



Good to know.

Bankruptcy of Lehman Brothers, 10 years ago

Almost ten years ago, on 15 September to be exact, the CEO of the American bank Lehman Brothers announced the biggest bankruptcy in the history of the United States. With \$639 billion in assets, nearly \$619 billion in debt and 25,000 employees worldwide, Lehman Brothers was the fourth largest investment bank in the United States. The media failure of this financial institution, driven by the subprime crisis, will mark the beginning of a global economic crisis.

Agenda

12/09/2018:

Taxable persons liable for VAT carrying out intra-Community transactions: Trade of Goods Declaration and European Services Declaration for August transactions to be filed with Customs..

17/09/2018:

Payment of the corporate tax.

Payment of the 50% installement of the Cotisation sur la Valeur Ajoutée (calculated on the CVAE N-1), If tax was owned in the year N-1.

Employers subject to payroll taxes : Payment of the tax on august salaries.

Reminder

Subcontracting: the obligations of the contractor

In case you call on a subcontractor, you must obtain from them:
 - a registration certificate (Kbis extract or card from the trades directory);
 - a certificate of vigilance of less than 6 months issued by the URSSAF (this document attests to compliance with the subcontractor's obligations to declare and pay social security contributions).

You must ensure that the certificates provided by the **subcontractor are valid**, first at the beginning of the contract and then every 6 months. The authenticity of the documents can be verified on the URSSAF website and on the Infogreffe website.

In the event of failure to comply with your duty, **you may be prosecuted and ordered jointly and severally to pay your subcontractor's taxes, duties, social security contributions, remuneration and other charges.**

New

The Law for a "State at the service of a trusted society": what will it change for you?

Adopted in mid-summer 2018, the Law for a State at the Service of a Trusted Society (known as the ESSOC Law) is a reform that is as discreet as it is full of promise. This new law aims to facilitate relations between the public and the administration by establishing a relationship of trust. Here are the key measures of this law:

- **Introduction of a right to error for all (individuals and companies):**

This right is presented as the possibility for the user in to make a mistake in his declarations without risking a sanction from the first breach. However, the sanction may be imposed in cases of bad faith or fraud. Any person who has deliberately disregarded a rule applicable to his situation is considered to be acting in bad faith. In the event of a dispute, the burden of proof of bad faith and fraud lies with the administration.

In tax matters, if an error in good faith in the context of an audit is detected, interest on late payment will be reduced by 30%. If it is the user who rectifies his error by himself, the interest will be reduced by 50%.

- **Hierarchical appeal possible for document controls**

In the event of disagreements or difficulties encountered during an audit, the taxpayer may request the main inspector, then in the event of failure of the negotiations, the departmental interlocutor. This possibility of appeal has now been extended to controls carried out "on documents". On the other hand, taxpayers who are the subject of a tax or ex officio evaluation procedure are always excluded from the benefit of this hierarchical appeal..

- **Extended powers of the Departmental Committee on Direct Taxes**

In the same vein, where disagreement persists on the notified corrections, the administration, if the taxpayer so requests, submits the dispute to the opinion of the commission des impôts directs et des taxes sur le chiffre d'affaires provided for in Article 1651 of the CGI. The ESSOC law has just extended the scope of this Commission's powers in the event of disagreement on depreciation and provisions.

- **News for the real estate construction sector**

The ESSOC law simplifies certain standards and procedures in the field of urban planning and environmental law. The text aims to move from an obligation of means to an obligation of results in order to facilitate the implementation of construction projects. According to Bercy, a "permit to do" may set acoustic performance objectives or maximum pollutant concentrations in ambient air, but without specifying the procedures to be implemented by companies in the sector. According to Minister Gérald Darmanin, too many and too precise rules "prevent innovation in construction. By keeping only the objective, only the result, we release the energies, we completely transform the logic of the process...".

