

HR PRACTICAL INFORMATION

ADMINISTRATION: YOU HAVE NOW THE RIGHT TO MAKE MISTAKES

No one can dispute that the French administration is so complex that it is easy to make mistakes in one's declarations even when one is perfectly honest. The procedures to correct such errors are often long and Kafkaesque. The government is well aware of this. That is why, last June, it launched a new site whose aim is to simplify our lives as users and establish a relationship of trust with the administration.

The government has launched the website www.oups.gouv.fr

Law n°2018-727 of 10 August 2018 for *un État au Service d'une Société de Confiance* (ESSOC) is based on two pillars: trust, in particular through the introduction of a "right to error", and implementing provisions aimed at reducing the complexity of administrative procedures, simplifying standards and accelerating the dematerialization of procedures. It is aimed at all users, individuals and companies alike.

From now on, thanks to the introduction of this law, public services will apply the principle that the user is reputed to be acting in good faith and that he or she must be allowed to correct his or her error without penalty. It is up to the administration to demonstrate the user's bad faith in order to apply a penalty or financial sanction.

The implementation of this site should allow users to avoid errors or easily correct them rather than following a series of laborious steps.

A manifestation of this new philosophy of the administration, which now explains and advises the site www.oups.gouv.fr, is addressed to individuals, companies, and lists:

- The main mistakes currently made by users;
- Practical advice from administrations providing the keys to avoid making these most frequent mistakes and to better understand the obligations towards the administration
- Links to further reading on each theme.

What can be found on the website www.oups.gouv.fr

The site www.oups.gouv.fr, allows everyone to learn about possible error cases and to have access to simple instructions to correct their errors or have them corrected. The headings are divided by "moment of life".

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These are changes in the personal situation of individual or high points in the life of the company that can lead to changes in rights and the administrative situation. This may require steps to be taken that can lead to errors and regularizations. For example, a change in family status may affect rights to benefits, a move will affect the tax situation, etc.

Seventeen of the most common events affecting the situation of individuals are described on the site:

- I am in higher education
- I am moving
- I am losing/looking for a job
- I am returning to work/have a professional activity
- I live as a couple (common-law cohabitation, PACS, marriage)
- I give birth / I adopt a child
- I declare/pay my taxes
- I am separating from my partner (common-law cohabitation, PACS, marriage)
- I am in need/financial fragility
- I take care of my health
- I am retiring/retired
- I lose a loved one
- I am handicapped
- I am an agricultural worker
- I am leaving France for a period of more than 3 months
- I am returning to France after residing abroad
- I am a newcomer to France

Exceptions...

The law provides common sense exceptions for:

- Fraudsters and repeat offenders;
- Any error that affects public health, the safety of persons or property;
- Any error that leads to contravention of European and international commitments.

Still have questions, do not hesitate to contact Human Resources