opportunity for the administration to use the information of illicit origin; control of the assignment of the VAT number in order to fight missing trader fraud ("carousel fraud"); right to copy the documents in case of tax inspection; right to copy the computer files in case of unexpected inspection by the FTA; communication of the unreported bank statements abroad; loss of the benefit of the procedural safeguards in case of occult activity; deletion of the time limit for responding to holding companies' comments; reform of special recovery time in the course of an administrative assistance; access to codes; data and processing of accounting software developers; possibility to use experts.

(iv) Litigation: management of the FTA's power to compromise; contentious complaint for non-compliance with a superior legal rule; establishment of a financial prosecutor.

(v) Recovery: seizure of life insurance contracts by the FTA; (*please refer to the Insurance section*); exception to the unzeisability of an entrepreneur's primary residence; extension of the limitation period for a recovery action.

France: The 2014 Finance Bill and the Amended 2013 Finance Bill

The 2014 Finance Bill (*Law n°2013-1278 dated 29 December 2013*) and the Amended 2013 Finance Bill (*Law n°2013-1279 dated 29 December 2013*) introduce the following main measures:

(i) Reform of the tax regime of capital gains on the sale of securities and social rights

(1) Capital gains on the sale of securities and social rights which are realized after 1 January 2013, are subject to income tax on a progressive scale, after applying a deduction based on the holding-period:

- 50% deduction after a two-year holding-period at least;

- 65% deduction after an eight-year holding-period at least.

(2) Creation of two derogatory deduction:

- For (i) sales of Small and Medium Enterprise's ("**SME**") securities acquired during the tenth years of its creation, (ii) sales, within a family group, of holdings exceeding 25%, and (iii) sales of Small and Medium Enterprise's securities by retiring leaders, the net amount of the capital gain is subject to a proportional allowance equal to 50% between 1 year and 4 years of holding-period, 65% between 4 and 8 years of holding-period and 85% after 8 years of holding-period.

This reduction is applicable since 1 January 2013 for capital gains mentioned at (i) and after 1 January 2014 for capital gains mentioned at (ii) and at

(iii).

- The favorable tax treatment for retiring corporate officers has been removed. A specific deduction of €500,000 has been created instead for SME's retiring corporate officers. This allowance should be charged on the net capital gain before the application of the proportional surcharged allowance.

These measures apply to sales realized on or after 1 January 2014.

(ii) New exceptional solidarity surtax on high remunerations

Companies paying individual remunerations exceeding €1 million are subject to a tax of 50% on the portion of remunerations exceeding €1 million.

Remunerations taken into account are wages, salaries and related benefits, attendance fees, pensions, supplementary pensions, allowances, retirement allocations or benefits, amounts allocated under profit sharing, involvement and employee savings plan, allotment of stock-options or business creator shares subscription warrants, free shares allocation...

The amount of the surtax is capped at 5% of the turnover of the civil year.

This tax applies to individual remunerations earned or allocated in calendar years 2013 and 2014.

(iii) Increase of the rate of the additional contribution to Corporate Income Tax ("CIT")

The rate of the additional contribution to CIT provided by Article 235 *ter* ZAA of the French Tax Code that applies to companies with an annual turnover exceeding € 250 million was increased from 5% to 10.7%.

This provision applies to financial years ending on or after 31 December 2013.

(iv) New limitation on deductibility of interest paid to related parties

Interest paid by a company liable to CIT to a related party, are no more deductible if the lender is not liable to CIT on such interest that amounts to, at least, 25% of the CIT which would have been due if the lender were established in France.

This provision applies to fiscal years ending on or after 25 September 2013.

(v) Strengthening of the transfer pricing documentation requirement

Companies subject to provide to the FTA transfer pricing documentation (*Article L 13 AA of the French Tax Procedure Code*), should now communicate the tax rulings from foreign tax authorities which are obtained by associated companies.

This provision applies as from 1 January 2014.

(vi) VAT

As a reminder, as from 1 January 2014, the VAT normal rate increased from 19.6% to 20%, the VAT intermediary rate increased from 7% to 10%.

However, the reduction of the VAT reduced rate from 5.5% to 5% has been postponed. Furthermore, several sectorial measures have been adopted, in particular:

- Application of the 5.5% VAT reduced rate to works which improve energy quality, including works involving some housing.

- Reduction in VAT rates, from 10% to 5.5%, applicable to social housing construction and renovation work, to sheltered housing, to homes for young workers and to emergency centres hosting.

France: Maximal rate of deductible interest

The maximal rate of deductible interest for the calendar year 2013 is 2.79%.

France: Tax on financial transactions

The list of companies having their registered office in France and a market capitalization exceeding €1 billion at 1 December 2013, has been published in the Official Journal (*Decree dated 27 December 2013*).

13. Telecoms

France: Ministerial decree dated 3 December 2013 aiming to strengthen consumers' information on the actual speed of the fixed Internet access offers

On 3 December 2013, the Minister Delegate attached to the Minister for the Economy and Finance, with responsibility for the Social and Solidarity Economy and the Consumer affairs and the Minister Delegate attached to the Minister for Economic Regeneration, with responsibility for Small and Medium Enterprises, Innovation, and the Digital Economy issued a ministerial decree on the prior consumer's information about the technical characteristics of fixed Internet access offers.

This decree aims to improve the information on the maximum speed of the fixed Internet access offers by compelling the internet access providers to take into account the characteristics of the consumers' lines.

In this order, the decree provides that:

- Each internet access provider shall deliver to the consumer, prior to the subscription of a new fixed internet access offer, information on the speed and the available ancillary services which will be effectively delivered to him, in particular the eligibility for television services;
- An educational space shall be created on internet access providers' websites. This educational space will make available to the public all information necessary for the proper understanding of the services provided. It will also include quality service indicators promoted by the *Autorité de régulation des communications électroniques et des postes* (ARCEP), as well as instructions for installing devices (boxes and decoders);
- If the speed proposed by an offer varies significantly upon location of the consumer's household (in case of ADSL and VDSL), the decree provides that consumers shall be notified as soon as they read the advertisements.

The first two measures will entry into force on 1 July 2014. The third measure takes effect immediately.

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