

France

Preserving individual debtor's human dignity in distress

1. Monthly income

Adults	Single person	With 2 dependent children
Minimum wage for a full-time employee: SMIC (Salaire Minimum de Croissance)	Gross: € 1,522 Net: € 1,204	
Medium income per capita:	Gross: € 2,250 Net: € 1,797	

Poverty threshold (<i>less than 60 per cent of median income</i>)	€ 1,026€	
Minimum solidarity allowance for an adult without income: RSA (Revenu de Solidarité Active)	€ 550.93	With 1 children: € 826.40 With 2 children: € 991.68 Per additional child: € 220.37

Elderly people	Single person	Couple
Minimum pension for a former employee (full career):	€ ?	
Average pension per capita (all types of pensions): 2017 data (all pension regimes included)	€ 1,376 (gross) € 1,283 (net)	
Minimum solidarity allowance for elderly people with no or very limited pension: ASPA (Allocation de Solidarité aux Personnes Agées)	€ 868 (max)	€ 1,348 (max)

Additional information:

2. Garnishment of funds in bank accounts

Unseizable funds SBI (Solde Bancaire Insaisissable)	€ 550.93 € (single person)	
	Description	Designation
Unseizable income	<ol style="list-style-type: none"> 1. Minimum solidarity allowance 2. Supplementary allowance for low income 3. Allowances representing professional expenses 4. Compensation for accident at work (capital benefits or annuities) 5. Compensation in case of mass redundancy 6. Personalised allowance in case of limited autonomy 7. Allowance for adults with disabilities 8. Specific solidarity allowance 	<ol style="list-style-type: none"> 1. Revenu de solidarité active (RSA) pour une personne seule 2. Prime d'activité 3. Indemnités représentatives de frais professionnels 4. Indemnités en capital ou rentes pour accident de travail 5. Indemnités de départ consécutif à la situation économique de l'entreprise 6. Allocation personnalisée d'autonomie (Apa) 7. Allocation aux adultes handicapés 8. Allocation de solidarité spécifique (ASS)
Partly seizable income	<ol style="list-style-type: none"> 1. Net salary 2. Extra allowance for overtime 3. Benefits in kind 4. Daily allowances for sickness, maternity and accidents at work 5. Additional allowances paid in the event of partial unemployment, temporary part-time 6. Unemployment benefits 7. Voluntary retirement allowance 8. Return to work allowance (ARE) 9. Pensions and life annuities for invalidity 10. Pensions including survivors' pensions 11. Seniors' solidarity allowance (ASPA) <p>Family benefits can only be seized in certain cases and in particular for the payment of certain claims.</p>	<ol style="list-style-type: none"> 1. Salaire net 2. Majorations de salaire pour heures supplémentaires 3. Avantages en nature 4. Indemnités journalières de maladie, de maternité et d'accident du travail 5. Allocations complémentaires servies en cas de réduction d'horaire (chômage partiel, passage temporaire à mi-temps) 6. Indemnités de chômage 7. Indemnité de départ volontaire à la retraite 8. Allocation de retour à l'emploi (ARE) 9. Pensions et rentes viagères d'invalidité 10. Pensions de retraite et pensions de réversion 11. Allocation de solidarité aux personnes âgées (ASPA) <p>Les prestations familiales peuvent être saisies seulement dans certains cas et notamment pour le paiement de certaines créances.</p>
Income that can be fully seized	Amounts paid for profit-sharing or staff incentives	Sommes versées au titre de la participation ou de l'intéressement

3. Seizures on wages and from third parties

Unseizable amount	€ 550.93 (single person)			
Seizable amounts (single person)	Income range	Monthly income	Percentage portion that can be seized	Maximum amount that can be seized per month
	1	<= € 319.17	1/20	€ 15.96
	2	From € 319.17 to € 623.33	1/10	€ 46.38
	3	From € 623.33 to € 929.17	1/5	€ 107.54€
	4	From € 929.17 to € 1,233.33	1/4	€ 183.58
	5	From € 1,233.33 to € 1,537.50	1/3	€ 284.97
	6	From € 1,537.50 to € 1,847.50	2/3	€ 491.64
	7	> € 1,847.50	100 %	€ 491.64 + all amounts in excess of € 1,847.50

Additional information:

These thresholds are increased by € 122.50 per month (i.e. € 1,470 per year) and per dependent, upon presentation of receipts.

The dependents, who must live with the debtor, are the spouse, the 'PACS' partner or the cohabiting partner, the dependent children and the ascendant whose resources are less than € 550.93.

4. Additional rules for the protection of debtors

As part of an amicable debt mediation procedure or of a personal bankruptcy procedure, some additional protection rules exist in some countries, such as:

- The freezing of the recovery costs and default interest;
- The freezing of recovery procedures (made by registered mail or through a bailiff);
- The possibility for the debt advisor or the judge to lower or increase the protected amounts;
- The possibility of choosing other methods or calculation rules to determine the remaining income.

If similar rules exist in your country, it would be very useful to describe them.