

# **FRANCE** NATIONAL CONTACT POINT

### How the French NCP Handles a Specific Instance (« SI »)

Step 1 Step 2 Step 3 Step 4 **Good Offices &** Conclusion **Initial Assessment** Follow Up Examination Formal admissibility The NCP offers a plat-The NCP closes the SI The NCP assesses if formal and prepares it decision form for dialogue to the criteria for admissibility are recommendations parties to resolve the SI The NCP consults the parties on its draft de-Consultation of the NCP Transi-

# **Initial Assessment**

tion to initial assessment

NO Referral is rejected

The NCP determines whether the issues raised merit further consideration and whether if it can contribute to the resolution of issues raised.

YES Transition to step 2

NO Closure of the SI and transition to step 3

NCP STATEMENT

Communicating admissibility or rejection of the referral

- with the parties: separate hearings of the parties by the NCP, caucus, meetings and exchanges with the NCP, etc.
  - Sharing of information between the parties and the NCP.
- If applicable: coordination with the relevant NCP (s), possible use an expert survey.
- The NCP may propose to the parties to enter into mediation.
- The NCP examines the questions raised about the effectiveness of the OECD Guidelines in the present case.

- cision prior to its adoption and prior to the publication.
- The NCP may determine compliance with the OECD Guidelines. It can make recommendations and decide to follow up on them.

The NCP publishes its decision in the form of:

**♦ NCP REPORT** when there is an agreement

#### • NCP STATEMENT:

In the absence of agreement between the parties; If a party refuses to participate in the process; If the referral does not justify further scrutiny.

The NCP reserves the possibility of communicating during the examination of the SI subject to the confidentiality obligations (art. 36).

The NCP can follow up the SI and its

- Meetings with the parties (caucus, joint meetings).
- Exchange of information with the NCP.
- If applicable: coordination with the relevant NCP (s)
- If applicable: recourse to expert survey, meeting with other stakeholders.
- The NCP consults the parties on its draft decision prior to its adoption and publication.

♦ FOLLOW UP **STATEMENT** 

3 months

12 months

## To Know More About The French NCP Procedure:

- Bylaws of the French NCP, 5 February 2019
- Guidance note « WHAT DOES THE INITIAL ASSESSMENT OF A SPECIFIC INSTANCE **MEAN** ?(April 2014) »

EN https://www.tresor.economie.gouv.fr/Ressources/File/437216

- Guidance note « FICHE EXPLICATIVE DE LA PROCÉDURE DE SAISINE (June 2017) », (FR http://www.tresor.economie.gouv.fr/File/437213)
- Website if the French NCP www.PCN-France.fr
- Regular updates of the activities of the French NCP since December 2017: **#PCN-France** (a) Trésor-Info