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Payment periods between professionals and late payment penalties

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In principle, the payment period is 30 days from the receipt of the goods or the performance of the services. The duration of this period may vary depending on the nature of the goods sold. Professionals may decide to extend this period in their contracts.

What is a payment term?

The payment period is the period within which it is possible to pay for the goods or services acquired.

The terms of payment are negotiated in contracts between professionals. The payment period must be indicated on the invoice (<https://entreprendre.service-public.gouv.fr/vosdroits/F23208?lang=en>) and in the general terms and conditions of sale (GTC) (<https://entreprendre.service-public.gouv.fr/vosdroits/F33527?lang=en>).

This delay may go **up to 60 days** after the invoice has been issued, the provision of services or the delivery of goods as agreed by the professionals.

Where the supplier and the buyer have not agreed together on a payment period during their negotiation, the default period shall be **30 days** from the receipt of the goods or the performance of the services. However, they may agree on another time limit:

- The time limit may be **less than 30 days** (e.g. cash payment at the time of delivery or performance of services).
- The time limit may be **negotiated** :
 - **45 days end of month** from the date the invoice was issued. This must be stated in the contract and not constitute an abuse of the supplier.
 - In case of recurring invoice, the period agreed between the supplier and the buyer shall not exceed **45 days from the date the invoice was issued**.
 - **60 days** from the date the invoice was issued. This must be indicated in the GTC through a clause or agreed between the 2 professionals.
 - For sales of goods intended for delivery outside the European Union carried out by a professional in exemption from VAT (<https://entreprendre.service-public.gouv.fr/vosdroits/F21746?lang=en>), the time limit **must not exceed 90 days from the date of issue of the invoice**. This must be stated in the contract and not constitute an abuse of the supplier.

The supplier and the purchaser of the same sector may agree that the date of departure of the payment period is the date of receipt of the goods or the date of performance of the provision of services.

FYI

When the payment deadline is not respected by the professional customer, late penalties and collection fees are applied.

How can deadlines be negotiated?

Professionals are free to **choose** between a **45 days end of month** or **60 days**. However, this must be specified in the general terms and conditions of sale (GTC) of the seller or in a contract concluded between the seller and the buyer.

The starting date of the deadline must also be indicated. When the chosen time limit is 45 days at the end of the month, 2 calculation methods are possible:

- End of the month in which the invoice was issued plus 45 days
- End of the month you fall on after adding a 45-day delay to the date you issue the invoice

Example :

An invoice is issued on January 15, 2025. If a payment period of 45 days at the end of the month is chosen, the period will end on a different date depending on the calculation method applied:

1. End of the month in which the invoice was issued plus 45 days :

We add 45 days from January 31, 2025, the buyer has until **March 16, 2025** to pay the supplier.

2. End of the month to which the invoice is due after adding a period of 45 days to the date of issue of the invoice :

There are 45 days from January 15, 2025, we come across the 1^{er} March 2025. The buyer therefore has until **1^{er} March 2025** to pay the supplier.

The buyer and the supplier must first **agree on the method** calculation used to avoid confusion.

FYI

In the case of recurring invoices, the maximum time limit shall be **45 days from the date of invoice issue**.

In some cases, professionals may decide to **establish an acceptance or verification procedure** to certify the conformity of goods or services. The duration of this procedure **must not exceed 30 days** from the receipt of the goods or the performance of the services. This period may be extended if this is provided for in the contract and it does not constitute an abuse for the supplier or the buyer.

This acceptance or verification procedure may not change either the duration of the payment period or the starting point of the period unless this has been provided for in the contract and it does not constitute an abuse vis-à-vis the supplier or the buyer.

Depending on the sector of activity, payment periods may be shorter or longer than the traditional payment period.

Food and beverage products

The payment period varies depending on the type of food or drink sold.

Tableau - Specific payment deadlines

Type of food	Payment term
Perishable agricultural products Perishable food products Frozen or frozen meat Frozen fish Cooked dishes	<ul style="list-style-type: none">• 30 days from delivery• In case of recurring billing:<ul style="list-style-type: none">• 30 days after the end of the decade• For seasonal fruits and vegetables: 30 days from the end of the month of delivery
Live cattle and fresh meat for consumption	<ul style="list-style-type: none">• 20 days from delivery date
Alcohol subject to consumption duties (e.g. armagnac, cognac, brandy, gin, rum, vodka)	<ul style="list-style-type: none">• 30 days from the end of the month of delivery
Non-perishable agricultural and food products	<ul style="list-style-type: none">• If the invoice is made by the supplier: 60 days from the date of issue of the invoice• If the invoice is made by the buyer: 60 days from the date of drawing up the invoice

Transport

The payment period may not exceed **30 days from the issue of the invoice** in the following sectors:

- Car rental with or without driver
- Road freight transport
- Freight forwarder
- Freight Forwarder
- Shipping Agent
- Air Cargo
- Freight Broker and Customs Broker

Please note

The types of transport that are not mentioned above follow the traditional rules of payment terms.

Agro-equipment

Sales between agro-equipment manufacturers, manufacturers and importers and specialist and repair companies are subject to specific payment deadlines:

- For equipment for the maintenance of green spaces: **55 days end of month** from the date of issue of the invoice
- For agricultural equipment (excl. tractors and transport and livestock equipment): **110 days end of month** from the date the invoice is resigned

Please note

Sales that are not mentioned above follow the classic rules of payment terms.

Sports equipment for gliding on snow

This concerns sales made before the opening of the winter sports season between suppliers and companies whose activity is exclusively or almost exclusively seasonal.

The time limit is **90 days from the date of issue of the invoice for the payment of the balance** invoices made before the season opens.

Please note

Sales that are not mentioned above follow the classic rules of payment terms.

Leather industry

Sales between suppliers and distributors specializing in the leather sector are subject to a payment period of **54 days end of month** from the date of issue of the invoice.

Please note

Sales that are not mentioned above follow the classic rules of payment terms.

Watchmaking, jewelry, jewelry and goldsmithing

Sales between suppliers, manufacturers, importers or wholesalers and specialized distributors shall be subject to one of the following deadlines:

- For invoices issued during the period from January to September inclusive: **95 days net** from the date of issue of the invoice.
- For invoices issued during the period from October to December inclusive: **75 days net** from the date of issue of the invoice.

Please note

Sales that are not mentioned above follow the classic rules of payment terms.

Toys

Sales between manufacturers and distributors are subject to one of the following deadlines depending on the billing period:

- **59 days end of month** from the date of issue of the invoice.
- **74 days net** after the date of resignation of the invoice.

Please note

Sales that are not mentioned above follow the classic rules of payment terms.

What are the consequences of late payment? ^

In the event of late payment, the buyer is exposed to **late penalties** and to one **lump sum compensation for recovery costs** to be paid to the supplier.

Calculation of late penalties

Late penalties and conditions of application must be indicated in the general terms and conditions of sale (GTC) (<https://entreprendre.service-public.gouv.fr/vosdroits/F33527?lang=en>) of the supplier.

The **late penalties** are a financial penalty that applies for each day of late payment. They are calculated from the day after the payment date indicated on the invoice date.

Delay penalties may not be less than **3 times the legal interest rate**, which corresponds to **8.28%**. The Commercial Code recommends using the European Central Bank (ECB) key interest rate as the rate for late payment penalties **increased by 10 points**.

Warning

The key rates of the European Central Bank (ECB) do not move at half-yearly rates: they can be changed at any time depending on monetary policy decisions.

To calculate the late penalties, we use **the ECB refinancing rate (or refi rate) in force on two fixed dates** :

- on 1^{er} January to determine the rate applicable to 1^{er} semester
- on 1^{er} July to determine the rate applicable to the second half of the year

This refinancing rate is then **increased by 10 points**.

Thus:

- for the 1^{er} half-year 2025, the refinancing rate in effect at 1^{er} January was **3.15%**, which leads to a penalty rate of **13.15%**
- for the 2^e half-year 2025, the refinancing rate in effect at 1^{er} July was from **2.15%**, which leads to a penalty rate of **12.15%**
- for the 1^{er} half-year 2026, the refinancing rate in effect at 1^{er} January is **2.15%** (unchanged from 2^e semester 2025), which leads to a penalty rate of **12.15%**

FYI

Late payment penalties can be applied without having to make a payment reminder or without having to send formal notice.

Flat-rate recovery allowance

One **lump sum compensation for recovery costs** is also applied. Its amount is equal to **€40**. This compensation must be mentioned in the supplier's general terms and conditions of sale (GTC) and on the invoices it issues.

It applies to every invoice that has not been paid on time. On the other hand, it applies **only once** and not every day we're late.

It can only be applied to commercial acts (e.g. buy-resale). However, it does not apply to commercial leases and rent-to-own leases.

Where the collection fee is greater than the amount of the indemnity, then the supplier may request a **additional compensation** on supporting documents. This must not be mentioned on invoices and GTC.

Compensation is not subject to the VAT.

FYI

The lump sum compensation is payable even in the event of **partial payment** of the invoice.

What are the penalties for non-compliance? ^

The company who does not **does not comply with any of the following rules** shall be liable to an administrative fine:

- Expected payment terms between supplier and buyer
- Mention of late payment penalties and lump sum compensation in the general terms and conditions of sale (GTC)
- Late payment penalty rates and non-compliant payment terms agreed between the parties
- Methods for calculating and evaluating payment periods

The company shall be liable to one of the following penalties:

- For one {circumflex over (E)}: **€75,000**. This amount shall be increased to **€150,000** in the case of repeated infringement within 2 years from the date on which the 1^{re} the penalty has become final
- For a business: **€2 million**. This amount shall be increased to **€4 million** in the case of repeated infringement within 2 years from the date on which the 1^{re} the penalty has become final

Statute and miscellaneous references

Commercial code: articles L441-10 to L441-16 (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000038411055?lang=en>)

Payment terms and administrative penalty

Commercial code: articles L470-1 to L470-2 (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000034164276?lang=en>)

Penalties

General Tax Code: Articles 275 to 277 A (<https://www.legifrance.gouv.fr/codes/id/LEGISCTA000006179653?lang=en>)

Payment period VAT-free purchases

Order of 17 December 2024 on the setting of the legal interest rate

(<https://www.legifrance.gouv.fr/jorf/id/JORFTEXT000050793726?lang=en>)

FAQ

What is legal interest? (<https://www.service-public.gouv.fr/particuliers/vosdroits/F20688?lang=en>)

Additional topics

General Terms and Conditions (GTC) (<https://entreprendre.service-public.gouv.fr/vosdroits/F33527?lang=en>)

All about billing (<https://entreprendre.service-public.gouv.fr/vosdroits/F23208?lang=en>)

Exemption based on VAT (<https://entreprendre.service-public.gouv.fr/vosdroits/F21746?lang=en>)

European Central Bank (ECB) policy (or refinancing) rates (<https://www.euribor-rates.eu/fr/taux-bce/?lang=en>)

Banque de France

What are the payment terms between companies?

(<https://www.economie.gouv.fr/cedef/delais-de-paiement-entre-entreprises?lang=en>)

Ministry of Finance