

# QUESTIONS AND ANSWERS

[en]

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# Overview

## Purpose

The Carte BTP is a legal requirement that was designed to more effectively combat undeclared work and unfair competition by enabling the employer to prove at any time, in the case of an inspection, their compliance with their legal requirements for declaring and providing information related to personnel present on any work site. In response to a previous request from the construction and public works (BTP) profession, the scheme was implemented pursuant to [Article L.8291-1 of the French Labour Code](#) established by French Law No.2015-990 of 06 August 2015 on growth, activity and equal economic opportunities.

## Timeline

The Carte BTP entered into force on 22 March 2017, the day after the publication of the [French Order of 20 March 2017](#) established by [French Decree No. 2016-175 of 22 February 2016](#). Since this date, companies have been obliged to order Cartes BTP for those of their employees to whom the legislation applies.

### ● Does the legal requirement to order Cartes BTP apply to all companies?

*The provisions related to Cartes BTP apply to employers and companies, whether they are established in France or not, referred to in [Article R.8291-1 of the French Labour Code](#). In the case of posted employees, the Carte BTP must be ordered by the employer established outside France, as is the case with the preliminary posting declaration.*

#### **SPECIFIC CASES**

**Internal mobility (excluding posting).** *In this scenario, the employee moves to a different legal entity within the same group (in France or from a third country to France). This transfer means that a new contract must be signed with the acquiring company, considering the employee's seniority within the group. If the employee performs an activity that is relevant to the Carte BTP, their employer must order one from the beginning of their transfer period.*

**Internal posting.** *In this scenario, the employee of a company (or entity) established outside France is sent on a temporary assignment to a company (or entity) within the same group and established inside France, without signing a new work contract. In this case, the employer established abroad must order the Carte BTP before the posting begins, unless the posted employee already holds a valid Carte BTP.*

## Scope

The Carte BTP is relevant to all employees 'carrying out construction or public works' ([Article L.8291-1 of the French Labour Code](#)).

### ● Is the Carte BTP relevant to my company?

Any employer whose employees carry out, manage or organise, even on an occasional, supplementary or secondary basis, the tasks referred to in [Article R.8291-1 of the French Labour Code](#) on a construction or public works site, must request a Carte BTP for the relevant employees.

This legal requirement applies to the following:

- Companies established in France, including temporary employment agencies
- Companies established abroad that have employees registered under the French social security system and that are liable for tax and social security contributions on their salaried personnel under the French social security system (ESEF, companies not established in France)
- Employers established abroad and that post employees in France

Note that this legal requirement also applies to welfare-to-work organisations (employment associations, welfare-to-work companies) for any employee that they provide to work sites.

### ● What employees is Carte BTP relevant to?

The Carte BTP is relevant to all employees who 'carry out, manage or organise, even on an occasional, supplementary or secondary basis', tasks on a construction or public works site.

In practice, the Carte BTP is a legal requirement for employees who carry out, in a professional capacity, the tasks listed in [Article R.8291-1 of the French Labour Code](#), i.e. the following: 'Work related to excavation, earthworks, drainage, construction, erecting and dismantling prefabricated units, interior and exterior fittings or equipment, upgrading or renovation, demolition or conversion, flushing, work maintenance or upkeep, restoration or repair as well as any related painting and cleaning and other additional tasks directly related to the work'.

### ● What employees are exempt from the requirement to have a Carte BTP?

The Carte BTP is not legally required for employees who never go to the work sites.

For employees who move around on work sites, the following categories of employees are exempt from having a Carte BTP:

#### 1. Employees who do not directly participate in the works

- Employees in roles that don't involve any assignment on a work site or public works site that is listed under [Article R.8291-1 of the French Labour Code](#). This therefore includes managing executives, executives managing teams that don't perform any tasks on a work site or managers of support services (payroll, risk management, IT maintenance, health and safety, purchasing and supply department, inventory management, etc.) even if they have a permanent presence on the work site, as they do not undertake any of the tasks stated in [Article R.8291-1 of the French Labour Code](#).

## CARTE BTP

- › *Employees who do not participate in conducting physical operations or directly supervise work sites.*
- › *Trainees (keeping in mind that, for trainees, the trainer must show all documentation certifying that they are a trainee).*
- › *Employees carrying out cleaning activities, if they do these activities after the construction site delivery date (construction of a structure or similar, such as an interior fitting or renovation work site etc.).*

### 2. Company employees that carry out certain roles listed in [Article R.8291-1 of the French Labour Code](#)

- › *The provisions referring to Cartes BTP 'do not apply to employers whose employees carry out the following roles, even if they work on a construction site or public works site: architects, building surveyors, quantity surveyors, health and safety coordinators, drivers and delivery persons, land surveyors and licensed surveyors'. Employees working as **laboratory technicians or construction technicians** do not have to possess a Carte BTP.*
- › *Likewise, **drivers of heavy goods vehicles** who may be involved in loading and unloading on earthworks or excavation work sites, for example, do not need to possess a Carte BTP because these activities are considered to be goods or materials transport services. They will be required, however, to have a card if they are likely to be involved in any other activities on the work site, for example, as unskilled workers.*
- › *Employees of **equipment suppliers** (such as turbine or boiler suppliers) who have joined the collective labour agreement for the French metal industries do not have to possess a card as they are supplying or delivering devices or equipment to be used for operations during the construction or work. However, if the fitting work or the installation of this equipment forms part of ancillary operations directly linked to the tasks stated in [Article R.8291-1 of the French Labour Code](#), the employees must possess a Carte BTP.*

### 3. Employees whose tasks are performed on a work site at a private residence

[Article R.8291-1 of the French Labour Code](#) applies to any employee carrying out work in the construction and public works sectors on behalf of a company. Private employers are not considered to be companies, therefore the Carte BTP is not relevant to their employees. However, the Carte BTP does apply to any employee working on a construction and public works site that is at the residence of a private client.

### Form and content of the Carte BTP

The Carte BTP is a secured polycarbonate card measuring 85 x 54 mm. The Carte BTP is an ID card with a number of security elements. As such, it contains information related to the employer (except in the case of temporary employees, posted employees and temporary posted employees) and to the employee. It must include a photo of the employee.

#### ● What information appears on the Carte BTP ?



The Carte BTP always includes the following information:

- ▶ Employee's last name, first names and sex (for female employees, only their maiden name appears on the card)
- ▶ Employee photo (printed in greyscale)
- ▶ The ID card number and issue date
- ▶ CIBPT France contact information (on the back)
- ▶ The Marianne and CIBTP France logos
- ▶ QR code<sup>1</sup>
- ▶ Card item number

*For employees of a temporary employment agency established in France: The Carte BTP lists the employee as a 'Temporary employee' but does not include any information about the employer (company name, SIREN, logo). A symbol showing that the 'card is valid for 5 years' is displayed.*

*Similarly, for posted employees of a company established outside France, including temporary posted employees: The Carte BTP lists the employee as a 'Posted employee' but does not include any information about the employer (company name, SIREN, logo). A symbol showing that the 'card is valid for 5 years' is displayed.*

Finally, the Carte BTP includes a QR code that can be used to verify the validity of the card via a mobile app, and if applicable, to verify if there is an ongoing temporary assignment or posting.

#### ● What about a 'Temporary card'?

Strictly speaking, there is no 'Temporary card'. However, the Carte BTP lists, if applicable, the temporary status of the employee in cases where they have been employed via a temporary employment agency (TEA) established in France.

Note that in the case of a posting where the TEA is established abroad, the Carte BTP only gives the status 'posted employee'.

1. The QR code is a two-dimensional barcode that can store digital data (text, website addresses, etc.). It can be read using a mobile phone with a camera and a suitable code reader.

# Validity of the Carte BTP

The validity terms of the Carte BTP depend on the status of the employee.

In the case that a Carte BTP is lost, stolen, damaged or expired, the employer must ask to have it invalidated and request that a new card be manufactured for the employee in question.

### ● What is the validity period of a Carte BTP ?

*The validity period of a Carte BTP varies depending on the employee type:*

Employee of a company established in France, or a company not established in France (excluding temporary employment agencies)	▶	Duration of the work contract, or if there are successive contracts with no interruption, the total duration of these contracts
A temporary employee of a temporary employment agency established in France	▶	Five years, even if there is a change in employer
Posted employee of a company established outside of France (excluding temporary employment agencies)	▶	
A temporary posted employee of a temporary employment agency established outside of France	▶	

### ● When an employee changes employer, should they change their Carte BTP ?

**Yes, permanent employees of a company established in France should do so.** As the Carte BTP has the details of the employee and their employer printed on it, a new card needs to be ordered each time there is a change of employer.

**However, for temporary employees, posted employees and temporary posted temporary employees:** The Carte BTP is valid for five years, regardless of the number of temporary assignments, postings or successive employers within this five-year period. However, if there is a change in employer, the card information must still be updated.

### ● Is a temporary or posted employee required to have a new Carte BTP at the start of each temporary assignment or posting?

**No, unless the Carte BTP has reached the end of its five-year validity period.** Remember, for relevant temporary or posted employees, the Carte BTP is valid for five years regardless of the number of temporary assignments or postings and regardless of the number of successive employers over this period.

### ● What should be done if the Carte BTP holder is allocated to a new temporary assignment or posting?

The temporary employment agency established in France must declare the start and end dates of the new assignment, the SIREN or SIRET and the client's company name, in addition to declaring that the temporary employee has been allocated to this assignment, on the [Cartebtp.fr](http://Cartebtp.fr) website.

## CARTE BTP

The company established abroad that is posting an employee must attach the new SIPS I Preliminary Posting Declaration to the Carte BTP of the posted employee or posted temporary employee on the [Cartebtp.fr](https://cartebtp.fr) website.

### ● **What should be done if the temporary assignment or posting of a Carte BTP holder is extended?**

The temporary employment agency established in France must modify the end date of the assignment on the [Cartebtp.fr](https://cartebtp.fr) website.

The company established abroad that is posting an employee must modify the end date of the posting indicated in their preliminary posting declaration on the SIPS I website. The Carte BTP will be automatically updated.

### ● **If an employee on a temporary contract (CDD) has their contract renewed or extended based on a permanent contract within the same company, should the employer order a new Carte BTP ?**

**No, this is not required.** The employer can extend the validity of the Carte BTP belonging to an employee on a temporary contract (CDD) if they haven't changed employer and if they have successive contracts with no interruption, simply by updating the end date of the contract or, if applicable, changing the temporary contract (CDD) to a permanent contract (CDI) on the [Cartebtp.fr](https://cartebtp.fr) website.

### ● **What should be done if a Carte BTP gets damaged while in use?**

If a Carte BTP gets damaged while in use, the employer is required to return it to the address indicated on the back of the card so that it can be invalidated and destroyed. The employer must also order a new card for the employee.

### ● **What should I do if an employee loses their Carte BTP or it is stolen?**

As soon as the employer is notified of the loss or theft of an employee's Carte BTP, they must report the incident on the [Cartebtp.fr](https://cartebtp.fr) website. Once a card has been declared lost or stolen, it will be invalidated, and a new card will need to be ordered.

### ● **Can the Carte BTP holder declare that their card is lost, stolen or damaged themselves, especially when they are out of contract?**

**No, this is not possible.** Only the employer is able to declare a Carte BTP lost, stolen or damaged.

### ● **What should be done when an employee leaves?**

Once the employee's contract is terminated or at the end of the five-year validity period, the employee must return their Carte BTP to their employer.

The employer is required to return – paying postage at their own expense – the Carte BTP to CIBTP France (address on the back of the card) so that it can be destroyed, in accordance with [Article R.8294-4 of the French Labour Code](#).

Cartes BTP issued to employees are the property of CIBTP France.



## CARTE BTP

The Carte BTP becomes invalid in the following instances:

- Automatically upon the end date of a temporary contract for which the end date was entered when ordering the card and updated in the case of the temporary contract being extended
- Automatically when the five-year validity period lapses for cards belonging to temporary or posted employees
- Voluntarily by the employer for a permanent contract (resignation, dismissal, retirement, etc.) by specifying the end date of the contract on [Cartebtp.fr](https://cartebtp.fr).

## Price of the Carte BTP

[Article R.8291-3 of the French Labour Code](#) stipulates that 'the costs associated with the management of the professional identity card for construction and public works are covered by a fee', the sum of which is determined by CIBTP France and is payable by employers to which the scheme applies. The resulting funds are exclusively allocated for this purpose.

### ● What does a Carte BTP cost?

The fee levied for each Carte BTP ordered is **9.80 euros**. This price covers costs associated with the manufacture, delivery and functioning of the card, as well as the telephone helpline service. The fee is payable by the employer when placing the order.

Undeclared work and unfair competition cost companies millions of euros every year. The Carte BTP brings together all stakeholders in a strengthened scheme to combat these serious problems.

Considering that it is aimed at several types of employee groups (certain groups of employees at construction and non-construction companies, temporary employees, posted and temporary posted employees of companies established abroad), applying a fee for each card order is the most adequate way to ensure a fair contribution from all companies involved in funding the scheme.

The unit price is the same, regardless of the following:

- Company type or the country in which it is established.
- Employee status.
- The number of cards ordered.

## Presenting the Carte BTP

All relevant employees must be able to present their Carte BTP (or their provisional ID certificate) at any time on the work sites.

### ● Must employees always have their Carte BTP with them?

**Yes.** Card holders, or failing that, holders of a provisional certificate, are required to present it immediately when asked by inspection officers from state services, the primary contractor or the work site client.

## CARTE BTP

- **Can inspection officers prohibit an employee from accessing their place of work if they fail to present their card?**

**No.** Inspection officers do not have the authority to prohibit an employee from accessing their workplace if they do not present their Carte BTP (or provisional certificate).

**What are the regulations for carrying Cartes BTP on work sites?**

Aside from the legal requirement for all employees to be able to present their Carte BTP at any time in the case of an inspection, there are no specific regulations relating to how to carry the card.

- **If the employee does not present their card even though the company has fulfilled its requirements, how can the different stakeholders access the information?**

**The company** can download, via their online account, the payment receipt which is the same as an invoice proving that it has complied with its legal requirements.

**Inspection officers** can consult CIBTP France or proceed with verification via the central SI CIP file (Information system for professional ID cards for employees in the Construction and Public Works Sector), searching by requests made under the employee or employer name.

**The primary contractor** or the client must contact their co-contractor to find out the reasons for which the employee cannot present their Carte BTP.

## Management and support

CIBTP France is a not-for-profit organisation administered by entrepreneurs and construction and public works tradespersons; it manages the scheme for providing paid leave due to adverse weather for the construction and public works sector. It also facilitates and coordinates the network of the CIBTP branches. CIBTP France has been nominated to manage the technical, administrative and financial aspects of the Carte BTP ([Article R.8291-2 of the French Labour Code](#)). To find out more about CIBTP France, consult the [Cibtp.fr](http://Cibtp.fr) website.

- **Is the CIBTP branch my point of contact for the Carte BTP ?**

**No.** The scheme is entirely managed by CIBTP France via the [Cartebtp.fr](http://Cartebtp.fr) website. For any information or support, by email or by phone, companies should consult the following address: [Portail.cartebtp.fr/auth/contact-non-connectee](http://Portail.cartebtp.fr/auth/contact-non-connectee).

# Card requests

## Opening an account

Managing Cartes BTP is an entirely electronic process. To order Cartes BTP, the company is required to create an account in advance on the [Cartebtp.fr](https://cartebtp.fr) website.

### ● *How do I order Cartes BTP for employees?*

*The process is entirely electronic : Cartes BTP are ordered exclusively online. To order Cartes BTP, the company is required to create an account in advance on the [Cartebtp.fr](https://cartebtp.fr) website.*

### ● *Who has to open an account on the [Cartebtp.fr](https://cartebtp.fr) website?*

*The company must check that it falls within the scope of this scheme.*

*The account must be opened by a person **authorised** by the company (the Administrator).*

The request to open an account can also be submitted by a declaring third-party – a third party who has been appointed by the company to act in its name and on its behalf. This declaring third party, whom the company has appointed to create its account as well as to join and access the Carte BTP service via the [Cartebtp.fr](https://cartebtp.fr) website, has the same privileges as the Administrator.

*The company or the declaring third party appoints an Administrator and, if applicable, an Assistant administrator.*

*The Administrator can **create Users** to whom they delegate permissions for all or part of the Carte BTP ordering process.*

*The Administrator can do the following:*

- *Manage company details*
- *Manage multiple accounts (different companies, different organisational units) Once logged in, they have access to all of these accounts without needing to sign in specifically to each account*
- *Create and manage the authorisations of other users*
- *Enter the definitive activation code for an account, received via post, to remove the account limits for the number of cards ordered and/or the usage period*
- *Promote a user to the role of Assistant administrator*

*The configuration of User permissions on the website makes it possible to maintain the roles for approving and paying for cards ordered by the company.*

*The employer can manage its Cartes BTP via EDI (electronic data interchange), either directly or by authorising a third party.*

*The employer can supply prepayment, directly or by authorising a third party, to avoid any bank transfer delays.*

## CARTE BTP

Whether the Cartes BTP are managed by a declaring third party or not, the employer remains solely responsible for complying with the legal declaration requirement set out in [Article R.8293-1 et seq of the French Labour Code](#). In the case of non-compliance with this legal requirement, only the defaulting employer will be penalised in this context.

### ● What information is required to open an account on [Cartebtp.fr](#)?

A person that has been duly authorised by the company can open an account on [Cartebtp.fr](#) at any time. The information that needs to be provided varies depending on the company type.

#### IMPORTANT

False declarations are liable for penalties as set out in [Article 441-6 of the French Criminal Code](#) and failure to make a declaration is liable for penalties as set out in [Article L.8291-2 of the French Labour Code](#) (See the Penalties chapter, page 23).

#### 1. For a company established in France or a company not established in France

LEGAL ENTITY	INDIVIDUAL
<ul style="list-style-type: none"><li>› Company name*</li><li>› Legal status*</li><li>› SIREN or SIRET ID no.*<sup>1</sup></li><li>› Employer logo<sup>2</sup> (except for temporary employment agencies)</li><li>› Last name, first name, sex, date and place of birth of the legal representative*</li><li>› Head office address*</li><li>› Last name, first name, telephone number and email address of the account Administrator*</li></ul>	<ul style="list-style-type: none"><li>› Company name</li><li>› Legal category*</li><li>› SIREN or SIRET ID no.*<sup>1</sup></li><li>› Logo<sup>2</sup> (except for temporary employment agencies) Last name, first name, sex, date and place of birth of the legal representative*</li><li>› Legal representative contact details*</li><li>› Last name, first name, telephone number and email address of the account Administrator*</li></ul>

\* Required fields.

1. This data is available on your trade and companies register certificate (K or K bis).

2. Format: Jpeg (.jpg) only. Important: The logo will be printed on the Carte BTP in black and white.

Once the information identifying the company, the legal representative and the Carte BTP Administrator are entered, a one-time log-in link will be sent by email to the Administrator. The administrator then chooses a password enabling them to confirm the creation of the account. They will then be able to create other User accounts, declare employees and order cards.

For security reasons, a definitive activation code for the Administrator's account is sent by post to the legal representative: Until this code is entered, account usage limits are in place in terms of usage time and the number of cards ordered.

#### 2. For a company established outside France

**The steps required to order Cartes BTP are undertaken by the employer (company established outside France). The following information is used to create an account:**

## CARTE BTP

LEGAL ENTITY	INDIVIDUAL
<ul style="list-style-type: none"><li>› Company name*</li><li>› ID no. of the company on the company register in its country of establishment*</li><li>› Last name, first name, date and place of birth of the legal representative*</li><li>› Head office address*</li><li>› Last name, first name, telephone number and email address of the account Administrator*</li></ul>	<ul style="list-style-type: none"><li>› ID no. of the company on the company register in its country of establishment*</li><li>› Last name, first name, date and place of birth of the legal representative*</li><li>› Legal representative's postal address*</li><li>› Last name, first name, telephone number and email address of the account Administrator*</li></ul>

\* Required fields.

Once the information identifying the company, the legal representative and the Carte BTP Administrator are entered, a one-time log-in link will be sent by email to the Administrator. The administrator then chooses a password enabling them to confirm the creation of the account. They will then be able to create other User accounts, declare employees and order cards.

## Initiating the order

The Carte BTP must be ordered by the employer (or their authorised representative, the declaring third party). Cards are ordered exclusively online via the [Cartebtp.fr](https://cartebtp.fr) website.

### ● Who has to order the Carte BTP ?

In all cases, the employer (or their authorised representative) must order the Carte BTP.

COMPANY ESTABLISHED IN FRANCE (EXCLUDING TEA) AND COMPANY NOT ESTABLISHED IN FRANCE	TEMPORARY EMPLOYMENT AGENCY ESTABLISHED IN FRANCE AND COMPANY NOT ESTABLISHED IN FRANCE	COMPANY ESTABLISHED OUTSIDE FRANCE AND POSTING AN EMPLOYEE
<p><b>The company orders the Carte BTP</b> as the employer, for those of its employees that fall within its scope.</p>	<p><b>The agency orders the Carte BTP</b> for its relevant temporary employees – including those on temporary contracts of no fixed duration – if they are not already card holders.</p> <p><b>Reminder:</b> For temporary employees from a temporary employment agency established in France, the Carte BTP is valid for five years, even in the case of a change in employer.</p>	<p><b>The company orders the Carte BTP</b> as the employer, for its posted employees or temporary posted employees on work sites in France.</p> <p><b>Reminder:</b> For posted employees and temporary posted employees the Carte BTP is valid for five years, even in the case of a change in employer.</p>

## CARTE BTP

### ● When should the Carte BTP be ordered?

COMPANY ESTABLISHED IN FRANCE AND COMPANY NOT ESTABLISHED IN FRANCE (EXCLUDING TEA)

The Carte BTP should be ordered whenever a new employee **is hired**.

TEMPORARY EMPLOYMENT AGENCY ESTABLISHED IN FRANCE

The Carte BTP should be ordered **before the first temporary assignment** of the temporary employee, unless they already have a valid Carte BTP.

COMPANY ESTABLISHED OUTSIDE FRANCE

The Carte BTP should be ordered **after the posting declaration is completed** and before the posting, unless the employee already has a valid Carte BTP.

### ● How should employees and temporary employees (excluding posting) be declared?

**In Direct entry mode**, the company directly enters the information online on [Cartebtp.fr](http://Cartebtp.fr), employee by employee, and uploads the corresponding photos. This mode is more specifically suited to micro companies.

#### DIRECT ENTRY MODE

Enter information online on [Cartebtp.fr](http://Cartebtp.fr), employee by employee



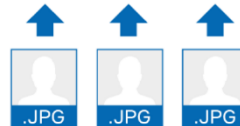
#### INFORMATION

The company enters the information online, employee by employee.



#### PHOTOS

The company uploads the corresponding photos (*JPEG format*) one by one.



**In Batch upload mode**, the company uploads two files: one containing the information needed for all of the relevant employees (CSV format) and the other containing their corresponding photos (ZIP format).

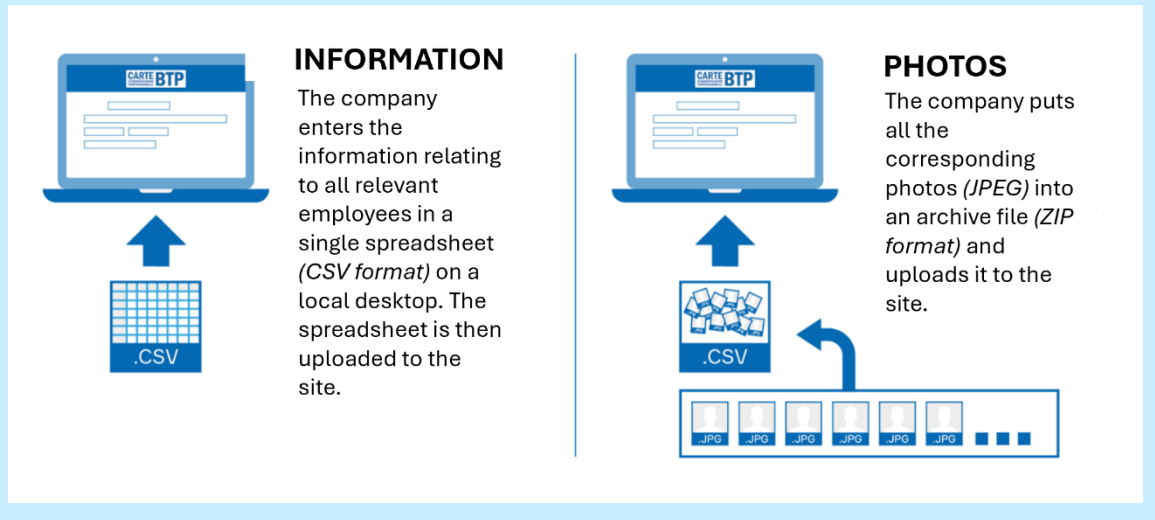
#### IMPORTANT

This mode cannot be used for posted employees. Their declaration is submitted via SIPSI.

## CARTE BTP

### BATCH UPLOAD MODE

Upload one file for all the relevant employees to [Cartebtp.fr](http://Cartebtp.fr)



In **EDI mode** (electronic data interchange), the company enables its IT system to communicate directly with the Carte BTP system, after having concluded a specific agreement with CIBTP France.

### ● How are Cartes BTP ordered for posted employees?

The foreign service provider which submits a posting declaration on SIPSI, (IT system for international service providers), orders (a) Carte(s) BTP by providing an ID photo(s) of the posted employee(s) or temporary posted employee(s) and then proceeding to payment on the [Cartebtp.fr](http://Cartebtp.fr)<sup>2</sup> website. If the posted employee or temporary posted employee already has a card, that is valid for five years (even if another company ordered and paid for it), their Carte BTP must be updated. To do this, the foreign company must indicate the number of the new preliminary posting declaration.

### ● Is it possible to order multiple cards at one time?

**Yes, this is possible.** Multiple cards can be requested as part of the same order and the user can order all or some of the cards for previously declared employees.

Employees can be declared in the following three ways:

1. One by one, by entering data on the given screen
2. By uploading files or 'Batch upload'

The company prepares two files: one containing the information needed for all the relevant employees (civil status in CSV format) and the other containing their corresponding photos (JPEG files compressed into a ZIP format).

2. This process follows the publication of [French Decree n°2016-1748 of 15 December 2016](#) authorising the automatic transfer of data copied from posting declarations submitted on the SIPSI teleservice to the SI-CIP (information system for professional ID cards for employees in the Construction and Public Works Sector) digital file.

## CARTE BTP

### NOTE

*This upload method cannot be used for posted employees. Their data must be imported from the recruitment declaration uploaded in SIPSi. The file upload method is more specifically suited to SMEs and large companies.*

### 3. By EDI (electronic data interchange)

*The company can enable its IT system to communicate with the Carte BTP system. A prior agreement must be signed with CIBTP France.*

## Information to be provided

Supplying cards requires information about the employer and the employee card holder to be transmitted, via the [Cartebtp.fr](https://cartebtp.fr) website.

### ● **What information must be provided in order to declare employees and order their Cartes BTP on Cartebtp.fr?**

Declaring employees and ordering Cartes BTP requires an account to be opened in advance on the [Cartebtp.fr](https://cartebtp.fr) website (see page 12). Once the account has been opened, the Administrator or the User responsible for ordering cards provides the necessary information for each relevant employee. The list of information is different depending on the employee type :

#### 1. For an employee of a company established in France or a company not established in France (ESEF)

##### PERMANENT EMPLOYEE

- Last name, first name(s), sex, date and place of birth
- Nationality
- Scanned ID photo
- Type of employment contract and, if applicable, expected end date of temporary contract (CDD)
- **For employees of foreign nationality:** the number of a work permit or residence permit that is accepted as permission to work (for foreigners who possess one) may be entered

##### TEMPORARY EMPLOYEE

- Last name, first name(s), sex, date and place of birth
- Nationality
- Scanned ID photo
- **For employees of foreign nationality:** the number of a work permit or residence permit that is accepted as permission to work (for foreigners who possess one) may be entered
- SIREN or SIRET, and company name of the company indicated on the contract provided to the temporary employee
- The start and end dates of the temporary assignment



# CARTE BTP

## 2. For an employee of a company established outside France

### POSTED EMPLOYEE OR TEMPORARY POSTED EMPLOYEE

- Preliminary posting declaration (PPD) number
- ID photo

### IMPORTANT

False declarations are liable for penalties as set out in [Article 441-6 of the French Criminal Code](#) (See the Penalties chapter, page 23).

### ● Is providing an ID photo of the employee a legal requirement?

**Yes.** Providing an employee ID photo is a legal requirement: This applies to all relevant employees falling under the scope of the Carte BTP.

Declaring an employee without uploading their photo will be considered an incomplete declaration and it will not be possible to order a Carte BTP. It is recommended that you collect the photos from relevant employees in advance.

### IMPORTANT

The photos must comply with the standards applicable to passport photos; otherwise, the declaration submitted will be considered non-compliant and will be rejected. The employer will therefore have to order a new card and will have to pay the fee again for the same employee.

### TIP

Gestion Carte BTP is a free mobile app created to assist employers in managing Carte BTP, and also taking and collecting photos that comply with the requirements of the [Cartebtp.fr](#) website. It is currently available on the Google Play (Android) and App Store (Apple) platforms.

### ● Is there an additional cost for adding the company logo to the Carte BTP ?

**No.** You can upload your company logo so that it can be added to your employees' Cartes BTP for free. The logo must fulfil the following specifications:

- File format: jpg
- File size: Maximum 50 ko
- Dimensions: 150 x 150 px

The personalised elements of Cartes BTP are printed in greyscale, so the logo will appear as such on the Carte.

### CLARIFICATION

**For French temporary employment agencies and companies that post employees:** As the Carte BTP is exclusively linked to the employee, it does not include the company name or the logo of the company that orders and pays for the card.

## CARTE BTP

### ● What framework applies for the collection of personal data?

The personal data collected by CIBTP France is defined and strictly governed by [Article R.8295-2 of the French Labour Code](#) and by the [French Order of 20 March 2017, related to the automatic processing of personal data from professional ID cards of BTP employees](#). CIBTP France requires the personal data it collects to fulfil its statutory purpose: the administrative, technical and financial management of Cartes BTP.

As part of the legal requirement to inform employees of personal data processing performed by the company, the employer will have to inform employees that their personal data will be sent to CIBTP France as part of the employer's legal requirement to declare workers in order to uphold its responsibility to provide them with a Carte BTP.

The information that should be communicated to the persons affected is set out in Article 14 of the [European Regulation No. 2016/679 of 27 April 2016](#) and in [Article 48 of French Law No. 78-17 of 06 January 1978 on Data Processing, Data Files and Individual Liberties, modified by the Law of 20 June 2018](#).

In practice, this information must be communicated by the employer to each employee individually, specifically by email, newsletter or by any other equivalent means.

#### FIND OUT MORE

[Information document for employees](#)

#### IF DATA IS BEING COLLECTED VIA A QUESTIONNAIRE

*When this type of data is collected via questionnaires, it is a legal requirement to indicate who the data controller is (CIBTP France), the purpose of data processing (i.e. ordering a Carte BTP) and the optional nature of the responses.*

On the other hand, the employer does not have to complete a prior declaration with the CNIL (French National Commission for Data Protection and Liberties).

## Payment

The Carte BTP is issued in return for payment of a fee, which is intended to cover the operational costs of this scheme.

### ● Do you have to pay for a Carte BTP ?

**Yes.** Employers have to pay a fixed fee per card ordered. This fee is exclusively intended to cover the costs of managing the scheme (manufacture and personalisation of cards, sorting and delivery, administrative and accounting management, etc.).

Payment must be made when ordering. Personalisation and delivery of Cartes BTP are subject to the receipt and approval of payment.

From 1 November 2020, the fee to be paid is €9.80.

## CARTE BTP

### ● What payment methods are accepted for Cartes BTP ?

There are three possible methods of electronic payment: bank card, via a secure payments module, bank transfer or by prepayment. For a prepayment, a prior agreement must be signed with CIBTP France.

#### IMPORTANT

*Payment by cheque or by direct debit is not authorised.*

### ● Is there a payment deadline for the company to pay for cards ordered?

If the Carte BTP is not paid for immediately, the order will be saved as pending. The authorised officers will be able to access this information within the scope of their inspections.

- **Payment of the fee via bank card or prepayment** when ordering immediately initiates the instruction to manufacture the Cartes BTP.

#### IMPORTANT

*Payment with a bank card via the 3D Secure system requires authentication from the card holder by means of a code sent via SMS. As such, the company will have to ensure that the person responsible for payments has access to this code.*

- **For payment by prepayment**, the payment is immediate, subject to the availability of sufficient funds in the account.
- **For payment by transfer**, this must be completed as soon as possible. The instruction to manufacture the cards will only be given when the transfer received has been effectively reconciled with the order. If the transfer is not received, the order will remain in pending payment status for a number of weeks before being cancelled. In the meantime, the company will regularly be notified that the transfer is due.

### ● Is it possible to cancel a card order after it has been paid for?

**No, this is not possible.** The payment for the Carte BTP cannot be cancelled.

## Sending and receiving cards

In the days following the receipt of payment, the cards are produced and sent by courier to the address entered when placing the order. A *Provisional ID certificate* is immediately available for download, to be distributed to employees as soon as possible.

### ● When are the cards sent?

The instruction to manufacture the ordered cards is given once the payment is successfully received. This takes place immediately in the case payment by bank card or prepayment and following the receipt of funds in the case of payment by transfer. They are then shipped by courier.

## CARTE BTP

### ● What is the Provisional ID certificate?

Once the payment has been approved and prior to receipt of the Carte BTP, the company will be able to go onto the [Cartebtp.fr](https://cartebtp.fr) website and access a provisional ID certificate in PDF format for each Carte BTP ordered. This certificate must be downloaded and sent to the relevant employees as soon as possible.

The provisional ID certificate enables employees to provide proof that they are waiting to receive their Cartes BTP.

Inspectors can scan the QR code on this certificate to verify the validity of the corresponding Carte BTP.



### ● Is it possible to email the PDF of the provisional ID certificate to employees for them to show in case of inspection?

**Yes.** It is up to the employer to determine how to distribute the Carte BTP or the provisional ID certificate to their employees. It is therefore possible to send the provisional certificate to employees by email. If they have a smartphone, the employees will be able to present the certificate to the inspector directly, without the need to print it.

### ● What should be done if the package is damaged and/or incomplete?

Similar to any other delivery, it is important to open and inspect the package containing the Cartes BTP in the presence of the carrier before signing the delivery note.

If the package turns out to be damaged and/or incomplete, the recipient must do the following:

- Refuse the package (this will then be returned to the production centre)
- Notify the Carte BTP management department by using the contact form on the website

#### IMPORTANT

*If the recipient notices that the contents of the package are damaged and/or incomplete after the delivery note has been signed, the company must invalidate the relevant cards, return them to CIBTP France to be destroyed and then reorder the Cartes BTP. The delivered order (based on the signed delivery note) is not refundable.*

### ● What should be done if, when a Carte BTP is received, it is found that it is damaged or does not match the order?

If it is found that a Carte BTP is damaged or does not match the order when it is delivered by courier or in a package, the employer must return it to the address indicated on the back of the card. It will be verified by the Carte BTP service, which will then contact the company to inform them of the terms of replacement for the relevant Carte BTP. The Provisional ID certificate will continue to be valid in the meantime.

# Inspection and penalties

## Inspection

The inspection will be carried out both by authorised inspection officers and by clients and primary contractors.

### ● **Who are the officers authorised to inspect the validity of the Carte BTP ?**

[Article R.8294-5 of the French Labour Code](#) stipulates that 'The holder of the professional ID card or the provisional certificate must present it immediately when requested by the inspection officers listed in [Article L.8271-1-2](#).'

According to the aforementioned legislation: 'The responsible inspection officers pursuant to [Article L.8271-1](#) are the following:

1. Inspection officers from the Labour Inspectorate stipulated in [Article L.8112-1](#)
2. Law enforcement officers and officials
3. Customs and tax officials
4. Certified officials, approved for this purpose, from social security organisations and agricultural social insurance mutual benefit funds
5. Administrators of maritime affairs, officers from technical and administrative bodies of maritime affairs and relevant civil servants in the departments responsible for inspection assignments in the maritime affairs sector under the authority granted by or available to the minister responsible for the sea
6. Certified civil servants of civil aviation technical bodies appointed for this purpose
7. Civil servants or state officials responsible for monitoring land transport
8. Certified officials, appointed for this purpose, from the institution mentioned in [Article L.5312-1](#), responsible for fraud prevention
9. Certified officials from the Conseil national des activités privées de sécurité (National Council for Private Security Business), appointed by their manager '

### ● **What happens in the case of an inspection?**

If it is found that the employer of any employee has failed to meet their legal requirements for declaring and providing information related to said employee, as stated in [Articles R.8293-1](#) to R.8293-4 and [R.8295-3](#) of the French Labour Code:

- ▶ **If the inspection is conducted by an inspection officer from the Labour Inspectorate**, they may send a report to the French regional director of the economy, employment, labour and solidarity (DREETS) outlining the basis on which the director may decide to issue an administrative fine pursuant to [Article L.8291-2](#), according to the conditions set out in [Articles R.8115-2](#) and R.8115-4.
- ▶ **If the inspection is conducted by an officer of the general directorate of public finances or an officer from the general directorate of customs and duties**, they will send a report to the French regional director of the economy, employment, labour and solidarity (DREETS), via the head of the authority under which they are working, for the purpose of issuing the administrative fine pursuant to [Article L.8291-2](#) ([Article R.8115-8 of the French Labour Code](#)).

## CARTE BTP

### ● What happens if an employee is inspected before having received their Carte BTP ?

A Provisional certificate is automatically generated for the period prior to receipt of the Cartes BTP ordered by the employer.

The employer is asked to download the Provisional certificate and give it to the employee as soon as possible:

- As soon as the payment is made via bank card or prepayment
- Upon receiving a notification from CIBTP France confirming that their transfer has been well received

Similarly, once the employer receives the Carte BTP, they must give it to the employee immediately.

The Provisional certificate is valid for 72 hours from the point when the Carte BTP is sent to the company. Once this period has passed, only the Carte BTP is valid.



The relevant employees must be able to present **their Provisional certificates** within the shortest possible period of time after the date they are made available on [Cartebtp.fr](http://Cartebtp.fr).

**The employer is therefore asked to download and distribute them to their employees immediately.**



Similarly, the employer must distribute the Cartes BTP immediately.

The Provisional certificates are valid for 72 hours from the point when the Cartes BTP are sent to the company. Once this period has passed, only the Cartes BTP are valid.

### ● If, during an inspection, it is found that an employee has forgotten their Carte BTP, can the employer produce the provisional certificate?

The employer can demonstrate that they have indeed ordered a Carte BTP for their employee by producing the Provisional certificate.

### ● Can clients and primary contractors verify that their subcontractors are complying with requirements?

**Yes.** Any primary contractor or client can verify that the workers of their co-contractor, direct or indirect subcontractors or their subcontractor's co-contractor have been declared and have a valid Carte BTP or Provisional certificate.

The inspection can be carried out in real time by scanning the QR code that appears on the Carte BTP or provisional certificate using any ad hoc mobile app that is freely available on Apple and Android download platforms.

The Carte BTP – and the Provisional certificate – includes a QR code that can be used to verify the validity of the card and if applicable, to verify if there is an ongoing temporary assignment or posting.

## CARTE BTP

*The Gestion Carte BTP mobile app is the recommended tool for scanning this code, as this guarantees that the result obtained definitely comes from CIBTP France. However, any QR code reader can scan this code.*

*This inspection may also be carried out using the public API offered by CIBTP France.*

## Penalties

In the case that the employer fails to meet their legal requirements for declaring and providing information related to employees, the administrative fine issued could amount to up to 4,000 euros per employee and up to 8,000 euros in the case of a repeat offence within two years of the date of notice of the first fine. The total amount of the fine cannot surpass 500,000 euros ([Article L.8291-2 of the French Labour Code](#)).

*False declarations are penalised under [Article 441-6 of the French Criminal Code](#), which stipulates the following:*

*“Unlawfully obtaining from a public administration or from an institution discharging a public service mission, by any fraudulent means, any document intended to establish a right, an identity or a capacity, or to grant an authorisation is punished by two years’ imprisonment and a fine of 30,000 euros.*

*The same penalties apply to the deliberate submission of a false or incomplete statement so as to obtain or to attempt to obtain, to have obtained or to attempt to have obtained the following from a public entity, a social security body or from an institution discharging a public service mission: an allowance, a cash payment or benefit that is not due. ’*

*Furthermore, penalties will also be incurred for impeding an inspection by the Labour Inspectorate. [Article L.8114-1 of the French Labour Code](#) stipulates the following: ‘Impeding an inspection officer from the Labour Inspectorate from discharging their duties stated in [Article L.8112-1](#) is punishable by one year’s imprisonment and a fine of 37,500 euros. ’*

## CARTE BTP

*Updated  
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*Design and production:  
CIBTP France.*

*For more information, please visit*

[Cibtp.fr/carte-btp](http://Cibtp.fr/carte-btp)

