

BRANCH OFFICE (REGISTERED OFFICE IN A FOREIGN COUNTRY)

Prior to registering your company at the Trade and Companies Register (“Registre du Commerce et des Sociétés” or “RCS”), some formalities must be complied with. Documentary evidence will be required in order to complete your registration file.

NB : Submitting a file to apply for registration to the Trade and Companies Register.

The complete file must be brought :

Either to the centre for administrative formalities (“Centre de Formalités des Entreprises”).

Either directly at the registry office (“le greffe”) of the commercial court, pursuant to article R123-5 of the Commercial Code (the “article 3” procedure of decree n° 96-650 of July, 19 1996).

Preliminary procedures before registering at the Trade and Companies Register (“RCS” or “Registre du Commerce et des Sociétés”)

Exercising a regulated activity :

If your company exercises a regulated activity (sale of alcoholic beverages, optician, transportation of goods and passengers, etc.), check that you fulfill the conditions required for this y (diploma, personal qualifications, etc.) in order to obtain the agreement, or the necessary authorisation to be registered with the RCS.

For further information, contact :

- the professional organizations and associations
- the services of the Préfecture de Paris
- the administrative supervisory authorities (e.g. for transportation, you should refer to DREIF - Direction Régionale de l’Équipement d’Île de France)

Domiciliation : your official business address

You will have to bring evidence to the registry office (“le greffe”) of the regular occupancy of the company’s head office by any means, such as copy of the commercial lease, the contract with a domiciliation company, recent electric bill (EDF) or telephone receipts, etc.

A company is authorized to locate its registered office at the domicile of its legal representative and to conduct business there for an unlimited period of time barring any legislative provisions or contractual stipulations to the contrary. When the company is subject to such legislative provisions or contractual stipulations, its registered office may be located at its legal representative’s domicile for a period which shall not exceed five years from the date of its registration nor shall it exceed the legal, contractual or judicial term of occupation of the premises. (L123-11-1 of the Commercial Code)

To domicile your company, you may also contact a domiciliation company or business incubators (“pépinière d’entreprise”).

Documents to include in your file for your registration at the Trade and Companies Register ("RCS")

Acts and documents to produce in appendix to the RCS

- One copy of the memorandum and articles of association of the company in force at the time of the application, translated, if need be, into French language and certified true by the responsible of the branch office

Written proofs to enclose with your file

- a duly completed and signed M0 application form. One original copy shall be brought at the Registry and one copy at the Centre for administrative formalities ("Centre de formalité des entreprises" or CFE).
- An original extract of the document attesting the registration of the company with a foreign register dating from less than three months and translated in French if need be.
- An original proxy from the manager of the branch office if he has not personally signed the M0 application form.
- Evidence of the regular occupancy of the company's head office such as a copy of the commercial lease, a contract with the domiciliation company, a recent electric bill (EDF) or telephone receipts, etc. *It is very important for your company to clearly identify your company's address in order for the Registry to be able to mail the certificate of incorporation (Kbis extracts) to you when there is a formality to fulfil or for your partners to contact you. If your company's head office is located at your legal representative's home address you have to clearly state the name of your company on your mail box and make sure you have fulfilled all the necessary formalities with the post office for the follow-up of your company's mail*
- If the activity declared is regulated, send a copy of the authorisation delivered by the regulatory authorities ("l'autorité de tutelle"), a copy of the diploma or title.

For the manager in France

- A copy of an ID : a copy of a passport or of a national identity card, or a double-sided copy of an unexpired residence permit. The status mentioned on the residence permit must enable its bearer to register at the Trade and Companies Register.
- Foreign citizens who do not live in France or in a member state of the European Union must provide among other things a copy of the receipt of the declaration made to the "préfet" of the department in which the trader wants to exercise his/her craft or commercial business, depending on the person's nationality.

[Click here for further details.](#)

- A sworn statement, dated and signed by the person concerned, indicating that you have no criminal record. The judge appointed by the president of the commercial court to supervise the RCS will scrutinize this statement later.
- A certificate indicating the names and first names of the parents, unless this information appears in another document which has already been produced.