

The Bad Cheque Central Database

→ The Bad Cheque Central Database (FCC) is maintained by Banque de France although the information it contains is supplied by the different banks.

→ It maintains information on:

- Individuals banned from carrying chequebooks because they issued bad cheques and failed to pay up;
- Individuals whose debit and credit cards were cancelled by their banks on grounds of misuse;
- Individuals banned by court orders from issuing cheques.

→ The database may be consulted by:

- Banks, which are required by law to do so, before issuing chequebooks to customers. They may also consult it before making loans or issuing debit or credit cards;
- Individuals desirous to know if they are listed in the database or wishing to know the specific information it contains concerning them. Such individuals would be exercising their right of access to the database.

Two options if you wish to consult the database:

- You could go in person to the Banque de France or any of its outreach offices. Be sure to have a valid official id card on you; Or
- You could write to the following address:

**Banque de France FCC
86067 POITIERS CEDEX 9**

Do remember to include a back and front photocopy of your id card with your letter. Expect your reply by mail.

You will be able to obtain the following information:

- Name and address of the bank that filed the report;
- Type of entry: ban from issuing cheques, debit or credit card cancellation;
- Date entry was made in the FCC database.

For further information go to www.banque-france.fr

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The following information is intended for private individuals



The Bad Cheque Central Database

*Why am I listed in the database?
How do I get my name removed from it?*

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Why is my name in the Bad Cheque Central Database?

In most cases, this will be because you issued a bad cheque at some point.

What happens when I issue a bad cheque?

- Your bank will normally first contact you using the contact information you provided it.
- If you fail to take steps immediately to settle your creditors, it will make an entry concerning you in the database as required by the law.
- It will also simultaneously send you a letter under registered cover to warn you that you have been banned from carrying a chequebook as well as to request you to take steps to settle your creditors.
- From this point on you may no longer issue a cheque.

What can I do to get my name removed from the database?

Your name will be removed from the database as soon as you settle your debt to your creditors, that is:

- You settle all the bad cheques that you issued; AND
- You pay any and all penalties imposed on you for issuing bad cheques.

You can work at fixing your problems during the entire period you are forbidden from carrying a chequebook. Only your bank can initiate a request for your name to be removed from the database.

How can I settle a bad cheque previously issued?

You have 3 options:

- You could pay money into your account and have the payee of the cheque pay it in again at their bank;
- You could also pay the payee cash and withdraw the bad cheque. As proof that the problem has been resolved, you would then have to present the cheque to your bank;
- Finally, you could pay the amount of the bad cheque to your bank and have it freeze it in your account for a period of one year.

“To be banned from carrying a chequebook” means

- You may no longer issue cheques and that you must return any chequebooks in your possession to the issuing banks.
- You have been listed in the Bad Cheque Central Database and the National Database (FCC) of Bad Cheque Issuers (FNCI) accessible to businesses.

The ban remains in place until you have sorted out all the problems—and for a maximum of 5 years.

Do I have to pay any penalties?

- Normally you are required to pay a penalty to the Trésor Public for every bad cheque you issue. The penalty is calculated based on the amount involved in the bad cheque but may not be less than 5 Euros.
 - The penalty is doubled if you have been involved in 3 bad cheque cases within the last 12 months.
- Penalties are paid by means of fiscal stamps.
- You will normally not pay a penalty to the Trésor Public if:
 - you settled all your bad cheques within 2 months of receiving your bank's notification letter sent under registered cover; AND
 - if you did not issue any further bad cheques during the following 12 months.
 - **NB:** Your bank also reserves the right to bill you for the cost of processing your bad cheques.

Can I be listed in the Bad Cheque Central Database for any other reason?

- Yes, if your bank cancels your debit and credit cards on grounds of misuse. In this case, your name will remain in the database for a period of 2 years. You would normally still have the right to issue cheques in this case. Only the bank that had you listed in the first place can request the cancellation of the listing.
- Yes, if you have been banned by a court order from issuing cheques. In this case, your name will remain in the database for a period of 2 to 5 years as the court sees fit.