

REGISTRATION APPLICATION FORM WITH THE ENIM - SEAMAN EMPLOYED ON BOARD



A VESSEL FLYING THE FLAG OF A THIRD STATE (*outside the EU/EEA or a state party to an international agreement*) RESIDING ON A CONTINUOUS AND LEGAL BASIS IN FRANCE, IN OVERSEAS DEPARTMENTS OR IN THE TERRITORIES OF SAINT-BARTHÉLEMY, SAINT-MARTIN AND SAINT-PIERRE-ET-MIQUELON.

REGISTRATION APPLICATION FORM

related to a seaman's affiliation to the seamen's social security system, residing in France, in overseas departments or in the territories of Saint-Barthélemy, Saint-Martin and Saint-Pierre-et-Miquelon on board a vessel which flies the flag of a third State (*outside the EU/EEA or signatory State*)

- Article L. 5551-1 of the French Transportation Code;
- Article 31 of the French law 2015-1702 dated 21 December 2015 of the Social Security Financing Act for 2016;
- Decree n° 2017-307 dated 9 March 2017 related to the affiliation of seamen residing in France and employed on a vessel which flies the flag of a foreign State, mentioned in Article L. 5551-1 of the French Transportation Code, to schemes operated by the ENIM (Etablissement National des Invalides de la Marine);
- Decision of 28 March 2017 laying down the procedures for collecting all social tax and contributions for the seamen residing in France and employed on a vessel flying the flag of a foreign State and not subject to the social security legislation of a foreign State according to the EU regulations or an international social security agreement.

TO BE COMPLETED BY THE EMPLOYER AND TO BE SENT TO THE CCMA (ENIM'S CONTRIBUTION COLLECTION OFFICE)

Information about the employer

Name or corporate name: _____

Registered head office address: _____

City: _____ Postcode: Country: _____

Email: _____ Telephone:

Registration number with the local authorities: _____

Name of legal representative and address in France (*if existing*): _____

Name of employer and address: _____

Information about the vessel

Name of vessel: _____ Flag of vessel: _____

IMO number (*for vessels of 100 tonnage and above*): _____

Vessel type: _____ Type of navigation: _____

Gross tonnage: _____ Length: _____

Propulsive power: _____ Deadweight (*Load carrying capacity*): _____

Shipowner's name and address: _____

Information about the seaman

Name and Surname: _____

Date of birth: _____

Seaman's number (*given by the French administration*):

Nationality: _____ E-mail: _____

Main residence address: _____

City: _____ Postcode: Country: _____

INSEE number:

Valid maritime academic title: _____

Start date of employment: / /

End date of employment (*in case of fixed-term contract*): / /

Position and corresponding categorical classification (*issued by the French authority*): _____

DOCUMENTS TO SUBMIT TO THE CCMA

- | | |
|--|--|
| <input type="radio"/> Proof of the seaman's home address in France
(<i>4 monthly bills at the adress</i>) | <input type="radio"/> Employment contract |
| <input type="radio"/> Guarantee commitment form
or bank guarantee form (<i>if needed</i>) | <input type="radio"/> Declaration of services
(<i>monthly provided</i>) |
| <input type="radio"/> Copy of seafarer medical certificate | <input type="radio"/> Certificate of registry |

EMPLOYER'S COMMITMENT

I, (name and surname)

agree to:

- Pay to the ENIM (*Etablissement National des Invalides de la Marine*) the contributions and tax to be paid by employers under laws or regulations relating to social security for seamen;
- Comply, as regards seamen, with the rules regarding the employer's obligations in case of accident, or illness or repatriation of a seaman (*Articles L. 5542-21 to L. 5542-33 of the French Transportation Code*).

Signed in _____, on _____

Position of signatory: _____

Signature

Employer's stamp

TO BE SENT TO:

ENIM

Centre des cotisations des marins et des armateurs

Arsenal de la marine – BP 125
35 407 Saint-Malo Cedex

ccma.sdpo@enim.eu

Shall be considered as undeclared work by concealment of paid employment under Article L-8221-5 of the French Labour Code the fact for an employer to deliberately disguise an employment relationship under the form of a service contract with the intention of evading tax and social security obligations. Undeclared work is punished by a 3-year prison term and a 45,000 Euros fine.

Information entered into this form will be processed and used by the ENIM only. According to the Data Protection Act of January 6th, 1978, you have at any time, a right of access to and rectification of all of your personal data.

ACCOMPANYING NOTE OF THE REGISTRATION APPLICATION FORM

Pursuant to Article L. 5551-1 2° of the French Transportation Code “*The seafarers that pursue any activity related to the operation of vessels under Article L.5511-1 (...) in accordance with the Maritime Labour Convention, adopted on 23 February 2006 in Geneva, who are employed on a vessel which flies the flag of a foreign State other than a vessel referred to in Article L.5561-1 and who reside in France on a continuous and legal basis, must be affiliated to the pension insurance scheme for seafarers, provided that they are not subject to the social security legislation of a foreign State under the EU regulations or an international social security agreement.*”

You must complete this registration application form in order to employ a professional seaman on board a vessel which flies the flag of a third State, outside the European Union, the European Economic Area, Switzerland or any State with which France has a bilateral social security agreement, in so far as that person is residing on a continuous and legal basis in France, in overseas departments or in the territories of Saint-Barthélemy, Saint Martin and Saint Pierre-et-Miquelon.

This form must be sent to the ENIM’s contribution collection office (CCMA). Ensure that all fields are duly completed. After the application is processed, CCMA will confirm the affiliation to the special social security system for seamen.

You must report the services by submitting a monthly electronic report form no later than the 25th of the calendar month following the month when the services were performed. A quarterly collection document will then be issued that states all tax and contributions due.

Regulatory References

Classification: The seaman employed on a vessel that flies the flag of a foreign State and who is affiliated to the special social security system for seamen, has his salary classified under such flat-rate category, in line with the tasks performed and the vessel’s characteristics, that would be his if the vessel flew the French flag. However, that category can under no circumstances be higher than the one the seaman could legally be entitled to in a French vessel, in view of his qualifications (*Article 4 and 7 of decree 79-934, modified on 2 November 1979*).

Shipowner: Definition in Article L. 5511-1 1° and 2° of the French Transportation Code.

Seaman: Definition in Article L. 5511-1 3° and 4° of the French Transportation Code

Continuous and legal residence: Means the place where a person habitually resides (*permanent accommodation, tax residence, etc.*)

Company’s head office: Indicated in the Commercial Register (*KBIS extract official document demonstrating the legal existence of a commercial enterprise*).