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Theft of credit card

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If you have had your credit card stolen, you must immediately oppose on your card. It is also recommended to lodge a complaint with the police (police or gendarmerie). If your vigilance is not at issue, your bank will refund you the amounts spent fraudulently. In case of difficulties in obtaining the refund, you can refer the matter to the bank mediator and/or the court.

Step-by-step approach

1.

Oppose your card

You must object to your credit card **faster** to prevent future payments and to get cancellation of payments already committed.

No transaction can be refunded if it is more than 13 months old.

As soon as you realise the loss, you must call the interbank telephone number for the opposition, which operates 24/7.

Who shall I contact

- Credit Card Opposition Interbank Server
Allows you to immediately object to your credit card.

Phone

0 892 705 705

Open 7 days a week and 24 hours a day.

Purple or enhanced number: cost of calling to a landline + **service**, from a fixed or mobile phone.

A registration number is given to you.

You will thus have a dated record of your opposition request, which may be useful in the event of a challenge.

Your credit card agreement (<https://www.service-public.fr/particuliers/vosdroits/F2420?lang=en>) may require you to notify your agency of your opposition:

- by registered letter with acknowledgement
- or on site, at the ticket office.



Confirm your bank card telephone objection statement

National Institute of Consumer Affairs (INC)

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(<https://www.inc-conso.fr/content/votre-carte-bancaire-disparu-vous-faites-opposition-aupres-de-votre-banque>)

 **Warning** : some banks are not connected to the opposition interbank server and force their customers to use another special telephone number.

If you are in foreigner, you must contact a special telephone number assigned by your bank.

After you object, it is impossible to make an expense with your card.

The procedure is final: you can't request that your card be returned to service after you file an objection (even if you find it later).

One payment order can no longer be charged to the credit card after the opposition request date. Otherwise, it is the fault of the bank: the commission is obliged to correct its error.

This rule applies to orders for single operations as well as those for series operations.

For example, if you have agreed to a card payment in multiple instalments, the bank cannot trigger payment of outstanding maturities. To meet these deadlines, you must reschedule payment by another means.

The opposition procedure can be paid for. Its cost varies depending on the banks and the insurance guarantees possibly taken to cover the risk.

2.

Complaint

It is recommended to report the theft to law enforcement. To do this, you must **file**. You can do it at a police station or at the gendarmerie. You can also do it by mail.

On site

You must go to a police station or the police force of your choice.

Who shall I contact

Specify your city or postcode. The choice of a municipality in the suggestion list will automatically trigger an update of the content

- [Office](http://www.interieur.gouv.fr/Contact/Contacter-une-brigade-de-gendarmerie-ou-un-commissariat-de-police)  (<http://www.interieur.gouv.fr/Contact/Contacter-une-brigade-de-gendarmerie-ou-un-commissariat-de-police>)
- [Police](http://www.interieur.gouv.fr/Contact/Contacter-une-brigade-de-gendarmerie-ou-un-commissariat-de-police)  (<http://www.interieur.gouv.fr/Contact/Contacter-une-brigade-de-gendarmerie-ou-un-commissariat-de-police>)

The police or gendarmerie are obliged to register the complaint.

The complaint is then transmitted to the public prosecutor to decide on the follow-up (investigation, classification without further action...).

If you don't know the author of the facts, you can complete a pre-complaint online before you move.

You will then get an appointment and the police or gendarmes will already have the elements of your complaint when you arrive.

Online Pre-Complaint

Ministry of the Interior

Go to
online service 
(<https://www.pre-plainte-en-ligne.gouv.fr/>)

By mail

You can file a complaint directly with the public prosecutor. We need to send **free paper letter** (<https://www.service-public.fr/particuliers/vosdroits/R11469?lang=en>) the court of the place of the offence or the place of domicile of the offender.

The letter shall specify:

- Civil status and full contact information (address and telephone number) of the complainant
- Detailed account of the facts, date and place of the offence
- Supposed author's name if you know him (otherwise, the complaint will be filed against X)
- Names and addresses of potential witnesses to the offence
- Description and provisional or final estimate of the injury
- Evidence: medical certificates, work stoppages, various invoices, findings
- Willingness to become a civil party

File a complaint with the public prosecutor

Directorate of Legal and Administrative Information (Dila) - Prime Minister

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(https://www.service-public.fr/simulateur/calcul/Porter_plainte)

Who shall I contact

- ▶ [Court or Proximity Court](https://www.justice.fr/recherche/annuaires)  (<https://www.justice.fr/recherche/annuaires>)

You can send your complaint by registered letter or by simple letter. You can also file your complaint directly at the court reception. In all cases, you will receive a receipt as soon as the public prosecutor's office has registered your complaint.

 **FYI** : you can file a complaint against your spouse, parents or child if they are responsible for stealing your credit card.

The complaint allows you to obtain a receipt, that is, a document certifying that your return has been registered. You can send the receipt to your bank when you request a refund.

3.

Request Refund

Procedure

If fraudulent purchases have been made with your card, you can ask your bank for a refund. Check with your bank to find out how the application should be submitted.

If opposition late, your bank may refuse to repay you. A fraudulent payment cannot be refunded if it is more than 13 months old.

In addition, you will not be able to get a refund for any fault or negligence on your part (for example, if you wrote your code on the back of the card). The onus is on the bank to prove this misconduct or negligence.

The level of reimbursement depends on the use of the secret code and the amount spent.

If the secret was not used

Reimbursement is complete regardless of the amount spent.

If the secret was used

Up to 50 € spent

There is no refund.

More than 50 € spent

The refund is partial: €50 are at your expense, the rest is refunded.

Example :

If €200 have been spent, your bank repays you €150.

 **Please note** : banks can offer insurance that allows for larger repayment of pre-opposition losses.

However, the bank will have to reimburse you in full if the theft could not be detected before the fraudulent use of the card.

Appeal

If you are unable to obtain a refund or cancellation of payments associated with an objection, you can enter the [bank mediator](https://www.service-public.fr/particuliers/vosdroits/F20523?lang=en) (<https://www.service-public.fr/particuliers/vosdroits/F20523?lang=en>).

If the intervention of the bank mediator did not resolve the dispute, you can take the matter to court.

The competent court is dependent on the sums involved in the dispute.

- ▶ For litigation less than or equal to €10 000, it is the local court or the judicial court.
- ▶ For litigation greater than €10 000, it's the court.

Who shall I contact

- ▶ [Court or Proximity Court](https://www.justice.fr/recherche/annuaires)  (<https://www.justice.fr/recherche/annuaires>)

Penalties for false declarations

If you have provided false information to support your objection, you will be required to remit the erroneous refunds to your bank.

In addition, you risk a fine of €375,000 and a five-year prison sentence.

4.

Request a new card

To obtain a new card, you must apply to your bank. Check with your bank to find out how the application should be submitted. The card will have a new number and secret.

Statute and miscellaneous references

- **Monetary and Financial Code: Articles L133-15 to L133-17** [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000020861605&cidTexte=LEGITEXT000006072026) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000020861605&cidTexte=LEGITEXT000006072026>)
Opposition
- **Monetary and Financial Code: Article L133-18** [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000020861595&cidTexte=LEGITEXT000006072026) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000020861595&cidTexte=LEGITEXT000006072026>)
Reimbursement of amounts stolen after opposition
- **Monetary and Financial Code: Articles L133-19 to L133-20** [↗](http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000020861593&cidTexte=LEGITEXT000006072026) (<http://www.legifrance.gouv.fr/affichCode.do?idSectionTA=LEGISCTA000020861593&cidTexte=LEGITEXT000006072026>)
Reimbursement of amounts stolen before opposition

Online services and forms

- **Confirm your bank card telephone objection statement** (<https://www.service-public.fr/particuliers/vosdroits/R18301?lang=en>)
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For more information, please contact

- **Credit card** [↗](https://www.inc-conso.fr/content/la-carte-bancaire) (<https://www.inc-conso.fr/content/la-carte-bancaire>)
National Institute of Consumer Affairs (INC)