



Notification Number: 2016/487/F

Decree on the digitisation of payslips and their accessibility within the framework of the personal activity account

Date received : 15/09/2016

End of Standstill : 16/12/2016

Message

Message 002

Communication from the Commission - TRIS/(2016) 02854

Directive (EU) 2015/1535

Translation of the message 001

Notification: 2016/0487/F

No abre el plazo - Nezahajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201602854.EN)

1. Structured Information Line

MSG 002 IND 2016 0487 F EN 15-09-2016 F NOTIF

2. Member State

F

3. Department Responsible

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3. Originating Department

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4. Notification Number



2016/0487/F - SERV

5. Title

Decree on the digitisation of payslips and their accessibility within the framework of the personal activity account

6. Products Concerned

Payslip digitisation services

7. Notification Under Another Act

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8. Main Content

Article 54 of Law No 2016-1088 of 8 August 2016 on work, the modernisation of social dialogue and improvements to the security of professional careers provides for the possibility of transmitting electronically the payslips of employees holding a French employment contract. This draft Decree specifies the conditions for the application of this legislative provision. The accessibility of payslips through an online service or the employer must be guaranteed. Furthermore, the digitised payslip must be easily accessible until the employee is 70 years old or for a period of 50 years. Article 1 of the draft Decree specifies that 'payslips issued through electronic means shall be retrievable without complex or repetitive manipulation, and in a structured and widely used electronic format'. In order to facilitate access to this data, payslips shall be able to be consulted from the personal activity account opened for each employee holding a French employment contract (Article 39 of the Law). The need to match the personal activity account system with that of each payslip-digitisation operator stems from the need to make payslips easily accessible. In addition to the matching of information systems, a document search service and a consultation service are essential in order to meet the accessibility and simplicity obligations laid down by this draft Decree. Moreover, due to the personal nature of the data referred to in this draft regulation, the security conditions provided for in Article 34 of Law No 78-17 of 6 January 1978 on information technology, data files and liberties must be respected in implementing this payslip-digitisation measure.

9. Brief Statement of Grounds

This draft Decree is a continuation of the payslip simplification process, and aims to encourage the digitisation process. In order to promote this approach, the law guarantees employees that payslips sent by their employers in a digitised format will be accessible and available for at least the entire course of their professional career. For this purpose, the draft Decree determines the length of time their availability will be guaranteed and sets out the accessibility procedures for digitised payslips within the framework of the online service associated with the personal activity account. The accessibility requirement of payslips and their compliance with structured and widely used formats do not seem to constitute new technical regulations to be imposed on private operators. The accessibility and security of the expected data do not therefore appear to be excessive and cannot be considered to constitute a barrier to trade within the European Union.

10. Reference Documents - Basic Texts

Reference(s) to basic text(s): Article 54 of Law No 2016-1088 of 8 August 2016 on work, the modernisation of social dialogue and improvements to the security of professional careers

11. Invocation of the Emergency Procedure



No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

-

16. TBT and SPS aspects

TBT aspect

No - the draft has no significant impact on international trade.

SPS aspect

No - the draft is neither a sanitary nor phytosanitary measure.

European Commission

Contact point Directive (EU) 2015/1535

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