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Interest rates



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European Judicial Network
(in civil and commercial
matters)

1 Is "statutory interest" provided for in the Member State? If so, how is "statutory interest" defined in this Member State?

Interest at the statutory rate is compensation for damages due on account of a 'delay in the payment of a sum of money' (Article [1231-6](#) of the Civil Code. The parties may agree otherwise by means of a clause in the contract.

The statutory rate is set in accordance with the conditions laid down by law.

Moreover, in all matters, an order for damages is automatically subject to interest at the statutory rate (Article [1231-7](#) of the Civil Code).

2 If yes, what is the amount/rate and legal basis for it? If different rates of statutory interest are provided for, what circumstances and conditions apply?

The Minister responsible for the economy sets the statutory rate of interest every 6 months. It is calculated on the basis of the European Central Bank's key policy rate on its main refinancing operations and the rates charged by credit institutions and finance companies.

There are two rates of statutory interest:

- the rate applicable to a creditor who is a natural person not acting in the course of a business. That rate takes into account the average effective rates for personal credit (Article [L. 313-2](#) of the Monetary and Financial Code).
- the rate applicable in all other cases (in particular where the creditor is a business).

3 Is there free online access available to the legal basis mentioned above?

In addition to 'simple' statutory interest (see question 2), statutory interest may be:

- increased in the event of an order made by a court. The statutory interest rate is increased by five points on the expiry of a period of 2 months from the date on which the court decision became enforceable (Article [L. 313-3](#) of the Monetary and Financial Code).
- compound or capitalised. Statutory interest accrued over a minimum of 1 full year may itself bear interest (Article [1343-2](#) of the Civil Code). This must be provided for in the contract or court decision.

4 Existe-t-il un accès en ligne gratuit à la base juridique susmentionnée?

Useful information on interest at the statutory rate applicable in France can be found on the website Service-

public.fr ([Qu'est-ce que l'intérêt légal ? | Service-Public.fr](#)).

In addition, all the legal and regulatory provisions in force are available on the website [légifrance.gouv.fr](#).

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